



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT

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

DESCRIPTION: Proposed summary vacation of a portion of Felt Road in Eureka adjacent to APNs 403-071-056, 403-071-058, 403-071-060, & 403-071-052. Felt Road was granted to the County of Humboldt by easement deed recorded in Book 288 O.R. Page 203. This easement runs between APNs 403-071-060 & 403-071-052 on the north and east and APNs 403-071-058 & 403-071-056 on the south and west, all owned by Sean and Kathryn O'Day. Felt Road is a dead-end road that runs from Myrtle Ave. to its end at post mile 0.55. A private gate is in place and used by O'Day and Korte, owner of 403-081-010. An existing right of way easement is in place between O'Day and Korte. The proposed vacation begins at post mile 0.20. An adequate turnaround exists here. The summary vacation is being processed under Summary Vacation procedures per Streets and Highways Code 8334(a) and (b). PW Land Use is requesting that the planning division determine whether the proposed Summary Vacation is not in conflict with the General Plan as required by Section 65402 of Govt. Code. This vacation does not land lock any parcels. According to the Department of Public Works.

DATE OF REFERRAL: August 17, 2021

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:

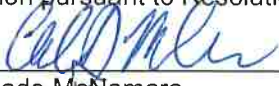
Yes No

- 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)?  
*Yes, this portion of Felt Road is already established and is used as a means of private access to APNs 403-071-056, 403-071-058, 403-071-060, 403-071-059, 403-071-057, 403-071-052, & 403-081-010.*
- 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 no reference to Felt Road in the Trails Plan, Freshwater Community Plan, or Humboldt Bay Area Plan that this vacation would impact.*
- 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)?  
*No, all parcels using Felt Road for legal access have easements for ingress/egress.*

*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: Cade McNamara  
Planner  
8.24.21  
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  
Director of Planning and Building  
  
Date