



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 5/5/2020
Agenda Placement: 9F
Set Time: 9:40 AM PUBLIC HEARING
Estimated Report Time: 10 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Steven Lederer - Director of Public Works
Public Works
REPORT BY: Danielle Goshert, County Surveyor - 707.259.8380
SUBJECT: Resolution abandoning a portion of Golden Gate Drive

RECOMMENDATION

Director of Public Works requests adoption of a resolution abandoning a portion of Golden Gate Drive lying westerly of Stanly Lane to its terminus just easterly of Highway 12/121.

EXECUTIVE SUMMARY

A request from Mr. William Wilcoxson to abandon this portion of Golden Gate Drive was received by the Department of Public Works. This portion of the road functions primarily as access for the adjoining parcels to the north and Mr. Wilcoxson's parcel to the south. There is no through access allowed from Golden Gate Drive to the State Highway and illegal dumping is an ongoing issue. The Board considered and adopted a Resolution of Intent to abandon a portion of Golden Gate Drive on April 7, 2020 and set a public hearing for this date.

PROCEDURAL REQUIREMENTS

1. Open Public Hearing.
2. Staff reports.
3. Public comment.
4. Close Public Hearing.
5. Motion, second, discussion and vote on the item.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?

No

County Strategic Plan pillar addressed: Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)]. The proposed action involves abandonment of right-of-way that has no potential to result in a change to the environment, and therefore is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. Further, it has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

BACKGROUND AND DISCUSSION

Mr. William Wilcoxson, the owner of Stanly Lane Smokehouse located at 3100-3106 Golden Gate Drive (APN 047-230-034), contacted staff regarding the status and condition of the portion of Golden Gate Drive lying westerly of Stanly Lane and northerly of his property. The portion that is the subject of this request was initially conveyed to the State of California (with other lands) in the 1950s for the construction of State Route 121. The highway remained in this location until a realignment project during the late 1970s relocated the highway to its present location. Upon completion of this realignment project, the State relinquished all of its right, title, and interest in the prior right of way to the County of Napa via a relinquishment deed recorded in 1982 resulting in the creation of Golden Gate Drive as a County-maintained public right of way.

This County-maintained road terminates approximately 250 feet easterly of State Route 12/121 and through access is not allowed. The proposed abandonment area comprises approximately 2.19 acres and shares its southerly boundary with the northerly boundary of Mr. Wilcoxson’s property. It currently serves as the primary vehicular and pedestrian access to four parcels: Wilcoxson (APN 047-230-034) to the south and Cakebread (APN 047-100-045), LeBarge (APN 047-100-046), and Laird (APN 047-100-045) to the north. This portion of Golden Gate Drive has also been utilized as transitory on-street parking, loading, and storage of farm equipment, grape bins, agricultural materials, and trash containers. There have been episodes by unidentified parties of littering, loitering, and unauthorized disposal of sundry items such as household appliances, tires, automobile fluids, and beverage containers.

Napa County and the adjacent landowners have historically shared the burden of abating these nuisances. The proposed abandonment area is maintained as a County road, yet it is primarily the few adjoining landowners that enjoy the benefits of this maintenance. This portion of Golden Gate Drive does not provide access to any public lands and provides no through access to State Route 12/121. The abandonment of this portion of Golden Gate Drive would eliminate the public right of way over these lands that would continue to serve as private access to the four properties listed above and will be conditioned upon the reservation of an easement for any in-place public utility facilities. The County holds fee title to the lands underlying this right of way and the County will need to receive financial compensation to allow a private party to take ownership of this property.

In order to abandon this public road right-of-way, the following requirements are established in the Streets and Highways Code:

1. The Board must find that the road is unnecessary for present or prospective public use. Access to the State Highway to the west is prohibited per the original relinquishment deed from the State to the County; therefore no through access is enjoyed. Additionally, no publicly-owned facilities are accessed via this road and its use is primarily as private access to the parcels lying northerly and southerly of the road.
2. The abandonment must be in conformity with the General Plan. The Department of Planning, Building, and Environmental Services has, by memo to Public Works staff, determined that the proposed abandonment is in conformity with the adopted Napa County General Plan (June 2008).

Adoption of the resolution will complete the process of abandoning the public interest in this portion of Golden Gate Drive. The County will still own the underlying land, and our next step would be put the land up for sale. As part of that process we will ensure that properties that take access from this area still have that access, and can place other restrictions on the property should we wish to do so.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Susan Kuss