

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. 20-002 (HUNTINGTON ST. VACATION)

APPLICANT: Public Works Department, City of Huntington Beach

REQUEST: To determine if the vacation of an approximately 5,790 square foot portion of an easement for street purposes along Huntington St. is in conformance with the goals and policies of the General Plan

LOCATION: 80 Huntington Street (East side of Huntington Street between Atlanta Avenue and Pacific View Avenue)

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. 1712, approving General Plan Conformance No. 20-002. Attached to this letter are Resolution No. 1712 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. 1712

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. 1712

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HUNTINGTON BEACH FINDING THE VACATION OF A 5,790 SQ. FT.
UNDEVELOPED PORTION OF AN EXISTING STREET AND PUBLIC UTILITY
EASEMENT ALONG THE EAST SIDE OF HUNTINGTON STREET, BETWEEN
ATLANTA AVENUE AND PACIFIC VIEW AVENUE IS IN CONFORMANCE WITH
THE GOALS AND POLICIES OF THE GENERAL PLAN
(GENERAL PLAN CONFORMANCE NO. 20-002)**

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 September 22, 2020; and

WHEREAS, staff has indicated the applicable CEQA exemption pursuant to City Council Resolution No. 4501, Class 5 and 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 on Huntington 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 easterly six foot wide strip of the existing 30 foot wide easement that runs approximately 1,000 feet on the east side of Huntington Street between Atlanta Avenue and Pacific View Avenue 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. 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.

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 5,790 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 Villaseñor, Acting Secretary

Planning Commission Chair

Exhibit D – Legal Description and Plat Map

Res 1712

EXHIBIT D

THAT PARCEL OF LAND LOCATED IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, BEING A PORTION OF THE LAND AS DESCRIBED IN CITY OF HUNTINGTON BEACH RESOLUTION 1125, RECORDED 21 JULY, 1950, IN BOOK 2045, PAGE 52, OF OFFICIAL RECORDS OF SAID COUNTY; SAID RESOLUTION ACCEPTING RIGHT-OF-WAY DEED TO CERTAIN PROPERTY FOR STREET PURPOSES, AND AUTHORIZING THE RECORDATION OF THE SAME; SAID RESOLUTION ACCEPTED THIS RIGHT-OF-WAY, 60 FEET IN WIDTH, (CURRENTLY KNOWN AS HUNTINGTON STREET) CENTERED EQUALLY ALONG THE WEST LINE OF THE EAST HALF (1/2), OF THE NORTHWEST QUARTER (1/4), OF THE NORTHEAST QUARTER (1/4), OF FRACTIONAL SECTION 14, TOWNSHIP 6 SOUTH, RANGE 11 WEST, RANCHO LAS BOLSAS, AS SHOWN ON THE MAP FILED IN BOOK 51, PAGE 14 OF MISCELLANEOUS MAPS, IN RECORDS OF SAID COUNTY. THE PURPOSE OF THIS LEGAL DESCRIPTION IS TO DESCRIBE A PORTION OF SAID RIGHT-OF-WAY FOR STREET PURPOSES TO BE VACATED; SAID PORTION TO BE VACATED BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4), OF SAID FRACTIONAL SECTION 14, THENCE SOUTHERLY ALONG SAID WEST LINE OF SAID EAST HALF (1/2), SOUTH 00°43'19" EAST, 82.42 FEET;

THENCE AT RIGHT ANGLES TO SAID WEST LINE NORTH 89°16'41" EAST, 30.00 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS DESCRIBED IN EXHIBIT "A", OF CITY OF HUNTINGTON BEACH RESOLUTION 2016-60, DECLARING THE NECESSITY FOR CONDEMNATION OF A PORTION OF 80 HUNTINGTON STREET AND ACQUIRING A PERMANENT STREET EASEMENT OVER THE SAME, SAID SOUTHWEST CORNER BEING THE SOUTHWESTERLY TERMINUS OF THAT SOUTHERLY LINE OF THE LANDS DESCRIBED IN SAID EXHIBIT "A", BEARING SOUTH 42°18'42" WEST, 36.94 FEET, SAID SOUTHWESTERLY CORNER ALSO BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE SOUTHWESTERLY ALONG THE SOUTHWESTERLY EXTENSION OF SAID SOUTHERLY LINE SOUTH 42°18'42" WEST, 8.79 FEET TO A THE NORTHERLY TERMINUS OF A LINE PARALLEL TO AND 24.00 FEET EASTERLY OF SAID WEST LINE OF SAID EAST HALF (1/2);

THENCE SOUTHERLY ALONG SAID PARALLEL LINE SOUTH 00°43'19" EAST, 961.73 FEET;

LEGAL DESCRIPTION
HUNTINGTON STREET VACATION

CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

1 OF 3



REV 2
6.00'

EXHIBIT D

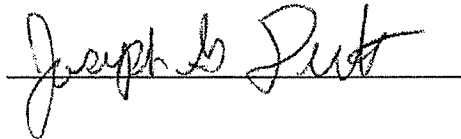
THENCE AT RIGHT ANGLES TO SAID PARALLEL LINE NORTH 89°16'41" EAST, 6.00 FEET, TO THE SOUTHERLY TERMINUS OF A LINE PARALLEL TO AND 30.00 FEET EASTERLY OF SAID WEST LINE, OF SAID EAST HALF (1/2), SAID SOUTHERLY TERMINUS BEING A POINT ALONG THE EAST LINE OF HUNTINGTON STREET AS DEDICATED PER SAID CITY RESOLUTION 1125;

THENCE NORTHERLY ALONG LAST SAID PARALLEL LINE NORTH 00°43'19" WEST, 968.16 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

CONTAINING 5790 SQUARE FEET (0.13 ACRES) MORE OR LESS.

AS SHOWN ON EXHIBIT "7", 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
HUNTINGTON STREET VACATION

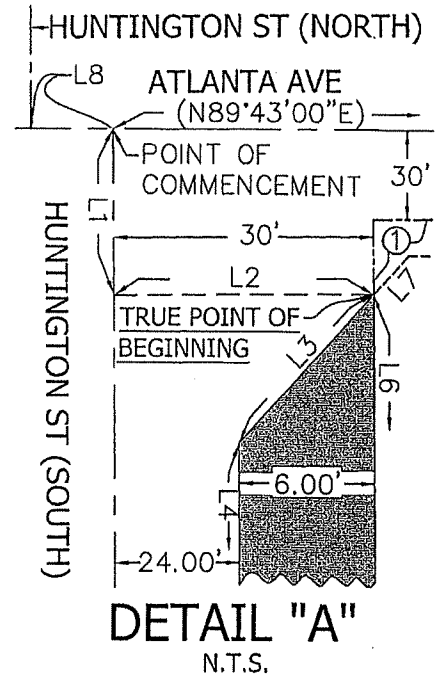
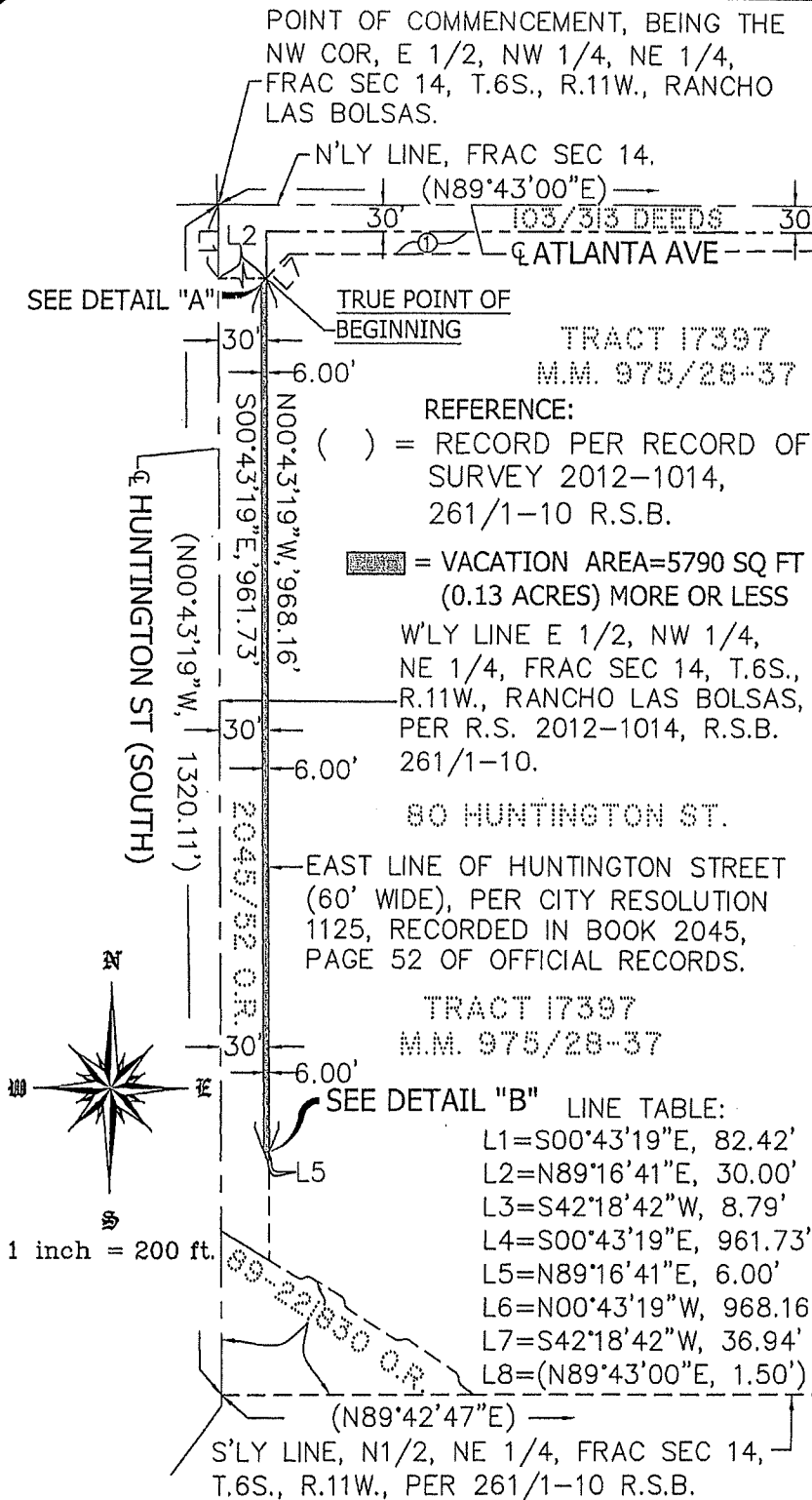
CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

2 OF 3

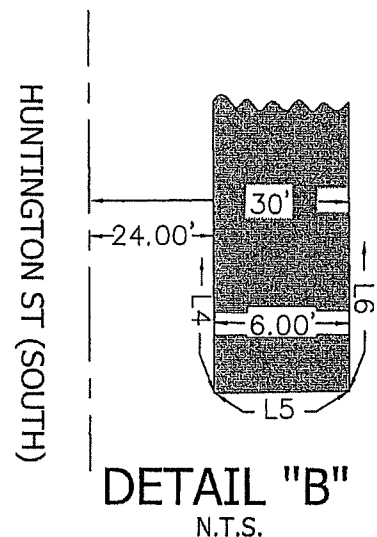


REV 2
6.00'

EXHIBIT D



NOTE:
① = PORTION OF LANDS
DESCRIBED IN EXHIBIT "A"
OF CITY OF HUNTINGTON
BEACH RESOLUTION
2016-60.



PLAT
HUNTINGTON STREET VACATION

CITY OF HUNTINGTON BEACH
DEPARTMENT OF PUBLIC WORKS

3 OF 3



REV 2
6.00'