

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

701 B



FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 7/13/15

FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
June 22, 2015

SUBJECT: Resolution No. 2015-141, Accepting a Portion of Margarth Street in the Good Hope Area, CEQA Exempt. 1st District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that Accepting a Portion of Margarth Street 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. 2015-141, Accepting a Portion of Margarth Street in the Good Hope 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.

BACKGROUND:

This acceptance is to provide functional, legal access to a number of properties in the Good Hope area. This street had been dedicated to the public but not accepted for public use. This action will officially accept the dedicated right-of-way for public use and allow continued access for many residents.

REVIEWED BY EXECUTIVE OFFICE
DATE: Alex Ham
Alex Gern

Patricia Romo

Patricia Romo
Assistant Director of Transportation

Juan C. Perez

Juan C. Perez
Director of Transportation and Land Management

WJH
Attachments:
Vicinity Map, CEQA Notice of Exemption,
Resolution No. 2015-141, and Exhibit "A"

Departmental Concurrence

Dep't Recomm.:	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Policy
Per Exec. Ofc.:	<input type="checkbox"/> Consent	<input type="checkbox"/> Policy

Prev. Agn. Ref.

District: 1

Agenda Number:

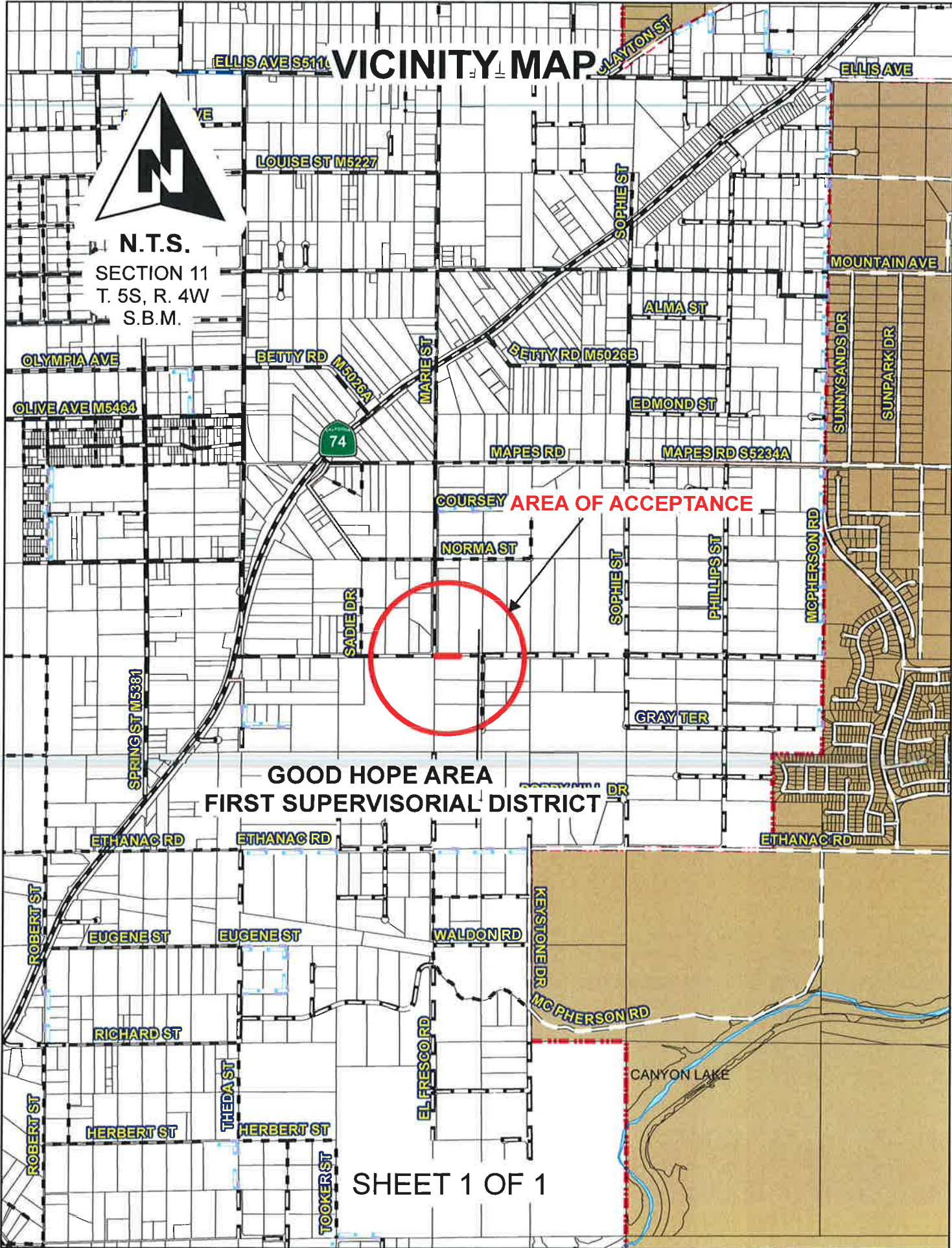
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SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Resolution No. 2015-141, Accepting a Portion of Margarth Street in the Good Hope Area, CEQA
Exempt. 1st District; [\$0]
DATE: June 22, 2015
PAGE: 2 of 2

Impact on Residents and Businesses

This action will officially accept the dedicated right-of-way for public use and allow continued access for many residents.

TO BE REMOVED BEFORE RECORDING



TO BE REMOVED BEFORE RECORDING

NOTICE OF EXEMPTION

Project Name: Accepting a portion of Margarth Street in the Good Hope area

Project Number: S5260-6

Project Location– See Exhibit “A”

Description of Project: Accepting a portion of Margarth Street in the Good Hope area

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

Name of Person or Agency Carrying Out Project: Richard G. Lantis, County Surveyor, Transportation Department, County of Riverside.

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 acceptance of an offer of dedication of a public road easement 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 acceptance of an offer of dedication 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 acceptance of an offer of dedication of 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 acceptance of an offer to accept may have a significant effect on the environment. The acceptance of an offer 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 acceptance of an offer of dedication of public road easement 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 acceptance of an offer of dedication 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: Richard G. Lantis DEPUTY Date: 6-2-2015
Richard G. Lantis, Riverside County Surveyor

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3 **RESOLUTION NO. 2015-141**

4 **ACCEPTING A PORTION MARGARTH STREET IN THE GOOD HOPE AREA**
5 **(1st Supervisorial District)**
6

7 **WHEREAS**, the hereinafter described road was offered for dedication to the public
8 for road and public utility purposes by Instrument No. 29763, recorded March 8, 1973,
9 which offer of dedication has not been previously accepted for public use by the County of
10 Riverside: Now, therefore;

11 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
12 Supervisors of the County of Riverside, State of California, in regular session assembled
13 on _____, 2015, that this Board accepts the offer of dedication and
14 recognizes that said road is a public road open for use by the general public.

15 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that this
16 acceptance is for the purpose of vesting title in the County of Riverside on behalf of the
17 public for public road and utility uses, and is not an acceptance of the road into the
18 County Maintained Road System pursuant to Section 941 of the Streets and Highways
19 Code, and that said road will not become part of the County Maintained Road System
20 unless subsequently accepted into said Maintained Road System by a resolution adopted
21 by this Board;

22 Said road is in Riverside County, California and is described as follows:

23 **Margarth Street** (see attached Exhibit "A")

24 Margarth Street (44.00 feet wide) as described in the Declaration of Dedication,
25 recorded on March 8, 1973, as Instrument No. 29763, Official Records of the Recorder,
26 Riverside County, California, excepting the westerly 44 feet thereof as conveyed to the
27 County of Riverside by Grant Deed recorded on March 23, 1973, as Instrument No.
28 37188, Official Records of said county.

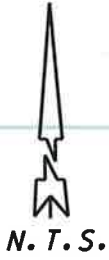
FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 7-13-15
DATE
SYNTHIA M. GUNZEL

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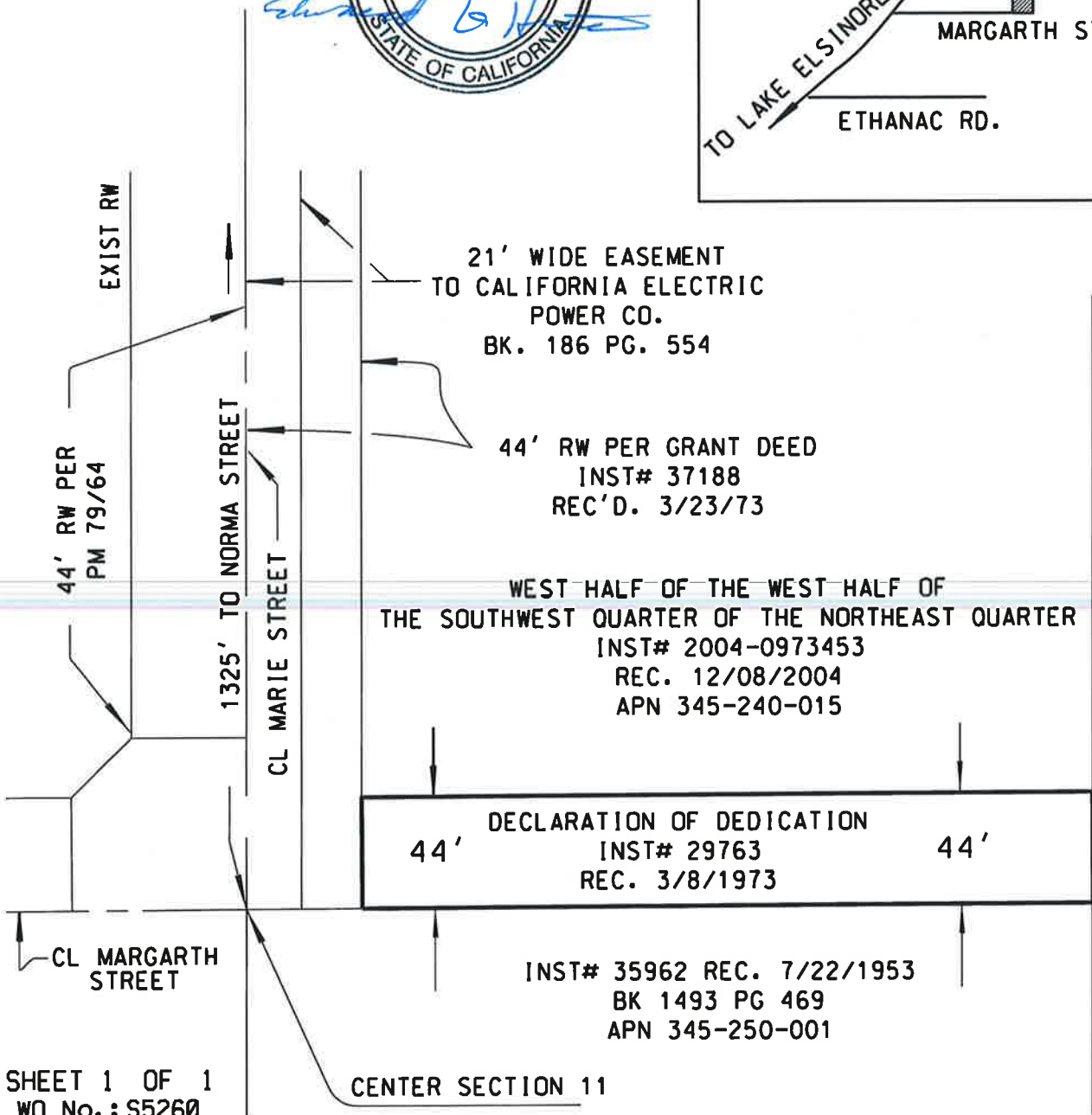
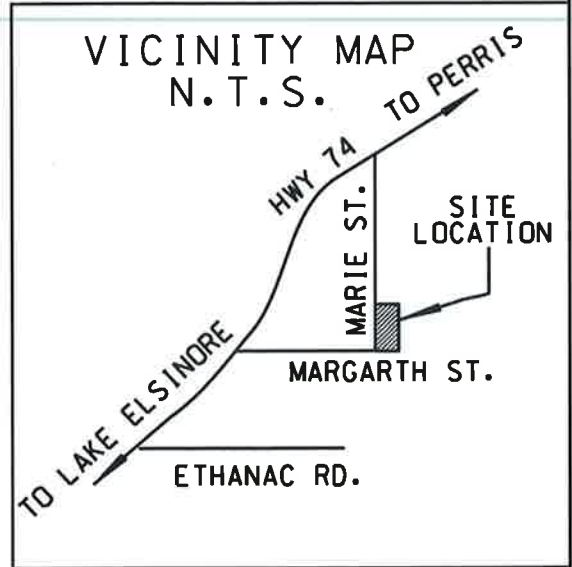
BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the Clerk of the Board is directed to cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of Riverside, California.

EXHIBIT "A"

ACCEPTING A PORTION OF MARGARTH STREET
IN THE GOOD HOPE AREA



SECTION 11,
T.5S., R.4W. S.B.M.



INST# 148224 REC. 3/22/2002
APN 345-240-004

SHEET 1 OF 1
WO No. : S5260

CENTER SECTION 11