



Legislation Details (With Text)

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File created:	10/26/2022	In control:	City Council/Public Financing Authority
On agenda:	11/15/2022	Final action:	11/15/2022
Title:	Adopt and authorize recordation of Resolution No. 2022-66 ordering the summary vacation of an easement over a portion of Huntington Street near the intersection with Atlanta Avenue in the City of Huntington Beach		
Attachments:	1. Att#1 Legal & Plat 102 Huntington, 2. Att#2 Resolution 2022-66, 3. Att#3 1977-06-20 - Easement FOUGHT, RONALD and RENEK, GEORGE, 4. Att#4 GPC 21-002 NOA (Huntington Street Easement Vacation)		

Date	Ver.	Action By	Action	Result
11/15/2022	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Al Zelinka, City Manager

VIA: Sean Crumby, Director of Public Works

PREPARED BY: Bill Krill, Real Estate and Project Manager

Subject:

Adopt and authorize recordation of Resolution No. 2022-66 ordering the summary vacation of an easement over a portion of Huntington Street near the intersection with Atlanta Avenue in the City of Huntington Beach

Statement of Issue:

The property owners at 102 and 104 Huntington Street request the City to adopt Resolution No. 2022-66 to summarily vacate a portion of excess right-of-way along their properties abutting Huntington Street near the intersection with Atlanta Avenue (Attachment 1), pursuant to California Streets and Highways Code Section 8334(a).

Financial Impact:

No funding is required for this project.

Recommended Action:

A) Adopt Resolution No. 2022-66, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Undeveloped Portion of an Existing Street and Public Utility Easement Along the Eastside of 102 and 104 Huntington Street, in the City of Huntington Beach, and Making a Finding of Exemption Under CEQA" (Attachment 2); and,

B) Instruct the City Clerk to record Resolution No. 2022-66 and the respective attached exhibits with the Orange County Recorder.

Alternative Action(s):

Deny the recommended actions with findings for denial, and advise staff on future actions.

Analysis:

On June 20, 1977, an easement for street and public utilities purposes (the easement) was granted to the City of Huntington Beach (Attachment 3). Since the granting of the easement to the City, all necessary public street and sidewalk improvements have been constructed by the City, adjacent to the residential properties at 102 and 104 Huntington Street (the "Properties"). However, these improvements do not extend to the ultimate boundary of the easement, resulting in a small radius portion of remnant right-of-way that exists between the interior side of the public sidewalk and the legal boundary line of the residential properties.

The owners of the residential properties are requesting that this radius portion of the easement be vacated to increase the size of their yard and their properties. The portion of the easement that the City is requested to summarily vacate is located adjacent to the owner's existing front yards and has been determined by the Public Works Department to be unnecessary for any future public utility, pedestrian or vehicular circulation. Thus, the result of vacating this portion of the easement will not have a detrimental impact to any future public services nor to public infrastructure. Pursuant to Government Code Section No. 65402, upon the City's vacation of this portion of the easement, the rights to the land will revert to the underlying fee title owners of the properties.

On March 22, 2022, the City of Huntington Beach Planning Commission approved General Plan Conformance No. 21-002 (Attachment 4), finding that the proposed summary street vacation of the easement portion located at the Eastside of Huntington Street at 102 and 104 Huntington, North of Atlanta Avenue conforms to the goals and policies of the City's General Plan. If approved by the City Council, the Resolution shall be recorded with the Orange County Recorder to affect the street vacation.

Environmental Status:

The proposal is categorically exempt from the California Environmental Quality Act, pursuant to City Council Resolution No. 4501, Class V: Alterations in Land Use Limitations, sub-section (a) minor street, alley and utility easement vacations.

Strategic Plan Goal:

Infrastructure & Parks

Attachment(s):

1. Plat Map and Legal Description of the Area of Vacation
2. Resolution 2022-66: "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of an Undeveloped Portion of an Existing Street and Public Utility Easement Along the Eastside of 102 & 104 Huntington Street, in the City of Huntington Beach, and Making a Finding of Exemption Under CEQA"

3. Original Grant Deed offering the easement to the City of Huntington Beach
4. Notice of Action - General Plan Conformance 21-002