



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:** July 18, 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 (805) 568-3083  
Chris Sneddon, Assistant Director, Public Works 568-3005  
**SUBJECT:** Proposed Vacation of Portion of Airox Road Right-of-Way, Santa Maria; Third District (R/P File No.: 003745)

---

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form:

**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt the attached Resolution and Order to Vacate a County Road (Attachment 1) vacating a portion of Airox Road, located across County Assessor Parcel Numbers 113-250-002 and 113-250-018; 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 Order to Vacate a County Road, which will fulfill the intentions of the Board action taken on June 20, 2017, declaring the Board's intention to vacate the unimproved County right-of-way easements

across a portion of Airox Road (the “Portion”) on the undeveloped parcels of APNs 113-250-002 and 113-250-018 (the “Property”).

**Background:**

The Property is located in the unincorporated area of the County of Santa Barbara, near the City of Santa Maria. The Portions are located and shown on Exhibit “B” attached to the Resolution and Order 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 right-of-way vacation will dispose of 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 Portions to be vacated have not been found to be useful as a non-motorized transportation facility such as a pedestrian trail, bike path, or equestrian trail.

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, easements for which shall be reserved and excepted from the vacation of the Portion.

On June 20, 2017, the Board adopted the Resolution and Intent to Vacate, declaring the County’s intent to vacate the subject Portion. The Notice of Intent was posted pursuant to Government Code Section 8323, and advertised in the *Santa Maria Times* pursuant to Government Code Section 8322(a). If the Board approves the attached final Order to Vacate, it will be recorded and will permanently remove the County’s interest in the public right-of-way easements over the Portion.

Pursuant to the California Environmental Quality Act (CEQA) 14 CCR Section 15061(b)(3), the Portions should be considered 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 (ROW) easement and removal of this encumbrance from title to the property is a paper transaction that will not result in physical impacts or changes to the environment. The vacation of the County’s ROW will not result in any changes to the land. Furthermore, any future development that may occur on this parcel will be subject to the 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

Narrative:

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 and Order to Vacate: Clerk of the Board Files
2. **Certified copy** of the Resolution and Order to Vacate: General Services, Attn: A. Kinsella
3. Minute Order: General Services, Attn: A. Kinsella

**Attachments:**

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