



**CITY OF PALMDALE**

**ENGINEERING DIVISION OF  
DEPARTMENT OF PUBLIC WORKS  
38250 SIERRA HIGHWAY  
PALMDALE, CA 93550**

**HOW TO START A PROPOSED VACATION OF CITY ROADS/STREETS**

**TO: Tentative Applicant**

**If you are considering requesting the vacation of a City road or street, please use the following procedure:**

**1. Address a request letter to:**

**City of Palmdale  
Engineering Division of  
Department of Public Works  
38250 Sierra Highway  
Palmdale, CA 93550  
Attention: Michael J. Mischel  
City Engineer**

**City of Palmdale  
Planning Department  
38250 Sierra Highway  
Palmdale, CA 93550  
Attention: Asoka Herath  
Director of Planning**

**2. Include with the letter the following information:**

- a. Legal description and sketch of street or road to be vacated, prepared, signed and stamped by RCE or RLS. Legal description and sketch shall be labeled as Exhibit "A" and Exhibit "B", respectively.**
- b. A copy of Title Policy or Preliminary Title Report - within past 6 months.**
- c. The reason for requesting the vacation.**
- d. If possible, the signature of all affected property owners abutting the public road or street to be considered for vacation.**

**A fee is charged by the City to process a street vacation. This fee is necessary for the initial investigation, for submittal to the Planning Commission to adopt a resolution finding proposed vacation in conformance with General Plan Code (Code of Civil Procedure Section 65402), for submittal to the City Council for consideration and to complete the public hearing process. The processing fee is not refundable even if the vacation is terminated or denied by the City Council.**

**Processing fee to complete street vacation: \$2,000.00**

**Attached is an explanation of the vacation proceedings. If you need additional information, please contact the Engineering staff at (661) 267-5272.**

## **EXPLANATION OF VACATION PROCEEDINGS**

### **DEFINITION:**

The vacation of a street is a legislative act of the City Council of the City of Palmdale terminating the stipulated public rights within the area described. It does not grant the property involved to anyone, it merely removes the City's specified interest.

### **INITIAL INVESTIGATION PHASE:**

The Engineering Division of Public Works or the Public Works Department will review the requested vacation and circulate it to the Planning Department. If the proposed vacation meets the Planning Department's General Plan requirement, a resolution finding proposed vacation in conformance with the General Plan (Code of Civil Procedure Section 65402) will be adopted by the Planning Commission. Public notice and hearing will be held before the City Council at a later date.

### **PUBLIC IMPROVEMENTS:**

The vacation may be conditioned upon the applicant constructing and/or relocating various street improvements such as curb, gutter, pavement, drainage structures, storm drains, streetlights, trees and fire hydrants. The cost to meet these conditions is the responsibility of the applicant.

### **PUBLIC UTILITIES:**

Easements must be reserved in the vacation for any public utilities existing within the vacated area. If the applicant chooses to clear the area of these utilities, it is the responsibility of the applicant to make arrangements with utility companies for the relocation prior to the completion of the vacation. All costs in connection with the relocation of these facilities must be borne by the applicant.

### **OTHER PROPERTY OWNERS:**

The consent and approval of all affected property owners may be required. It is the responsibility of the applicant to contact the property owners.

### **REVERSION:**

It is the applicant's responsibility to determine the ownership of the underlying fee interest of the public street to be vacated. Usually the City has only an easement for road, alley, walk or other purposes and the vacation only removes the easement. It does not grant the property to anyone.

**PUBLIC HEARING:**

The law requires that prior to considering a vacation, the City Council adopt a resolution declaring an intent to vacate a street and set a date and place for public hearing (Streets and Highways Code 8320). A notice of public hearing is published in a local newspaper and posted along street to be vacated at least two weeks before the public hearing. All interested parties are given opportunity to appear before the City Council and may present evidence or object to the proposed vacation. The City Council may approve or disapprove the vacation at the public hearing or defer final action to another time.

**TIME:**

The approximate time required to investigate and complete the vacation usually takes four to eight months depending on the scope and complexity of the vacation.

**RECORDATION OF RESOLUTION OF VACATION:**

If the City Council approves the proposed vacation, Resolution of Vacation (Streets and Highways Code Section 8329) will be adopted by the City Council. The recordation of Resolution of Vacation is the responsibility of the applicant.

## **VACATION PROCEDURES**

### **A. RESEARCH & INVESTIGATION**

Review conditions of approval, all related plans; review request letter, verify ownership, check location, review legal description and sketch.

### **B. COORDINATION**

Discuss and coordinate with Planning staff and Engineering staff about the proposed street vacation; write a memo to the Planning Department requesting to initiate a Resolution finding proposed vacation in conformance with General Plan of the City (Code of Civil Procedure Section 65402).

### **C. GENERAL OFFICE**

Prepare calendar of events for street vacation. Plan ahead to expedite the vacation proceedings.

### **D. PLANNING COMMISSION**

If the proposed vacation meets the Planning Department's General Plan requirement, a Resolution finding the proposed vacation in conformance with General Plan (Code of Civil Procedure Section 65402) will be adopted by the Planning Commission.

### **E. STAFF REPORT AND RESOLUTION OF INTENTION**

Staff prepares a Staff Report and Resolution of Intent to Vacate. City Attorney reviews and approves as to form. Staff notifies the City Engineer of the item to be placed on the City Council Agenda. Resolution of Intention declares an intent to vacate and set a date and place for Public Hearing (Streets and Highways Code 8320).

### **F. 1<sup>ST</sup> CITY COUNCIL MEETING**

City Council adopts Resolution of Intention and sets a date and place for Public Hearing.

### **G. PUBLIC HEARING**

Notice of Public Hearing setting date and place are published in the local newspaper, at least two (2) successive weeks prior to the Public Hearing. Notice of Public Hearing is posted along street to be vacated. Utility companies which may have easements in the vacated areas are notified.

#### **H. STAFF REPORT AND RESOLUTION TO VACATE**

Staff prepares Staff Report and Resolution to Vacate. City Attorney reviews and approves as to form. City Engineer, Director of Public Works, City Administrator and City Council members review agenda. Agenda is distributed to various departments.

#### **I. 2<sup>ND</sup> CITY COUNCIL MEETING**

If no objections or contests are made at the public Hearing, City Council adopts Resolution of Vacation.

#### **J. RECORDATION OF RESOLUTION OF VACATION**

Certified copy of Resolution of Vacation is recorded and proposed street is vacated.

**SUMMARY STREET VACATION  
(CHAPTER 4 OF PART 3, SECTION 8330  
OF STREETS AND HIGHWAY CODE)**

**DESCRIPTION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<u>ITEM (ORDER OF PRECEDENCE)</u>	<u>DATE REQUIRED</u>
1. ENVIRONMENTAL STATEMENT AND GENERAL PLAN CONFORMANCE FINDING (PLANNING COMMISSION PRIOR TO NOTIFYING UTILITIES)- CIVIL CODE 65402	_____
2. NOTIFY UTILITIES AND OTHERS BY CERTIFIED MAIL OF PROPOSED VACATION (60 DAYS BEFORE ACTUAL VACATON)	_____
3. PUBLISH NOTICE OF INTENTION TO VACATE (LOCAL NEWSPAPER _____)- STREETS AND HIGHWAYS CODE 8322	
1 <sup>ST</sup> TIME (2 WEEKS BEFORE ACTUAL VACATION)	_____
2 <sup>ND</sup> TIME (1 WEEK BEFORE ACTUAL VACATION)	_____
4. RESOLUTION OF VACATION (CITY COUNCIL, THE ACTUAL VACATION W/IN 60 DAYS OF PLANNING COMMISSION)-STREETS AND HIGHWAYS CODE 8324	_____
5. RECORDATION OF RESOLUTION (W/IN 2 WEEKS OF ACTUAL VACATION)-STREETS AND HIGHWAYS CODE 8325	_____

**GENERAL STREET/EASEMENT VACATION  
(CHAPTER 4 OF PART 3, SECTION 8320 OF  
STREETS AND HIGHWAYS CODE)**

**DESCRIPTION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<b><u>ITEM (ORDER OF PRECEDENCE)</u></b>	<b><u>DATE REQUIRED</u></b>
1. RESOLUTION OF INTENTION TO VACATE (CITY COUNCIL MEETING, TIME AND PLACE FOR FUTURE PUBLIC HEARING FOR ACTUAL VACATION IS SET)-STREETS AND HIGHWAYS CODE 8320	_____
2. ENVIRONMENTAL STATEMENT AND GENERAL PLAN CONFORMANCE FINDING (PLANNING COMMISSION PRIOR TO NOTIFYING UTILITIES)-CIVIL CODE 65402	_____
3. NOTIFY UTILITIES AND OTHERS BY CERTIFIED MAIL OF PROPOSED VACATION (W/IN 15 DAYS OF RESOLUTION OF INTENTION)	_____
4. POST NOTICE OF INTENTION TO VACATE (ON SITE, NOT MORE THAN 300 FEET APART, 2 WEEKS BEFORE ACTUAL VACATION)-STREETS AND HIGHWAYS CODE 8323	_____
5. PUBLISH NOTICE OF INTENTION TO VACATE (LOCAL NEWSPAPER _____)- 1 <sup>ST</sup> TIME (2 WEEKS BEFORE ACTUAL VACATION)	_____
2 <sup>ND</sup> TIME (1 WEEK BEFORE ACTUAL VACATION)	_____
6. AFFIDAVIT OF POSTING BY CITY ENGINEER (UPON SITE POSTING)-STREETS AND HIGHWAYS CODE 8323	_____
7. RESOLUTION OF VACATION (CITY COUNCIL, THE ACTUAL VACATION W/IN 60 DAYS OF RESOLUTION OF INTENTION)-STREETS AND HIGHWAYS CODE 8324	_____
8. RECORDATION OF RESOLUTION (W/IN 2 WEEKS OF ACTUAL VACATION)-STREETS AND HIGHWAYS CODE 8325	_____

**CITY OF PALMDALE  
CALENDAR OF EVENTS - STREET VACATION**

- 1. Planning Commission adopts Resolution finding proposed vacation in conformance with General Plan (Code of Civil Procedure Section 65402).**
- 2. City Council adopts Resolution of Intention in setting time and place for hearing (Streets and Highway Code 8320).**
- 3. Publish Notice of Public Hearing at least two successive weeks prior to public hearing (Streets and Highway Code 8322).**
- 4. Post Notice of Public Hearing along street to be vacated at least two weeks before public hearing. At least three notices are to be posted and the distance between them is not to exceed 300 feet (Streets and Highway Code 8323).**
- 5. Notify all utility companies which have easements in vacated property:**
  - A. Southern California Gas Company**
  - B. Southern California Edison**
  - C. AT & T**
  - D. Palmdale Water District**
  - E. LA County Waterworks**
  - F. LA County Road Department**
  - G. LA County Sanitation District**
  - H. LA County Sewer Maintenance**
  - I. Time Warner Cable**
- 6. Affidavit of Posting by City Engineer (Streets and Highway Code 8317).**
- 7. Public Hearing at regular City Council meeting. City Council adopts Resolution of Vacation (Streets and Highway Code 8325).**
- 8. Recordation of Resolution of Vacation (Streets and Highway Code 8329).**