

RESOLUTION NO. 1706

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON BEACH FINDING THE VACATION OF A 150.50 SQ. FT. UNDEVELOPED PORTION OF AN EXISTING STREET AND PUBLIC UTILITY EASEMENT AT 743 13th STREET IS IN CONFORMANCE WITH THE GOALS AND POLICIES OF THE GENERAL PLAN (GENERAL PLAN CONFORMANCE NO. 18-002)

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 January 23, 2019; and

WHEREAS, staff has indicated 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 a portion of an existing street and public utility easement is 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 a 1 foot wide portion of an existing easement will not negatively impact surrounding property owners or public users of the street and sidewalk because easements for the developed street, sidewalk, and parkway areas will remain intact. Upon vacation, the fee title for the area will revert 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.

Goal CIRC-6: Connected, well-maintained, and well-designed sidewalks, bike lanes, equestrian paths, and waterways allow for both leisurely use and day-to-day required activities in a safe and efficient manner for all ages and abilities.

The existing street and pedestrian sidewalk 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 150.50 square foot portion of an existing public street and utility easement will not have a detrimental impact on the circulation system.

C. Public Services and Infrastructure Element

Goal PSI-8: Coordinated infrastructure improvements are identified and funded.

Policy PSI-8 (A): Prepare and adopt coordinated, citywide infrastructure master plans to establish priority and identify funding options for future capital improvement projects.

The area requested to be vacated is a 150.50 foot long portion of an existing easement for street and public utility purposes located at the subject property. The Public Works Department has determined that the southerly 1-foot portion of the existing easement adjacent to the subject property is excess right-of-way and no longer needed. The Public Works Department has also determined that there are no utilities requiring easement access located within the easement area that is proposed to be vacated. Vacation of an undeveloped 150.50 square foot portion of an existing public street and utility easement will not have a detrimental impact to public services and infrastructure.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Huntington Beach at a regular meeting held on the Twenty-Third day of January 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Ursula Luna-Reynosa, Secretary

Planning Commission Chair