

**RESOLUTION NO. 2018-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
APPROVING THE ABANDONMENT OF EASEMENTS ON THE PROPERTY  
AT 860 RENETTA COURT**

**WHEREAS**, the City of Los Altos received an application (17-SD-03) from property owner Brett Taylor to partially abandon a public utility easement (PUE) and fully abandon a wire clearance easement (WCE) located along the southeastern border of his property at 860 Renetta Court, referred herein as the "Project"; and

**WHEREAS**, abandonment of public service easements shall be based on compliance with the applicable findings in the Streets and Highways Code and California Government Code; and

**WHEREAS**, All the applicable public utilities, including Pacific Gas and Electric, California Water Service Company, AT&T, Comcast and Los Altos Public Works have confirmed that there is no existing or planned use for the easements to be abandoned; and

**WHEREAS**, the Project is exempt from environmental review because it involves the addition to a single-family dwelling in a residential zone in accordance with Section 15305 of the California Environmental Quality Act of 1970 as amended ("CEQA"); and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on January 18, 2018 and voted to recommend approval of the Project; and

**WHEREAS**, the City Council held a duly noticed public meeting on February 13, 2018; and

**WHEREAS**, the location and custodian of the documents or other materials, which constitute the record of proceedings upon the City Council's decision was made are located in the Office of City Clerk.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby approves the Project, subject to the findings and conditions attached hereto as Exhibit "A" and incorporated by this reference.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 13<sup>th</sup> day of February 2018 by the following vote:

AYES: BRUINS, LEE ENG, MORDO, PEPPER, PROCHNOW  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE



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Jean Mordo, MAYOR

Attest:



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Jon Maginot, CMC, CITY CLERK

## EXHIBIT A

### FINDINGS

17-SD-03—860 Renetta Court

With regard to abandoning public utility and wire clearance easements as proposed, the City Council finds the following pursuant to Streets and Highways Code Section 8313 and Government Code Section 65402, that:

- A. It is in the best public interest because abandoning the easements removes an unnecessary land use constraint;
- B. The easements are unnecessary for present or prospective public use; and
- C. The project is consistent with the City's General Plan Housing Element Policy 1.5 because abandoning the unnecessary easement areas does not affect the established development pattern in the area and allows for more uniform site planning as allowed by the zoning code.

### CONDITIONS

17-SD-03—860 Renetta Court

1. The portion of the PUE that contains the guy wire for the existing utility pole on the adjacent parcel shall be maintained as shown on the plans dated November 29, 2017.
2. The applicant agrees to indemnify, defend, protect, and hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with the City's defense of its actions in any proceeding brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.
3. The applicant shall work with the City to abandon the public utility and wire clearance easements on Lot 5 of Tract No. 3096 as shown on the plans dated November 29, 2017 in a form approved by the City Attorney and City Engineer. The applicant shall provide a sufficient fee retainer to cover the cost of reviewing and recording all necessary documentation to achieve the abandonment.