



## County of Del Norte Board of Supervisors

### Board Report

**AGENDA DATE:** February 27, 2024

**TO:** Del Norte County Board of Supervisors

**FROM:** Darrin Short, Supervisor, District 1  
District 1 Supervisor  
981 H Street, Suite 200  
Crescent City, CA 95531

**SUBJECT:** Public Hearing and Resolution to temporary close portions of Union Street, Broad Street, South Bend Avenue, National Boulevard and Madison Avenue.

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#### **RECOMMENDATION FOR BOARD ACTION:**

11:00 A.M. Conduct a public hearing and adopt a Resolution authorizing Community Development Department staff to proceed with the temporary closure of portions of Union Street, Broad Street, South Bend Avenue, National Boulevard and Madison Avenue using a combination of gates and K rail as shown on Attachment A in the Resolution in accordance with California Vehicle Code Sections 21101.4 and 21101.6 and authorize the spending of Measure R funds allocated to the Code Enforcement Division for cleanup in the South Bend Avenue and Union Street areas to be used to cover expenses related to the temporary road closures as requested by Supervisor Short.\*\*

#### **DISCUSSION/SUMMARY:**

A significant increase in illegal disposal and serious and continual criminal activities has occurred in Union Street, South Bend Avenue and Broad Street, necessitating immediate action by the Board to deter these activities. At a recent Board Meeting we heard from owners and employees of businesses along Elk Valley Road who are suffering daily losses and damages due to theft and vandalism of their personal property and asked the Board to consider options to help them.

The California Vehicle Code (CVC) has provisions that allow a local authority to adopt by Ordinance or Resolution, rules or regulations to temporarily close a highway to through traffic under its jurisdiction when prescribed conditions are met and a public hearing is held.

Sections 21101.4 and 21101.6 are attached for reference as Attachment A.

While a similar request was proposed by Community Development Department staff in 2015, it was tabled by the Board of Supervisors. Considering the elevation in the level of serious and continual criminal activity in the area, a new consideration is warranted.

The state law states that the local authority must find that all the following conditions exist:

1. There is serious and continual criminal activity in the portion of the highway recommended for temporary closure. This finding and determination shall be based upon the recommendation of the police department or, in the case of a highway in an unincorporated area, on the joint recommendation of the Sheriff's Department and the Department of the California Highway Patrol.
2. The highway is not designated as a through highway or arterial street.
3. Vehicular or pedestrian traffic on the highway contributes to criminal activity.
4. The closure will not substantially adversely affect traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of the highway proposed to be temporarily closed.

The closure can be for no more than 18 months but may be extended by the local authority if the conditions listed above still exist and a public hearing has been held. Written notice for any public hearing must be mailed to all residents and owners, as shown on the last equalized assessment roll, of property adjacent to the portion of highway where a temporary closure or extension of temporary closure is proposed.

I have reviewed each of the conditions listed in the law and determined that the temporary road closures meet the law's intent for each.

Below is a brief justification for finding that each condition is met:

1) Joint Recommendation from the Local Sheriff and Department of Highway Patrol:

The County Code Enforcement Division has a lengthy list of past and current nuisance violations within the project area that validates the need for the temporary closure. While illegal dumping is evident and ongoing, there are also many instances of arson, theft, drug dealings, violent crimes and squatting. In discussions with California Highway Patrol staff and County Sheriff's Office staff, it was apparent that other enforcement agencies have logged criminal activities within the area as well. Del Norte County Sheriff's Office reported that there were 282 calls in this area during the calendar year 2023. Crescent City Fire & Rescue reported that they responded to the area 50 times during the same time period. Most often these were calls of fires that involved a trailer/RV or of trash that was dumped in the area.

Attachments B and C are letters from representatives of the County Sheriff's Office and the California Highway Patrol recommending the temporary closure based on ongoing serious and continual criminal activities in the Union Street/Broad Street/South Bend Avenue area. If, at any time during the duration of the 18-month period, the law enforcement agencies find that the temporary closure is not beneficial, the gates and K-rail can be removed upon formal request to the Board of Supervisors.

## 2) Road Segments not designated as Highways or Arterial Streets

The road segments selected for closure are identified as collector streets in the County's General Plan, which qualify them for temporary closure under this provision in state law.

## 3) Vehicular or Pedestrian Traffic that Contributes to Criminal Activity

As the area is undeveloped with no permitted structures or uses, the majority of vehicular and pedestrian traffic lacks a legitimate purpose. Vehicles and pedestrians are frequently found to be engaged in criminal activity, including illegal dumping, theft, drug dealings, violent crimes and squatting in the area.

## 4) Impact of Temporary Road Closure for Emergency Responders and Others

First responders will have access to Union Street from gates located near Iowa Street (west access) and near Elk Valley Road (east access). A gate will also be placed on South Bend Avenue. I have discussed the placement of these gates with Kevin Carey, Fire Chief for the Crescent Fire and Rescue and Chief Garrett Dean, CAL FIRE Humboldt-Del Norte Unit. Both parties were supportive of the temporary closure. It is noted that all obstructions along the roadway will be removed prior to the closure. I have also contacted a representative of Pacific Power who has also indicated support for the temporary closure. There are no other utilities in the area affected by the temporary closure.

Pedestrian access to the roads will remain open. The temporary closure is only intended to restrict vehicular access.

Written public hearing notices were sent to all property owners and residents located near or affected by the temporary closure per the requirements of state law informing them of the time and date of the public hearing and what roads are proposed to be temporarily closed.

Attachment D is a map outlining the area that would be affected by a temporary road closure and the proposed action to be taken at each closure location and Attachment E is a copy of the public hearing notice sent by postal mail.

If the Board authorizes the temporary closures, the Code Enforcement Division would post notices at key locations alerting those who may have vehicles, RVs, or other large items that closures will be installed within a minimum of 10 days, allowing time to re-locate these items, if needed.

In November 2022, \$50,000.00 in Measure R funds were allocated to the Code Enforcement Division Budget (101-416-91075) for the purpose of abating the South Bend Avenue area in conjunction with the County's effort to create emergency shelters for the unhoused. As of the writing of this Report, these funds have not been spent and remain available. I am asking that these funds be designated specifically for the cost of the gates, K-rail/boulders, and

contracted labor to install the barriers. The remaining Measure R funds will be used to abate illegal disposal in the area. The Code Enforcement Division holds on-call agreements with several local contractors who are capable of completing the work in a timely manner.

**ALTERNATIVES:**

Not approve the Resolution.

**FINANCING:**

In November 2022 \$50,000.00 in Measure R funds were allocated to the Code Enforcement Division Budget (101-416-91075) for the purpose of abating the South Bend Avenue area in conjunction with the County's effort to create emergency shelters for the unhoused.

**OTHER AGENCY INVOLVEMENT:**

**CHILDREN'S IMPACT STATEMENT:**

**This section meets the following outcome measures for children in Del Norte County:**

- Families are safe, stable and nurturing.
- Communities are safe and provide a high quality of life.

**ATTACHMENTS:**

1. Resolution Temporary Road Closures February 2024
2. Attachments A-E
3. CC Fire & Rescue Closure Support Letter

**APPROVALS:**

Neal Lopez, County Administrative Officer  
Kylie Goughnour , Clerk of the Board