



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: General Services/Public Works
Department No.: 063/054
For Agenda Of: June 20, 2017
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Janette D. Pell, General Services 560-1011
Directors: Scott McGolpin, Public Works 568-3010
Contact Info: Skip Grey, Assistant Director, General Services 568-3083
Chris Sneddon, Assistant Director, Public Works 568-3005
SUBJECT: Resolution of Intent to Vacate Portion of Airox Road Right-of-Way, Santa Maria;
Third District (R/P File No.: 003745)

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Adopt the attached Resolution and Notice of Intent to Vacate a County Road (Attachment 1) declaring the County's intent to vacate a portion of Airox Road, located on County Assessor Parcel Numbers 113-250-002 and 113-250-018, near the City of Santa Maria; and setting the date of July 18, 2017, on the Board's Administrative Agenda for the Board's consideration of the final Order to Vacate approving the vacation of such portion of County Right-of-Way, Third District; and
- b) Determine that there is no possibility that the recommended action may have a significant effect on the environment and is therefore exempt from further review under the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15061(b)(3), *Review for Exemption*, and approve and direct staff to file and post the attached Notice of Exemption (Attachment 2) on that basis.

Summary Text:

This item is being brought to the Board of Supervisors to request the Board's approval of the Resolution and Notice of Intent to Vacate a County Road, which will begin the process of removing an unimproved portion of Airox Road (the "Portion") from County right-of-way, on APN's 113-250-002 and 113-250-018 (the "Property"), vesting title to the Portion in the underlying property owner.

Background:

The Property is located in the unincorporated area of the County of Santa Barbara, near the City of Santa Maria. The Portion being vacated is located and shown on Exhibit "B" to the Resolution and Notice of Intent to Vacate a County Road (the "Resolution"). The subject right-of-way is held in easement by the County pursuant to that certain "Subdivision No. 12 of the Rancho Punta De Laguna" recorded in Book W, Page 333, of Deeds of the Office of the County Recorder.

The proposed vacation will dispose of the County road right-of way by removing the County's easement interest in the Portion. The Portion is approximately 500,000 square feet in size. It has been determined by the County's Public Works Department that the Portion is unnecessary for present or future public use as a county road and is not required by the traveling public or the COUNTY. No parcels will be landlocked if the vacation is consummated.

At its regular meeting on February 22, 2017, the County's Planning Commission found the abandonment of the Portion to be in conformity with the County's Comprehensive Plan pursuant to Government Code Section 65402(a). Additionally, pursuant to Streets and Highways Code 892(a), the Portion to be vacated has not been found to be useful as a non-motorized transportation facility such as a pedestrian trail or bike path. All public utility providers were informed of the proposed vacation and asked if they maintain facilities in the Portion. Pacific Gas & Electric Company and Southern California Gas Company have in-place and in-use public utilities in the Portion, an easement for which is required to be reserved and excepted from the vacation of the Portion.

Upon approval of the subject Resolution, a Resolution of an "Order to Vacate County Road" will be scheduled for public hearing on the Board's Administrative Agenda on July 18, 2017, for the Board's consideration. Notice of this hearing and Board's intention to consummate the proposed vacation of the Portion will be advertised for at least two (2) successive weeks pursuant to Streets and Highways Code Section 8322(a) and Government Code Section 6066. Notice of the hearing shall also be posted in the vicinity of the Portion for at least two (2) successive weeks in three (3) locations along the Portion, pursuant to Government Code Section 8323. If the Board approves the final Order to Vacate at its meeting on July 18, 2017, the Order to Vacate shall be recorded and will permanently remove the County's interest in the Portion.

Pursuant to the California Environmental Quality Act (CEQA) 14 CCR Section 15061(b)(3), the recommended action of approving the Resolution of Intent to Vacate the Portion is exempt from CEQA review as there is no possibility that the proposed road vacation will have a significant effect on the environment. The County's proposed vacation of the subject right-of-way easement and removal of this encumbrance from title to the property will not result in physical impacts or changes to the environment. Any future development that may occur on this parcel will be subject to the County's development review process, and CEQA guidelines will be considered at that time in conjunction with any future proposed project.

Fiscal and Facilities Impacts:

Budgeted: N/A

The applicant paid for the County staff time needed to facilitate this transaction. There are no facilities impacts associated with the proposed actions. Other than paying for staff time, there is no compensation received by the County in exchange for the easement vacated.

Special Instructions:

After Board action, please distribute as follows:

1. Original Resolution of Intent: Clerk of the Board Files
2. Copy of the Resolution of Intent and Minute Order: General Services, Attn: A. Kinsella

Attachments:

1. Resolution and Notice of Intent to Vacate a County Road (Airox Road)
2. Notice of Exemption