

Huntington Beach Planning Commission

2000 MAIN STREET

CALIFORNIA 92648

NOTICE OF ACTION

September 23, 2020

City of Huntington Beach
Public Works Department
2000 Main Street
Huntington Beach CA 92648

SUBJECT: GENERAL PLAN CONFORMANCE NO. 20-003 (DELAWARE ST. VACATION)

APPLICANT: Public Works Department, City of Huntington Beach

REQUEST: To determine if the vacation of the westerly 33 feet of Delaware St., south of Atlanta Ave., is in conformance with the goals and policies of the General Plan.

LOCATION: 80 Huntington St - Approximately 630 feet in length on the West side of Delaware St., south of Atlanta Ave.

DATE OF ACTION: September 22, 2020

On Tuesday, September 22, 2020, the Huntington Beach Planning Commission took action on your application, and **approved** your request by adopting Resolution No. 1713, approving General Plan Conformance No. 20-003. Attached to this letter are Resolution No. 1713 and the findings for approval.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. Said appeal must be accompanied by a filing fee of Two Thousand, Three Hundred Fifty-Three Dollars (\$2,353.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Three Thousand, Seven Hundred Seventy-Eight Dollars (\$3,778.00) if the appeal is filed by any other party. In your case, the last day for filing an appeal and paying the filing fee is **Friday, October 2, 2020, at 5:00 PM.**

If you have any questions, please contact Jane James, the project planner, at jjames@surfcity-hb.org or (714) 536-5596 or the Community Development Department Zoning Counter at (714) 536-5271.

Sincerely,

Ursula Luna-Reynosa, Secretary
Planning Commission

By:



Jane James, Planning Manager

ULR:JJ:kdc

Attachments: 1. Resolution No. 1713

c: Honorable Mayor and City Council
Chair and Planning Commission
Oliver Chi, City Manager
Ursula Luna-Reynosa, Director of Community Development
Tim Andre, Fire Division Chief
Mike Vigliotta, Chief Assistant City Attorney
Debbie DeBow, Principal Civil Engineer
Eric Haghani, Building Manager
Property Owner
Project File

RESOLUTION NO. 1713

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HUNTINGTON BEACH FINDING THE VACATION OF A 20,593 SQ. FT.
UNDEVELOPED PORTION OF AN EASEMENT FOR PUBLIC STREET AND
HIGHWAY PURPOSES ON DELAWARE STREET, SOUTH OF ATLANTA AVENUE,
IS IN CONFORMANCE WITH THE GOALS AND POLICIES OF THE GENERAL
PLAN
(GENERAL PLAN CONFORMANCE NO. 20-003)**

WHEREAS, the Government Code of the State of California, Section 65402, provides that a local agency shall not acquire real property, nor dispose of any real property, nor construct a public building or structure in any county or city until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan; and

WHEREAS, staff has reviewed the subject request and submitted it to the Planning Commission for review on September 22, 2020; and

WHEREAS, staff has indicated the applicable CEQA exemption pursuant to City Council Resolution No. 4501, Class 5 and applicable General Plan goals and policies to establish conformance with the General Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Huntington Beach finds the proposed vacation of an undeveloped portion of an easement for public street and highway purposes on Delaware Street exempt from CEQA and in conformance with the goals and policies of the General Plan as follows:

A. Land Use Element

Policy LU-1 (A): Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

The vacation of the westerly 33 foot wide (approximately 630 feet in length) portion of Delaware Street, south of Atlanta Ave. will not negatively impact surrounding property owners or public users of the street because easements for the developed portion of the street will remain intact. Delaware Street has been previously deleted from the MPAH and upon vacation, will be transferred to the adjacent residential property owner.

B. Circulation Element

Goal CIRC-1 (A): The circulation system supports existing, approved, and planned land uses while maintaining a desired level of service and capacity on streets and at critical intersections.

Policy CIRC-1 (J): Investigate current jurisdictional control of roadways and determine where adjustments may be made in the future.

C. Coastal Element

Objective CE 2.1: Balance the circulation system with the circulation demands generated by the implementation of the Coastal Land Use Plan.

The existing street and nearby pedestrian sidewalk and bike lane currently provide sufficient access to the surrounding residential uses. The subject area is no longer necessary to construct right-of-way infrastructure to provide the public circulation needs of the abutting properties. Vacating an undeveloped 20,593 square foot portion of an existing public street and utility easement will not have a detrimental impact on the circulation system.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Huntington Beach at a regular meeting held on the Twenty-Second day of September 2020, by the following roll call vote:

AYES: Scandura, Kalmick, Ray, Perkins, Mandic, Garcia, Crowe
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

Jennifer Villasenor, Acting Secretary

Planning Commission Chair

Exhibit A – Legal Description and Plat Map

Res 1713

EXHIBIT A

THAT PARCEL OF LAND LOCATED IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, BEING A PORTION OF TRACT 9580, FILED IN BOOK 444, PAGES 29 THROUGH 31 INCLUSIVE, OF MISCELLANEOUS MAPS, IN RECORDS OF SAID COUNTY, ALSO BEING A PORTION OF DELAWARE STREET AS DEDICATED TO THE CITY OF HUNTINGTON BEACH FOR STREET PURPOSES UPON THE MAP FOR SAID TRACT 9580, THE PURPOSE OF THIS LEGAL DESCRIPTION IS TO DESCRIBE A PORTION OF SAID DEDICATED ROADWAY TO BE VACATED, SAID PORTION TO BE VACATED BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID TRACT 9580 THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID TRACT 9580, SOUTH 00°43'14" EAST, 50.05 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE NORTH 89°06'11" EAST, 4.91 FEET;

THENCE SOUTH 46°50'42" EAST, 38.97 FEET TO THE NORTHERLY TERMINUS OF A LINE PARALLEL TO AND 7.00 FEET WESTERLY OF THE CENTERLINE OF DELAWARE STREET, SAID CENTERLINE BEING CENTERED EQUALLY WITHIN A STRIP OF LAND 80 FEET WIDE, AS DEDICATED UPON SAID TRACT 9580;

THENCE SOUTHERLY ALONG SAID PARALLEL LINE SOUTH 00°43'14" EAST, 577.86 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 53.00 FEET;

THENCE SOUTHERLY AND SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 36°40'42", AND ARC LENGTH OF 33.93 FEET, TO THE THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 47.00 FEET;

THENCE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 05°01'25", AND ARC LENGTH OF 4.12 FEET TO A POINT, A RADIAL BEARING TO SAID POINT BEARING NORTH 59°03'57" WEST;

THENCE NON-TANGENT TO LAST SAID CURVE SOUTH 89°16'46" WEST, 20.19 FEET TO THE WEST LINE OF SAID TRACT 9580;

LEGAL DESCRIPTION
DELAWARE STREET VACATION

CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

1 OF 3



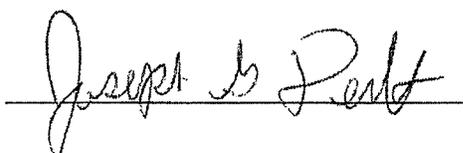
EXHIBIT A

THENCE NORTHERLY ALONG SAID WEST LINE NORTH 00°43'14" WEST, 639.92 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

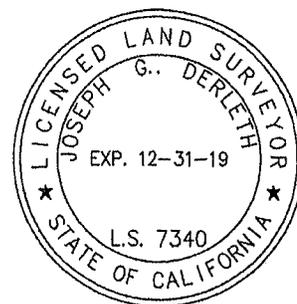
CONTAINING 20,593 SQUARE FEET (0.47 ACRES) MORE OR LESS.

AS SHOWN ON EXHIBIT "9" SHEET 3 OF 3, ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY, EASEMENTS AND LEASES OF RECORD, IF ANY.



JOSEPH G. DERLETH
PLS 7340 EXPIRES 12/31/19



LEGAL DESCRIPTION
DELAWARE STREET VACATION

CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

2 OF 3

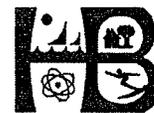


EXHIBIT A

DETAIL 2 (N.T.S.)

HUNTINGTON ST (N'LY)

SEE
DETAIL 1

NORTH LINE SEC 14,
T.6S., R.11W.

POINT OF COMMENCEMENT, NW'LY
COR. TRACT 9580, 444/29-31 M.M.

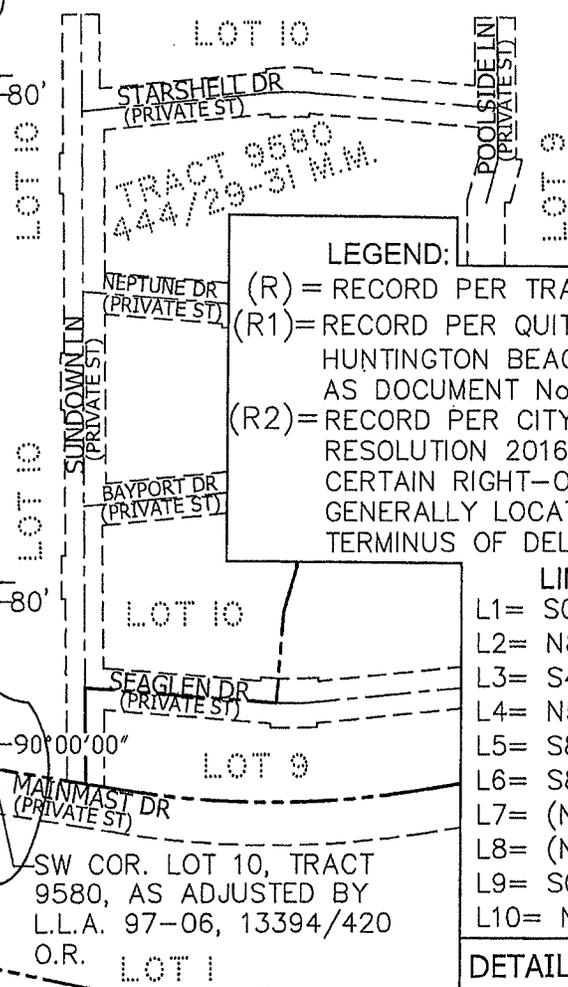
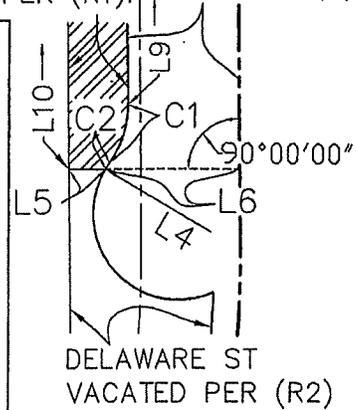
DELAWARE ST. QUITCLAIMED
AREA PER (R1).
DELAWARE ST. DEDICATION
AREA PER (R).

EAST LINE W 1/2, NW 1/4, NE 1/4,
SEC. 14, T.6S., R.11W., PER (R).

HUNTINGTON ST (S'LY)

TRACT 9580
M.M. 444/29-31
N 00°43'19" W, R.S.B. 261/1-10
N 00°43'14" W, 639.92'
N 00°43'14" W, 639.92'
N 1/2, NE 1/4,
SEC. 14, T.6S., R.11W.
TO S'LY LINE,
N 1/2, NE 1/4,
SEC. 14, T.6S., R.11W.
N 00°43'14" W (N 00°43'19" W, R.S.B. 261/1-10)

TRUE POINT
OF BEGINNING ATLANTA AVE



LEGEND:

- (R) = RECORD PER TRACT 9580, M.M. 444/29-31.
- (R1) = RECORD PER QUITCLAIM DEED TO CITY OF HUNTINGTON BEACH RECORDED 12/28/2015, AS DOCUMENT No. 2015000650792.
- (R2) = RECORD PER CITY OF HUNTINGTON BEACH RESOLUTION 2016-26, VACATING THAT CERTAIN RIGHT-OF-WAY EASEMENT GENERALLY LOCATED AT THE SOUTHERN TERMINUS OF DELAWARE ST.

LINE TABLE:

- L1= S00°43'14"E, 50.05'
- L2= N89°06'11"E, 4.91'
- L3= S46°50'42"E, 38.97'
- L4= N59°03'57"W, RAD
- L5= S89°16'46"W, 20.19'
- L6= S89°16'46"W, 59.81'
- L7= (N89°43'00"E, 660.04' R)
- L8= (N89°43'00"E, 1.50' R)
- L9= S00°43'14"E, 577.86'
- L10= N00°43'14"W, 639.92'

SEE
DETAIL 2

W'LY LINE
TRACT 9580,
444/29-31
M.M.

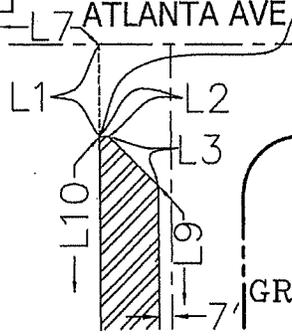
DELAWARE ST.
VACATED PER
(R2).

CURVE TABLE:

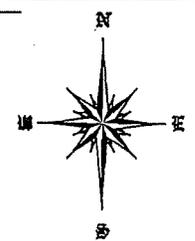
- C1= DELTA= 36°40'42", RAD= 53.00', L= 33.93'
- C2= DELTA= 05°01'25", RAD= 47.00', L= 4.12'

LOT 2 = PORTION OF DELAWARE ST., QUITCLAIMED TO THE CITY OF HUNTINGTON BEACH, PER (R1), CONTAINING 20,593 SQ FT, (0.47 ACRES) MORE OR LESS.

DETAIL 1 (N.T.S.)



TRUE POINT
OF BEGINNING



GRAPHIC SCALE
1 inch = 150 ft.

PLAT DELAWARE STREET VACATION

CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

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