

August 12, 2003

**Honorable Chairman and Members of the
Hermosa Beach Planning Commission**

**Regular Meeting of
August 19, 2003**

SUBJECT: GENERAL PLAN CONSISTENCY REVIEW IN CONNECTION WITH STREET
VACATION OF UNUSED RIGHT-OF-WAY.

LOCATION: PORTER LANE STREET BETWEEN MORININGSIDE DRIVE AND 25TH COURT

Recommendation

That the Planning Commission:

1. Adopt the attached resolution approving the vacation of the excess portion of right-of-way
2. Confirming that the vacation is not in conflict with the Circulation Element of the City's General Plan or any other Element of the General Plan.

Background

State law requires that prior to the City vacating any street, the Planning Commission must declare that the vacation is not in conflict with the goals or objectives of the General Plan. Upon receipt of the Planning Commission recommendation on the matter, the City Council may proceed with the street vacation process.

Analysis

The proposed street vacation was requested by a property owner in order to correct conditions related to yard and fence zoning violations at 2516-2518 Morningside Drive. During the code enforcement process, the owner requested that the City consider vacating excess right-of-way along Porter Lane Street, consistent with the first 90 feet east of Morningside Drive (the first lot east of Morningside Drive located at 2524 Morningside Drive.) which had already been vacated. The proposed vacation will eliminate the southerly 1/2 of Porter Lane as public-right-of-way (10 feet) as previously done for the first 90 feet of the street. It will leave the northerly 1/2 of right-of-way for public use and permit the remainder of the property owners to the east to enjoy the same property right as the property at 2524 Morningside Drive. Furthermore, it will legalize any nonconforming rear yard conditions for these properties. The subject area is adjacent Valley Park and will not affect access to any properties from either Morningside Drive or 25th Court.

The City's General Plan Objectives and Policies do not conflict with the subject vacation. Further, the subject portion of right-of-way is not shown on the General Plan Circulation Element map for future use and the City does not have fee interest in the right-of-way.

If the Planning Commission declares that the vacation of the unused portion of right-of-way is excess and not in conflict with the City's General Plan, then the vacation process will proceed as a Public Works Department project. The remaining 10 feet of right of way will remain for public use.

Sol Blumenfeld, Director
Community Development Department

Rick Morgan, Director
Public Works Department

Attachment:

1. Resolution
2. Map

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P.C. RESOLUTION 03 -

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, FINDING THAT A STREET VACATION OF A PORTION OF PORTER LANE STREET RIGHT OF WAY IS CONSISTENT WITH THE CIRCULATION ELEMENT OF THE GENERAL PLAN.

WHEREAS, the Planning Commission held a public hearing on a August 19, 2003, to receive oral and written testimony regarding the subject street vacation and made the following findings:

- A. Porter Lane Street is designated a local street on the City's Circulation Element of the General Plan with a twenty foot right-of-way between Morningside Drive and 25th Court.
- B. The proposed street vacation is proposed between Morningside Drive and 25th Court.
- C. The proposed street vacation will eliminate 10 feet of excess right-of-way and will not effect the use or function of the street which has already been vacated for the first 90 feet east of Morningside Drive.
- D. The proposed street vacation will leave 10 feet of right-of-way on the northerly ½ of Porter Lane Street consistent with the previous street vacation 90 feet east of Morningside Drive.
- E. The subject street vacation will not change the functional classification of Porter Lane Street.
- F. The proposed street vacation is Categorically Exempt from the requirement for an environmental assessment (Class 5), pursuant to the California Environmental Quality Act Guidelines, Section 15305, and qualifies for a Statutory Exemption with the finding that the project can be seen with certainty as having no impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Hermosa Beach, California does hereby find that the proposed street vacation of a portion of the right of way of Porter Lane Street is consistent with the Circulation Element of the General Plan of the City of Hermosa Beach:

VOTE: AYES:
 NOES:
 ABSENT:
 ABSTAIN:

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 03- is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of August 19, 2003

Peter Hoffman, Chairman

Sol Blumenfeld, Secretary

_____ Date

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