

September 15, 2003

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
September 23, 2003

**SET A PUBLIC HEARING FOR THE VACATION OF THE LAST REMAINING
PORTION OF THE SOUTH SIDE OF PORTER LANE ADJACENT TO THE
SOUTH SIDE OF VALLEY PARK**

Recommendation:

It is recommended that the City Council:

1. Adopt the attached resolution entitled "A RESOLUTION OF THE COUNCIL OF THE CITY OF HERMOSA BEACH DECLARING ITS INTENTION TO VACATE AND ABANDON FOR PUBLIC PURPOSES THE LAST REMAINING PORTION OF THE SOUTH SIDE OF PORTER LANE BETWEEN MORNINGSIDE DRIVE AND VALLEY DRIVE, AFFECTING LOTS 1 – 7 OF HERMOSA TERRACE ANNEX;" and
2. Set the Public Hearing for October 28, 2003.

Background:

The City received a request from Karen Nelson by letter dated April 2, 2003 (Attachment 1), requesting said vacation. The portion of Porter Lane proposed for vacation lies between Morningside Drive and Valley Drive, the centerline of which is the southern boundary of Valley Park. This portion of Porter Lane is what we refer to as a "paper street", in that it exists on paper only. The City has no plans to construct a street within this right-of-way easement. The Planning Commission confirmed this at its regularly scheduled meeting held on August 19, 2003 by adopting Planning Commission Resolution No. 03-46 (Attachment 2). The majority of the south side of Porter Lane was already vacated (date uncertain), but for some unknown reason vacation was not completed for seven lots east of Morningside Drive (Attachment 3). The area proposed for vacation lies entirely south of the existing paved walkway entering the park from Morningside Drive and therefore presents no reduction in park area.

Vacation Proceedings:

Proceedings are required by Sections 8300-8324 of the California Street and Highways Code. Staff has determined that the City's General Plan Objectives and Policies do not conflict with the subject vacation, that the remnant portion of street right-of-way is held in easement with no fee interest, and therefore has no public value.

The Resolution of Intention to Vacate must be adopted by the City Council at a regularly scheduled City Council meeting. Notice of this resolution must be published in a local newspaper fifteen days before the public hearing before City Council. In addition, the proposed vacated portions of street must be posted with a Notice of Public Hearing at least 10 days before the hearing. Staff recommends setting the public hearing for October 28, 2003.

Written notices will be sent to all public utilities and public utility easements shall be preserved and protected in the Resolution of Vacation.

Fiscal Impact:

There will be no impact to the General Fund. Public noticing costs are to be paid by the applicant.

Attachments:

1. Applicant letter dated 4/2/03
2. Planning Commission Resolution No. 03-46
3. Survey map
4. Draft Resolution

Respectfully submitted,

Concur:

Richard D. Morgan, P.E.
Director of Public Works/City Engineer

Stephen R. Burrell
City Manager

Noted for fiscal impact:

Viki Copeland
Finance Director