

Howard N. Dashiell
DIRECTOR OF TRANSPORTATION

Road Commissioner
County Engineer, RCE 42001
County Surveyor, PLS 7148



FUNCTIONS

Administration & Business Services
Airports
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Land Improvement
Roads and Bridges
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COUNTY OF MENDOCINO
DEPARTMENT OF TRANSPORTATION
340 LAKE MENDOCINO DRIVE
UKIAH, CALIFORNIA 95482-9432
VOICE (707) 463-4363 FAX (707) 463-5474

March 24, 2020

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: ADOPTION OF RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS VACATING A PORTION OF COUNTY ROAD 233, ROAD E, THAT IS ADJACENT TO THE EASTERLY BOUNDARY OF ASSESSOR'S PARCEL NUMBER 161-230-16 LOCATED IN THE YOKAYO RANCHO (REDWOOD VALLEY AREA)

Honorable Board of Supervisors:

The Director of Transportation has received Road Vacation Petition Number (No.) 19-01 requesting the County summarily vacate that portion of County Road (CR) 233, Road E, that is adjacent to Assessor's Parcel No. 161-230-16, being approximately .39 acres, located North of the town of Redwood Valley.

State statute and Board policy require a report from the Department of Transportation (DOT) on several aspects of the proposed summary road vacation, including location of the road to be vacated, whether or not it is part of the County Maintained Road System, DOT's recommendation regarding the proposed summary vacation action and any other information DOT deems pertinent to the proceedings. This letter constitutes DOT's report.

CR 233 is a paved County Maintained Road located north of the town of Redwood Valley.

A portion of this road area was dedicated to the County of Mendocino by the map of The Finnish Colony recorded October 3, 1922 and filed in Map Case 1, Drawer, Page 89, Mendocino County Records. Another portion of this roadway parcel was granted to the County of Mendocino, by Deed recorded April 18, 1971 in Book 846 of Official Records, Page 647, Mendocino County Records. The road area requested to be vacated

lies outside of and Northwesterly of the paved lanes of said CR 233, a map of which is attached hereto as Attachment (5).

The Petitioners have requested Vacation Petition No. 19-01 to be processed as a summary road vacation because it meets the statutory requirement for summary road vacation as provided for in Resolution No. 84-199 and California Streets and Highways Code Section 8331: (1) "For a period of five consecutive years, the street or highway has been impassable for vehicular travel. (2) No public money was expended for maintenance on the street or highway during such period."

Right of way to be vacated is held in fee title so vacation will need to be disposed of through the Executive Office once it is approved. See Streets and Highway Code 8355, 8356, & 8357.

The Department of Planning and Building Services (PBS) has provided a Memorandum in which it considers the impacts of the proposed vacation, a copy of which is attached hereto as Attachment (2). PBS's findings are:

- 1) The vacation is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Class 12, and therefore Fish and Game Code Section 711 fees are not required. (CEQA Section 15312)
- 2) As proposed the project is consistent with the General Plan and there is no plan to expand to or connect to any public roadway, bike or pedestrian paths.

The Department of Transportation's determination regarding Summary Road Vacation Petition 19-01 is as follows:

- 1) Department of Transportation has determined that the proposed area of CR 233 is adjacent to the petitioner's property only and does not affect other property owners access in the area. The portion to be vacated has never been improved as part of Road E.
- 2) No public money was expended for maintenance on the area as petitioner (property owner) has been maintaining said area for years and DOT has not performed any maintenance on the area.
- 3) There are no public utilities located in the proposed area to be vacated so there is no impact to in-place utility facilities.
- 4) The proposed road vacation is held in fee interest therefore it is DOT's recommendation that we reserve all previous ownerships of right of way that currently exist for furnishing ingress and egress to and from the existing properties over the County Road to be vacated to the freeway access encroachment area. (Per Streets and Highway Code 8352).

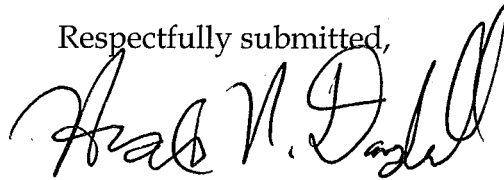
Because the findings above indicate that there are minimum impacts to the surrounding areas the Department of Transportation supports and recommends the requested summary road vacation.

After consideration of the staff reports, should the Board decide that the evidence supports the requested summary vacation, we have prepared a resolution, for your consideration, that will vacate that portion of CR 233, Road E. As noted above, the existing right of way is held in fee title, so vacation of the requested portion of CR 233 will need to be disposed of through the Executive Office once the vacation is complete.

Alternatively, if after consideration of the staff reports on the matter the Board decides that the evidence presented does not support the requested vacation, the Board may deny the petition by Minute Order.

I will, of course, respond to any questions that you may have.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Howard N. Dashiell", written over the typed name.

HOWARD N. DASHIELL
Director of Transportation

Attachments:

- (1) Planning and Building Services Staff Analysis
- (2) Map depicting road segment proposed to be vacated
- (3) Outline for Board of Supervisors Proceedings
- (4) Draft Resolution of Summary Road Vacation
- (5) Transportation Project Map for portion of Road-E

cc: Brent Schultz, Director of Planning and Building Services
R/W File CR 233, Road E
Board Correspondence