

RESOLUTION NO. PC-15-39

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE CITY OF COSTA MESA'S VACATION OF A FLOWAGE EASEMENT WITHIN THE PROPERTY LOCATED AT 970 W. 16TH STREET IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN, 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 southeasterly portion of the property at 970 W. 16th Street was originally dedicated to the City of Costa Mesa as a flowage easement by Easement Deed No. 6570 in Book 6102, Page 658 of records, and recorded on May 9, 1962 in the County of Orange Records Office; and

WHEREAS, the City of Costa Mesa proposes to vacate the flowage easement within the property limits of 970 W. 16th Street, as shown in Exhibit B; and,

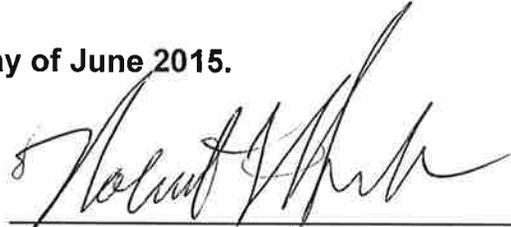
WHEREAS, the flowage easement being vacated has been found by the Engineering Division to not be necessary for drainage purposes, and as such, the vacation serves the public interest and is a public benefit as it eliminates any maintenance costs and liabilities imposed on the City associated with the easement; 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, on June 22, 2015, the Costa Mesa Planning Commission reviewed the proposed vacated easement and findings;

NOW, THEREFORE, BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission does hereby find the proposed vacation of a flowage easement within the property located at 970 W. 16th Street to be in conformance with the City of Costa Mesa 2000 General Plan, will serve the public interest, and is a public benefit.

PASSED AND ADOPTED this 22nd day of June 2015.

A handwritten signature in black ink, appearing to read "Robert L. Dickson, Jr.", written over a horizontal line.

Robert L. Dickson, Jr., Chair
Costa Mesa Planning Commission

