



# STAFF REPORT

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December 7, 2022  
File Number 0690-40

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## **SUBJECT**

### **VACATION OF A PORTION OF A PUBLIC STREET FORMERLY KNOWN AS PACIFIC AVENUE**

## **DEPARTMENT**

City Manager

## **RECOMMENDATION**

Request the City Council adopt Resolution No. 2022-134 authorizing the vacation of a portion of a public street formerly known as Pacific Avenue.

Staff Recommendation: Approval (City Manager's Department: Jennifer Schoeneck, Deputy Director of Economic Development)

Presenter: Vince McCaw, Real Property Manager

## **FISCAL ANALYSIS**

No cost will result from the street vacations.

## **PREVIOUS ACTION**

On November 16, 2022, City Council passed Resolution No. 2022-132 to set December 7, 2022 as the date to conduct a hearing to consider authorizing the street vacation for a portion of public street formerly known as Pacific Avenue.

## **BACKGROUND**

A request to vacate the street was made by an adjoining property owner, to allow for setback requirements for future improvements to his property. The area of the subject property to be vacated, which is approximately 9,438 square feet, was never constructed for street purposes and is no longer needed by the City. California Streets and Highways Code § 8324 (a) requires that City Council shall hear evidence offered by persons interested in the proposed vacation.

The State of California Streets and Highways Code § 8320, et seq. authorizes the City to vacate a street if the City Council finds that such street or portion of the street is unnecessary for present or prospective public use. The City Council may initiate street vacation proceedings by adopting a Resolution of Intent to Vacate and setting a Public Hearing on the proposed vacation.



# CITY *of* ESCONDIDO

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Notice of the Public Hearing has been published in the newspaper for at least two successive weeks prior to the Public Hearing, as required by the California Street and Highways Code, § 8322. Notices of the Public Hearing have also been posted on the streets proposed to be vacated at least two weeks before the date set for the hearing, in conformity with and in the manner provided by California Streets and Highways Code, Section 8323.

If, at the conclusion of the Public Hearing, the City Council finds the street right-of-way proposed to be vacated is unnecessary for present or prospective public street use, the City Council may adopt this resolution authorizing the City Engineer to vacate this street right-of-way with the recordation of the Final Map for Tract SUB18-0008.

### **RESOLUTIONS**

- a. Resolution No. 2022-134
- b. Resolution No. 2022-134 - Exhibit "A" Legal Description
- c. Resolution No. 2022-134 - Exhibit "B" Plat Depiction