



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: June 5, 2018
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
Board of Directors, Laguna County Sanitation District

FROM: Department Director: Scott D. McGolpin, Public Works Director, 568-3010

Contact Info: Aleksandar Jevremovic, County Surveyor, 568-3020

**SUBJECT: Parcel Map No. 14,764, Clark Avenue Commercial, 09TPM-00000-00004;
Abandon road Easements; and Abandon various PUE Easements; and Accept
Various Easement Dedications per said map;
Fourth Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Acting as the Board of Supervisors:

- a) Subject to recordation of the Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue and Parcel Map No. 14,764, abandon those portions of the 40-foot wide strip lying within the subdivision limits of Parcel Map No. 14,764 as dedicated to the County of Santa Barbara for Public Road Purposes in the Document recorded in Book 32, Page 388 of Deeds, and authorize the Clerk of the Board to endorse thereon; its approval of the abandonment as noted on said Parcel Map; and
- b) Subject to recordation of the Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue and Parcel Map No. 14,764, abandon those portions of Stillwell Road within the subdivision limits of Parcel Map No. 14,764, as dedicated to the County of Santa Barbara for Public Road purposes per Tract Map 14,242 recorded in Book 180 of Maps, pages 88 through 93, lying easterly of a line parallel with and 30 feet easterly of (measured at right angles) the centerline of said Stillwell Road adjoining Lot 38 of said Tract, and authorize the Clerk of the Board to endorse thereon its approval of the abandonment as noted on said Parcel Map; and

- c) Subject to recordation of the Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue and Parcel Map No. 14,764, abandon those easements within the subdivision limits of Parcel Map No. 14,764 dedicated and shown as the 25-foot wide public utility easement per Tract Map 14,242 recorded in Book 180 of Maps, pages 88 through 93, along the north line of Lot 38 of said Tract, and authorize the Clerk of the Board to endorse thereon its approval of the abandonment as noted on said Parcel Map; and
- d) Subject to recordation of the Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue and Parcel Map No. 14,764, accept on behalf of the public and authorize the Clerk of the Board to endorse Parcel Map No. 14,764 accepting the offers of dedication as follows:
 - i) Easements for Public Utility purposes listed on Sheet 3 of this Parcel Map under “Easements per this map,” as: Item 2, “Public Utility Easement over all of net Parcels A, B & C for the benefit of net Parcels A, B & C, except the areas of said net Parcels lying within the buildings as shown on the site plan as approved at the time of building permit issuance;” Item 3, “10 foot wide Public Utility Easement;” Item 6, “Public Utility Easement;” and, Item 7, “Public Utility Easement to the County of Santa Barbara,” all as shown thereon; and
 - ii) Easement for Public Pedestrian Access purposes listed as Item 4 on Sheet 3 of this Parcel Map under “Easements per this Map” and as shown thereon; and
- e) Determine that, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the recommended actions because there are no substantial changes proposed, no substantial changes in circumstances, and no new information of substantial importance regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions are within the scope of the environmental review documents for this project [Final Mitigated Negative Declaration (11NGD-00000-00003) approved and adopted by the Santa Barbara County Planning Commission on July 18, 2012] and no new environmental document shall be prepared for this project.

Acting as the Board of Directors of the Laguna County Sanitation District:

- f) Subject to recordation of the Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue and Parcel Map No. 14,764, accept the offer of dedication of Easement for Public Sewer Purposes listed on Sheet 3 of this Parcel Map under “Easements per this Map,” Item 5, “Public Sewer Easement to Laguna County Sanitation District,” as defined on Parcel Map No. 14,764, and authorize the Clerk of the Board of Directors to endorse thereon its acceptance of said Easement as delineated thereon; and
- g) Determine that, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the recommended actions because there are no substantial changes proposed, no substantial changes in circumstances, and no new information of substantial importance

regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions are within the scope of the environmental review documents for this project [Final Mitigated Negative Declaration (11NGD-00000-00003) approved and adopted by the Santa Barbara County Planning Commission on July 18, 2012] and no new environmental document shall be prepared for this project.

Summary Text:

This item is on the agenda in order to abandon and to accept various easement dedications per said map.

Parcel Map No. 14,764 (County Assessor Parcel Number 103-750-038) is located at the southeast corner of East Clark Avenue and Stillwell Road and also known as Orcutt Key Site 4 (currently unaddressed), in the Orcutt area, Fourth Supervisorial District. The County Surveyor has received Parcel Map No. 14,764 and is satisfied that the Parcel Map is technically correct, is substantially the same as and conforms to the approved Tentative Map and any approved alterations thereto and complies with all applicable laws and regulations.

The County Surveyor has received written notice from all Departments and agencies that imposed conditions of approval on the subdivision for Parcel Map No. 14,764, certifying that their requirements have been satisfied. The County Surveyor has also received written notice from the Clerk of the Board that the payment of real property taxes has been made and deposited with the Clerk of the Board.

After the Clerk of the Board of Supervisors and the Clerk of the Board of Directors endorse their acceptance of the offers of dedication for easements and the abandonments noted thereon, the County Surveyor will deliver to the County Recorder for recordation a Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue executed by the County on September 7, 2010 as directed by the Board of Supervisors on September 7, 2010 to be recorded prior to this Parcel Map, and then the Parcel Map to be recorded after the Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue. The associated Summary Order to Vacate per Resolution No. 10-238 was recorded March 8, 2018.

Consummation of the acceptance of easement dedications to the Laguna Sanitation District Purposes is subject to recordation of the documents and of the subject Parcel Map.

Consummation of the abandonment and acceptance of easement dedications to the County of Santa Barbara for purposes stated is subject to recordation of the documents and subject Parcel Map.

Background:

The Summary Order to Vacate per Resolution No. 10-238 that resulted in a Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue was executed by the County on September 7, 2010. The Summary Order to Vacate per Resolution No. 10-238 was recorded as Instrument No. 2018-0009284 on March 8, 2018. The Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue is to be recorded prior to Parcel Map No. 14,764. Recordation of these documents will bring all of the land within the approved subdivided area under the ownership of the subdivider.

At its regularly scheduled meeting on July 18, 2012, the Santa Barbara County Planning Commission met and approved Parcel Map No. 14,764 and adopted Negative Declaration 11NGD-00000-00003 *(Titled as *Draft Mitigated Negative Declaration* 11NGD-00000-00003 on linked document) for the subject project, which can be found at: [<http://www.sbcountyplanning.org/PDF/boards/CntyPC/07-18-2012/09TPM-00000-00004/Attachment%20C%20-%20ND.pdf>]

Under California Environmental Quality Act (CEQA) Guidelines Section 15162, since the recommended actions do not exceed the scope of previously conducted environmental review documents, including the Negative Declaration (11NGD-00000-00003) adopted July 18, 2012, no subsequent environmental document is required. Here, no substantial changes are proposed in the project and no substantial changes will occur with respect to the circumstances under which the project is undertaken. Furthermore, no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures. Consequently, the recommended actions are within the scope of the project covered by the environmental review documents adopted by the County Board of Supervisors.

Fiscal and Facilities Impacts:

None.

Fiscal Analysis:

None.

Special Instructions:

The County Surveyor shall present Parcel Map No. 14,764 to the Clerk of the Board of Supervisors and Clerk of the Board of Directors of Laguna Sanitation District and request acknowledgement of the Boards' acceptance thereon, including the abandonments and acceptance of the dedications thereon as appropriate. Once the Parcel Map has been endorsed by the Clerk, the County Surveyor shall transmit it, along with the Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue as executed by the County on September 7, 2010, to the County Recorder's Office for recordation.

Please send a copy of the Board of Supervisor's Minute Order of Approval to the County Surveyor's Office, Attention : Aleksandar Jevremovic, County Surveyor.

Attachments:

Attachment A: Parcel Map No. 14,764 (3 sheets)

Attachment B: Grant Deed Agreement with Reservations abandoning a portion of Clark Avenue

Authored by:

Connie Adams, County Surveyor's Office, 568-3021

cc:

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Subject: Accept and Abandon Easements Parcel Map No.14764 Clark Avenue Commercial, 09TPM-00000-00004;
Fourth Supervisorial District
Agenda Date: June 5, 2018
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John Zorovich, Gwen Beyeler – County Planners
Surveyor-Kenny Fargen, Fargen Surveys Inc., 2624 Airpark Drive, Santa Maria, CA 93455
Agent – Kim Link, UPC, 2624 Airpark Drive, Santa Maria, CA 93455
Owners- Dan Blough, Dan Blough Construction, Inc, Schmidt Family Investments and Pinetree Development, LLC,
2355 A Street, Santa Maria, CA 93455
Chris Sneddon - Deputy Director Public Works
Claude Garciacelay - County Parks
Don Grady – Real Property Manager General Services