



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: TMP-0023, **Version:** 1

- a. Approve a License to cross a portion of a non-access strip located on Paul Avenue, North Salinas;
- b. Authorize the Chair of the Board to execute the License; and
- c. Authorize the Public Works Director to submit the executed License with the County Recorder for recordation.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve a License to cross a portion of a non-access strip located on Paul Avenue, North Salinas;
- b. Authorize the Chair of the Board to execute the License; and
- c. Authorize the Public Works Director to submit the executed License with the County Recorder for recordation.

SUMMARY/DISCUSSION:

The Resource Management Agency - Public Works (RMA-PW) received a request from the owner (Maria Isabel Becerra) of Assessor's Parcel Number 113-202-002, to approve a license to cross a portion of a non-access strip, identified as a one-foot reserved dedication strip shown on the map of San Juan Acres Subdivision, Volume 4 Cities and Towns page 94, recorded in the Monterey County Recorders Office on August 14, 1946. This non-access strip restricts access at the northeasterly terminus of Paul Avenue.

The Board of Supervisors approved the map on August 12, 1946, and accepted the non-access strip on behalf of the public. On November 6, 1953, a deed was recorded under Volume 1490 page 573, granting this property a 25-foot wide road easement intended for access across two (2) northerly-adjacent parcels. However, this easement also crosses a creek, and no roadway presently exists. Recently, Ms. Becerra applied for a building permit to build a home on the currently vacant lot, with access via Paul Avenue. When Ms. Becerra purchased the property, she was unaware of the non-access strip that restricted access to her property through Paul Avenue. Historically, this parcel had been using Paul Avenue for ingress and egress. Granting this license to cross the reserved non-access strip would provide a more serviceable access to Ms. Becerra's property. Access through Paul Avenue is environmentally superior as an alternative compared to utilizing the road easement, which would require paving across two (2) neighboring parcels and constructing a bridge to cross over the creek. Because Paul Avenue is an existing road facility and has been in use historically, granting this license to cross is categorically exempt from California Environmental Quality Act (CEQA) per California Code of Regulations, Section 15301(c) which exempts existing facilities. A Notice of Exemption will be filed in accordance with California Code of Regulations, Section 15062.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the proposed license to cross and has approved said license as to form.

FINANCING:

There is no financial impact to the General Fund or Road Fund.

Prepared by: Juan Hernandez, Engineering Technician, (831) 755-4923

Approved by:

Robert K. Murdoch, P.E., Director of Public Works

Approved by:

Benny J. Young, RMA Director

Dated: January 17, 2014

Attachments: License to Cross Reserved Dedication Strip; Notice of Exemption; Location Map (Attachments on file with the Clerk of the Board)