

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Minor Street Acquisitions, Vacations or Abandonments

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Purpose

To establish a policy with respect to acquisitions, vacations or abandonments of street widenings or alignment projects of a minor nature without a report from the Department of Planning and Development Services.

Background

Section 65402 of the Government Code provides in substance that where a county has adopted a general plan or part thereof which is applicable to the establishment, vacation, or abandonment of streets no real property shall be vacated or abandoned unless the matter shall have been submitted to and reported by the Department of Planning and Development Services (PDS) as to conformity with the General Plan or part thereof. Section 65402 further provides that the foregoing provisions shall not apply to acquisitions, vacations or abandonments in conjunction with street widening or alignment projects of a minor nature or to the disposition of excess road right-of-way of a minor nature if the legislative body so provides by ordinance or resolution.

Policy

It is the policy of the Board of Supervisors that:

A report from the PDS shall not be required in regard to the disposition of excess road right-of-way, or to acquisitions, dispositions or abandonments for street widening or alignment projects provided such dispositions for street purposes, acquisitions, dispositions or abandonments for street widening, or alignment projects, do not prevent or otherwise inhibit the future connection of road rights of way and are of a minor nature, such as:

1. Widening or alignment projects for roads which are not shown on the Mobility Element of the County General Plan and which will result in a paved road surface width not to exceed 40 feet on a right-of-way width not to exceed 60 feet.
2. Right-of-way acquisition and/or dedication for widening or alignment of General Plan routes for which a Specific Plan has previously been adopted by the Board of Supervisors.
3. Dedication of right-of-way for widening or alignment of General Plan routes for which there is an Official Centerline and such dedication is required pursuant to Chapter 5 of Division 1 of Title 5 (commencing with Section 51.501) of the San Diego County Code.

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4. Dedication or offer of dedication for street widening or alignment required by the Director of PDS, Zoning Administrator, the Planning Commission, or the Board of Supervisors as a condition of approving a Tentative Subdivision Map, Tentative Parcel Map, Variance, Major or Minor Use Permit, Zone Reclassification, or similar entitlement.

5. The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes.

6. Excess right of way from a previous alignment when the new alignment and improvements are accepted into the County maintained road system by the Board of Supervisors.

Sunset Date

This policy will be reviewed for continuance by 12-31-23.

Board Action

12-21-1965 (91)

12-22-1970 (99)

08-28-1973 (81)

12-24-1974 (15), effective 1-1-75

05-22-1979 (150)

12-15-1982 (38), operative 3-1-83

08-22-1989 (47)

05-15-1996 (11)

08-7-2002 (5)

02-24-2010 (2)

09-25-2012

(11)

12-14-2016 (16)

CAO Reference

1. Department of Planning & Development Services
2. Department of Public Works