RESOLUTION NO. PC-15-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE CITY OF COSTA MESA'S VACATION OF A PORTION OF RIGHT-OF-WAY ON THE PROPERTY OF 155 FLOWER STREET IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN AND WILL SERVE THE PUBLIC INTEREST AND IS A PUBLIC BENEFIT.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Costa Mesa City Council adopted the City of Costa Mesa 2000 General Plan on January 22, 2002; and,

WHEREAS, the Government Code of the State of California, Section 65402, provides in part that a local agency shall not acquire or lease real property nor abandon or dispose of any real property, nor construct a public building or structure in any county or city, until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan applicable thereto; and,

WHEREAS, the City of Costa Mesa proposes to vacate a portion of a City right-of-way within the property limits of 155 Flower Street. The right-of-way to be vacated is was originally dedicated by 60 feet right-of-way granted to the City of Costa Mesa as a successor of interest from the County of Orange recorded May 13, 1926; and,

WHEREAS, the portion of the right-of-way being vacated has been found by the Engineering and Transportation Services Division not to be useful as a non-motorized transportation facility, and as such, the vacation serves the public interest and is a public benefit since the vacated right-of-way is unnecessary for present or future public use; and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the vacation is exempt from the provisions of the California Environmental Quality Act under section 15312 (Class 12), Surplus Government Property Sales, because the portion of the right-of-way to be vacated is not located on a parcel of land in an area of statewide, regional, or area wide concern; and,

WHEREAS, the subject property is shown in Exhibit A (City Engineer's memo dated January 27, 2015); and,

WHEREAS, on February 23, 2015, the Costa Mesa Planning Commission review the proposed abandonment and findings;

BE IT RESOLVED, that, based on the evidence in the record and the findings contained in Exhibit "A," the Planning Commission hereby **APPROVES** the proposed vacation of the right-of-way with respect to the property described above.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby find the proposed vacation of the right-of-way in conformance with the City of Costa Mesa 2000 General Plan and serves the public interest and is a public benefit.

PASSED AND ADOPTED this 23rd day of February 2015.

Robert Dickson, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. 15-10 was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on February 23, 2015, by the following votes:

AYES: Dickson, Mathews, McCarthy, Sesler, Andranian

NOES: None

ABSENT: None

ABSTAIN: None

Claire L. Flynn, Secretary
Costa Mesa Planning Commission