

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



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

**Agenda Number:**  
**Prepared on:** January 6, 2003  
**Department Name:** Public Works  
**Department No.:** 054  
**Agenda Date:** January 28, 2003  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Phillip M. Demery, Director  
Public Works Department

**STAFF CONTACT:** Bret Stewart, Manager, 568-3232  
Traffic Section

Jason Sunukjian, 568-3217  
Real Property

**SUBJECT:** Vacation of a portion of Miramar Avenue – Southerly 15’ wide portion adjacent to APN 009-344-007 (56 Miramar Avenue), Montecito; County Project No. 762007 (Real Property Folio # YS 3313), First Supervisorial District

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**Recommendation(s):**

That the Board of Supervisors:

1. Adopt the attached Resolution of Order to Vacate a portion of the County’s easement interest in the southerly 15’ portion of Miramar Avenue (the portion adjacent to APN 009-344-007), which portion of the road right-of-way is no longer needed by the public for road or bike path purposes.

**Alignment with Board Strategic Plan:**

The recommendations are primarily aligned with Goal No. 1: An Efficient Government Able to Respond Effectively to the Needs of the Community.

**Executive Summary and Discussion:**

The County holds an easement interest in the southerly 15’ wide portion of Miramar Avenue adjacent to APN 009-344-007 (56 Miramar Avenue) approximately 1185 square feet in size. This portion of road property is hereinafter referred to as the “COUNTY Property.” The Public Works Department has found that the COUNTY Property is not needed by Public Works for present or future use as a road, bike path, or for any other use.

Subject: Miramar Avenue Vacation – Southerly 15’ wide portion adjacent to APN 009-344-007  
County Project No. 762007 (Real Property Folio # YS 3313)  
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As discussed in the previous Board Letter addressing the Resolution of Intent to Vacate heard by the Board on December 10, 2002, the COUNTY Property is currently an unimproved portion of the Miramar Avenue road right-of-way. The right-of-way road property for Miramar Avenue is 40’ in width, however, the paved roadway only covers 10’ of the 40’. The road is primarily used as a walkway to provide beach access to pedestrians and is not intended for regular vehicular use. The vacation of the southerly 15’ of Miramar Avenue will allow the owner of the adjacent parcel to meet Condition #3 on his permit 00-CDP-231H, which enables him to redevelop the residential unit on his property that burned down a few years ago. The Zoning Administrator has already approved this permit.

On December 10, 2002, the Board of Supervisors adopted Resolution 02-449, a Resolution of Notice of Intent to Vacate a County Road, providing notice to the public that the County intends to dispose of the COUNTY Property (Clerk of the Board File No. 02-01216). The Board of Supervisors also set the date of January 28, 2003, as the hearing date for parties interested in the road vacation to comment on the proposed road vacation.

On Monday, January 13<sup>th</sup>, and on Monday, January 20<sup>th</sup>, the Public Works Department is publishing notice of the Board’s intention to vacate the subject portion of Miramar Avenue and notice of the January 28<sup>th</sup> hearing date in the Santa Barbara News-Press pursuant to California Streets and Highways Code Section 8322(a).

The Public Works Department will also post notice of the Board’s intention to vacate the subject portion of Miramar Avenue and notice of the January 28<sup>th</sup> hearing date conspicuously along the subject portion of the road to be vacated for two (2) weeks prior to the January 28<sup>th</sup> hearing date pursuant to Streets and Highways Code Section 8323.

In the event the Board elects to proceed with the road vacation by adopting the attached Order to Vacate the subject portion of Miramar Avenue, said Order to Vacate will be recorded at the Office of the County Recorder by the Facilities Services Division on behalf of the Public Works Department. Upon recordation of this document, the road vacation will be complete.

CEQA and Government Code Section 65402 Information:

The CEQA review for this road vacation was included in the CEQA document for the redevelopment project as a whole and has been deemed exempt by Planning and Development.

The Planning Commission, in their hearing on November 20, 2002, determined that the road vacation and real property conveyance is in compliance with the County’s adopted General Plan pursuant to Government Code Section 65402.

**Mandates and Service Levels:**

No change in programs or service levels.

Subject: Miramar Avenue Vacation – Southerly 15’ wide portion adjacent to APN 009-344-007  
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**Fiscal and Facilities Impacts:**

The Traffic Section has determined that vacation of this COUNTY Property will not affect the existing improved roadway called Miramar Avenue.

There will be no financial impact as the County is merely removing its easement interest in the road property.

**Special Instructions:**

After Board action, distribute as follows:

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| 1. | Original Order to Vacate | Facilities Services,<br>Attn: Jason Sunukjian    |
| 2. | Copy of Order to Vacate  | Clerk of the Board File                          |
| 3. | Copy of Order to Vacate  | County Surveyor’s Office<br>Attn: Michael Collie |
| 4. | Minute Order             | Facilities Services,<br>Attn: Jason Sunukjian    |
| 5. | Minute Order             | Transportation Division,<br>Attn: Bret Stewart   |
| 6. | Minute Order             | County Surveyor’s Office<br>Attn: Michael Collie |

In the event the Board adopts the vacation of a portion of Miramar Avenue, Facilities Services (on behalf of the Public Works Department) will record the original Order to Vacate with the Office of the County Recorder.

**Concurrence:**

County Counsel