



# 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:** General Services  
**Department No.:** 063  
**Agenda Date:** July 15, 2025  
**Placement:** Administrative Agenda  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

**TO:** Board of Supervisors  
**FROM:** Department Director(s): Kirk Lagerquist, Director (805) 560-1011  
Contact: Ted Teyber, Assistant Director, General Services, 805.568.3083  
**SUBJECT:** Summary Vacation and Disposition of Unused Portions of Golden Gate Avenue, Colby and Shelby Streets, County Fee Owned Right of Ways in the Community of Summerland; First District (RP Folio Numbers 004039, 004040 & 004041)

DocuSigned by:  
*Kirk Lagerquist*  
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## County Counsel Concurrence

As to form: Yes

## Other Concurrence: Risk Management

As to form: N/A

## Auditor-Controller Concurrence

As to form: Yes

## Other Concurrence: Public Works

As to form: Yes

## Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the original and certified copy and authorize staff to record the Resolutions, Findings, and Summary Orders to Vacate, thereby abandoning unused vehicular portions of Golden Gate Avenue, Shelby Street and Colby Street, County Fee Owned Right of Ways in Community of Summerland;
- b) Adopt the following four (4) resolutions:
  - i) Adopt resolution for Area ❶ approximately 4,589 square feet to APN 005-201-012 (2545 Golden Gate Avenue);
  - ii) Adopt resolution for Area ❷ approximately 1,775 square feet to APN 005-201-012 (2545 Golden Gate Avenue);
  - iii) Adopt resolution for Area ❸ approximately 2,906 square feet to APN 005-202-005 (2542 Banner Avenue); and
  - iv) Adopt resolution for Area ❹ approximately 2,902 square feet to APN 005-204-044 (2554 Banner Avenue)
- c) Approve and authorize the Director of General Services Department or designee to execute any and all other documents required or deemed necessary to enter into and execute sale agreements between the County of Santa Barbara (COUNTY), as Seller, and Phyllis Ann Noble,

Michael Brinkenhoff Trustee of the Brinkenhoff Family Revocable Trust Dated October 28, 1994, and David E. Lafitte & Dawn T. Lafitte as Buyers, to purchase parcels totaling approximately 0.271-acres in the Community of Summerland;

- d) Direct the County Surveyor to issue a Certificate of Compliance on a parcel consisting of approximately 0.147-acres to APN 005-201-012, 0.057-acres to APN 005-202-005 and 0.067-acres to APN 005-204-044, all approximate acreage is in the unincorporated area of the County of Santa Barbara, in Community of Summerland being a portions of a Golden Gate Avenue, Shelby Street and Colby Street, County Fee Owned Right of Ways; and
- e) Determine that the recommended actions are exempt from environmental review in accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15061(b)(3), no possibility of an Environmental Impact, and direct staff to file a Notice of Exemption on that basis.

### **Summary Text:**

This item is brought to the Santa Barbara County Board of Supervisors to vacate unimproved, undeveloped and unused vehicular portions of Golden Gate Avenue, Shelby Street and Colby Street, with all portions being County Fee Owned Right of Ways (ROWS) in the Community of Summerland. The portions of Golden Gate Avenue, Shelby Street and Colby Street proposed for abandonment and disposition (herein "Portions") are located adjacent to County Assessor's Parcel Numbers 005-201-012, 005,202-005 and 005-204-004 (herein the "Properties"), which Portions are legally described and shown in proposed Resolutions. This action will remove from the County ownership, inventory, unimproved and underdeveloped Portions of public ROWS for vehicular uses.

### **Discussion:**

The project consists of a real property transaction to abandon and disposition of Area ❶ approximately 4,589 square feet, Area ❷ approximately 1,775 square feet to APN 005-201-012 (2545 Golden Gate Avenue), Area ❸ approximately 2,906 square feet to APN 005-202-005 (2542 Banner Avenue) and Area ❹ approximately 2,902 square feet to APN 005-204-044 (2554 Banner Avenue), as depicted in Attachment A.

Area ❶ is north of 2545 Golden Gate Avenue and east of 2545 Golden Gate Avenue, Area ❷ is south of 2545 Golden Gate Avenue, owned by Phyllis Ann Noble, Area ❸ is east of 2542 Banner Avenue, owned by Michael Brinkenhoff Trustee of the Brinkenhoff Family Revocable Trust Dated October 28, 1994, and Area ❹ is west of 2554 Banner Avenue, owned by David E. Lafitte & Dawn T. Lafitte, referred to as Buyer or Buyers. Buyers have petitioned the County to vacate and purchase the Areas of Golden Gate Avenue, Shelby and Colby Streets unused Portions on Golden Gate Avenue, Shelby Street and Colby Street, in the community of Summerland.

The Portions are fee owned by the County (Seller) and requires Buyer(s) to enter into sale agreements with the Seller for the disposition of the Portions. Appraisals for the Portions were prepared by a license certified appraiser retained by the Seller to determine the fair market value for the purchase price of the Portions. Areas ❶ and ❷ have a purchase price of \$55,000, legally described and depicted on Exhibits A and B, in Attachments B and C, Area ❸ \$25,000, legally described and depicted on Exhibits A and B in Attachment D, and Area ❹ \$25,000, legally described and depicted on Exhibits A and B in Attachment E.

In accordance with Section 8324(b) and 8340 (c) of the California Streets and Highways Code, a county may vacate a street, highway, or public service easement by the County Board of Supervisors for that county adopting a resolution at public hearing. If the county owns the property of the proposed vacated street, highway, or public service easement, the county may impose conditions or demand compensation before conveying the property.

Additionally, Section 8331 and 8334(a) of the California Streets and Highways Code provides that a County may summarily vacate real property in the manner prescribed by law for such action by counties if the County Board of Supervisors for that county determines by resolution that the property has been impassable for vehicular travel and it is no longer needed for street or highway purposes.

Upon recordation of the Portions legally described and shown in the Resolutions, Findings, and Summary Orders to Vacate, hereto and incorporated herein by this reference (Attachments B through E), thereby abandoning unused vehicular portions of Golden Gate Avenue, Shelby Street and Colby Street, of the remaining portions of the County Fee Owned ROWS, on Colby Street between Golden Gate Avenue and Banner Avenue as shown on Attachment A are to remain as an open space and a public trail.

All public utility providers were informed of the proposed summary vacation and asked if they maintain any facilities in the Portions. Upon contacting all the utility companies in the area, the public utility companies servicing the area do not have facilities in the Portions requested to be vacated. Except for a sanitary sewer line easement to remain in a portion of Area ①. No County departments have objected to the proposed dispositions and summary vacations.

### **Background:**

The Summerland Community Plan ("Plan") was the first community plan adopted by the Board of Supervisors in 1992. In May of 2014, the Board of Supervisors adopted the plan update, and the California Coastal Commission certified the coastal portion of the Plan in June 2016.

The intent of the Plan is to provide a policy and regulatory framework for development in the community. The Plan was designed to address the special concerns and needs of the Summerland Community, as well as preserve the unique atmosphere associated with Summerland. The Plan provides for and represents a commitment on the part of the County to the general circulation, land uses, utilities, open space, design standards and buildout potential that define Summerland's future growth and improvement plans.

One of the adopted goals in the Plan is the preservation of Open Spaces. The Plan seeks to enhance and protect scenic and visual resources, and encourages the provision of areas for light recreation. One of the ways to achieve this goal is identified in Parks/Recreation Policies 1 through 5, which encourages the provision for bikeways, opportunities for commercial and sport fishing, the future development of parks, the preservation and expansion of hiking and equestrian trails, and the joint recreational use of schools and other public-owned lands.

In addition, the Plan identifies that a priority use of excess public road ROW shall be used for enhancing public parking, pedestrian and bicyclist circulation, trails and coastal access potential, or other public benefits consistent with the Plan. Additionally, the Summerland Community Plan Trail, Open Space and Vista Map identifies this area as open space and the location of a future trail.

On October 28, 2024, Real Property Division, General Services Department, filed an application with the Planning and Development Department, for a determination hearing by the Planning Commission if the proposed abandonments within portions of the County fee owned ROW conformed with the Comprehensive Plan of the County of Santa Barbara pursuant to California Government Code Section 65402(c)

On December 4, 2024, the Planning Commission determined that the abandonment of the County fee owned ROW conforms with the County's Comprehensive Plan pursuant to Government Code Section 65402(c). The proposed abandonments being within the Plan, on April 1, 2025, Planning and Development prepared a Coastal Development Permit, (Attachment F), that can be issued after the recordation of a Resolutions, Findings, and Summary Orders to Vacate and all County Departments costs and fees including purchase prices paid pursuant to the sale agreements transferring the fee ownership of the County Fee Owned ROWS, to the Buyers.

**Fiscal and Facilities Impacts:**

Areas ❶ and ❷ have a purchase price of \$55,000, Area ❸ purchase price is \$25,000, and Area ❹ has a purchase price of \$25,000. Staff may return to the Board to approve distribution of funds.

**Special Instructions:**

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| 1. Original Board of Supervisors Resolutions, Findings and Summary Orders to Vacate                                  | Clerk of the Board                          |
| 2. Duplicate Original Copy of Board of Supervisors Resolutions, Findings and Summary Orders to Vacate & Minute Order | Real Property Division,<br>Attn: J. Cleary  |
| 3. Certified Copy of Board of Supervisors Resolutions, Findings and Summary Orders to Vacate & Minute Order          | Planning & Development<br>Attn: H. Wakamiya |

**Attachments:**

**Attachment A** – Disposition, Retention and Reservation Areas

**Attachment B** – Area ❶ Resolution

**Attachment C** – Area ❷ Resolution

**Attachment D** – Area ❸ Resolution

**Attachment E** – Area ❹ Resolution

**Attachment F** – Coastal Development Permit

**Attachment G** – Notice of Exemption

**Contact Information:**

J. Cleary  
Project Manager  
jcleary@countyofsb.org