

# Summary Vacation of Storm Drain Easement Mahonia Glen, 5173 Hwy 12

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City Council Meeting  
July 26, 2022

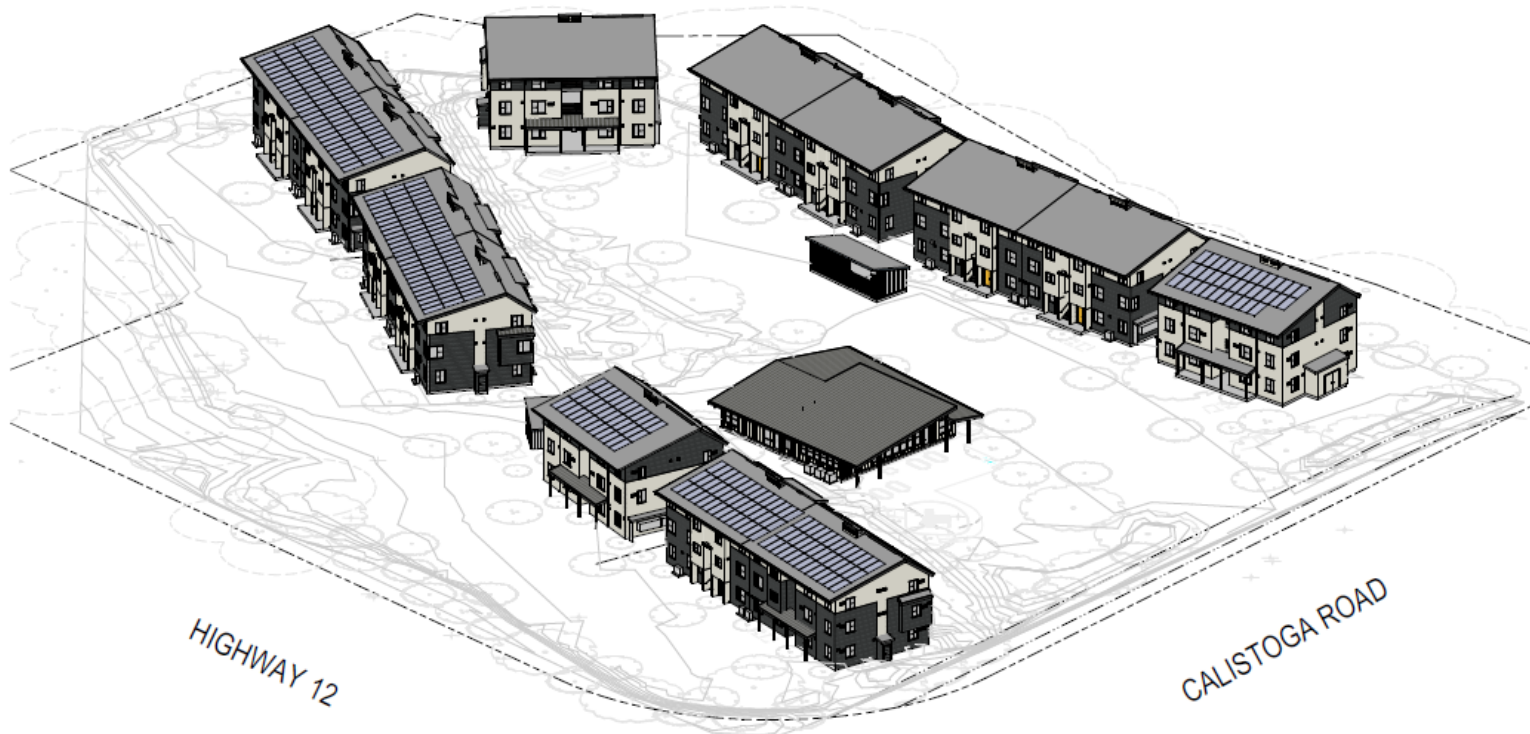
Susie Murray, Senior Planner  
Planning and Economic Development

- The applicant seeks a summary vacation of a storm drain easement that will be replaced.
- The easement was also reserved for public utilities. No public or private facilities were located within the easement and all utility companies listed have released interest.
- Vacating the easement is necessary for the orderly development of the approved Mahonia Glen project.

# Project Location/Neighborhood Context

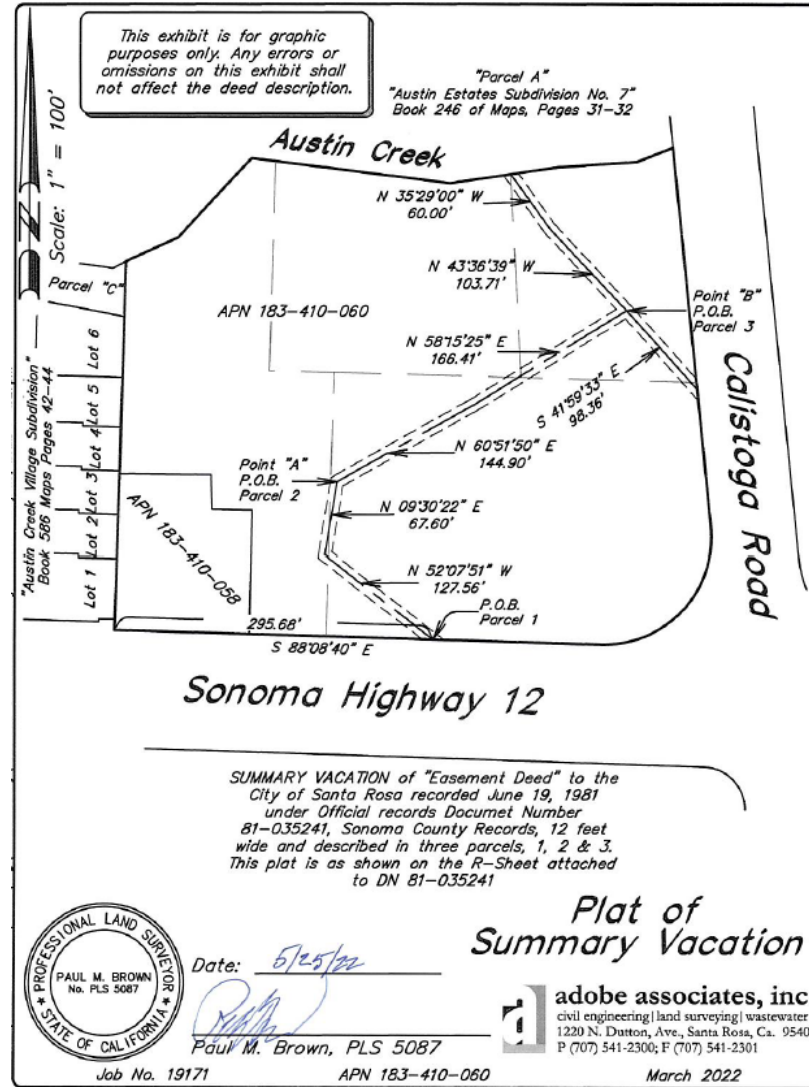


- Mahonia Glen is an approved project that includes the development of 99 affordable housing units



- On June 29, 2020, Mahonia Glen was approved through a streamlined, ministerial review process pursuant to Senate Bill 35.
- On April 20, 2022, an application requesting the subject summary vacation of the storm drain easement was submitted to Planning and Economic Development.

# Plan of Summary Vacation



- Pursuant to California Streets and Highways Code Section 8333(a) of the Code, the City may summarily vacate public service easements if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and there are no other public facilities located within the easement.
- The subject easement has not used and all interests from utility companies within the easement have been released. This summary vacation of easement meets these requirements.

Pursuant to Senate Bill 35, the Mahonia Glen project is exempt from the California Environmental Quality Act (CEQA). The requested Vacation of Easement falls within the scope of the approved project and, therefore, no additional environmental review is required.

This action is also categorically exempt from CEQA pursuant to CEQA Guideline Section 15305 because the summary vacation does not result in any changes to land use or density and the project site has an average slope of less than 20 percent.



It is recommended by the Planning and Economic Development Department that the Council, by resolution, 1) approve a summary vacation of the storm drain easement that bisects the property at 5173 Highway 12, to allow the development of Mahonia Glen, a 99-unit, affordable housing project and 2) delegate the authority to the City Engineer to execute a quitclaim deed and/or any other documents necessary to effectuate the summary vacation.

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