

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



ITEM
3.21
(ID # 5658)

MEETING DATE:
Tuesday, May 8, 2018

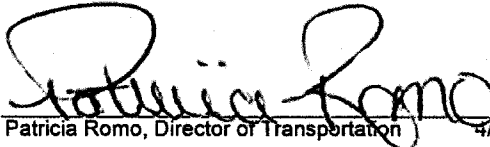
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY-TRANSPORTATION:
Adoption of Resolution No. 2018-051, Summarily Vacating the Right to Accept portions of Chicago Avenue in the Woodcrest Area. This vacation is exempt pursuant to the California Environmental Quality Act. 1st District; [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the vacation of the Right to Accept portions of Chicago Avenue is categorically exempt from CEQA pursuant to Section 15060(c) and 15061(b)(3) of the State CEQA Guidelines; and
2. Adopt Resolution No. 2018-051, Summarily Vacating the Right to Accept portions of Chicago Avenue in the Woodcrest 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; and
4. Direct the Clerk of the Board to cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of Riverside, California.

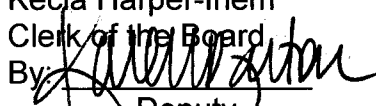
ACTION: Policy


Patricia Romo, Director of Transportation 4/19/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: May 8, 2018
xc: Transp., Recorder

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	N/A	N/A	N/A	N/A
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: Applicant Fees 100%. No General Funds used.			Budget Adjustment:	No
			For Fiscal Year:	17/18

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Chicago Avenue was dedicated as Lot "C" by Parcel Map 7813, on file in Book 31, Page 63 of Parcel Maps, records of Riverside County, California, and was "not accepted" thereon.

Chicago Avenue was also dedicated as Lots "A" and "B" by Parcel Map 9794, on file in Book 41, Page 36 of Parcel Maps, records of Riverside County, California and was "not accepted" thereon.

The three property owners fronting the west side of Cartwright Drive (see Attachment A), have requested the vacation of the above described road easements in the Woodcrest area. The Transportation Department notified all affected property owners of the proposed vacation and received a letter from PF Investment Company, LP (APN 245-300-001) stating that they were not in favor of the subject vacation. PF Investment Company, LP owns the orange grove adjacent to the subject vacation.

The county may summarily vacate a public easement in any of the following cases (Streets and Highways Code Sections 8333):

- a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
- b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.
- c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

The Transportation Department analyzed and considered all input to the subject vacation and recommend the vacation for the following reasons;

- The above stated portion of Chicago Avenue is unimproved.
- The easement has not been used for the purposed for which it was dedicated for over five years.

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STATE OF CALIFORNIA**

- The County does not have plans to extend Chicago Avenue and the subject of vacation is not needed for circulation purposes. The existing road network is appropriate for the residential area.
- The extension of Chicago Avenue is not feasible at this location due to the existence of a large water course that runs in the east-west direction through the subject site which makes the easement impassable.
- The Riverside County Flood and Water Conservation District has reviewed this vacation request and have confirmed that no plans for a master planned facility is identified at this location.
- There are no public facilities located within the easement.
- This vacation will not eliminate access to any parcel.
- There are multiple points of access from existing road easements to the orange grove property, including Chicago Avenue, Hibiscus Avenue, Iris Avenue, Gamble Avenue, and Gentian Avenue as shown on Attachment A.

As determined in the attached Notice of Exemption, the vacation is exempt for the provisions of CEQA pursuant to Categorical Exemptions 15060(c) 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.

County Counsel has approved resolution Number 2018-051 as to form.

Additional Fiscal Information

All fees are paid by applicant. There is no general fund obligation.

Impact on Residents and Businesses

The vacation of these portions of Chicago Avenue will not eliminate access to adjacent properties and will not impact current residents or businesses.

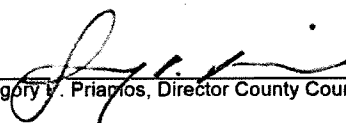
ATTACHMENTS:

Resolution No. 2018-051
Exhibit "A"
Notice of CEQA Exemption
Vicinity Map



Scott Bruckner

4/30/2018



Gregory V. Priamos, Director County Counsel

4/25/2018

ATTACHMENT "A" "CHICAGO AVENUE VACATION"



NOTE: TO BE REMOVED BEFORE RECORDING

NOTICE OF EXEMPTION

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

5/9/18 W
Date Initial

Project Name: Resolution No. 2018-051, Summarily Vacating the Right to Accept Portions of Chicago Avenue in the Woodcrest Area.

Project Number: AB15003, SU14

Project Location- See Exhibit "A"

Description of Project: Resolution No. 2018-051, Summarily Vacating the Right to Accept Portions of Chicago Avenue in the Woodcrest Area.

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

Name of Person or Agency Carrying Out Project: David L. McMillan, Riverside County Transportation Department, Survey Division, 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).

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. Vacating the right to accept 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 Vacating the right

MAY 08 2018 3.21

to accept a street have the potential to cause a significant environmental impact and the vacation is exempt from further CEQA analysis.

- Section 15060(c) – for purposes of analysis under CEQA, Vacating the right to accept a street is not a “project” under CEQA pursuant to Section 15060(c). 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 Vacating the right to accept a street 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: 3-12-18
David L. McMillan, Riverside County Surveyor

Accounting String: ZAB15003, Task Code: SU14

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 – RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 – RIVERSIDE, CA 92502

2018-0180343

05/09/2018 11:47 AM Fee: \$ 0.00

Page 1 of 5

Recorded in Official Records
County of Riverside
Peter Aidana
Assessor-County Clerk-Recorder



459

THIS SPACE FOR RECORDERS USE ONLY

RESOLUTION NO. 2018-051

Title of Document

**SUMMARILY VACATING THE RIGHT TO ACCEPT PORTIONS OF
CHICAGO AVENUE
IN THE WOODCREST AREA
(AB15003)**

(FIRST SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 3.21 of 05/08/18)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE
FOR RECORDING INFORMATION

2
3 **RESOLUTION NO. 2018-051**

4 SUMMARILY VACATING THE RIGHT TO ACCEPT PORTIONS OF

5 CHICAGO AVENUE

6 IN THE WOODCREST AREA

7 (AB15003)

8 (First Supervisorial District)

9
10 **WHEREAS**, the hereinafter-described portions of Chicago Avenue dedicated as
11 Lots "C" and "D" by Parcel Map 7813, on file in Book 31, Page 63, together with those
12 portions of Chicago Avenue dedicated as Lots "A" and "B" by Parcel Map 9794, on file in
13 Book 41, Page 36 of Parcel Maps, both Records of Riverside County, California, and;

14 **WHEREAS**, these portions of Chicago Avenue are not necessary and are excess
15 Right of Way, and are not required for public street or highway purposes, and;

16 **WHEREAS**, applicable procedures pertaining to summary vacations were followed
17 pursuant to the County's adopted "Resolutions for Fixing Procedures to Vacate and
18 Accept County Highways and Property Offered for Dedication," now therefore;

19 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of
20 Supervisors of the County of Riverside, State of California, in regular session assembled
21 on May 8, 2018, as follows:

22 1. Pursuant to Section 8334(a) of the Streets and Highways Code that these portions
23 of Chicago Avenue are excess right-of-way and are not required for public street or
24 highway purposes, and are hereby summarily vacated.

25
26 2. That these portions of Chicago Avenue are unnecessary for present or prospective
27 public use, including use as a non-motorized transportation facility;

28 SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF;

FORM APPROVED COUNTY COUNSEL
BY KRISTINE BELL-VALDEZ DATE 5/24/18

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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.

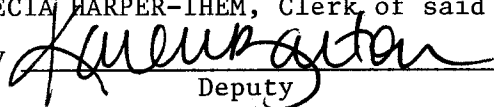
ROLL CALL:

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None

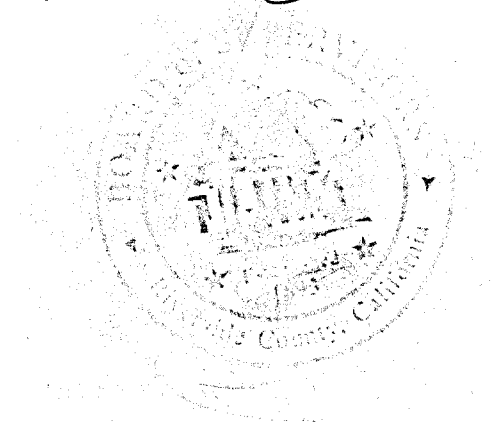
The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By



Deputy



BCIII W.O. # AB 15003

EXHIBIT "A"

VACATING THE RIGHT TO ACCEPT
A PORTION OF CHICAGO AVENUE

NTS
SECTION 19
T.3S., R.4W.
S.B.M.

HIBISCUS AVENUE C/L (N 89° 33' 30" E)

33'

(PARCEL 1)

PM 7813
PM 31/63

APN: 280-080-001

APN: 245-300-001 624.46'

(N 00° 03' 30" E

CHICAGO AVENUE

(LOT "C")

LOT "B"

APN: 280-080-002

PARCEL 1

(LOT "D")

PM 9794
PM 41/36

(PARCEL 2)

44'

LOT "A"

PARCEL 2

APN: 280-080-003

▭ AREA OF VACATION

() - REC. DATA PER PM 31/63

PCL No.: N/A

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT,
SURVEY DIVISION

WO No.: AB 15003

PROJECT: CHICAGO AVENUE VACATION

SCALE: NTS

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING
DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

PREPARED BY: WJH/BCIII

DATE: NOVEMBER, 2017

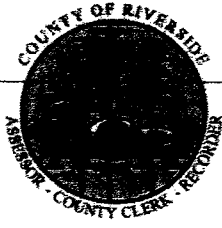
APPROVED BY:

Timothy F. Rayburn

DATE: 11/14/2017

SHEET 1 OF 1





PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

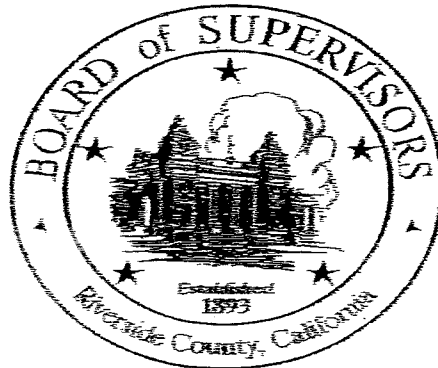
www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date:

5-8-18

Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Kathleen Crook

Address: 15765 Cartwright Dr
(only if follow-up mail response requested)

City: Riverside **Zip:** 92508

Phone #: 714 423-4868

Date: 5/8/18 **Agenda #** 3.21 ^{if it is} _{pulled} _{only}

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

X **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. **YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.**

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.