



CITY COUNCIL STAFF REPORT

TO: City Council

DATE: March 23, 2026

DEPARTMENT: Public Works Department

PREPARED BY: Alfredo Huerta, Assistant City Engineer

PRESENTER: Alfredo Huerta, Assistant City Engineer

AGENDA TITLE:

Receive Report, Conduct Public Hearing, and Consider Adoption of Fort Bragg City Council Resolution Vacating a Portion of the Alley on the South Side of Oak Street Between Franklin and Main Streets and Approval of Quitclaim Deed

RECOMMENDATION

Staff recommends City Council adopt Resolution vacating a portion of the alley located on the south side of Oak Street between Franklin and Main Streets and approve the quitclaim deeds to convey to an adjacent property owner and grant City Manager authority to take such actions as required to complete the vacation and transfer of property

BACKGROUND

The City has not utilized or maintained the 73-foot-long dead-end alley on the south side of Oak Street between Franklin and Main Streets in more than ten years. The full alley segment is approximately 73 feet in length. Previous vacations with adjacent property owners have already transferred the southern portion of the alley into private ownership, leaving only the northerly 48 feet of the easterly half of the 20-foot alley as the remaining public right-of-way.

Since most of the alley is now privately owned, the staff recommends disposing the remaining portion that is still considered public right-of-way to reduce potential liability and maintenance obligations. In order to complete this process of vacating the entire alley, the City would need to dispose of the north 48 feet of the east half of the 20-foot alley. Pursuant to the procedures set forth in Streets and Highways Code §§8300 and 8330 et seq., vacating public streets and alleys requires Planning Commission review for General Plan consistency and City Council action following a noticed public hearing. In addition, the City must comply with the requirements of the Surplus Land Act.

DISCUSSION AND ANALYSIS

AGENDA ITEM NO. 7B

Being that the subject property is considered public right-of way, no Assessor Parcel Number (APN) identifies the subject area. The subject property owned by the City of Fort Bragg sits east of 102 South Main Street property, which is in the permit phases of development. The owners of 102 S. Main Street have expressed interest in acquiring this right-of-way from the City to utilize the area as open access to the utilities for their new development that will be placed in the west half of the alleyway. Transferring the land to the adjacent property owner is in the public interest, as it reduces maintenance costs.

State Streets and Highways Code (S&H Code) requires municipalities to adhere to a specific process in order to vacate public streets and highways (includes alleys). Specifically, the S&H Code requires the Planning Agency (i.e., Planning Commission) to determine whether the proposed vacation is consistent with the General Plan prior to Council consideration of the vacation. Should the Planning Commission find the project consistent with the General Plan, Council can subsequently approve the vacation through a public hearing. Pursuant to S&H Code, the Fort Bragg Planning Commission adopted a resolution at their regularly scheduled meeting on January 28, 2026, making a determination of general plan consistency for the proposed vacation. Subsequently, on February 9, 2026, the Fort Bragg City Council adopted a resolution declaring its intent to vacate certain right-of-way and set public hearing for the same.

In addition to S&H Requirements, the City must also comply with The Surplus Land Act (SLA). Pursuant to SLA, Government Code Section 54221, on February 9, 2026, the Fort Bragg City Council adopted a resolution declaring the subject area as remnant right-of-way property not necessary for city use and determining such property as exempt surplus. In accordance with the requirements outlined in the SLA, the City provided written copies of that determination, including staff report and resolution to The Department of Housing and Community Development (HCD) and the City received a letter from HCD dated March 19, 2026 (Att 8) confirming the subject property qualifies as “exempt surplus land” under Government Code Section 54221 and the City may proceed with the process.

The surplus property meets the definition “Exempt” under Government Code Section 54221 (f)(1)(E): “Surplus land that is a former street, right of way, or easement, and is conveyed to the owner of an adjacent property. The property is exempt surplus if it is conveyed to the owner of an adjacent property.” Staff recommends that City Council adopt a resolution vacating the subject property and approving a quitclaim deed that will convey the property to an owner of an adjacent property.

FISCAL IMPACT/FUNDING SOURCE

No negative fiscal impact. If anything, this reduces fiscal responsibility by reducing overall right-of-way maintenance costs.

ENVIRONMENTAL ANALYSIS:

City staff has determined that the designation of this property as exempt surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. If and when the owner conveys the properties to an adjacent landowner and that new owner proposes a use for the property that requires a discretionary permit and CEQA review, the City will analyze that future use at the appropriate time in accordance with CEQA.

STRATEGIC PLAN/COUNCIL PRIORITIES/GENERAL PLAN CONSISTENCY

As part of the conveyance, staff recommends the following reservations be included to protect utility access and maintain open space:

1. A covenant that the land remains open space (or parking) and cannot have a structure built.
2. The City Secures necessary utility easements for access.

ALTERNATIVES:

Do not adopt the resolution keeping this property as public right-of-way or provide direction to staff to find an alternate use for this land.

ATTACHMENTS:

1. Resolution to Vacate Right of Way
2. Exhibit A – Legal Description
3. Exhibit B – APN Map
4. Exhibit C - Quitclaim Deed
5. Planning Commission RESO 01-2026
6. City Council Resolution 5004-2026
7. City Council Resolution 5009-2026
8. HDC Exemption Approval Letter
9. Notice of Public Hearing