

EXPLANATION OF VACATION PROCEEDINGS

The processing of a request to vacate a public easement such as street, alley, walk or other public easements within the City of Los Angeles are governed by the provisions of the State Streets and Highways Code and the Los Angeles City Administrative Code. It is a legislative act of the City Council terminating any stipulated public rights within the area proposed to be vacated.

WHAT PURPOSE DOES A VACATION SERVE?

Vacation means the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement. The area vacated would then revert to the owner of the underlying fee interest for their own use. Included under vacation proceedings are the following types of public rights-of-way:

- A. Public street, alley or walk
- B. Future street, alley or easement
 - 1. Dedicated by a subdivision tract or parcel map that recorded LESS THAN 25 years previously.
 - 2. Offered for dedication by a separate instrument.
- C. Other public easements [Note: Water Line and Public Utility Easements are quitclaimed by the Department of Water and Power and are not included in the vacation process]

Usually the City of Los Angeles is only an easement holder of the rights-of-way of public streets, alleys or walks and the adjoining property owners have the underlying fee interest. However, it is advisable for the petitioner to contact a title company to perform a title search of the underlying fee interest of the proposed vacation area prior to submittal of the application. In addition, in some instances, the City of Los Angeles owns the underlying fee interest. In these situations, a request for purchase of the City owned property must be processed through the appropriate City Agency.

Note: Occasionally a vacation is filed in conjunction with a development project. In order to promote orderly development, evaluate and mitigate significant environmental impacts, and promote public safety and the general welfare, the street vacation request in conjunction with a major development project might not be accepted. The applicant will be directed to process a subdivision map through the City Planning Department to achieve the result of abandoning and terminating the public right-of-way while adequate reviews of the project impacts will be performed.

If you think your vacation request would fall into this category, please contact the Vacation Section at (213) 202-3480 for a preliminary evaluation.

ENVIRONMENTAL DETERMINATION: The processing of vacation applications is subject to the California Environmental Quality Act (CEQA) and the City's Environmental Guidelines. The **applicant** will be required to complete an Environmental Assessment Form as part of the vacation process. If the vacation is not deemed as being categorically exempt from the CEQA Guidelines, it will be forwarded to the Bureau of Engineering Environmental Management Group for review. An appropriate level of CEQA documentation will be determined by the Environmental Management Group. This will extend the required processing time for the vacation beyond that which is discussed in this handout and/or shown on the flow chart. If the vacation is part of a project for which CEQA compliance has already been provided by an existing document adopted by another agency, the applicant is advised to contact the Vacation Section to determine if the same documentation can be used for the vacation.

COASTAL DEVELOPMENT PERMIT: If a vacation is located within a Coastal Development Zone, it will be forwarded to the Bureau of Engineering Environmental Management Group for review. This will extend the required processing time for the vacation significantly beyond that which is discussed in this handout and/or shown on the flow chart. The Bureau of Engineering's decision regarding the Coastal Development Permit is subject to appeal to the Board of Public Works, and to the California Coastal Commission, prior to the vacation being considered by the City Council. If the vacation is part of a project for which a Coastal Development Permit has already been processed by another agency, the applicant is advised to contact the Vacation Section to determine if the same permit may be used for the vacation.

COUNCIL ACTION: Based on the recommendation of the Public Works Committee, the City Council makes its findings for conditional approval or for denial of the vacation request.

PUBLIC HEARING: A public hearing will be scheduled for the City Council to hear testimony on the vacation request from any interested persons. After the public hearing, the City Council makes a final determination on the vacation request.

RESOLUTION TO VACATE: A Resolution to Vacate will be submitted to the City Council for consideration along with the City Engineer's report. After all of the required conditions have been complied with by the applicant and any deficit processing costs have been paid, the Resolution to Vacate will be delivered and recorded in the office of the Los Angeles County Recorder. The vacation proceedings will then be completed and the **applicant** and adjoining owners will be mailed a copy of the recorded Resolution.

APPLICANT'S RESPONSIBILITIES

PUBLIC WORKS IMPROVEMENTS: The conditional approval of vacation applications requires conformance to the Highways and Freeways Element of the General Plan and to the street improvement policies for private developments. The **applicant** will be responsible for the costs of constructing any required street, sewer and storm drain improvements including the planting of street trees and the installation of streetlights and fire hydrants.

PUBLIC UTILITIES: All costs in connection with the relocation or protection of any affected public utilities or any other such facilities located within the vacation area are to be borne by the **applicant**.

RIGHTS OF OTHER PROPERTY OWNERS: The City of Los Angeles requires the consents and waivers of damages of all property owners adjoining the public right-of-way proposed to be vacated. In addition, the consents and waivers of other property owners may be required as determined by the City Engineer or City Council.

REVERSIONARY RIGHTS: It is the **applicant's** responsibility to determine the ownership of the underlying fee interest of the public right-of-way proposed to be vacated. In the majority of cases, the City has only a public easement for street, alley, walk, or other purposes and the vacation only removes this easement. The underlying fee interest can best be determined by a title report from a Title Company. The Bureau of Engineering may require the submittal of a title report.

HOW TO BEGIN VACATION PROCEEDINGS

- A. Fill out the attached application **completely**. If possible, the signatures and/or consents of all property owners abutting the public right-of-way proposed to be vacated and of those who make use thereof for ingress and egress to their property should be included. **Applicants** may obtain information necessary to complete items 2a, 2b, 2c and 2d on the attached application, at the nearest Engineering District Office.

Central District Permit Counter
201 N. Figueroa Street, 7th Floor
Los Angeles, CA 90012-4801
Tel: (213) 977-6057

Harbor Engineering Office
638 S. Beacon Street, Suite 427
San Pedro, CA 90731
Tel: (310) 732-4677

Valley District Engineering Office
Marvin Braude Constituent
Service Ctr.
6262 Van Nuys Blvd., 2nd Floor
Van Nuys, CA 91401
Tel: (818) 374-5081

West Los Angeles District Office
1828 Sawtelle Boulevard, 3rd Floor
Los Angeles, CA 90025
Tel: (310)575-8609

- B. Fill out the attached Environmental Assessment Form.
- C. Include, in the completed application, an annotated print of a district map (8 1/2" x 14" is adequate) showing the following: (See sample attached)
1. The public right-of-way proposed to be vacated
 2. The properties owned by the **applicant** (or the owners being represented by the applicant)
 3. Any other owners whose properties adjoin the area proposed to be vacated.

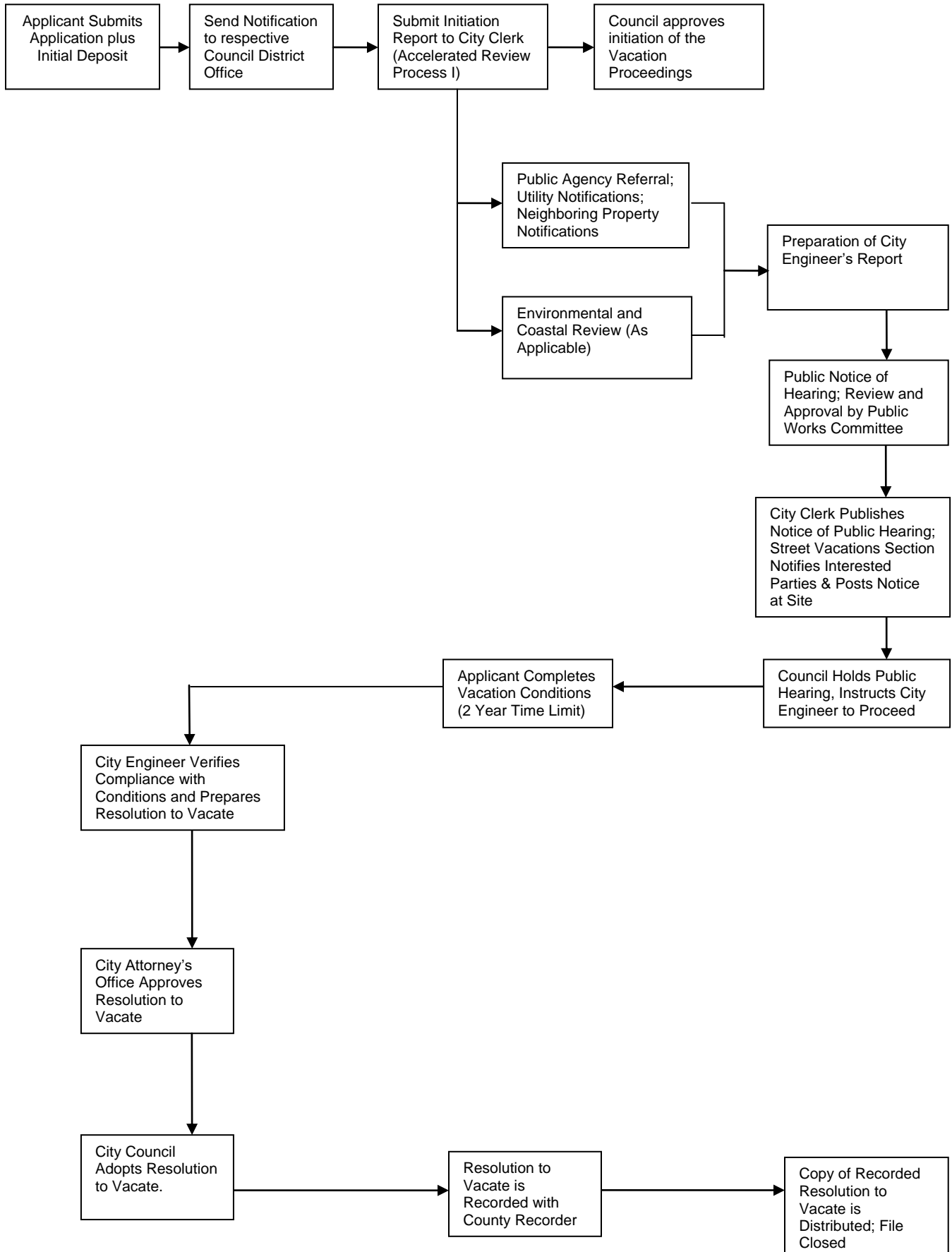
NOTE: **Applicants** may purchase prints of the district map from any Engineering District Office or from:

Central Records Section*
1149 S. Broadway, Suite B-10
Los Angeles, CA 90015
Tel: (213) 847-0700
*Phone for hours of operation

- D. Initial fee deposit payment of \$14,980.00.
- E. If the vacation is in conjunction with a development project: plot plan, site plan, etc. of the proposed project.
- F. **Mail or return** the fully completed application and map to:

Bureau of Engineering
Land Development and GIS Division
201 N. Figueroa Street, Suite 200
Los Angeles, CA 90012
Tel: (213) 202-3480

Street Vacation Proceedings



APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY
ORIGINAL – (No copies or faxes)

DATE: _____

PROJECT LOCATION AND DESCRIPTION:

- (1) Area proposed to be vacated is: _____
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)
and is located between:
_____ and _____
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)
- Attach a map if necessary.
- (2) The vacation area lies within or is shown on:
- (a) Engineering District: (check appropriately)
 Central Harbor Valley West Los Angeles
- (b) Council District No. _____
- (c) District Map No. _____
- (d) A CRA Redevelopment Area: _____ OR _____
(YES) (NO)
- (3) Area (in sq. ft.) of the proposed vacation area is approx. _____ sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the applicant is required to have an environmental determination performed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit. This will also increase the processing time by approximately 6 months.
- If the vacation is located within a Coastal Development Zone, a Coastal Development Permit will be required for the project. The applicant should be aware that vacations within a Coastal Development Zone will take longer to process and will be considerably more expensive. If the applicant is required to have a Coastal Development Permit processed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit.
 - Some city agencies, including LADOT, may require additional fees to be deposited to cover costs during the referral and investigation process. The applicant is responsible for paying the fees to the agency directly. Referral fees paid to other city agencies are separate from the Bureau of Engineering processing fees.
 - If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.
- (4) Purpose of vacation (future use of vacation area) is: _____

- (5) Vacation is in conjunction with: (Check appropriately)
 Revocable Permit Tract Map Parcel Map Zone Change
 Other _____

- (12) The following are the available signatures of other property owners who also own properties adjoining the area proposed to be vacated and whose ownership's are indicated on the attached map by use of "circled letters". **(1)** Print Name(s), **(2)** Provide mailing addresses, **(3)** Indicate Lots owned and **(4)** Obtain signatures.
 (See Example Ownership List)

Ownership Information may be obtained from:

Los Angeles City Clerk
 Land Records Division
 Room 730
 201 North Figueroa Street
 Los Angeles, CA 90012
 Phone: (213) 977-6001

or for the most
 current
 information

Los Angeles County Assessor
 Ownership Information
 500 West Temple Street
 Los Angeles, CA 90012
 Phone: (213) 974-3211

Provide the **information** as indicated:

	Print Names(s) of Property Owner(s) Here	Signature(s) Here
A	----- Print Mailing Address Here	----- Owner of: Lot or Parcel Here
B	-----	-----
C	-----	-----
D	-----	-----
E	-----	-----
F	-----	-----
G	-----	-----
H	-----	-----
I	-----	-----
J	-----	-----
K	-----	-----

Add extra sheet(s) if necessary

(revised 10-28-14)

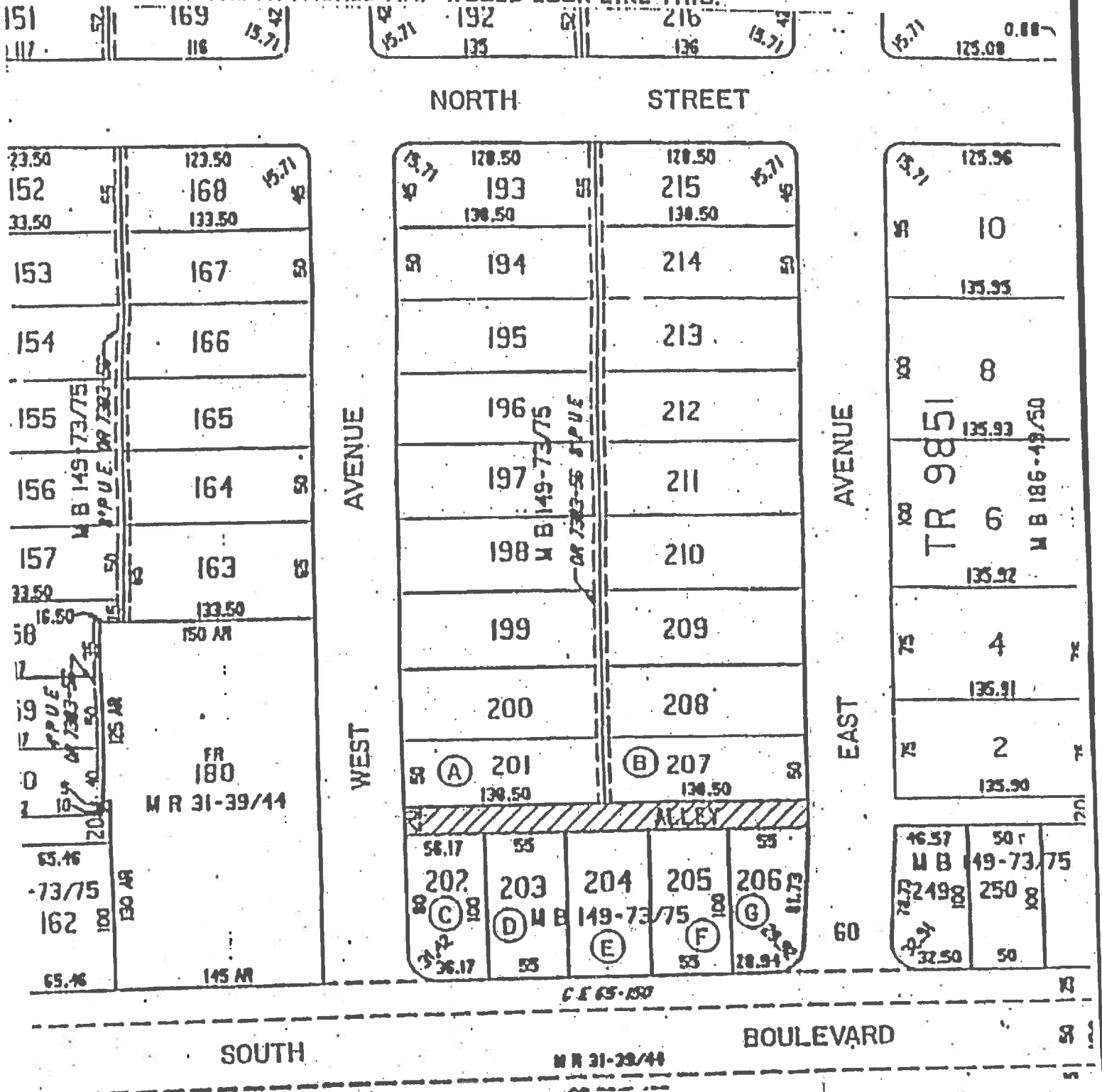
EXAMPLE OWNERSHIP LIST:

If these were the owners that appeared on an application,

(A)	John Doe	<i>John Doe</i>	Owner / Applicant, Owner of: Lot 201
(B)	Mary M. Smith	<i>Mary M. Smith</i>	Owner of: Lot 207
(C)	Richard R. White	Signature Not Available	Owner of: Lot 202
(D)	David T. Taylor	<i>David T. Taylor</i>	Owner of: Lot 203
(E)	Jane F. Lee	<i>Jane F. Lee</i>	Owner of: Lot 204
(F)	Richard D. Stone	<i>Richard D. Stone</i>	Owner of: Lot 205
(G)	George C. Davis	<i>George C. Davis</i>	Owner of: Lot 206

and where  INDICATES THE AREA PROPOSED TO BE VACATED

THE ATTACHED MAP WOULD LOOK LIKE THIS:



CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE CITY ENGINEER

ENVIRONMENTAL ASSESSMENT FORM

(Subject to Revision)

Return to: Land Development Group
201 No. Figueroa Street
2nd Floor, Suite 200
Los Angeles, CA 90012

Attention: _____
Section Head

PLEASE TYPE

DATE SUBMITTED: _____

PROJECT TYPE: _____

PROJECT ADDRESS/LOCATION: _____

BETWEEN _____ AND _____

PROJECT AREA (IN ACRES) _____

REFERENCES: PROJECT NO. _____

C.D. _____ C.F. NO. _____

ENGR. DIST. _____ W.O. _____

DIST. MAP _____ DIV. INDEX _____

OTHERS (SPECIFY) _____

Applicant's Name: _____ Phone _____

Address: _____

City: _____ Zip Code _____

NOTE: Not all projects will necessitate the preparation of an Environmental Impact Report (EIR). In order to make a determination as to whether any significant environmental impacts could result from the proposed project or action, the following Environmental Assessment Form must be filled out and submitted to the City Engineer.

As soon as possible, the Office of the City Engineer will determine whether or not the application will require an Environmental Impact Report and will notify the applicant accordingly.

If your available data indicates that the project will have a significant adverse impact on the environment, you may be required to submit a Draft Environmental Impact Report in addition to this assessment form.

Please attach any maps, photographs, plot plans, preliminary development plans, or other pertinent information which will assist in determining the significance of this project's impact.

SECTION I

Please complete the following on attached typewritten pages.

A. Description of Project

1. Objectives – Purpose of Project

Describe in sufficient detail the objectives or purposes of the project.

If the project could result in any adverse environmental effects or public objections, the applicant may use this Subsection to explain why the proposed project is believed to be the best course of action, describing the factors of overriding importance supporting this conclusion.

2. Project Characteristics

Describe the project's physical (technical and environmental) characteristics including the actions or activities associated with the project (temporary construction activities as well as permanent operating activities). The description should not supply extensive detail beyond that needed to assess the potential environmental effects of the project's characteristics.

3. Existing Use of Property

Describe the existing use of the property and the density or intensity of any structures to be removed.

4. Relationship to Other Projects

If the project is a component of larger plans or programs, describe the project's future phases or extensions. If the project is part of a larger project for which an EIR has been required, or for which a Negative Declaration has been granted, attach the EIR or reference the Negative Declaration in this Subsection.

Describe existing projects in the surrounding area, which may have a major influence on, or be influenced by the proposed project.

5. Other Project Permits Required

List subsequent or subordinate public agency approvals or permits which will be necessary to the completion of the project (e.g. building permits, sewer connection permits, zone change or variance, conditional use, tract or parcel maps, APCD approval, etc.). Specify the type of permit or approval and the public agency involved, including Special Districts.

B. Description of Existing Environmental Conditions

Briefly describe the environmental conditions (social, economic and physical) in the area affected by the proposed project as existing prior to commencement of the project.

Detailed information concerning individual environmental conditions should be provided only if the questions under Section II indicate that the project could result in a change in a particular environmental condition. For example, if views could be obstructed or changed by the project, then the environmental description should provide greater detail concerning the existing visual conditions that may be obstructed or changed. Similarly, if traffic congestion could be increased by the project, then the existing traffic pattern and levels of congestion should also be described in greater detail, if such increase is significant.

SECTION II

Please answer the following questions. If your answer is YES to one or more of the questions, please explain each YES answer on a separate typewritten page(s) attached to this Form.

- | | YES | NO |
|--|-------|-------|
| 1. Could the project result in higher densities and more intensive land use? | _____ | _____ |
| 2. Could the project serve to encourage or facilitate development of presently undeveloped areas or intensify development of already developed areas outside the project establish any project area? Could the project establish any precedents or facilitate any other projects of which the impact may be significant? | | |
| NOTE: Examples include the introduction or expansion of facilities such as streets, water mains or sewer lines, or the increase in development pressure resulting from changes in adjacent property values induced by the proposed project. | | |
| 3. Could the project result in the temporary or permanent displacement of people or annoyance to community residents? | _____ | _____ |
| 4. Could employment or the availability of housing in the community be affected by the project? | _____ | _____ |
| 5. Could any racial, ethnic, religious or other established social group in the community be affected by the project? Could the social or economic composition of the community be changed by the project? | _____ | _____ |
| 6. Could the project cause increased traffic congestion or draw non-residential traffic through a residential neighborhood, or cause increased street parking or loading? Could the project cause increased congestion in the use of other facilities (recreational, commercial or other)? | _____ | _____ |
| 7. Could views from neighboring properties be changed or obstructed by the project? Could the project affect the aesthetic character of the neighborhood or community? | _____ | _____ |
| 8. Could existing ambient noise levels be increased by the project (including during its construction period) to the extent that present or future residents or passersby would be annoyed to any degree? Could adjoining occupational, recreational or wildlife areas be affected by increases in ambient noise levels? | _____ | _____ |
| 9. Could the project change or disrupt any historical, cultural or archaeological site or its setting? | | |
| NOTE: The setting of such sites includes surrounding areas, the nature of which are important to the understanding and enjoyment of the site itself. | | |
| | _____ | _____ |

10. Are any of the natural or man-made features in the project area unique; that is, not found in other parts of the City?

YES NO

NOTE: Unique features include those areas, structures, biological phenomena, etc., that exhibit distinguishing characteristics not found in other areas, or found only in a small number of areas.

11. Could the project change or affect the continued use or enjoyment of a natural, ecological, recreational or scenic area or resource?

12. Could the project affect the potential use, extraction or conservation of a scarce natural resource?

NOTE: Examples include, but are not limited to:

Developments which affect the extraction of rock, sand, gravel or other mineral resources.

Use which affect the multiple use of natural resources in scarce supply.

Activities which tend to affect the supply or availability of natural resources that are in scarce supply.

13. Does the project area serve as a habitat, food source, nesting place, source of water, etc., for any rare or endangered plant, wildlife or fish species?

14. Could the project injure fish, or wildlife, or their habitat, or interfere with the movement of any resident or migratory fish or wildlife species?

15. Could the project change existing features of any lagoon, bay, tideland or their setting?

16. Could the project change existing features of any beach or its surroundings, or is it located within 1,000 yards of mean high tide?

17. Will the project produce emission of any type, which will be directly injected into the atmosphere? (Particulate matter as well as chemical pollutants should be considered.)

18. Will the project produce any offensive or irritating odors?

19. Will trees or landscaping be removed?

20. Does the project involve construction in hilly or mountainous terrain?

21. Could any grading, blasting, excavating or drilling be required to implement the project?

22. Will the project involve construction in areas involving possible geologic or soils hazards or in areas subject to periodic flooding?

- | | YES | NO |
|---|-------|-------|
| 23. Could the proposed project have any effect on the quality or quantity, of either surface or subsurface existing water supplies? | _____ | _____ |
| 24. Will the operation or activities of the project exceed any established national, state or local environmental standards (air, water, noise, vibration, glare, etc)? | _____ | _____ |
| 25. Will the project involve the application, use or disposal of potentially hazardous materials requiring a special permit by the Municipal Code? | _____ | _____ |

NOTE: Examples include, but are not limited to, toxic substances (including pesticides, rodenticides, and herbicides), radioactive wastes, or use of explosive materials.

- | | | |
|--|-------|-------|
| 26. Could the project generate a controversy or result in public objections? | _____ | _____ |
| 27. Has an environmental impact report already been prepared or is one under preparation for any portion or phase of the project, or for any portion or phase of any other project that is dependent upon or directly influenced by the project? | _____ | _____ |
| 28. Other than no projects at all, are there any less environmental offensive alternatives to the project? | _____ | _____ |
| 29. Would the project have a significantly beneficial effect upon the environment? | _____ | _____ |
| 30. Could the existing environmental conditions (social, economic or physical) subject the project to any potentially adverse effects? | _____ | _____ |

NOTE: Examples of such conditions are:

Natural hazards, (i.e., flood plains, seismic zones, landslide prone areas, fire hazard areas, etc.)

Non-natural conditions (i.e., disturbing noise levels, polluted air or water, high crime rate neighborhoods, etc.)

Submitted by: _____
(Owner/Applicant)

Prepared by: (If by other than the owner or applicant)

 Name

 Address

 City

CONSENT AND WAIVER FORM FOR VACATION PROJECTS

City Engineer

Date: _____

Attention: Street Vacation Section
Land Development Group
201 North Figueroa Street
2nd Floor, Suite 200
Los Angeles, CA 90014

Dear Sir:

The undersigned hereby certifies to be the owner(s) of the property in the City of Los Angeles, County of Los Angeles, State of California, legally described as:

(Lot, Tract No.) (Parcel, Parcel Map L.A. No.) (Other)

I (We) am (are) informed that proceedings for the vacation of: _____

(Street Name, Alley, Walk, Other and Location)

which lies _____ (i.e., northerly, northeasterly, southwesterly, etc) of and adjoins my (our) property, have been instituted by the City of Los Angeles under Council File No. _____

I (We) hereby consent to this vacation and waive any and all damages that may accrue to my (our) property by reason of said vacation.

It being understood that the above waiver relates solely to the vacating of the public easement over the above mentioned public right of way, pursuant to the "Public Streets, Highways, and Service Easements Vacation Law of the California Streets and Highway Code. This Consent and Waiver is binding upon the undersigned, their heirs, successors in interest and assignees.

NAME (Print and Sign)

ADDRESS

DATE

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

----- Attach Notarial Acknowledgement Below -----