

**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: August 19, 2002
Department Name: Public Works
Department No.: 054
Agenda Date: September 3, 2002
Placement: Administrative
Estimated Time:
Continued Item: NO
If Yes, date from:

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 St. Joseph Street and Shaw Street – adjacent to APN 101-241-022; County Project No. 762009 (Real Property Folio # YS 3310), Third Supervisorial District

Recommendation(s):

That the Board of Supervisors:

- A. Approve the attached California Environmental Quality Act (CEQA) Notice of Exemption document, which is discussed hereunder.
- B. Adopt the attached Resolution of Order to Vacate, thereby vacating the County's easement interest in a portion of St. Joseph Street and Shaw Street (the portions adjacent to APN 101-241-022) in the town of Los Alamos, 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 portions of Saint Joseph Street and Shaw Street adjacent to the corner parcel (APN 101-241-022) located at the southeast intersection of these two streets. The easement for both of these streets is 80' in width. The applicant, the owner of APN

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101-241-022, is proposing that the County vacate a 20' x 110' (2200' sqf) portion of St. Joseph Street adjacent to their parcel and a 10' x 100' (1000' sqf) portion of Shaw Street adjacent to their parcel. These portions of road property proposed for vacation are 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.

On August 6, 2002, the Board of Supervisors adopted Resolution 02-287, 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. 02-00793). The Board of Supervisors also set the date of September 3, 2002, as the hearing date for parties interested in the road vacation to comment on the proposed road vacation.

On Wednesday, August 21st, and on Monday, August 27th, the Public Works Department published notice of the Board's intention to vacate the subject portions of Saint Joseph Street and Shaw Street and notice of the September 3rd hearing date in the Santa Maria Times pursuant to California Streets and Highways Code Section 8322(a).

The Public Works Department also posted notice of the Board's intention to vacate the subject portions of Saint Joseph Street and Shaw Street and notice of the September 3rd hearing date conspicuously along the subject portions of road to be vacated for two (2) weeks prior to the September 3rd 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 portions of Saint Joseph Street and Shaw Street, said Order to Vacate will be recorded at the Office of the County Recorder by Real Property on behalf of the Public Works Department. Upon recordation of these documents, the road vacation will be complete.

CEQA and Government Code Section 65402 Information:

The attached CEQA Notice of Exemption document states that the proposed vacation of this COUNTY Property is categorically exempt under Sections 15325; 15312; 15305; and 15301. The analysis attached to the CEQA document discusses these findings.

The Planning and Development Department has found that the proposed vacation of this COUNTY Property is in compliance with the County's general plan under Government Code 65402.

Mandates and Service Levels:

No change in programs or service levels.

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Fiscal and Facilities Impacts:

The COUNTY Property proposed for vacation is currently unimproved, and therefore, vacation of the subject portions of Saint Joseph Street and Shaw Street will have no additional impact on the County.

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,
Attn: Jason Sunukjian |
| 2. | Copy of Order to Vacate | Clerk of the Board File |
| 3. | Copy of Order to Vacate | County Surveyor's Office,
Attn: Mike Collie |
| 4. | Minute Order | Facilities Services,
Attn: Jason Sunukjian |
| 5. | Minute Order | Transportation Division,
Attn: Bret Stewart |
| 6. | Minute Order | County Surveyor's Office,
Attn: Mike Collie |

In the event the Board adopts the vacation of certain portions of Saint Joseph Street and Shaw Street, Real Property (on behalf of the Public Works Department) will record the original Order to Vacate with the Office of the County Recorder.

Concurrence:

County Counsel