



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: General Services Department

Subject: Summary Vacation Abandoning

Meeting Date: June 24, 2025

Formal Title: Adopt resolution summarily vacating the County's right to accept Ash Way abutting APN 085-161-21, and take related actions

Recommended Actions

1. Adopt the resolution of summary vacation abandoning the County's right to accept Ash Way abutting Assessor's Parcel Number (APN) 085-161-21;
2. Find that the proposed summary vacation is consistent with the County General Plan; and
3. Authorize the Real Property Division to record the resolution in the Official Records of Santa Cruz County.

Executive Summary

This action will summarily vacate the County's right to accept Ash Way that was dedicated to the public by subdivision map but never accepted for public use. This portion of Ash Way has been impassable to vehicular traffic and has not received public maintenance for more than five consecutive years, meeting the criteria for summary vacation under California Streets and Highways Code Section 8331.

Discussion

The Department of Community Development and Infrastructure (CDI) is processing a request to summarily vacate the County's right to accept Ash Way abutting APN 085-161-21. Ash Way was originally created through Tract No. 70, Sunbeam Woods Subdivision Map (Map 28M42), which dedicated the streets shown as public cul-de-sac. However, the portion of Ash Way adjacent to APN 085-161-21 was never accepted as a County-maintained road, has not been improved for vehicular use, and remains a paper street.

CDI has confirmed that the County has no intent to accept Ash Way. Under California Streets and Highways Code Section 8331 (a) and (b), the County may summarily vacate its right to accept the dedication because the area has been impassable for vehicular travel and has not received public maintenance for more than five consecutive years.

The applicant is seeking to rebuild a home that was destroyed by the CZU Lightning Complex fire. Abandonment of the County's interest in this portion of Ash Way is required to proceed with reconstruction and to comply with zoning setback requirements. To support rebuilding and community housing efforts, CDI recommends the summary vacation.

Pursuant to California Government Code Section 7050, an irrevocable offer of dedication of real property for any public purpose, when recorded in the office of the County recorder, shall be irrevocable and accepted at any time, unless terminated and the right to accept such offer abandoned in the same manner as is prescribed for the summary vacation of streets or highways pursuant to Section 8300 et seq. of the

California Streets and Highways Code.

California Streets and Highways Code Section 8331 (a) and (b) authorizes the Board to summarily vacate a street or highway if both of the following conditions exist:

(a) for a period of five consecutive years, the street or highway has been impassable for vehicular travel, and

(b) no public money was expended for maintenance on the street or highway during such period. This portion of Ash Way has for a period of five consecutive years, been impassable for vehicular travel and no public money was expended for maintenance during such period.

Additionally, California Streets and Highways Code Section 8313(a) requires the Board to consider the General Plan before vacating a street, highway or public service easement. To support the Board's finding, the Planning Director has determined that the proposed summary vacation does not conflict with the General Plan.

Financial Impact

There is no financial impact of this action.

Strategic Initiatives

Equity Framework - Community Voices & Partnership

Submitted By:

Michael Beaton, General Services Director

Recommended By:

Carlos J. Palacios, County Executive Officer

Artificial Intelligence Acknowledgment:

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.