



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

**EXEMPTION FROM PLANNING COMMISSION REPORT FOR ACQUISITIONS,
DISPOSITIONS AND ABANDONMENTS PURSUANT TO G.C. §65402(a)**

DESCRIPTION: Proposed summary vacation of a portion of Trinidad Scenic Drive in Trinidad adjacent to APN 514-171-008. Scenic Drive was established as part of the Westhaven map recorded at Book 11 of Maps, Pages 19-22. The maintained road was also a state highway. The remaining road has never been vacated. This vacation does not land lock any parcels. According to the Department of Public Works, the right of way in question has never been a part of the road maintained by the County.

DATE OF REFERRAL: December 30, 2020

Resolution #72-69 provides for the Planning Director to certify general plan conformance for acquisition, disposition or abandonment for street widening or alignment projects of a "minor" nature. Projects subject to the provisions of Resolution #72-69 would not need to be submitted to the Planning Commission for report pursuant to Government Code Section 65402(a).

Factors to be considered when determining if the abandonment qualifies for an exemption:

Yes No

- Was the right of way or property acquired for a use other than street widening or alignment?
*The right of way was not acquired for use other than street purposes.
No property will be land locked if the vacation is granted.*
- Is the street or alley open on the ground (i.e., constructed)?
See above. Trinidad Scenic Drive is a developed road, while the County Right-of-Way is partially developed with an existing residence.
- Is the street or alley identified in the circulation element of the General Plan?
- Is the street or alley used, or intended to be used, or adaptable for use as a part of the trails system? *It is not described in any County adopted Trails Plan. There is an existing residence constructed over the right of way, and there are terrain issues (the parcel abuts a coastal bluff) that would not be conducive to establishing trail access.*
- If the street or alley provides the principal access to a parcel, would the parcel be without legal access once the abandonment is complete (e.g., via easement or private right of way)?
The parcel has legal frontage on Scenic Drive.

If all the answers to the above questions are "no", then the abandonment may be handled as an exemption. Projects which include "yes" responses will be evaluated by the Director on a case by case basis and may be referred to the Planning Commission.

RECOMMENDATION

I have reviewed the above vacation request and find that it meets does not meet the criteria for an exemption pursuant to Resolution No. 72-69.

By: *Alyssa Suárez*
Alyssa Suárez
Planner I

3. 1. 2021
Date

DETERMINATION

- Vacation qualifies for the exemption pursuant to Resolution No. 72-69
- Vacation does not qualify for exemption and is subject to review and report pursuant to C.G.C. Section 65402(a); the vacation request will be scheduled for Planning Commission review

By: *John H. Ford*
John H. Ford
Director of Planning and Building

3/3/2021
Date