



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: April 5, 2011
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Directors Scott D. McGolpin, Director Public Works: 568-3010
Contact Info: Dacé Morgan, Deputy Director, Transportation: 568-3064
Michael Emmons, County Surveyor: 568-3020
**SUBJECT: Proposed Vacation of a Portion of San Antonio Creek Lane Right-of-Way;
Second Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: NA

Other Concurrence: NA

As to form:

Recommended Actions:

That the Board of Supervisors:

- A. Approve and authorize the Chair to execute the Resolutions; Summary Order to Vacate pursuant to Street and Highway Code, Sections 892, 8331, 8333, and 8334 Et. Seq. regarding the vacation of a portion of the San Antonio Creek Lane right-of-way, located on APNs 059-040-013, 017, -018 & -020 in the unincorporated area of Santa Barbara County near Tuckers Grove Park; and
- B. Find that the proposed vacation is exempt under California Environmental Quality Act (CEQA) guidelines, Section 15301, which applies to projects involving negligible or no expansion of existing facilities. Direct staff to file the Notice of Exemption with the Clerk of the Board.

Summary Text:

The area proposed for vacation is that portion of the San Antonio Creek Lane right-of-way ("ROW") located on Santa Barbara County Assessor Parcel numbers 059-040-013, 017, -018 & -020. The area proposed for vacation is described and shown on the exhibits attached to each of the four Orders to Vacate (herein collectively referred to as the "Portions").

The Portions have never been paved or used by the public. The County has not maintained the Portions and does not plan to expand its infrastructure in the vicinity of the Portions. The Public Works Department does not object to the vacation of the Portions.

If consummated, the Summary Order(s) to Vacate will terminate the right of the public to use the Portions. The right of existing utilities to operate, maintain and replace their facilities will be reserved.

Background:

The County's ownership interest in the San Antonio Creek Lane ROW is an easement. The eastern half of the San Antonio Creek Lane ROW was vacated to Temple Bnai' Brith in 1995. County Fire, Parks and Public Works representatives have viewed the area in question and have no objection to the vacation of the Portions. Public Works briefed Second Supervisorial District staff and on February 2, 2011, the Planning Commission determined that the proposed vacation and reservation of utility rights within the Portions is in conformity with the County's adopted General Plan. If executed and recorded the proposed vacations will extinguish the County's easement ownership of the Portions. There is currently no public use of the Portions, the County has no plans to expand its infrastructure in the vicinity of the Portions, and no parcels will be "landlocked" if the vacations are consummated. The proposed right-of-way vacation is in conformity with applicable CEQA guidelines.

A Notice of Intent was published in the Santa Barbara News Press to inform the public of the date of this proposed Board action.

Fiscal and Facilities Impacts: None

Special Instructions:

Clerk of the Board, please distribute as follows:

- | | |
|---------------------------------|---------------------------------|
| 1. Original Orders to Vacate | Public Works, Attn: Jeff Havlik |
| 2. Copy of the Orders to Vacate | Clerk of the Board |
| 3. Copy of the stamped CEQA | Public Works, Attn: Jeff Havlik |
| 4. Minute Order | Public Works, Attn: Jeff Havlik |

NOTE: After execution by the Board, Real Property will deliver all the original, executed Order to Vacate Resolutions for recordation. After recordation the original Resolutions will be delivered to the Clerk of the Board, Public Works will deliver scan copies to all interested parties, and retain hard copies for its files.

Attachments:

CEQA: Notice of Exemption
Summary Order to Vacate (4)

Authored by: Jeff Havlik, Real Property Agent, Public Works - Surveyors Division, 568-3073

Cc: John McGray, Road Maintenance Manager, Public Works, 568-3336
Bret Stewart, Senior Development Engineering Manager, Public Works - Surveyors, 568-3041