

RESOLUTION NO. XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDING THAT THE PROPOSED VACATION OF PUBLIC RIGHT-OF-WAY LOCATED ADJACENT TO THE PROPERTY AT 174 EAST 19TH STREET IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2015-2035 GENERAL PLAN

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

WHEREAS, the City of Costa Mesa is considering vacating a 10-foot deep by 50-foot wide, 500 square foot portion of the East 19th Street unimproved right-of-way;

WHEREAS, the Government Code of the State of California, Section 65402, provides in part that a local agency shall not acquire 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;

WHEREAS, the Costa Mesa City Council adopted the City of Costa Mesa 2015-2035 General Plan on June 21, 2016;

WHEREAS, the California Streets and Highways Code, allows a local agency to vacate excess right-of-way of a street or highway. The proposed right-of-way vacation has been reviewed by the Engineering Division of the City of Costa Mesa, and it has been determined that this portion of East 19th Street is not necessary for the present or prospective public street and highway purposes;

WHEREAS, the subject right-of-way is located on the northerly side of East 19th Street between Fullerton Avenue and Orange Avenue adjacent to real property located at 174 East 19th Street;

WHEREAS, even with the requested vacation, the remaining right-of-way on East 19th Street at this location would provide a 60-foot right-of-way that includes public parkway with sidewalk and landscaping, consistent with the City's Master Plan of Highways;

WHEREAS, the property at 174 East 19th Street abutting the subject right-of-way will revert back to the owner of 174 East 19th Street and will be designated as Medium Density Residential and zoned as R2-MD, Medium Density Multi-Family Residential;

WHEREAS, the excess right-of-way vacated has been found by the Engineering Division of the City of Costa Mesa to be unnecessary for any present or prospective motorist or non-motorist use, 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 excess right-of-way area;

WHEREAS, the proposed area to be vacated is shown in Attachment 2 to the Planning Commission Agenda Report dated November 12, 2024;

WHEREAS, the Costa Mesa Planning Commission reviewed the proposed real property acquisition and General Plan conformance findings as set forth the Planning Commission Agenda Report dated November 12, 2024;

WHEREAS, the proposed vacation of excess public right-of-way adjacent to the property located at 174 East 19th Street is in conformance with the City of Costa Mesa General Plan for the purposes stated therein is in conformance with the General Plan; and

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule), in that it can be seen with certainty that there is no possibility that the proposed abandonment/vacation will result in a significant effect on the environment;

NOW, THEREFORE, BE IT RESOLVED that, the Planning Commission does hereby: 1) Adopt the Planning Commission Agenda Report dated November 12, 2024 as its report for purposes of reporting General Plan conformance pursuant to Government Code Section 65402 related to the abandonment/vacation of a 10-foot deep by 50-foot wide, 500 square foot strip of unimproved public right-of-way located adjacent to the property at 174 East 19th Street; 2) Finds that the proposed vacation of a 10-foot deep by 50-foot wide, 500 square foot strip of land adjacent to the real property located at 174 East 19th Street is in conformance with the City of Costa Mesa General Plan; and 3) Finds that the proposed vacation of a 10-foot deep by 50-foot wide, 500 square foot strip of land adjacent to the real property located at 174 East 19th Street is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

PASSED AND ADOPTED this 12th day of November, 2024.

Adam Ereth, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC- __ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on November 12, 2024 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission