



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

Submitted on:  
(COB Stamp)

Department Name: Public Works  
Department No.: 054  
For Agenda Of: September 26, 2006  
Placement: Administrative  
Estimate Time:  
Continued Item: NO  
If Yes, date from:  
Vote Required: 4/5

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**TO:** Board of Supervisors  
**FROM:** Department Director: Phillip M. Demery, Director  
Public Works Department 568-3010  
Contact Info: Scott McGolpin; Deputy Director Public Works 568-3064  
Mike Emmons; County Surveyor 568-3020  
**SUBJECT:** Right of Way Vacation: Portion of North Patterson, Goleta

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**County Counsel Concurrence:**

As to form/legality: ☒ Yes ☐ No ☐ N/A

**Auditor-Controller Concurrence:**

As to form: ☐ Yes ☐ No ☒ N/A

**Recommended Action(s):**

Authorize the Chair of the Board of Supervisors to:

- A. Approve and execute the attached Notice of Exemption pursuant to California Environmental Quality Act (CEQA) guidelines regarding vacating the County's right-of-way known as North Patterson Avenue. The subject right of way underlies a portion of Santa Barbara County Assessor's Parcel Number 069-060-040 as shown on the Exhibit attached to said Notice; and
- B. Adopt and execute the attached Resolution, Summary Order to Vacate, vacating the above referenced portion of North Patterson Avenue.

**Summary:**

The area proposed for vacation is unused right-of-way underlying 1118 North Patterson Avenue, A.P.N. 069-060-040 (hereinafter the "Property"). The area being vacated shall be referred to herein as the "Portion." Both the Property and Portion are shown on the Exhibits attached to the Summary Order to Vacate. Public Works Transportation, Flood Control and Real Property representatives have viewed the Portion and have no objection to the proposed vacation. There are no County road facilities within the Portion and the County has no plans to expand its infrastructure in the vicinity of the Portion. The rights of the Public utility providers currently operating within the Portion will be reserved. No Parcels will be "landlocked" if the vacation is consummated.

**Background:**

The fee owner of the Property burdened by the subject right of way is currently processing a building permit to place homes on the Property. As part of that process the owner 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 September 6, 2006. 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 by letter dated April 12, 2006 and asked if they maintain facilities in the Portion. Several utilities responded but after investigation it was determined that only Southern California Gas Company has facilities within the Portion. On Monday September 11, 2006 Real Property posted a notice of intent on the Property to inform the public of the date of this proposed action by the Board of Supervisors.

**Fiscal and Facilities Impacts:**

None.

Budgeted: ☐ Yes ☒ No

**Fiscal Analysis:**

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

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**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 for recordation. After recordation the original Order will be filed with the Clerk of the Board. A certified copy will be mailed to the owner of the Property and copies will be retained by the Survey and Real Property Divisions of the Public Works Department.

**Attachments: (list all)**

CEQA Notice of Exemption  
Summary Order to Vacate

**Authored by:**

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

cc: Bret Stewart; Transportation