

FORM APPROVED COUNTY COUNSEL 11/3/14
DATE
BY: GREGORY P. PRIAMOS

SUBMITTAL TO THE BOARD OF SUPERVISORS

202B



COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
October 23, 2014

SUBJECT: Resolution No. 2014-179, Summarily Vacating the Right to Accept a Portion of an Unnamed Road in the Lake Mathews Area; California Environmental Quality Act Exempt. 1st/1st District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of the right to accept a portion of an unnamed road in the Lake Mathews area is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15061(b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2014-179, Summarily Vacating the Right to Accept a Portion of an Unnamed Road in the Lake Mathews Area; and
3. Direct the Clerk of the Board to deliver the Notice of Exemption to the Office of the County Clerk for filing within five (5) working days of this Board hearing.

REVIEWED BY EXECUTIVE OFFICE
DATE 11/10/14
Tina Glante
Departmental Concurrence

Patricia Romo
Assistant Director of Transportation
for Juan C. Perez
Director of Transportation and Land Management

WJH
Attachments:
Resolution No. 2014-179
Exhibit "A" and CEQA NOE

Dept't Recomm.: Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.

District: 1/1

Agenda Number:

2-17

The Honorable Board of Supervisors, County of Riverside, State of California

Form 11: Resolution No. 2014-179, Summarily Vacating the Right to Accept a Portion of an Unnamed Road in the Lake Mathews Area; California Environmental Quality Act Exempt. 1st/1st District; [\$0]

DATE: October 23, 2014

PAGE: 2 of 2

BACKGROUND:

Summary

The applicant has requested the vacation of the right to accept a portion of an unnamed road dedicated by Certificate of Dedication, recorded February 15, 1968, as Instrument No. 14390, Official Records of Riverside County, California, and shown on Parcel Map filed in Book 1, Pages 12 through 16, inclusive, of Records of Riverside County, California. Gavilan Springs Ranch Road provides circulation in this area and was dedicated by Parcel Map No. 22374, filed in Book 155, Pages 93 through 100, inclusive, of Parcel Maps, Records of Riverside County, California and has made this portion of the unnamed road unnecessary. This portion of said unnamed road has not been accepted for public use and has not been used for road purposes. The applicant is planning on developing the property into a nursery, and the road is unnecessary. The Transportation Department has reviewed this vacation and has no objections. This vacation will not eliminate access to any parcels. As determined in the attached Notice of Exemption, the Project is exempt from the provisions of CEQA pursuant to Categorical Exemptions 15060(c)(2) and 15061(b)(3) of the State CEQA Guidelines. The vacation will not result in any specific or general exceptions to the use of the categorical exemption and will not cause any direct or indirect physical environmental impacts.

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3 **RESOLUTION NO. 2014-179**

4
5 **SUMMARILY VACATING THE RIGHT TO ACCEPT**
6 **A PORTION OF AN UNNAMED ROAD IN**
7 **THE LAKE MATHEWS AREA**

8 (AB14005)

9 (First Supervisorial District)

10
11 **WHEREAS**, the portion of an unnamed road, lying between the northerly line of
12 Parcel 3 and the southerly right-of-way line of Gavilan Springs Ranch Road as shown on
13 Parcel Map 22374, filed in Book 155, Pages 93 through 100, inclusive, Records of
14 Riverside County, California, said unnamed road was dedicated but not accepted in
15 Certificate of Dedication, recorded February 15, 1968, as Instrument No. 14390, Official
16 Records of Riverside County, California, and shown on a Parcel Map filed in Book 1,
17 Pages 12 through 16, inclusive, records of Riverside County, California; and

18 **WHEREAS**, Gavilan Springs Ranch Road has been dedicated by Parcel Map No.
19 22374, filed in Book 155 Pages 93 through 100, inclusive, of Parcel Maps, Records of
20 Riverside County, California, making said portion of unnamed road unnecessary and
21 excess right-of-way, and not required for public street or highway purposes; and

22 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
23 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and
24 Accept County Highways and Property Offered for Dedication": Now, therefore,

25 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
26 Supervisors of the County of Riverside, State of California, in regular session assembled
27 on _____, 2014, as follows:

FORM APPROVED COUNTY COUNSEL
BY:  PATRICIA MUNROE
DATE: 10/3/14

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1. Pursuant to Section 8334(a) of the Streets and Highways Code that said portion of this unnamed road is excess and is no longer required for public street or highway purposes, and the right to accept this portion is hereby summarily vacated.
2. This portion of an unnamed road is unnecessary for present or prospective public use, including use as a non-motorized transportation facility.

SEE PLAT ATTACHED HERETO
AS EXHIBIT "A" AND MADE A PART HEREOF.

EXCEPTING AND RESERVING from the vacation an easement for any existing public utilities and public service facilities, together with the right to maintain, operate, replace, remove, or renew such facilities, pursuant to section 8340 of the Streets and Highways Code.

BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the Clerk of the Board is directed to cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of Riverside, California.

WJH W.O. #AB14005

NOTICE OF EXEMPTION

September 8, 2014

Project Name: Summarily Vacating the Right to Accept a Portion of an Unnamed Road in the Lake Mathews area.

Project Number: AB14005, SU14

Project Location: Lake Mathews Area. See Exhibit "A".

Description of Project: Summarily Vacating the Right to Accept a Portion of an Unnamed Road lying within APN#289-140-008.

Name of Public Agency Approving Project: County of Riverside Transportation Department, Survey Division.

Name of Person or Agency Carrying Out Project: Wesley Hohenberger, County of Riverside Transportation Department, Survey Division.

Exempt Status: California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), General Rule "Common Sense" Exemption. Not a "project" as defined under State CEQA Guidelines, Section 15060(c)(2).

Reasons Why Project is Exempt: The vacation of a street has been determined to not be a "project" as defined under State CEQA Guidelines section 15060(c)(2). However, even if it was determined to be a project under CEQA for analysis purposes, the project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The vacation of the existing roadway will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The vacation of a portion of this street will not have an effect on the environment; thus, the County has deemed this does not meet the definition of a "project" under CEQA and no environmental impacts are anticipated to occur.

- Section 15061(b)(3) - General Rule "Common Sense" Exemption. With certainty, there is no possibility that the proposed project may have a significant effect on the environment. The vacation of a street will not require any construction activities, change the use or intensity of the existing site to create a physical environmental impact, and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts. Therefore, in no way would the project as proposed have the

potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

- Section 15060(c)(2) – for purposes of analysis under CEQA, the vacation of the roadway is not a “project” under CEQA pursuant to Section 15060(c)(2). An action by a public agency is only a “project” subject to CEQA if the action might result in a physical change in the environment. Based upon a review of the whole action undertaken, supported, or authorized by the County, in no way will the vacation of the roadway increase the use of the site, result in increased development or construction impacts, or lead to any direct, indirect, or cumulative physical environmental impacts.

Based upon the identified exemptions above, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

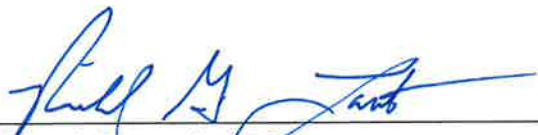
Signed:  Date: 10-22-14
Richard G. Lantis, PLS 7611
Riverside County Surveyor

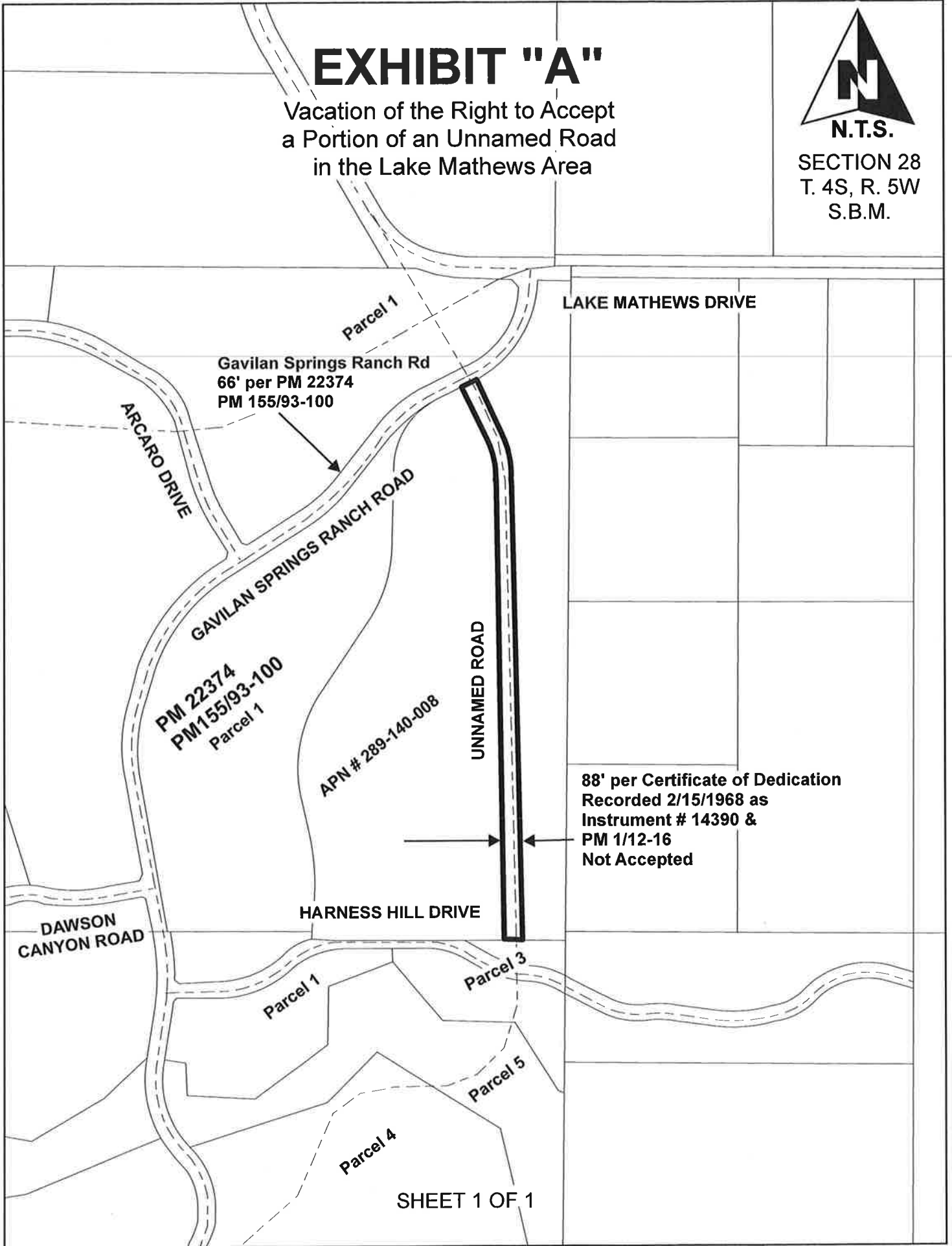
EXHIBIT "A"

Vacation of the Right to Accept
a Portion of an Unnamed Road
in the Lake Mathews Area

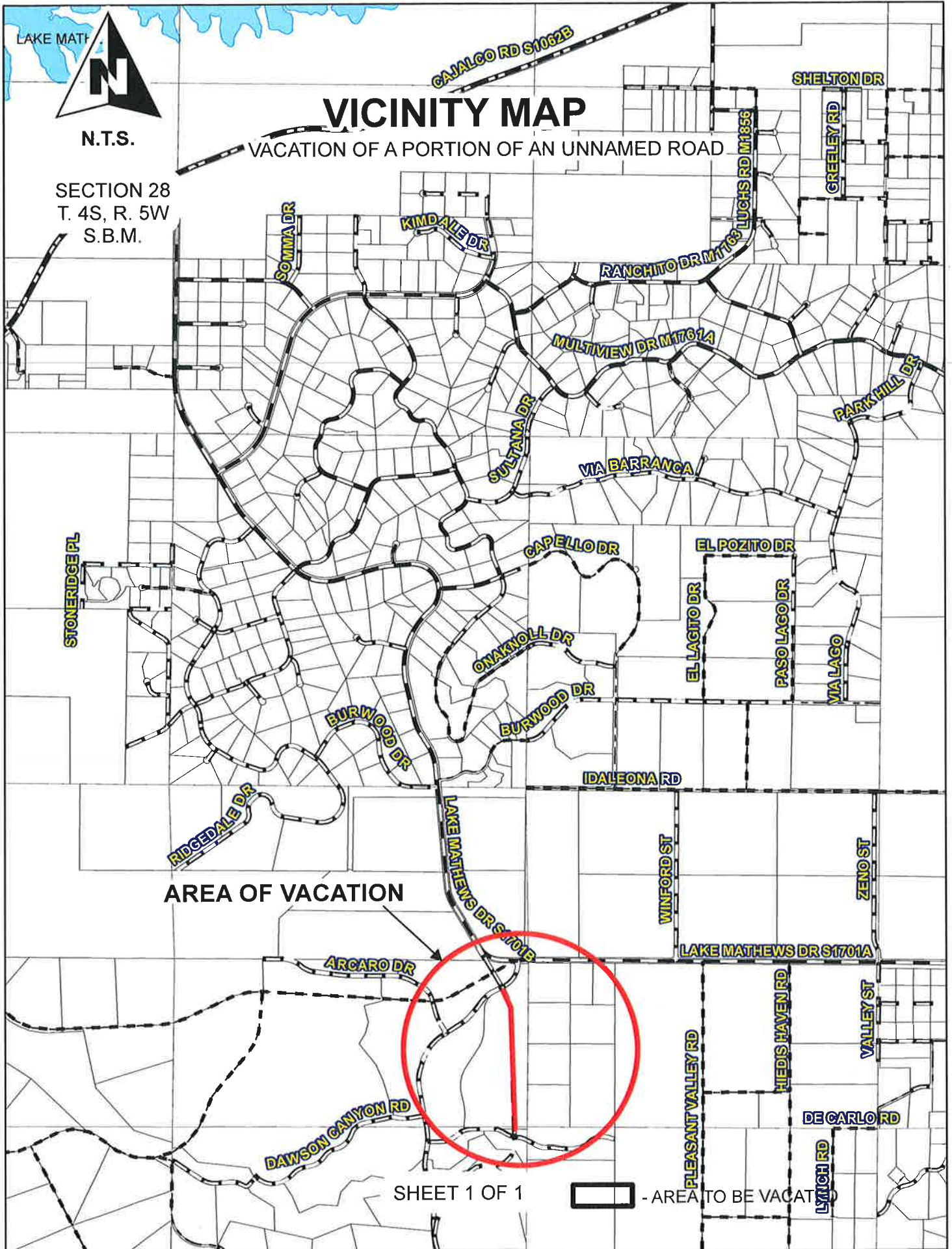


N.T.S.

SECTION 28
T. 4S, R. 5W
S.B.M.



TO BE REMOVED BEFORE RECORDING



N.T.S.

SECTION 28
T. 4S, R. 5W
S.B.M.

VICINITY MAP

VACATION OF A PORTION OF AN UNNAMED ROAD

AREA OF VACATION

SHEET 1 OF 1

◻ - AREA TO BE VACATED

TO BE REMOVED BEFORE RECORDING