



CITY OF LONG BEACH

C-17

DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

October 2, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION

Adopt a resolution ordering the summary vacation of public alleys west of San Francisco Avenue and a portion of De Forest Avenue, all between Anaheim and Esther Streets. (District 1)

DISCUSSION

The City of Long Beach Public Service Maintenance Facility at 1317 San Francisco Avenue was sited on six subdivided blocks between Anaheim and Esther Streets between the Los Angeles River and San Francisco Avenue. Four of these blocks are encumbered with unused public alley easements that have neither been improved as alleys nor have been accessible for public right-of-way purposes for over 30 years. The southerly block of this facility contains an area once dedicated as De Forest Avenue. This area is also unimproved and inaccessible to the public. As part of an effort to redevelop various underutilized City properties, it is proposed that the rights-of-way shown on the attached Exhibit A be vacated at this time.

Proceedings for this vacation are being conducted in accordance with Chapter 4, Summary Vacation, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Section 8334 of that Chapter states that the legislative body of a local agency may summarily vacate excess rights-of-way not required for street or highway purposes, portions of which lie within property under one ownership and do not continue through such ownership or end touching property of another.

The Department of Public Works supports this action based on the following evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use:

1. The dedicated alleys and street rights-of-way within the City of Long Beach Public Service Maintenance Facility are not used or improved for public right-of-way purposes. The facility is fully enclosed and there is no through access to

AIRPORT
4100 Donald Douglas Dr.
Long Beach, CA 90808
Ph. (562) 570-2600
Fax (562) 570-2601

BUSINESS OPERATIONS BUREAU
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-6383
Fax (562) 570-6012

ENGINEERING & STREET MAINTENANCE
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-6634
Fax (562) 570-6012

ENVIRONMENTAL SERVICES
2929 E. Willow Street
Long Beach, CA 90806
Ph. (562) 570-2850
Fax (562) 570-2861

FACILITIES BUREAU
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-5786
Fax (562) 570-6012

FLEET SERVICES
2600 Temple Avenue
Long Beach, CA 90806
Ph. (562) 570-5400
Fax (562) 570-5414

TRAFFIC & TRANSPORTATION
333 W. Ocean Blvd., 10th Floor
Long Beach, CA 90802
Ph. (562) 570-6331
Fax (562) 570-7161

any other property. The attached Exhibit B shows the boundaries of the Long Beach Public Service Maintenance Facility.

2. On May 3, 2007, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law. In conformance with the California Environmental Quality Act, Categorical Exemption CE-111-07 was filed for this project. The Planning Department staff report is included as Exhibit C.
3. The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. A utility easement will be reserved as a condition of approval, as described in Exhibit D.

Deputy City Attorney Lori A. Conway prepared the attached resolution of summary vacation on September 6, 2007. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

TIMING CONSIDERATIONS

City Council action on this item is not time critical.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GMM:SC:db
P\CL\RoW Service Yard vacation rev.doc

Attachments

APPROVED:

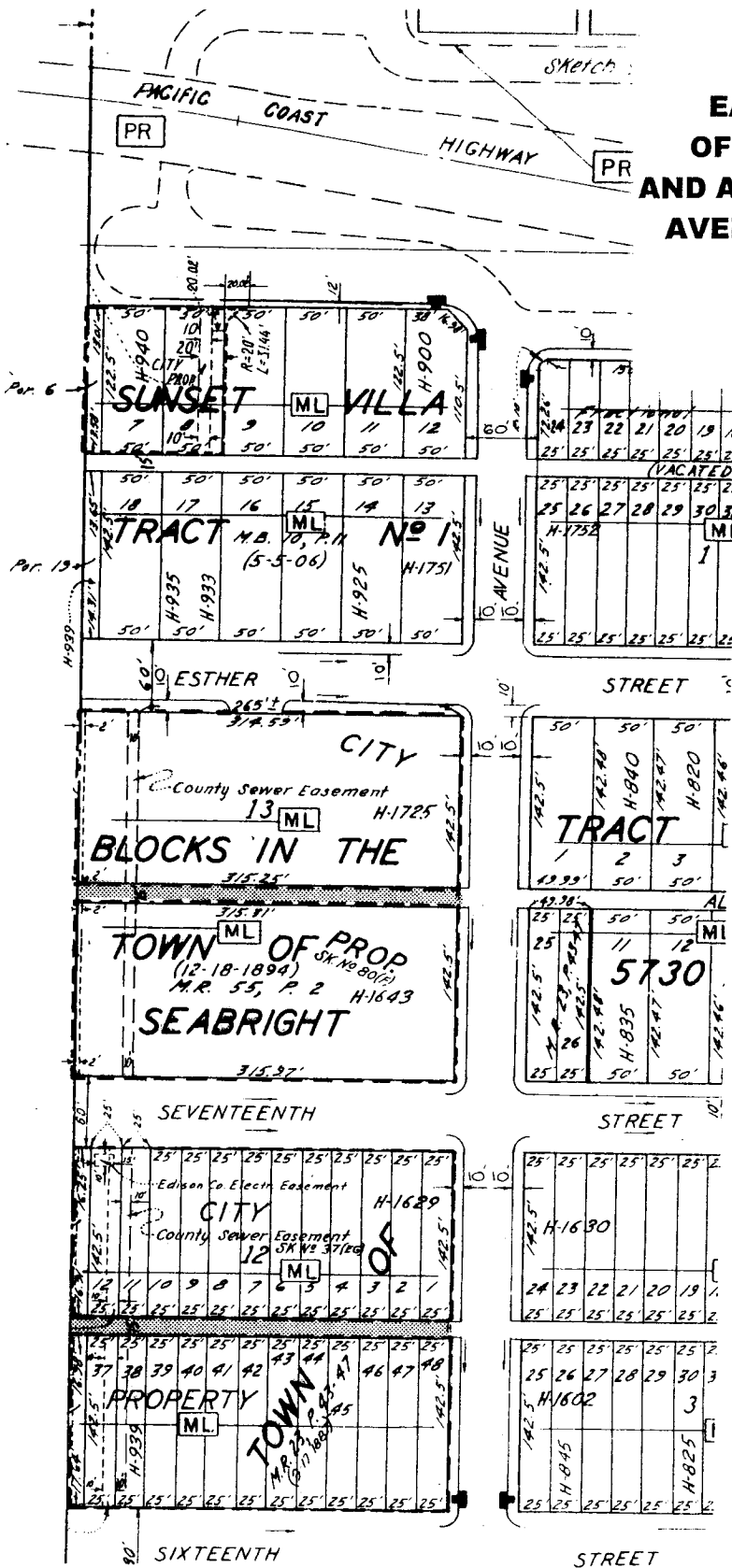


PATRICK H. WEST
CITY MANAGER

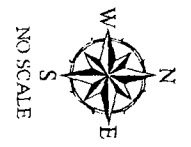
SKETCH SHOWING THE EAST-WEST ALLEYS WEST OF SAN FRANCISCO AVENUE AND A PORTION OF DEFOREST AVENUE BETWEEN ANAHEIM AND ESTHER STREETS, TO BE VACATED BY THE CITY OF LONG BEACH

 **SHOWS AREA TO BE VACATED**

LA RIVER (LACFCD RIGHT-OF-WAY)



LOS ANGELES RIVER



City of Long Beach Public Service Maintenance Yard Facility

SAN FRANCISCO

AVE

EXHIBIT B

W ANAHEIM ST

W 14TH ST

COWLES ST

W 15TH ST

W 16TH ST

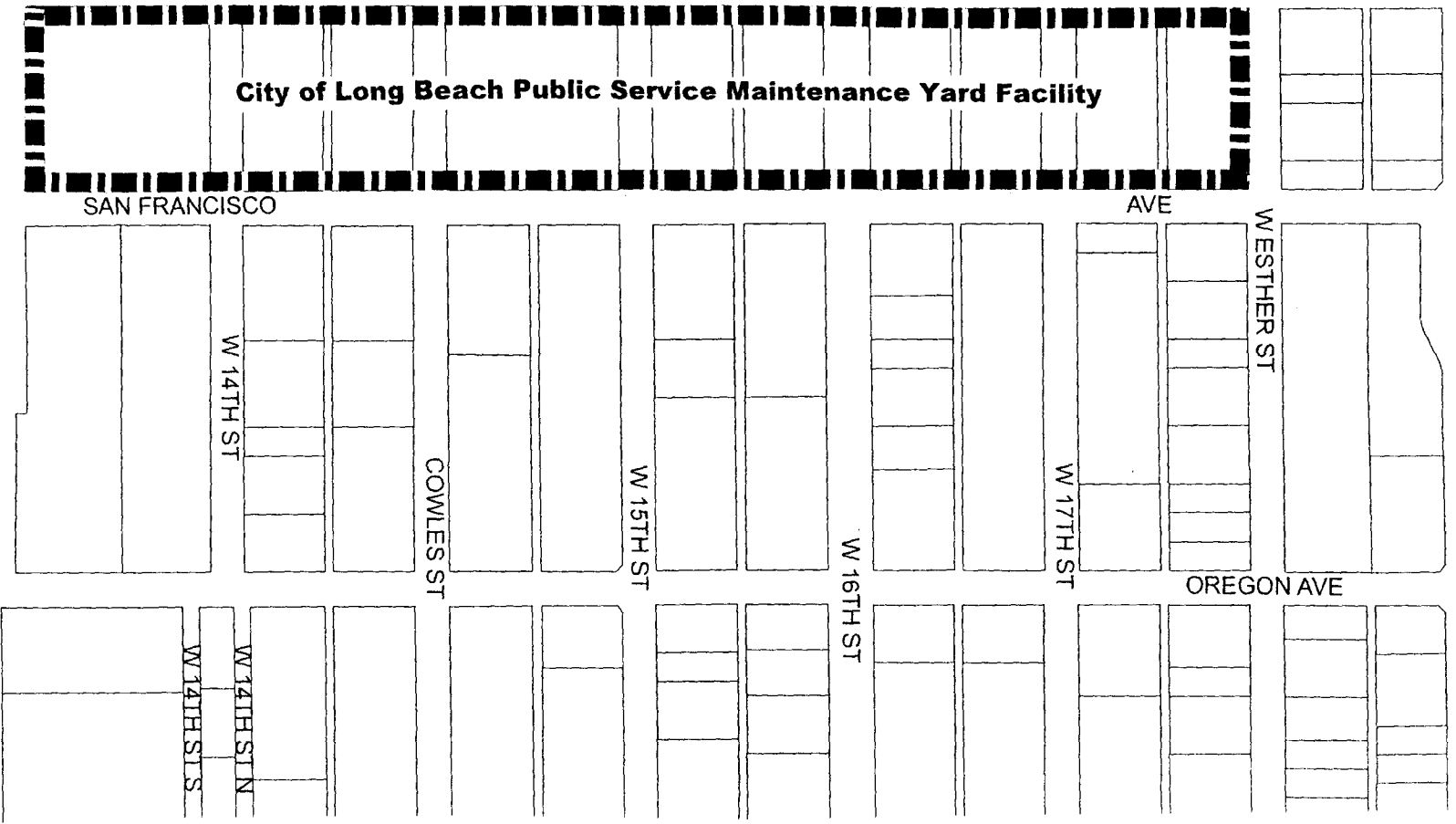
W 17TH ST

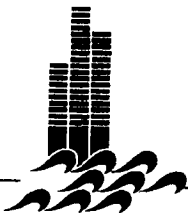
WESTHER ST

OREGON AVE

W PACIFIC COAST HWY

MAINE AVE





CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

ADVANCE PLANNING

May 3, 2007

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Finding of Conformity with the *General Plan* for the Vacation of the East-West Alleys West of San Francisco Avenue and a Portion of Deforest Avenue Between Anaheim and Esther Streets.

LOCATION: 1317 San Francisco Avenue

APPLICANT: Christine Andersen
Department of Public Works

RECOMMENDATION

Find the proposed public rights-of-way vacation, as depicted in Exhibit A, in conformance with the *General Plan*.

BACKGROUND

Pursuant to California Government Code Section 65402, no street, parcel or alley may be vacated, transferred or dedicated until such action has been submitted to, and reported upon by, the Planning Commission as to its conformity with the adopted *General Plan*. The proposed public rights-of-way vacation is herein submitted for such review.

The Department of Public Works proposes to vacate "paper" streets within the City's maintenance yard. These strips of land have not been open to the public for many years, and the vacation of these "paper" streets for parcel consolidation would facilitate site improvements.

A finding of consistency shall be made when the proposed re-use of the property conforms to the maps and policies of the *General Plan*. The *General Plan* consists of eleven elements: Land Use, Open Space, Transportation, Noise, Scenic Routes, Conservation, Local Coastal Program, Housing, Air Quality, Public Safety, and Seismic Safety. Each element of the *General Plan* carries the same authority concerning land use issues. All elements of the *General Plan* were considered and staff finds this vacation in conformance

EXHIBIT C

Page 1 of 2

with all the elements of the *General Plan*. A review of the relevant elements and specific *General Plan* consistency findings are presented below:

GENERAL PLAN CONSISTENCY FINDINGS

Land Use Element

The Land Use Element divides the City into 21 land use districts, which provide general guidance as to the type and density of land uses considered appropriate. The subject site is located within Land Use District Number 9G (General Industry). The 9G District is established in order to maintain a strong industrial employment component in the City's economic base by accommodating more intense industrial operations outdoors. The City's maintenance yard is a consistent use with the 9G Land Use District and this proposed vacation is consistent with the 9G Land Use District.

ENVIRONMENTAL REVIEW

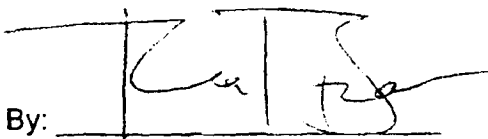
In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption number 111-07 was issued.

IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Find the proposed public rights-of-way vacation, as depicted in Exhibit A, in conformance with the *General Plan*.

Respectfully submitted,

SUZANNE FRICK
DIRECTOR OF PLANNING AND BUILDING

By: 
Ira Brown
Planner

Approved: 
Angela Reynolds
Comprehensive Planning Officer

SF:AR:IB

Attachment:

1. Exhibit A: Sketch showing Alleys to be Vacated

CONDITIONS OF APPROVAL

SKETCH NO. 968V

The proposal was reviewed by the interested city departments and public agencies, and there were no objections, provided that the following conditions of approval are included:

1. An easement shall be reserved for utility purposes. No structures may be constructed or installed over the easement area.
2. The Developer shall resolve any storm water drainage problems resulting from the vacation to the satisfaction of the Director of Public Works.

EXHIBIT D

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

A RESOLUTION ORDERING THE SUMMARY VACATION OF PUBLIC ALLEYS WEST OF SAN FRANCISCO AVENUE AND A PORTION OF DE FOREST AVENUE ALL BETWEEN ANAHEIM AND ESTHER STREETS, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PURSUANT TO CHAPTER 4, PART 3 OF DIVISION 9 OF THE CALIFORNIA STREET AND HIGHWAYS CODE

WHEREAS, the City Council of the City of Long Beach adopts this resolution pursuant to Chapter 4 of the Public Streets, Highways and Service Easements Vacation Law (Streets and Highways Code Sections 8330 et seq.); and

WHEREAS, this resolution vacates public alleys west of San Francisco Avenue and a portion of De Forest Avenue all between Anaheim and Esther Streets described more particularly as follows:

Those certain 15 feet wide East-West Alleys in Blocks 9, 11, 12, and 13 of the Town of Seabright in the City of Long Beach, County of Los Angeles, State of California, as per map recorded in Book 23 Pages 43 through 47 inclusive, and in Book 55 Page 2, both of Miscellaneous Records in the office of the county recorder of said county, EXCEPT those portions of said Blocks lying Westerly of the Easterly Right of Way of the Los Angeles County Flood Control District Channel together with those streets and alleys vacated by the City of Long Beach Ordinance B-666 on October 11, 1919, on file in the office of the City Clerk of said City;

AND that portion of street right-of-way in the City of Long Beach, County of Los Angeles, State of California as described in Parcel 2 of the City of Long Beach Resolution No. 14806 dedicating said street right-of-way adopted on February 16, 1954, on file in the Office of City Clerk of said city more particularly described as follows:

Commencing at the intersection of the southerly line of 14th Street (60 feet

1 wide) with the easterly right of way line of the Los Angeles County Flood
2 Control Channel as described in the City of Long Beach Ordinance B-666
3 on October 11, 1919, on file in the office of City Clerk of said city; thence
4 easterly 123.01 feet along said southerly line of 14th Street to the
5 northwesterly corner of Lot 8 of the Delta Tract as per map in Book 10
6 Page 143 of Maps in the office of County Recorder of said county; thence
7 southerly 322.50 feet, more or less along the westerly line of said Lot 8
8 and also Lot 41 of Block 8 in the Town of Seabright as per map in Book 23
9 Pages 43 through 47 inclusive of Miscellaneous Records in office of
County Recorder of said county to the intersection with a line 142 feet
northerly measured at right angles from and parallel to the southerly line of
Anaheim Street; thence westerly 124.72 feet along the last said line to the
said easterly Right of Way line of the Los Angeles County Flood Channel;
thence northerly 322.50 feet along the last said line to the Point of
Beginning.

10 Reserving unto the City of Long Beach, its successors and assigns a
11 perpetual easement and right-of-way, at any time or from time to time, to
12 lay, construct, maintain, operate, repair, renew, replace, change the size
13 of and remove the existing utility lines, including, but not limited to,
14 sanitary **sewers**, **storm drains** and appurtenant structures, together with
15 all necessary gates, valves, fittings, hydrants and appurtenances for the
16 transportation of **water** and **gas**, with the right of ingress to and egress
17 from the same, over, through, under, along and across that certain
18 property vacated herewith; and pursuant to any existing franchises or
19 renewals thereof, or otherwise, to construct, maintain, operate, replace,
20 remove, renew and enlarge lines of conduits, cables, wires, poles and
21 other convenient structures, equipment and fixtures for the operation of
22 **telephone lines** and other communication lines, and for the transportation
23 or distribution of **electric energy**, and incidental purposes including
24 access and the right to keep the property free from inflammable materials,
25 and wood growth, and otherwise protect the same from all hazards in,
26 upon and over the part vacated. Access for maintenance of the above-
27 mentioned facilities must be maintained at all times. No improvements
28 shall be constructed within the easement which would impede the
operation, maintenance or repair of said facilities. Construction of any
improvements, including changes of grade, shall be subject to the prior
written approval of all the City departments and public utilities responsible
for the above said facilities.

24 WHEREAS, the above-described property is an excess right-of-way and is
25 not required for street or highway purposes; and

26 WHEREAS, the vacation of this right-of-way will not cut off all access to any
27 adjoining property; and

28 WHEREAS, this property is a portion of a street or highway that lies within

1 property under one ownership and that does not continue through such ownership or end
2 touching property of another;

3 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
4 follows:

5 Section 1. Pursuant to Chapter 4, Part 3 of Division 9 of the California
6 Streets and Highways Code (Sections 8330 et seq.), the following findings are made
7 regarding the above-described property:

8 A. That the document, Sketch No. 968V, entitled "Sketch
9 Showing the East-West Alleys West of San Francisco Avenue and a Portion
10 of Deforest Avenue Between Anaheim and Esther Streets, to be Vacated by
11 the City of Long Beach," attached hereto as Exhibit "A", accurately depicts
12 the property to be vacated.

13 B. That the findings of fact made by the City Council for the
14 purposes of this summary vacation of excess right-of-way pursuant to
15 California Streets and Highways Code Section 8334, set forth in the
16 document entitled "City Council Findings" and attached hereto as Exhibit
17 "B", are incorporated herein and made a part of this resolution by this
18 reference.

19 Section 2. The above-described portion of the right-of-way is hereby
20 vacated and closed. From and after the date this resolution is recorded, such vacated
21 right-of-way shall no longer constitute a street or highway.

22 Section 3. The City Clerk is hereby instructed to certify to the adoption of
23 this resolution, and to cause a certified copy to be recorded in the Office of the County
24 Recorder of the County of Los Angeles, California.

25 Section 4. This resolution shall take effect immediately upon its adoption
26 by the City Council.

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2007, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

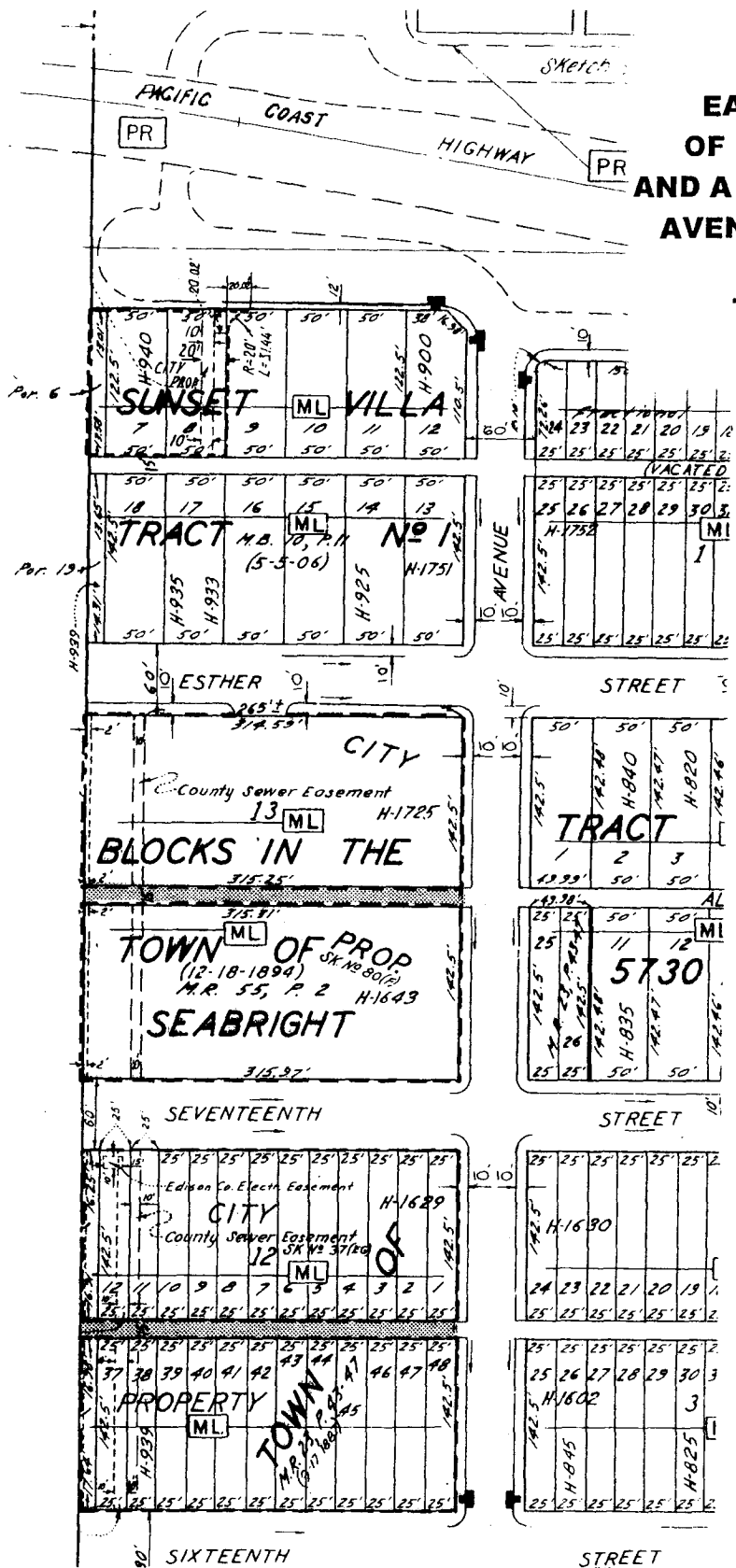
City Clerk

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

SKETCH SHOWING THE EAST-WEST ALLEYS WEST OF SAN FRANCISCO AVENUE AND A PORTION OF DEFOREST AVENUE BETWEEN ANAHEIM AND ESTHER STREETS, TO BE VACATED BY THE CITY OF LONG BEACH

SHOWS AREA TO BE VACATED

LA RIVER (LACFCD RIGHT-OF-WAY)



968V

Page 2 of 2

SKETCH SHOWING THE EAST-WEST ALLEYS WEST OF SAN FRANCISCO AVENUE AND A PORTION OF DEFOREST AVENUE BETWEEN ANAHEIM AND ESTHER STREETS, TO BE VACATED BY THE CITY OF LONG BEACH

SHOWS AREA TO BE VACATED

LA RIVER (LACFCD RIGHT-OF-WAY)

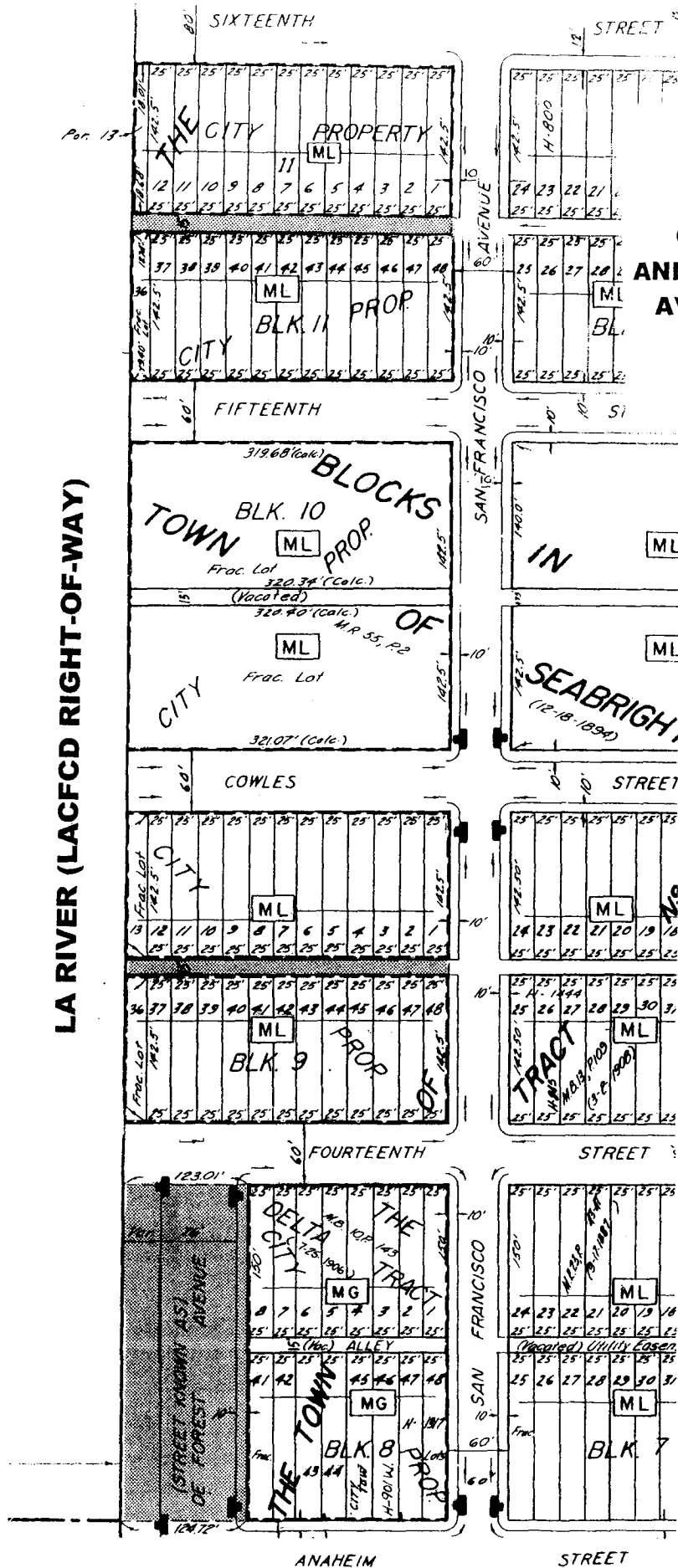


EXHIBIT A
Page 2 of 2

CITY COUNCIL FINDINGS

VACATION OF THE PUBLIC ALLEYS WEST OF SAN FRANCISCO AVENUE AND A PORTION OF DE FOREST AVENUE ALL BETWEEN ANAHEIM AND ESTHER STREETS Reference Sketch No. 968V

1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) The dedicated alleys and street rights-of-way within the City of Long Beach Public Service Maintenance Facility are not used or improved for public right-of-way purposes. The facility is fully enclosed and there is no through access to any other property.
 - b) On May 3, 2007, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
 - c) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. A utility easement will be reserved as a condition of approval
 - d) The rights-of-way would not be useful for exclusive bikeway purposes.
2. The vacation of said rights-of-way will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

- a) The right-of-way is not and will not be needed for public use.
- e) In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-111-07 was issued for this project.

EXHIBIT B