City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ Regular ☐ Special

Meeting Date: August 13, 2019

Title: City Council Resolution No. 2019-47
A Resolution of the City Council of the City of Needles
Approving the Abandonment of an Unused Portion of Right-of-Way
Along Market Street, West of "O" Street, and Adjacent to Assessor's
Parcel Numbers 0185-046-05, 0185-046-09 and 0185-046-10

Background: Market Street. east of the I-40 interstate, is a road that previously provided transportation through the City of Needles, which was separated into two sections with the construction of the I-40, with the highway in-between each section, making the section of Market Street, west of "O" Street and terminating at the I-40, an area of right-of-way that serves no purpose.

In accordance with Section 65402 of the Government Code, the Planning Commission must determine whether the vacation of the right-of-way conforms to the General Plan.

At the August 7, 2019 Planning Commission meeting, a public hearing was held; public input was solicited and considered, and a finding was made that abandonment of an unused portion of right-of-way along Market Street is in compliance with the General Plan.

Fiscal Impact: N/A

Environmental Impact: Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, City Staff determined that the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. City Staff found that there is no possible significant effect directly related to the Project, therefore no further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)), and independently, the Project is categorically exempt (class 5) pursuant to Section 15305 of the State CEQA Guidelines (14 CCR § 15305).

Recommended Action: Approve City Council Resolution No. 2019-47 approving the abandonment of a public street right-of-way consisting of an unused portion of Market Street, west of "O" Street, and adjacent to Assessor's Parcel Numbers 0185-046-05, 0185-046-09 and 0185-046-10

Submitted By: Patrick Martinez, Development Director

City Management Review: Rick **Date:** 8/8/19

Approved: ☐	Not Approved: ☐	Tabled: ☐	Other: ☐
			Agenda Item: 5

RESOLUTION NO. 2019-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, APPROVING THE ABANDONMENT OF AN UNUSED PORTION OF RIGHT-OF-WAY ALONG MARKET STREET, WEST OF "O" STREET AND ADJACENT TO ASSESSOR'S PARCEL NUMBERS 0185-046-05, 0185-046-09, AND 0185-046-10

WHEREAS, at the August 7, 2019 Planning Commission meeting a public hearing was held relevant to the above-referenced project with public input solicited and considered; and

WHEREAS, a finding was made by the Planning Commission that abandonment of a public street right of way consisting of an unused portion of Market Street, west of "O" Street, directly adjacent Assessor's Parcel Numbers 0185-046-05, 0185-046-09, and 0185-046-10 is in compliance with the General Plan; and

WHEREAS, notice of a Public Hearing for the August 13, 2019 City Council meeting was published in the Needles Desert Star on July 10, 2019, sent to each property owner within 300' of the property being considered, and posted in two conspicuous locations within the City; and

WHEREAS, public input was solicited and considered; and

WHEREAS, the City Council finds that the original purpose of the road was made obsolete with the installation of Interstate 40, which disconnected this portion of the street from any other street and caused the road to serve no purpose now or in the foreseeable future; and

WHEREAS, a new Public Utility Easement (PUE) will be created, initiating at the existing pole in the northwest corner of APN 0185-086-01, running northwest, parallel to the I-40 on APN 0185-046-11, 10' wide, to extend electric transmission to the River City Pizza building.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Needles, California, approves the abandonment of an unused portion of right-of-way along Market Street, west of "O" Street and adjacent to Assessor's Parcel Numbers 0185-046-05, 0185-046-09, and 0185-046-10.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 13th day of August, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

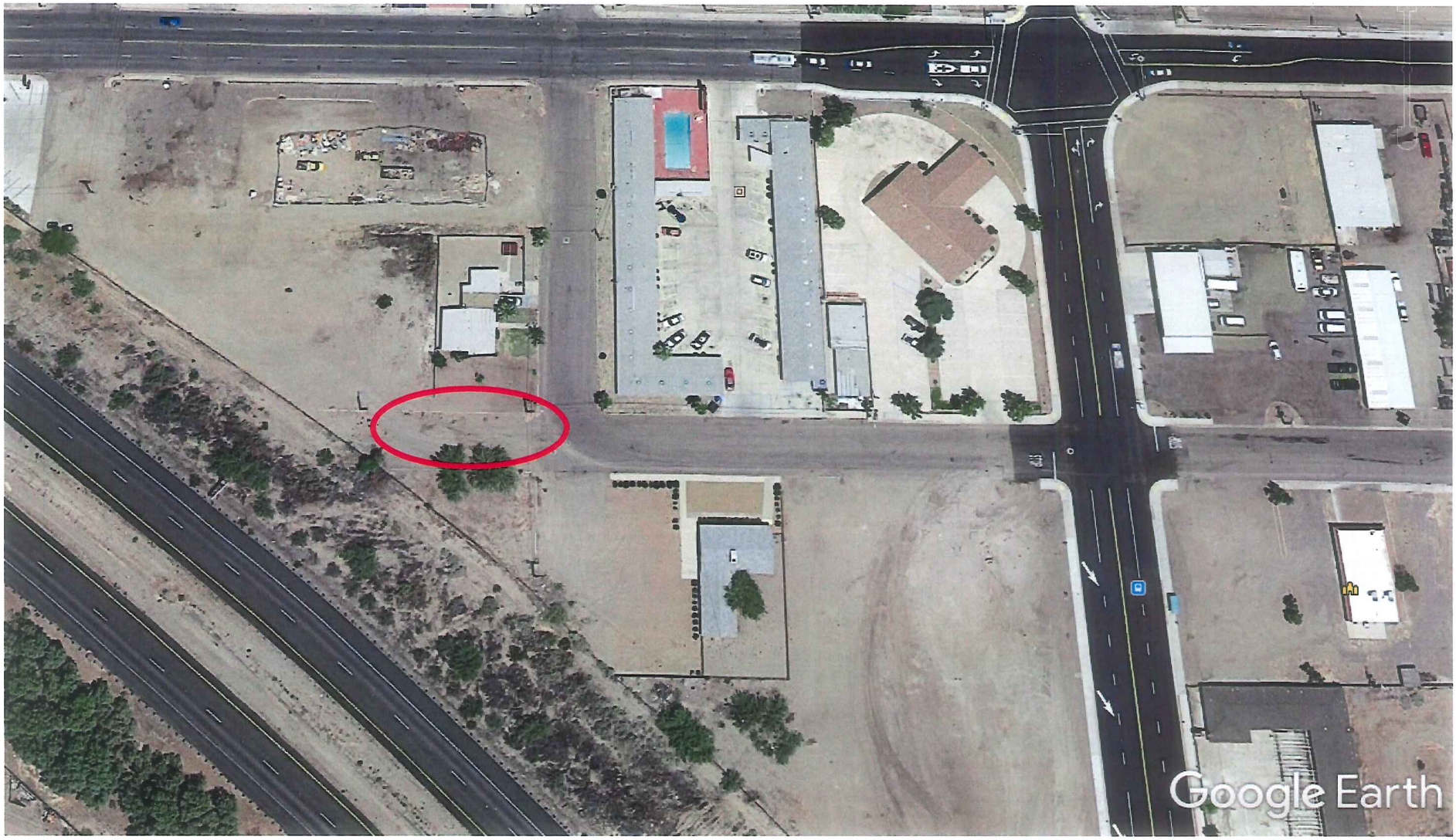
_____
Mayor

(seal)

ATTEST: _____
City Clerk

Approved as to form:

_____
City Attorney



ATTACHMENT A: PROPOSED STREET VACATION

APPLICANT: CITY OF NEEDLES

ADDRESS: INTERSECTION OF "O" AND MARKET