



Trinity County Planning

Memo

To: Planning Commission

From: John Jelich Planner

Date: November 10, 2016

Re: County property disposal – East Weaver Creek/North St. area,
Weaverville

BACKGROUND:

While preparing a lot line adjustment with Trinity River Lumber Mill, Mr. Nichols, owner of an adjoining mobile home park (APN: 001-210-19), approached the County to determine if he could acquire oddly shaped lands adjoining his that were not in use. There are two areas of County land affected by the request: 0.026 acre (por. APN 024-390-08) at the south end of the Nichols property and 0.430 acre (APN 024-390-09) at the north end. (Exhibit A, map showing subject area in yellow) The purpose of the acquisition is to better manage his property and allow him to construct a fence separating his mobile home park from the pedestrian trail and creek.

Issues affecting the property transaction are a pedestrian trail, most of which lies outside of the subject land area proposed for transfer; water, sewer, telephone and possibly other utilities that run along the boundary and/or possibly through the property. (ref: Exhibit B, map showing known utilities and trail)

PROJECT DISCUSSION:

Section 65402 (a) of the California Government Code reads, in part, as follows:

With few exceptions, “no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such as street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof.”

GENERAL PLAN CONSISTENCY:

Weaverville Community Plan:

The project site is potentially affected by both the County’s General Plan and the Weaverville Community Plan. The property affected is zoned Mobile Home Park (MHP) with a small area of Multi-family Residential (R-3). The following are Policies and Objectives within the “Weaverville Community Plan” and the County “Circulation Element” of the General Plan that are applicable:

Weaverville Community Plan:

Goals and Policies

Goal #2: To Recognize and retain the trails around town.

Goal #3: To recognize and encourage the development of recreation facilities which serve both local, regional and tourist needs.

Goal #4: To recognize the importance of the basin’s creeks and encourage the development of pathways along these creeks.

The Transportation Chapter also includes similar goals and policies to encourage pedestrian routes along these areas.

Objectives: 4.1 Encourage the development of pedestrian and bicycles trails along Sidney Gulch, East Weaver, West Weaver and Weaver Creeks as generally located in the Recreation Plan (*Note: This ties in with the Weaverville Trails Plan*)

The Weaverville Trails Plan, incorporated into the Weaverville Community Plan identifies the trail that passes along the area affected by the lot line adjustment and this proposal to dispose of County property. Only a small part of the area being transferred includes a portion of the trail.

Circulation Element:

The Circulation Element of the General Plan contains specific findings that must be made in order to abandon a road. These findings are also applicable to the disposal of property. . They are as follows:

1.9.A Road abandonment shall provide the retention of utility and private easements as necessary.

The proposed disposal of property includes areas with water, sewer, power and telephone easements; therefore, the transaction must include provisions to develop and/or maintain utility easements prior to the land transfer.

1.9.B Proposed abandonment of a road, which provides reasonable access to public resources or waterways, should be denied.

East Weaver Creek passes near this property and includes a well-used trail. However, transfer of the property will not adversely affect use of or development of the trail because an easement will be retain for the small portion of land that could be affected by the transaction.

1.9.C Abandonment of a road for vehicular traffic shall consider the need for retaining pedestrian, equestrian, utility, or stock easements.

Provisions to develop and/or retain easements for utilities and the trail are included in staff's recommendation

CONCLUSION: In viewing all policies within the various elements of the General Plan and the Community Plan staff concludes that the proposed action would not conflict with any of the specific Goals, Objectives or Policies provided that easements are included for utilities and the trail.

ENVIRONMENTAL REVIEW: The abandonment process will cause only a change in the ownership of the subject property, and will not alter physical conditions. The project is Categorically Exempt pursuant to Section 15312 (sale of surplus property).

In reviewing the eligibility for a CEQA exemption, Planning staff did not identify any potential significant adverse environmental impacts associated with the transfer of this property provided that easements are retained for utilities and a trail width of at least 12' be provided along the existing trail.

ACTION NECESSARY BY THE PLANNING COMMISSION: The Planning Commission must consider the action and recommend to the Board of Supervisors if they believe the project is consistent with the General Plan.

RECOMMENDED FINDINGS:

GENERAL PLAN CONSISTENCY RECOMMENDATION:

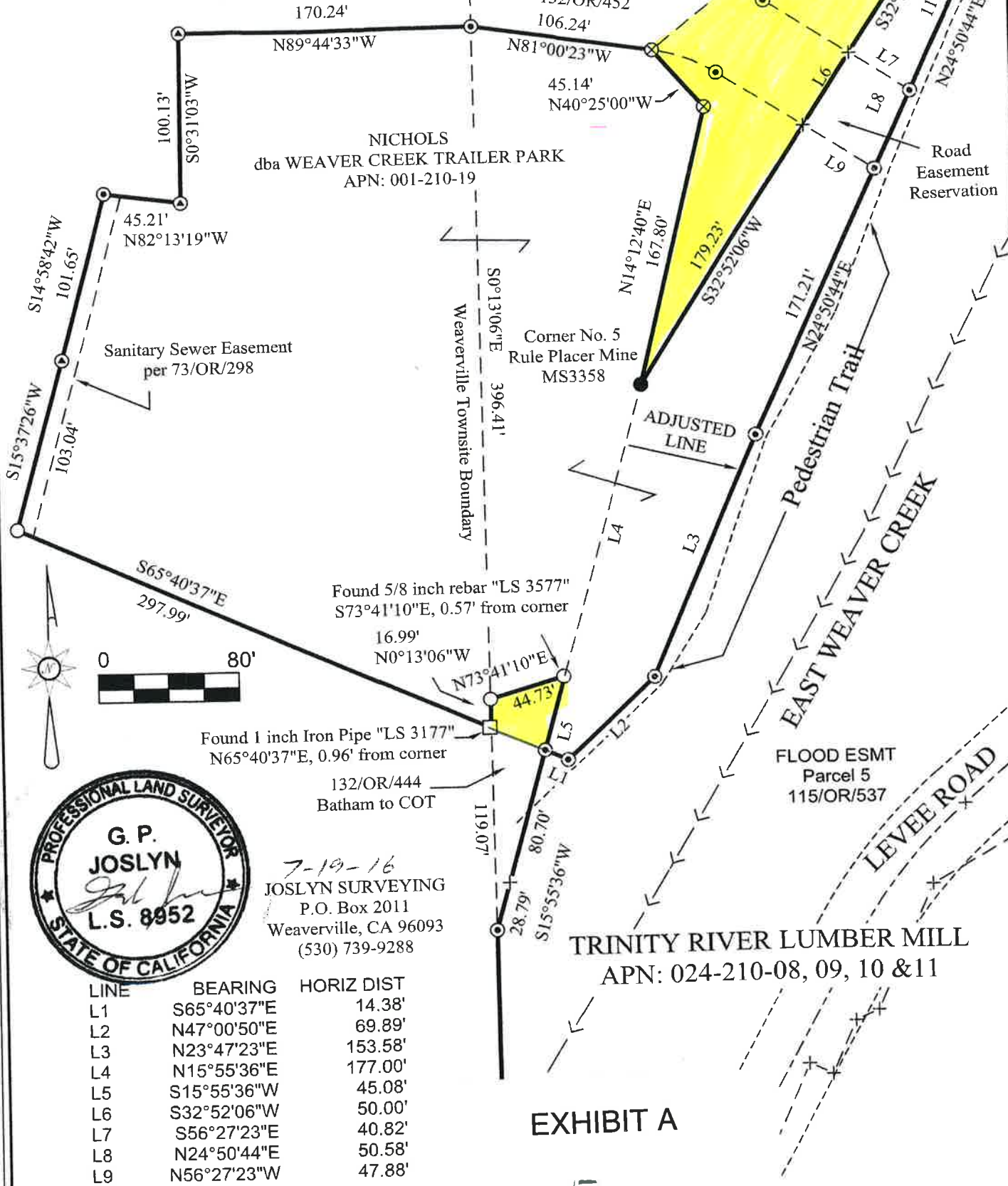
Find that the proposed project to dispose of approximately 0.026 acre (por. APN 024-390-08) and 0.430 acre (APN 024-390-09) is consistent with applicable goals and policies of the General Plan, which includes the Weaverville Community Plan, if utility easements are provided and an easement of not less than 12 feet for the trail is provided where it passes through the subject property.

ALTERNATIVE RECOMMENDATION:

Find that the proposal to dispose of 0.026 acre (por. APN 024-390-08) and 0.430 acre (APN 024-390-09) is not consistent with the General Plan, including the Weaverville Community Plan, and should be retained by the County.

"MAP EXHIBIT"

NORTH STREET (CO RD WVD75)



7-19-16
 JOSLYN SURVEYING
 P.O. Box 2011
 Weaverville, CA 96093
 (530) 739-9288

LINE	BEARING	HORIZ DIST
L1	S65°40'37"E	14.38'
L2	N47°00'50"E	69.89'
L3	N23°47'23"E	153.58'
L4	N15°55'36"E	177.00'
L5	S15°55'36"W	45.08'
L6	S32°52'06"W	50.00'
L7	S56°27'23"E	40.82'
L8	N24°50'44"E	50.58'
L9	N56°27'23"W	47.88'

EXHIBIT A

