



# County of Monterey

**Item No.**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: RES 24-132**

**July 09, 2024**

**Introduced:** 6/27/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Resolution

### **Bradley Road and Alley Vacation/Abandonment**

- a. Adopt a Resolution, pursuant to California Streets and Highways Code (SHC) Section 8324:
  1. Finding that abandonment of roads involves existing highways and streets, and minor alterations to land which qualify respectively as Class 1 and Class 4 categorical exemptions under the CEQA Guidelines Sections 15301(c) - existing highways and streets; and 15304 - minor public alterations in the condition of the land, and there are no exceptions under Section 15300.2;
  2. Vacating public road right-of-way interests in the Community of Bradley, namely the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, (subject to the reservation of easements for public utilities lying within the subject portions of Bradley Road) (**Attachment A**);
  3. Finding that said Bradley alleys, roads, or portions thereof are unnecessary for present or prospective public use;
  4. Accepting the Planning Commission resolution dated June 12, 2024 finding General Plan conformity;
  5. Finding that the County's right-of-way interest of said Bradley roads and alleys is not useful as a nonmotorized transportation facility, as required by California Streets and Highways Code Section 892.
- b. Direct the Clerk of the Board to submit the certified copy of the resolution to the Monterey County Recorder for recordation.
- c. Authorize the Chair of the Board to execute Quitclaim deeds to the respective underlying fee title owners and direct the County Surveyor to submit the executed Quitclaim deeds to the Monterey County Recorder for recordation.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Adopt a Resolution, pursuant to California Streets and Highways Code (SHC) Section 8324:
  1. Finding that abandonment of roads involves existing highways and streets, and minor alterations to land which qualify respectively as Class 1 and Class 4 categorical exemptions under the CEQA Guidelines Sections 15301(c) - existing highways and streets; and 15304 - minor public alterations in the condition of the land, and there are no exceptions under Section 15300.2;
  2. Vacating public road right-of-way interests in the Community of Bradley, namely the portion of Ross Street westerly of Blocks 5 and 12, the alleys within

- Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, (subject to the reservation of easements for public utilities lying within the subject portions of Bradley Road) (**Attachment A**);
3. Finding that said Bradley alleys, roads, or portions thereof are unnecessary for present or prospective public use;
  4. Accepting the Planning Commission resolution dated June 12, 2024 finding General Plan conformity;
  5. Finding that the County's right-of-way interest of said Bradley roads and alleys is not useful as a nonmotorized transportation facility, as required by California Streets and Highways Code Section 892.
- b. Direct the Clerk of the Board to submit the certified copy of the resolution to the Monterey County Recorder for recordation.
  - c. Authorize the Chair of the Board to execute Quitclaim deeds to the respective underlying fee title owners and direct the County Surveyor to submit the Quitclaim deeds to the Monterey County Recorder for recordation.

**PROJECT INFORMATION:****Project Location:** Community of Bradley, South County Area Plan**Proposed CEQA Action:** Categorically exempt pursuant to CEQA Guidelines sections 15301 and 15304;**SUMMARY:**

As part of the Bradley Branch Library Project proposed to be constructed in the northwest portion of Block 5 of the Community of Bradley, the Department of Public Works, Facilities and Parks (PWWP) determined that of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6 are unnecessary for present or prospective public use as public roads, streets, or alleys. Ross Street and the alleys within Blocks 5 and 12 have never been open or used as a public street or alley, with certain portions being used as lands of the Bradley School for many decades. Bradley Road was widened by approximately 20 feet in 1939-40 when it was a state highway, said state highway was relinquished to the County in 1966. The proposed action would vacate the portion of Bradley Road in Block 5 and the westerly half of Block 6 that was granted to the State in 1939-40.

This action is consistent with PWWP's initiative to vacate or abandon unused roads and alleys. This action is also consistent with the Board's previous actions to vacate or abandon the portion of Ross Street northerly of Bradley Road in 1920, and, in 1991, to vacate or abandon the portion of the easterly half of Block 6 acquired by the State in 1939. It would also officially abandon or vacate streets or alleys that have never been open to or used as public streets or alleys, portions of which have been long blocked by Bradley Union School buildings.

**DISCUSSION:**

The "Map of Bradley and First Addition," filed October 17, 1890 in Volume 1 of Cities and Towns, at Page 15, depicts lots, blocks, streets and alleys (**Attachment B**). Since the map was filed prior to the enactment of the first laws regulating subdivisions in California, with no

statement of the dedication to the public of the streets and alleys shown thereon, the County is an de facto holder of a public road easement interest in said streets and alleys. An easement interest over the portion of Bradley Road (originally Porter Street per the map) was granted to the State for highway widening in 1939, and subsequently relinquished to the County in 1966.

Ross Street is not shown or named on any subdivision map, but it is shown (but not named) on the Assessor's Map of Bradley, dated 1915 (**Attachment C**). It is shown and named on the current Assessor's map of Bradley (**Attachment D**). The portion of Ross Street northerly of Bradley Road was previously vacated or abandoned by the Board in 1920.

PWFP has initiated this road abandonment or vacation action for the purpose of providing additional land to benefit the proposed Bradley Branch Library Project and to remove unused or excess road right-of way from the County Road System. PWFP has determined that the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6 are unnecessary for present or prospective public use as public roads, streets, or alleys.

Pursuant to SHC Section 8320, a legislative body may initiate a vacation procedure under the following circumstances.

8320.

(a) The legislative body of a local agency may initiate a proceeding under this chapter in either of the following ways:

(1) On its own initiative, where the clerk of the legislative body shall administratively set a hearing by fixing the date, hour, and place of the hearing and cause the publishing and posting of the notices required by this chapter.

(2) Upon a petition or request of an interested person, at the discretion of the legislative body, except as provided in subdivision (e) of Section 8321, where the clerk of the legislative body shall administratively set a hearing by fixing the date, hour, and place of the hearing and cause the publishing and posting of the notices required by this chapter.

(b) The notices required by this chapter shall contain both of the following:

(1) A description of the street, highway, or public service easement proposed to be vacated and a reference to a map or plan, that shows the portion or area to be vacated and includes a statement that the vacation proceeding is conducted under this chapter. In the case of a street or highway, the description shall include its general location, its lawful or official name or the name by which it is commonly known, and the extent to which it is to be vacated. In the case of a public service easement, the description shall identify it with common certainty. The map or plan showing the location of the street, highway, or public easement proposed to be vacated is sufficient compliance with this paragraph.

(2) The date, hour, and place for hearing all persons interested in the proposed vacation. The date shall not be less than 15 days after the initiation of proceedings. (Amended by Stats. 1998, Ch. 876, Sec. 20. Effective January 1, 1999.)

PG&E and has indicated that they have public utility facilities within portions of one of the roads proposed to be vacated (the segments of Bradley Road). The recommended action reserves from the vacation action public utility easements over those portions, as allowed by SHC Section 8340(a).

In accordance with SHC Section 8313 and pursuant to the procedure prescribed in California Government Code Section 65402, the County of Monterey Planning Commission considered the General Plan conformity of the proposed road vacation on June 12, 2024. The Planning Commission passed a resolution that found the proposed vacation is in conformity with the policies set forth in the County General Plan and South County Area Plan and resolved to report said conformity to the Board of Supervisors (**Attachment E**). The Planning Commission also found that the vacation is exempt from environmental review CEQA Guidelines Sections 15301 and 15304; and there are no exceptions under Section 15300.2.

OTHER AGENCY INVOLVEMENT:

Housing and Community Development - Planning  
Bradley Union School District

The comments from these agencies have been incorporated into the vacation application. All adjoining landowners, as well as utility providers (AT&T, PG&E) were informed of this vacation action and were requested to provide comment, if they so desired.

Comments were received from PG&E expressing “an objection until the map is reviewed and approved showing public utilities rights be reserved over the portions of Bradley Road to be vacated.” PG&E was informed that the proposed action included the recommendation for the Board to reserve rights for public utilities lying within the subject portions of Bradley Road, being the only area containing public utilities, and a map was provided showing the proposed public utilities easement reservation.

FINANCING:

Sufficient appropriations are available in the adopted Fiscal Year (FY) 2024-25 Road Fund budget, Fund 002, Unit 8558, Appropriation Unit PFP004, to finance the staff time to perform this work. Other than staff time, there is no cost for the proposed action. The proposed action will also provide additional land for the Bradley Library Project at no cost.

Road Fund revenues (Measure X, HUTA, and SB1) are based on several factors, including maintained road miles. The vacation or abandonment of the subject Bradley alleys, roads, or portions will not reduce the maintained road miles within the County Road System, thus resulting in no reduction in Road Fund revenue.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action will support the County’s effort to provide additional Human Services and Infrastructure to the Community of Bradley via the Bradley Library Project while

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minimizing impact on the lands of the Bradley Union School District. Additionally, the action will reduce County road maintenance costs by removing small segments of roadway from the maintained County Road System.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Michael K. Goetz, PLS, County Surveyor, Ext. 4940

Reviewed by: Lindsay Lerable, Assistant Director of Public Works, Facilities, and Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, and Parks

DocuSigned by:  
Randell Ishii  
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Attachments:

Attachment A - Map/Description of Roads and Alleys to be Vacated

Attachment B - Map of Bradley and First Addition, filed in Volume 1 of Cities and Towns, at  
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Attachment C - 1915 Assessor's Map

Attachment D - Current Assessor's Map

Attachment E - Planning Commission Resolution

Attachment F - Aerial Map

Attachment G - Board Resolution (draft)

(Attachments on file with Clerk of the Board)

cc: Bradley Union School District; John Orradre - Orradre Ranch