

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: June 26, 2025

PREPARED BY: Cesar Lopez, Associate Engineer

SUBJECT: RESOLUTION APPROVING THE SUMMARY VACATION OF A PORTION
OF THE PUBLIC SERVICE EASEMENT ON LOT 6 AND 7 OF TRACT MAP
30438

RECOMMENDATION:

Adopt a Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE SUMMARY VACATION OF A PORTION OF THE PUBLIC SERVICE EASEMENT ON LOT 6 AND LOT 7 OF TRACT MAP 30438.

BACKGROUND/ANALYSIS:

On January 5, 2006, Tract Map 30438 was approved by the Palm Desert City Council and recorded with the County of Riverside. Tract Map 30438 established the public service easements in favor of the City of Palm Desert across multiple lots within the tract. Lot 6 and Lot 7 of Tract Map 30438 are vacant residential lots with existing public service easements granted exclusively to the City of Palm Desert.

On April 25, 2025, the developer, Des Bunting of Monroe Living Inc. (Applicant), submitted a request to vacate a portion of the public service easement to construct a home and side yard walls within the easement area. While an encroachment to build within the easement could be granted, it is best practice to vacate the easement. The Applicant coordinated with utility companies to confirm that no existing in-place public service facilities or planned utilities are located within the proposed easement vacation area. A summary of these findings is provided in the attached letter (Attachment 2).

Palm Desert Municipal Code Section 12.36.110(F) establishes the circumstances under which the City Council may summarily vacate a public service easement. The request meets the criteria for such a summary vacation, as the subject easement is no longer necessary for present or future public use, and the subject easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding this date, consistent with the provisions of Section 12.36.110(F).

The proposed summary vacation is consistent with the Palm Desert General Plan, which encourages efficient land use and supports residential development that makes use of existing infrastructure without compromising public utility service. The vacation will not interfere with existing or planned infrastructure and will facilitate the development of appropriately zoned residential lots, aligning with the City's land use goals.

On May 16, 2025, Public Works staff confirmed that no existing utilities are located within the portion of the easement proposed for vacation. All current utilities are located within the street

City of Palm Desert

Vacate a portion of a Public Service Easement for Lots 6 and 7 of Tract Map 30438

or adjacent public service easements. There are no current or anticipated future plans to utilize the subject area for utility purposes.

On June 2, 2025, the City Surveyor approved the legal description and plat of the proposed easement vacation.

Legal Review:

This report has been reviewed by the City Attorney's Office.

FINANCIAL IMPACT:

There is no financial impact to the General Fund with this action.

ATTACHMENTS:

1. Resolution
2. Applicant's Request
3. Tract Map 30438
4. Legal description and plat
5. Vicinity Map