



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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March 15, 2018

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
California

## RECOMMENDATION:

Accept Categorical Exemption CE-18-061 and find the proposed vacation of a 300-foot section of the right-of-way utilized as parking at 5152–5190 Atlantic Avenue in conformance with the adopted goals and policies of the City's General Plan (GPC18-001). (District 8)

APPLICANT: Blake DeFlurl  
12447 Lewis Street  
Garden Grove, CA 90805  
(Application No. 1802-33, GPC18-001)

## DISCUSSION

Pursuant to California Government Code (CGC) Section 65402, and California Streets and Highways Code (SHC) Section 8313, no street, highway, parcel or alley may be vacated by a local agency 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 right-of-way vacation is herein submitted for such review.

The applicant requests the City to vacate a 300-foot-long by 30-foot-wide section of right-of-way located in front of a commercial shopping center at 5152–5190 Atlantic Avenue (Exhibit A – Location Map). Currently, this section of right-of-way is utilized as a parking area for the adjacent commercial shopping center and it does not function as a travel lane for the street (Exhibit B – Street Vacation Plan). The proposed vacation would make this parking area part of the private property for the shopping center. The proposal has been preliminarily reviewed by the Department of Public Works. The Department of Public Works determined that a 10-foot-wide sidewalk easement must be provided across the vacated right-of-way, following the path of the existing sidewalk, in order to maintain a continuous American with Disabilities Act (ADA) accessible path of travel from the public sidewalk on the north and south ends of the vacated right-of-way (Exhibit C – Required Easement). The Department of Public Works will review the requested vacation project and their findings to the City Council with a recommendation for their determination.

State law requires a finding of conformity with the General Plan to determine that the proposed re-use of the area in question conforms to the maps and policies of the General Plan. The General Plan consists of eleven elements, and each element of the General Plan carries the same authority concerning land use issues. The proposal was reviewed for conformity against all elements of the General Plan, and staff finds this

vacation in conformance with all elements of the General Plan. A review of the relevant elements and specific General Plan conformity findings are presented below:

General Plan Conformity Findings

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 No. 8N (Shopping Nodes). The Land Use Element states "The district was created to accommodate retail and service uses exclusively, primarily in small clusters."

The proposed vacation will not prevent or prohibit cars from accessing the street or parking areas, and will allow for the consolidation of the commercial building and required parking areas on one lot. The vacation will not limit the number of vehicles on the property. Therefore, the proposed vacation is consistent with the Land Use Element.

The Mobility Element does not identify this section of Atlantic Avenue for improvements. Public Works staff has preliminarily reviewed the vacation of the right-of-way and has determined that vacation of the proposed portion of the street will not impede traffic flow, or block entry or exit ways. Accordingly, staff has determined that the vacation is consistent with the Mobility Element.

ENVIRONMENTAL REVIEW

This project qualifies for a categorical exemption per Section 15305 of the California Environmental Quality Act Guidelines (Exhibit D – CE-18-061).

Respectfully submitted,



LINDA F. TATUM, AICP  
PLANNING BUREAU MANAGER



TOM MODICA  
INTERIM DIRECTOR OF DEVELOPMENT SERVICES

TM:LFT:CT:sv

Attachments:           Exhibit A – Location and Vicinity Map  
                                  Exhibit B – Street Vacation Plan  
                                  Exhibit C – Required Easement  
                                  Exhibit D – Categorical Exemption CE-18-061