



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: July 13, 2026

ITEM NUMBER: CC-3

**SUBJECT: GENERAL PLAN CONFORMITY DETERMINATION FOR PROPOSED
EXCESS RIGHT-OF-WAY VACATION EABN-26-0001 ADJACENT TO
405 EAST 19TH STREET**

**FROM: ECONOMIC AND DEVELOPMENT SERVICES
DEPARTMENT/PLANNING DIVISION**

PRESENTATION BY: CHRIS YEAGER, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: CHRIS YEAGER
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RECOMMENDATION:

Staff recommends the Planning Commission:

1. Adopt a Resolution finding that the location, purpose, and extent of the proposed vacation of excess street right-of-way along East 19th Street, adjacent to 405 East 19th Street, are in conformity with the City of Costa Mesa 2015-2035 General Plan and transmit the determination to the City Council for consideration of the proposed vacation.

APPLICANT OR AUTHORIZED AGENT:

The applicant is the property owner, Colin Calvert.

BACKGROUND:

The subject site is the second parcel to the east from the intersection of Tustin Avenue and East 19th Street. The site is zoned R1 (Single-Family Residential) with a General Plan land use designation of Low Density Residential (LDR). The site contains a single-family home. The properties surrounding the project site are all zoned R1 and have a General Plan land use designation of LDR (see Figure 1 below).

Figure 1. Vicinity Map

**DESCRIPTION:**

The property owner is requesting that the City vacate unused excess street right-of-way adjacent to 405 East 19th Street. The property has a General Plan land use designation of Low Density Residential (LDR). If vacated by the City, the property would revert to the property owners. See Figure 2 below for proposed vacated area.

Figure 2. Proposed Vacated Area



Pursuant to Government Code Section 65402, the Planning Commission must determine whether the location, purpose, and extent of the proposed vacation are in conformity with the City's General Plan. Following the Planning Commission's determination, the City Council will consider the proposed vacation pursuant to Streets and Highways Code Section 8300 et seq.

ANALYSIS:

Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) requires the City's planning agency to review and approve certain actions related to City property. Actions related to acquiring, using, or disposing of public property within the City of Costa Mesa require the Planning Commission to review the proposed use for conformity with the General Plan. Additionally, Streets and Highways Code Section 8334 authorizes the City Council, as the City's legislative body, to summarily vacate excess street or highway right-of-way that is not required for street or highway purposes. The City Engineer has reviewed the vacation request and is in support (Attachment 2).

The 20-foot-deep by 60-foot-wide strip of excess street right-of-way is already developed with landscaping consistent with the remainder of the front yard of the adjacent private property. The dedication was required in 1972 when the roadway had a different classification, and the roadway has since been downgraded. Even with the requested vacation, the remaining right-of-way on East 19th Street would still provide a 60-foot right-of-way, including a 10-foot public parkway, consistent with the City's Master Plan of Highways, which designates this portion of East 19th Street as a Collector Arterial (two-lanes with no median and a 60-foot total right-of-way).

The Active Transportation Committee reviewed the request at its May 13, 2026 meeting and determined that the subject area is not necessary for public street or highway purposes, including motorist or non-motorist use.

GENERAL PLAN CONFORMANCE:

Planning staff has found the proposal in compliance with the City's General Plan for the following reasons:

- *The proposed vacation conforms to General Plan Goal LU-5A.* As described in the Land Use Element, it is the City's goal to ensure availability of adequate community facilities and provisions of the highest level of public services possible, taking into consideration budgetary constraints and effects on the surrounding area. Even with the requested vacation, the remaining right-of-way on East 19th Street would still provide a 60-foot right-of-way, including a public parkway, consistent with the City's Master Plan of Highways, which designates this portion of East 19th Street as a Collector Arterial (two-lanes with no median and a 60-foot total right-of-way). The excess right-of-way has been reviewed by the Engineering and Transportation Services Divisions, as well as the Active Transportation Committee, and it has been determined that this portion of the East 19th Street public right-of-way is not necessary for public street and highway purposes. The Engineering and Transportation Services Divisions state

there are no utilities within the subject excess right-of-way, and, therefore, a reservation for utility easement is not required.

- The proposed vacation conforms to General Plan Policy LU-5.8 and LU-5.9. As described in the Land Use Element, it is the City's goal to create and maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical resources. Given that the proposed action will not result in any adverse impacts to public utilities or the transportation network, the proposed vacation is in conformance with the General Plan.
- The proposed action is anticipated to serve the public interest and is anticipated to be a public benefit. The Engineering and Transportation Divisions determined the excess right-of-way is unnecessary for present or future public use. The City may be subject to additional maintenance costs and liabilities associated with having an ownership interest in the subject right-of-way. Consequently, vacating the unnecessary right-of-way serves the public interest and is a public benefit.

ENVIRONMENTAL DETERMINATION:

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 vacation will have a significant effect on the environment.

ALTERNATIVES:

A draft Resolution finding that the vacation of the excess right-of-way along East 19th Street has been provided. If the Planning Commission believes the proposed vacation is inconsistent with the General Plan, the Planning Commission should articulate facts to support its conclusion and direct staff to modify the Resolution to reflect the Planning Commission's findings. The Planning Commission's determination will be transmitted to the City Council for consideration as part of the proposed street vacation.

PUBLIC NOTICE:

Pursuant to the Brown Act, this item was posted on the Agenda 72 hours prior to the meeting.

CONCLUSION:

The proposed vacation would eliminate an approximately 20-foot by 60-foot portion of excess street right-of-way that is not needed for present or prospective transportation, utility, or public access purposes. The remaining East 19th Street right-of-way would continue to conform to the City's Master Plan of Highways, and the proposed vacation would not adversely affect public access, transportation facilities, or utilities. Therefore, staff recommends that the Planning Commission adopt the attached resolution finding that the location, purpose, and extent of the proposed vacation are in conformity with the City of Costa Mesa 2015-2035 General Plan and transmit its determination to the City Council.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution finding that the location, purpose, and extent of the proposed vacation of excess street right-of-way along East 19th Street, adjacent to 405 East 19th Street, are in conformity with the City of Costa Mesa 2015-2035 General Plan and transmit the determination to the City Council for consideration of the proposed vacation.

ATTACHMENTS:

1. Draft Planning Commission Resolution
2. City Engineer Memorandum dated June 10, 2026