

# ***Lompoc City Council Agenda Item***



**City Council Meeting Date: April 6, 2010**

**TO: Laurel M. Barcelona, City Administrator**

**FROM: Charles L. Haight, Civil Engineering Associate III  
c\_haight@ci.lompoc.ca.us**

**SUBJECT: VACATE PUBLIC SERVICE EASEMENT AT  
PANDA EXPRESS DRIVE-THROUGH RESTAURANT  
1405 N. "H" STREET (Assessors Parcel Number: 093-450-032)**

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## **RECOMMENDATION:**

The City Council approve Resolution No. 5624(10), vacating Public Service Easement located at the Panda Express Drive-Through Restaurant, 1405 N. "H" Street.

## **BACKGROUND:**

On July 8, 2009, the Lompoc Planning Commission of the City of Lompoc adopted Resolution No. 655(09) approving a development plan for the construction of a Panda Express Drive-Through Restaurant and future restaurant/retail building at 1405 N. "H" Street.

A portion of an existing public utility easement on the Panda Express property is no longer needed for public utility purposes. Public electric facilities that served the previous business at this location (Denny's Restaurant) were within the area now determined to be excess and have been removed and are no longer in service.

As defined by Section 8306 of the California Streets and Highway Code, a "Public Service Easement" includes all or part of, or any right in, easements for public utilities. Procedures are provided in Section 8333 of said Code for vacating public service easements. Those procedures require a public hearing unless applicable conditions are met. If these applicable conditions are met, then the City Council may "Summarily Vacate" the easement without holding a public hearing.

**APRIL 6, 2010**  
**VACATE PUBLIC SERVICE EASEMENT AT**  
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Because there are no public facilities located within the easement and the easement is not needed, applicable conditions are met under the Streets and Highway Code, Section 8333, and this vacation qualifies for the Summary Vacation process.

**Charles L. Haight**  
**Civil Engineering Associate III**

**Attachment:** [Resolution No. 5624\(10\)](#)

**APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:**

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Larry A. Bean, P.E.  
Public Works Director

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Ronald V. Stassi, P.E.  
Utility Director

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Laurel M. Barcelona  
City Administrator