

# Huntington Beach Planning Commission

2000 MAIN STREET

CALIFORNIA 92648

## NOTICE OF ACTION

January 24, 2019

Dawn M. Shimoda  
11639 Corinth Circle  
Fountain Valley CA 92708

**SUBJECT:** GENERAL PLAN CONFORMANCE NO. 18-002 (743 13th STREET VACATION)

**APPLICANT:** Dawn M. Shimoda, 11639 Corinth Circle, Fountain Valley CA 92708

**PROPERTY OWNER:** City of Huntington Beach

**REQUEST:** To determine if the vacation of an approximately 150.50 square foot portion of an existing easement for street and public utility purposes is in conformance with the goals and policies of the General Plan.

**LOCATION:** 743 13th Street, 92648

**DATE OF ACTION:** January 23, 2019

On Wednesday, January 23, 2019, the Huntington Beach Planning Commission took action on your application, and **approved** your request by adopting Resolution No. 1706, approving General Plan Conformance No. 18-002. Attached to this letter are Resolution No. 1706 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,

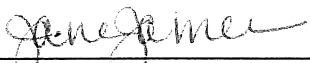
the last day for filing an appeal and paying the filing fee is **Monday, February 4, 2019, at 5:00 PM.**

If you have any questions, please contact Hayden Beckman, the project planner, at hayden.beckman@surfcity-hb.org or (714) 536-5561 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:NB:kdc

Attachments:     1. Findings for Approval – GPC No. 18-002  
                      2. Resolution No. 1706

c:     Honorable Mayor and City Council  
         Chair and Planning Commission  
         Fred A. Wilson, City Manager  
         Ursula Luna-Reynosa, Director of Community Development  
         Bill Reardon, Division Chief/Fire Marshal  
         Mike Vigliotta, Chief Assistant City Attorney  
         Debbie DeBow, Principal Civil Engineer  
         Hayden Beckman, Senior Planner  
         Property Owner  
         Project File

## ATTACHMENT NO. 1

### FINDINGS OF APPROVAL

#### GENERAL PLAN CONFORMANCE NO. 18-002

##### FINDING FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the proposed project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 5, which supplements the California Environmental Quality Act because the request is a minor easement vacation.

##### FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 18-002:

The proposed vacation of an undeveloped 150.5 square foot portion of an existing easement for street and public utility purposes conforms to the following goals and policies of the General Plan:

###### 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 Vacation Area 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 Owner and its successors in interest.

###### 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 150.5 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 150.5 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 Vacation Area is excess right-of-way and no longer needed and that no utilities requiring easement access are located within the Vacation Area. Vacation of the Vacation Area will not have a detrimental impact to public services and infrastructure.

## 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 13<sup>th</sup> 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:** Scandura, Ray, Grant, Garcia, Kalmick, Perkins  
**NOES:** None  
**ABSENT:** Mandic  
**ABSTAIN:** None

**ATTEST:**

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Ursula Luna-Reynosa, Secretary

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Planning Commission Chair