



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Public Works  
Department No.: 054  
For Agenda Of: January 19, 2010  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Scott D. McGolpin, Director  
Director(s) Public Works Department 568-3010  
Contact Info: Dacé Morgan; Deputy Director Public Works 568-3064  
Michael Emmons; County Surveyor 568-3034

**SUBJECT:** Vacation of a Portion of Buena Vista Avenue Right-of-Way at APNs 007-060-013, -016, -033, -040, & -065  
First Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

Authorize the Chair of the Board of Supervisors to:

- A. Approve the attached Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines re: vacating a portion of the County's Buena Vista Avenue right-of-way easement underlying Santa Barbara County Assessor's Parcel Numbers 007-060-013, -016, -033, -040, & -065 as shown on the Exhibit attached to the Notice; and
- B. Remove the portion of Buena Vista Avenue being vacated from the County's maintained road system; and
- C. Adopt and execute the attached Resolution, Summary Order to Vacate, which if recorded will consummate the vacation of the portion of the Buena Vista Avenue right-of-way underlying Santa Barbara County Assessor's Parcel Numbers 007-060-013, -016, -033, -040, & -065 as shown on the Exhibit attached to the Order.

**Summary Text:**

The area proposed for vacation is right-of-way underlying A.P.N.s 007-060-013, -016, -033, -040, & -065 (hereinafter the "Properties"). The area being vacated is referred to herein as the "Portion" and is shown on the Exhibits attached to the Summary Order to Vacate. The owners of the Properties served

by the Portion requested the right-of-way vacation. Representatives from Public Works Transportation, Flood Control, Real Property, Parks and Fire have viewed the Portion and have no objection to the proposed vacation. The Portion will be removed from the County maintained system. The rights of the Public utility providers currently operating within the Portion will be reserved from the vacation. No Parcels will be "landlocked" if the vacation is consummated.

**Background:**

The fee owners of the Properties burdened by the Portion contacted Public Works and requested the removal of the public interest in the Portion. No County departments objected to the proposed vacation and it was found to be in conformity with the County's adopted General Plan by the Planning Commission at its regular meeting of October 28, 2009. The proposed right-of-way vacation was found to be in conformity with applicable CEQA guidelines. All public utility providers were informed of the proposed vacation and asked if they maintain facilities in the Portion. Several utilities have facilities within the Portion, their rights to access and maintain those facilities will be reserved from the right-of-way vacation. The date and time of the proposed action by the Board of Supervisors was published in the Santa Barbara News Press and was posted along the Portion.

**Performance Measure: Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative: Staff time needed to process the right-of-way vacation was paid for by the applicant.

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

- |    |                          |                                 |
|----|--------------------------|---------------------------------|
| 1. | Original Order to Vacate | Public Works, Attn: Jeff Havlik |
| 2. | Copy of Order to Vacate  | Clerk of the Board Files        |
| 3. | Minute Order             | Public Works, Attn: Jeff Havlik |

**NOTE:** After execution by the Board, Real Property will deliver the original, executed Summary Order to Vacate with exhibits to the County Recorder. After recordation the original Order will be filed with the Clerk of the Board. A copy will be delivered to the owners impacted by said action and the utility providers. Copies will be retained by the Transportation and Real Property Divisions of the Public Works Department.

**Attachments:**

CEQA Notice of Exemption  
Summary Order to Vacate

**Authored by:**

**cc:** Bret Stewart; Transportation

J. Jeffery Havlik  
Senior Right-of-Way Agent, 568-3073