REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION

April 9, 2024

FROM
NOEL CASTILLO, Director, Department of Public Works – Surveyor

SUBJECT
Summary Vacation of Excess Road Right-of-Way of Sahara Road, in the Pinion Hills area

RECOMMENDATION(S)
1. Find the vacation of excess road right-of-way on Sahara Road, located south of Phelan Road and north of Warbler Road in the Pinion Hills area is an exempt action under the California Environmental Quality Act Guidelines pursuant to Title 14, Section 15061(b)(3) and 15312 of the California Code of Regulations, Categorical Exemptions.
2. Adopt **Resolution No. 2024-37** that finds and determines that excess road right-of-way along the portion of Sahara Road, located south of Phelan Road and north of Warbler Road in the Pinion Hills area is excess road right-of-way and may be vacated to achieve the public purpose of eliminating and clearing the public records of unusable and unnecessary public road right-of-way.
3. Direct the Clerk of the Board of Supervisors to forward a copy of the Resolution to the Department of Public Works to be recorded in the official records by the San Bernardino County Recorder.
4. Direct the Department of Public Works to file the Notice of Exemption in accordance with the California Environmental Quality Act.

(Presenter: Noel Castillo, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES
Ensure Development of a Well-Planned, Balanced, and Sustainable County.

FINANCIAL IMPACT
Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). All costs associated with the vacation are applicant-funded through the approved Road Abandonment Fee, which covers County staff time necessary to process the vacation. Sufficient appropriation has been included in the 2023-24 Road Operations budget (6650002000 – AR0040).

BACKGROUND INFORMATION
The summary vacation will remove excess public road right-of-way on Sahara Road, located south of Phelan Road and north of Warbler Road, in the Pinion Hills area, as this is not required for public road purposes and is not necessary for current or future public road use.

The Department of Public Works (Department) completed review of the request to vacate Sahara Road and finds that this vacation affects the public road right-of-way located south of Phelan Road and north of Warbler Road, in the Community of Pinon Hills, and will result in a positive impact to the community.

The proposed vacation serves a public purpose by eliminating and clearing the public records of unusable and unnecessary public road rights-of-way that have not been accepted by the general public, and by removing an unnecessary title encumbrance.
The County holds the public road right-of-way on the existing portion of Sahara Road. The right-of-way requested to be vacated is 60 feet wide and limited to that portion as offered to the County per Parcel Map 4063, Parcel Map Book 40/80-40, recorded July 12, 1978, and by Tract 10838, Map Book 157/73-74, recorded May 7, 1981.

Phelan Pinon Hills Community Services District (District), the owner of Assessor Parcel Numbers (APN) 3066-261-10 (approximately 8.13 acres) together with APN 3066-261-08 (approximately 4.22 acres) and 3066-251-14 (approximately 10 acres), requested the vacation of all of Sahara Road, located south of Phelan Road and north of Warbler Road to facilitate its master plan expansion of the Community Center complex. This master plan expansion will add additional public buildings, and will provide/create baseball diamonds, soccer fields, general park facilities and an equestrian site, together with appurtenant parking for each. The design merges all the District's parcels with the intent that there will be no public road right-of-way within the Community Center complex.

The Department's Environmental staff reviewed this project and has determined that a categorical exemption in accordance with the California Environmental Quality Act (CEQA) Guidelines, Title 14 of the California Code of Regulations, Section 15061(b)(3) is appropriate. This exemption allows for actions that do not fall within an exempt class but can be seen with certainty there is no possibility the activity would have a significant effect on the environment. In addition, the project is exempt from CEQA under CEQA Guidelines section 15312 as the vacated property does not have significant value for wildlife habitat or other environmental purpose. When the Board of Supervisors (Board) considers the environmental finding, the filing and posting of a Notice of Exemption is recommended.

Upon Board approval of this summary vacation action, the County will no longer hold public road rights over the subject portions on Sahara Road, located south of Phelan Road and north of Warbler Road in the Pinion Hills area. A certified copy of the Board approved Resolution to vacate the public road right-of-way will be recorded in the office of the San Bernardino County Recorder. The vacation aligns with the County and the Chief Executive Officer's goal of ensuring development of a well-planned, balanced, and sustainable County by removing unnecessary road right-of-way.

PROCUREMENT
Not applicable.

REVIEW BY OTHERS
This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on February 29, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on March 19, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on March 24, 2024.

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April 9, 2024

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY Lynna Monell
DATED: April 9, 2024

cc: PW/Surveyor - Castillo w/resolution
File - Surveyor Division w/resolution w/attach

CCM 04/16/2024