

RESOLUTION NO. 2022-XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA ANA DETERMINING GENERAL PLAN
CONFORMITY FOR THE VACATION OF A PORTION OF
EDENDALE COURT BEHIND 1222 AND 1226 SOUTH BIRCH
STREET

WHEREAS, California Streets and Highways Code Section 8300 *et seq.* authorizes the City of Santa Ana to vacate all or any portion of any street or highway within its boundaries and under its jurisdiction to terminate the public's right to use such street; and

WHEREAS, pursuant to California Government Code section 65042(a), street vacations must first be submitted to and reported upon by the Planning Commission for conformance with the General Plan; and

WHEREAS, Edendale Court was dedicated to the City in 1924 on Tract Map No. 648 as a 30-foot by 210-foot long street easement; and

WHEREAS, this easement is currently separated into three different states of improvement conditions: (1) the most westerly section is 120 feet long and provides vehicular access to 1221 South Ross Street and 1225 South Ross Street; (2) the middle section is 45 feet long and unimproved and fenced in with an accessible gate; and (3) the easterly 45-foot section of Edendale Court behind 1222 and 1226 South Birch Street; and

WHEREAS, the City desires to vacate its interest in the easterly 45-foot foot section of Edendale Court behind 1222 and 1226 South Birch Street, as shown on Exhibit A ("Vacation Area"); and

WHEREAS, the Vacation Area is the easterly 45-foot dead-end portion of Edendale Court, located immediately adjacent to property 1226 South Birch Street, which is owned by Fredericka Older; and

WHEREAS, the Vacation Area is also located immediately adjacent to property 1222 South Birch Street, which is owned by Bonyen Thomas; and

WHEREAS, the dead-end portion of Edendale Court has not been improved as a roadway for more than 50 years; and

WHEREAS, the Vacation Area has been fenced in and maintained by the property owners of 1222 and 1226 South Birch Street; and

WHEREAS, Fredericka Older has requested that the City vacate the dead-end portion of Edendale Court because of the long-term nature of maintaining the area; and

WHEREAS, the Vacation Area is unnecessary for present or prospective public use, as determined by the City's Public Works Agency; and

WHEREAS, by separate City Council action and following a finding of conformity with the City's General Plan by the Planning Commission, the City desires to vacate the Vacation Area.

NOW THEREFORE, BE IS RESOLVED by the Planning Commission of the City of Santa Ana as follows:

Section 1. The Planning Commission hereby determines that the proposed vacation of the Vacation Area, as shown on **Exhibit A**, is in conformance with the City's 2022 General Plan. The decision is based upon the Request for Planning Commission Action dated December 12, 2022, and exhibits attached thereto, and the public testimony, written and oral, all of which are incorporated herein by this reference.

The proposed vacation is in conformance with the Mobility Element of the City's 2022-2045 General Plan as follows:

- Goal M-3, Policy 3.7 (Complete Streets Design). The proposed vacation of a dead-end, unimproved section of roadway will leave intact a portion of Edendale Court that is fully improved with pavement and sidewalks, and will not disrupt the existing streetscape or surrounding neighborhood.
- Goal M-3, Policy 3.9 (Neighborhood Traffic). The proposed vacation of a dead-end, unimproved section of roadway contributes toward removal of street segments that could negatively impact neighborhood quality of life. The vacation of this segment will contribute toward calming neighborhood traffic, increasing safety, while leaving intact access for emergency response.
- Goal M-4, Policy 4.6 (Roadway Capacity Alternatives). The proposed vacation of a dead-end, unimproved section of roadway promotes reduction in vehicle trips by eliminating the possibility of a future roadway connection through private properties from Ross Street to Birch Street.
- Goal M-5, Policy 5.7 (Infrastructure Condition). The proposed vacation enhances travelway safety by removing an unimproved section of roadway while leaving existing improvements intact with full pavement and sidewalks.

Section 2. The proposed vacation of the Vacation Area is exempt from review under the California Environmental Quality Act pursuant to section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that it will have a significant impact on the environment. The proposed vacation is also exempt from CEQA review under section 15305 of the State CEQA Guidelines.

[Signatures on the following page]

ADOPTED this ____ day of December, 2022.

AYES: Commissioners:

NOES: Commissioners:


ABSENT: Commissioners:

ABSTENTIONS: Commissioners:

Bao Pham Chairperson

APPROVED AS TO FORM:

Sonia R. Carvalho, City Attorney

By:  _____

Jose Montoya Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, CHELSEA SHAFER, Acting Recording Secretary, do hereby attest to and certify the attached Resolution No. 2022-XXX to be the original resolution adopted by the Planning Commission of the City of Santa Ana on December 12, 2022.

Date: _____

Recording Secretary

City of Santa Ana