

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

DESCRIPTION: Resolution to summarily vacate the northerly 100 feet of the unnamed alley lying west of Block 1 and south of Sydni court (formerly Sea Avenue) as shown on the map of Argyle Park recorded at Book 8 of Maps, page 42 Humboldt County Recorders Office, situated in the southeast quarter of the southeast quarter of section 33, Township 5 north, range 1 west, Humboldt meridian. Proposed summary vacation of site address: 4204 Little Fairfield Street, in Eureka, California (APN 019-104-001 and 019-104-002)

DATE OF REFERRAL: March 12, 2024

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 | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Was the right of way or property acquired for a use other than street widening or alignment?
<i>No property will be land locked if the vacation is granted.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the street or alley open on the ground (i.e., constructed)?
<i>See above. No evidence of recent use as a road or walking path was observed in recent site investigation. The former alignment is now heavily vegetated.</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the street or alley identified in the circulation element of the General Plan? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the street or alley used, or intended to be used, or adaptable for use as a part of the trails system? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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)? <i>(U4)</i> |

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: Cliff Johnson
Supervising Planner

3.18.2024
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

3-20-2024
Date

