

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, SEPTEMBER 15, 2021**

MINUTE ORDER NO. 5

SUBJECT: GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR BUENA CREEK - DEER SPRINGS ROAD (SA 1414 - SF 1414) IN THE TWIN OAKS VALLEY SUBREGIONAL PLAN AREA (VACATION NO. 2021-0108) (DISTRICT: 5)

OVERVIEW

The Asset Management Division of the Department of General Services is processing a request to summarily vacate an Irrevocable Offer of Dedication for Public Highway (IOD) dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which a public road or public service easement is abandoned through one action where public noticing is not required. These may be requested by the public if the easement interests are found to be excess to County needs and are not required for the purposes for which they were obtained.

The applicants have requested to vacate all of the IOD recorded in the Office of the County Recorder of San Diego County, California, on July 30, 1980, as File No. 1980-0240579. The properties subject to the IOD are located within the Twin Oaks Valley subregional area of the North County Metro Community Plan Area in the unincorporated community of Twin Oaks. The IOD is for a portion of the unimproved Buena Creek - Deer Springs Road, also known as Select Federal 1414 and Select Arterial 1414 (SF/SA 1414). This portion of the road has not been constructed, does not provide connectivity to other public roads, is not County maintained, and is not a General Plan Mobility Element (ME) roadway.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate an IOD for a portion of SF/SA 1414, together with the incidental rights to extend drainage facilities, excavation and embankment slopes beyond the IOD, that is excess right-of-way not required for street or highway purposes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of an offer of dedication for a public right-of-way easement that is not needed for public road purposes, and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled:
RESOLUTION TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR BUENA CREEK - DEER SPRINGS ROAD (SA 1414 - SF 1414) IN THE TWIN OAKS VALLEY SUBREGIONAL PLAN AREA (VACATION NO. 2021-0108).

3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2021-0108 pursuant to State of California Streets and Highways Code Section 8336.

EQUITY IMPACT STATEMENT

This resolution will provide public benefit through improved use of the land made available by the vacation. The proposed summary vacation is in the public interest because there is a public convenience associated with the removal of encumbrances from private lands that are no longer needed for public road purposes. The existing surrounding road system will continue to provide adequate access for all properties located near the proposed IOD vacation and the summary vacation would not preclude future development.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan in the Department of General Services. If approved, this request will result in estimated expenses of \$3,500 to process the proposed vacation. The funding source is a deposit from the applicant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 21-154, entitled: RESOLUTION TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR BUENA CREEK – DEER SPRINGS ROAD (SA 1414 – SF 1414) IN THE TWIN OAKS VALLEY SUBREGIONAL PLAN AREA (VACATION NO. 2021-0108).

AYES: Vargas, Lawson-Remer, Desmond

ABSENT: Anderson, Fletcher

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter