



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:** June 4, 2013  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director      Scott D. McGolpin, Director Public Works: 568-3010  
Contact Info:                      Chris Sneddon, Deputy Director, Transportation; 568-3064  
**SUBJECT:**    **Set Hearing- Proposed Vacation of Portions of Railway Avenue, Santa Barbara Avenue and an Unnamed Alley, Los Olivos; Third Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors set a hearing date of July 2, 2013 on the Administrative Agenda to consider the following actions:

- A. Approve and authorize the Chair to execute the Resolution: Order to Vacate Portions of Railway Avenue, Santa Barbara Avenue and an Unnamed Alley in Los Olivos, including specified exceptions and reservations, pursuant to the Public Streets, Highways, and Service Easements Vacation Law, Street and Highway Code Sections 8300-8363;
- B. Direct the removal of the vacated portion of Railway Avenue in Los Olivos from the County's maintained road system; and
- C. Find that pursuant to State CEQA Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has become known regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, that the proposed action was analyzed in the previously-certified Environmental Impact Report (12EIR-00000-00001), certified by the County Planning Commission on January 30, 2013, and that therefore no new environmental document is required.

**Summary Text:**

The areas proposed for vacation (collectively the “Vacation Area”) are shown on the attached Notice of Intent to Vacate.

The County has maintained portions of the Vacation Area, but does not plan to expand its infrastructure in the vicinity of the Vacation Area. The Public Works Department does not object to the proposed vacation.

This action is being taken, and notice shall be given, in accordance with the Public Streets, Highways, and Service Easements Vacation Law, Street and Highway Code, Sections 8300-8363. If approved, this action will set the date of July 2, 2013 on the Administrative Agenda for a hearing of the proposed adoption of the Order to Vacate Portions of Railway Avenue, Santa Barbara Avenue and an Unnamed Alley in Los Olivos.

If executed and recorded the Order to Vacate will extinguish the County’s interest in the Vacation Area as a County road right-of-way, will remove the Vacation Area from the County’s maintained road system, and will terminate the County’s liabilities associated with maintenance of the Vacation Area as a County road right-of-way. The Order to Vacate will reserve and except from the vacation an easement and right to maintain existing public utilities, and an easement and right to construct vehicular or non-vehicular public trails within the Vacation Area.

**Background:**

The owners of the Inn at Mattei’s Tavern (“Owners”) requested the vacation of the County’s road right-of-way in the Vacation Area. Public Works Transportation, Flood Control, and Real Property representatives visited the Vacation Area and have no objections to the proposed vacation. No County Departments object to the proposed vacation. On January 30, 2013, the Planning Commission determined that, pursuant to Government Code 65402, the proposed vacation is in conformity with the County's adopted General Plan. All public utility providers were notified of the proposed vacation. The Santa Ynez River Water Conservation District and Southern California Gas have facilities in the Vacation Area. Their rights to operate, maintain or replace those facilities will be reserved from the vacation. In addition, no Parcels will be “landlocked” if the vacation is consummated. The proposed right-of-way vacation is in conformity with applicable CEQA guidelines.

The Owners requested the right-of-way vacations because the approved Project design includes construction of above and below ground hotel components on the areas proposed for vacation. The Santa Barbara Avenue and unnamed alley easements have never had roads constructed on them and the County has no intention of their use for future roads or parking. Their abandonment benefits the development by providing additional usable area and benefits the County by reducing liability on those currently un-used portions. The Railway vacation will also reduce County liability, while providing the development and the public permanent parking and access.

The Owners have agreed to maintain and allow continued public use of the section of Railway Avenue between Nojoqui Avenue and the existing Santa Barbara Avenue entrance to Highway 154 in accordance with the Conditions of Approval approved by the Santa Barbara County Planning Commission on January 30, 2013. The Conditions of Approval are available for review at the Clerk of

the Board, or at the Planning Department, Hearing Support. Additional information on the Mattei's project is available at

[http://applications.sbcountyplanning.org/boards/pc/cpc\\_documents\\_archive.cfm?DocID=11942](http://applications.sbcountyplanning.org/boards/pc/cpc_documents_archive.cfm?DocID=11942)

**Fiscal and Facilities Impacts:**

Budgeted: Yes

Narrative: The applicant paid for the County staff time required to facilitate this transaction. There are no Facilities impacts associated with the proposed actions.

**Special Instructions:**

The Clerk of the Board shall publish the attached Notice of Intent to Vacate in the Santa Ynez Valley News.

Clerk of the Board, please distribute as follows:

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|-------------------------|---------------------------------|
| 1. Minute Order         | Public Works, Attn: Jeff Havlik |
| 2. Proof of Publication | Public Works, Attn: Jeff Havlik |

**Attachments:**

Resolution: Order to Vacate

Notice of Intent to Vacate

**Authored by:**

Jeff Havlik, Real Property Agent, Public Works, 568-3073

Bret Stewart, Senior Development Engineering Manager, Public Works, 568-3041

**Cc:** John McGray, Road Maintenance Manager, Public Works, 568-3336