



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 12/9/2025

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Scott Orr and Jonathan R. Olin (707) 565-1900

Vote Requirement: Majority

Supervisory District(s): First

Title:

1:38 P.M. Right-Of-Way Vacation of a portion of Elm Avenue located in El Verano; Permit Sonoma File No. RWV23-0003

Recommended Action:

Hold a public hearing and adopt a resolution (1) finding that the project is exempt from the California Environmental Quality Act (CEQA); and (2) ordering vacation of a portion of Elm Avenue as shown on the map titled "Amended Map of the Town of El Verano Sonoma County Cal.", recorded January 23, 1907, in Book 19 of Maps, Page 25, Sonoma County Records. (1st District)

Executive Summary:

The application is a petition to vacate (permanently abandon) a portion of Elm Avenue as shown on the map titled "Amended Map of the Town of El Verano Sonoma County Cal.", recorded January 23, 1907, in Book 19 of Maps, Page 25, Sonoma County Records. Adoption of the resolution would authorize the vacation. The vacation would be complete when, following the Board's approval, County staff records the attached resolution.

Discussion:

On April 24, 2023, Permit and Resource Management Department (Permit Sonoma) received a petition from Hogan Land Services on behalf of Richard Crumley (Petitioner), for Vacation of Public Right-of-Way (Petition). The Petition requested that the Board vacate the portion of Elm Avenue that lies between Olive Avenue and Grand Avenue (Arnold Drive) (Vacation Petition Area), as shown on said map titled "Amended Map of the Town of El Verano Sonoma County Cal.". County Staff reviewed the Petition and found that the County only had a right-of-way easement interest in a portion of the Vacation Petition Area. Elm Avenue was not offered for dedication on said map and therefore the County had no interest to vacate for a portion of the Vacation Petition Area. County staff found that a portion of the Vacation Petition Area was adopted as a County Maintained Road per Resolution No. 9193 of the Board of Supervisors, adopted May 22, 1956. The Petitioner was advised of staff findings and on April 30, 2025, Petitioner submitted a Revised Petition requesting that the Board vacate a portion of Elm Avenue, adopted as a County Maintained Road per Resolution No. 9193 of the Board of Supervisors, lying east of Olive Avenue (Revised Vacation Petition Area).

The subject portion of Elm Avenue requested to be vacated was created on the map titled "Amended Map of the Town of El Verano Sonoma County Cal.", recorded January 23, 1907, in Book 19 of Maps, Page 25, Sonoma County Records. However, the portion of Elm Avenue lying West of Grand Avenue (Arnold Drive) was not

offered for dedication. On May 22, 1956, the Board of Supervisors adopted Resolution No. 9193 (Attachment 6), which included a portion of Elm Avenue, including the Revised Vacation Petition Area, in the certified mileage of maintained roads in the County of Sonoma. Exhibit A to Resolution No. 9193 was a series of maps identifying the County maintained roads. Attachment 7 is a portion of the map which identified Elm Avenue as Road Number 56042. Exhibit B to the Resolution listed Elm Avenue on Page 16 (Attachment 8).

Vacation is the complete or partial abandonment of the public right to use a street or public service easement. Under State law, the Board may vacate any public street, highway, lane or public service easement within its jurisdiction provided the Board makes the following findings:

- (1) the interest proposed to be vacated is unnecessary for present or prospective public use;
- (2) the proposed vacation is in the public interest;
- (3) the proposed vacation is consistent with the General Plan; and
- (4) the road proposed for vacation is not useful as a non-motorized transportation facility (bike trail).

County survey staff reviewed public records and the materials submitted on behalf of petitioner to determine the nature of the County's interest in the Vacation Petition Area. Staff verified that the County has a public right-of-way interest in the Vacation Petition Area. Staff determined that the portion of Elm Avenue lying east of Olive Avenue (Revised Vacation Petition Area) was not being used by the public and there is no prospective public use.

County survey staff conducted a field review to verify the facts presented in the petition. Staff did not observe any present public use of the Vacation Petition Area.

Planning Division staff prepared a General Plan Consistency Analysis (Attachment 10), as required by Streets and Highways Code Section 8313 and Government Code Section 65402 and determined that the proposed vacation is consistent with the General Plan and with the County's Complete Streets Policy.

Survey staff referred the Petition to all County Departments and Public Agencies with a potential interest in the Vacation Petition Area, including Sonoma County Public Infrastructure (SCPI), Emergency Services, Law Enforcement, Sonoma County Regional Parks, and Sonoma Water. Staff did not receive any objections.

Staff notified all public and private utilities with potential interest in the Vacation Petition Area. Staff did receive a request from PG&E to reserve an easement for their pole line facilities and the requested reservation language has been included in the legal description of the area to be vacated. Communication lines are also attached to the PG&E pole line. Easement rights have also been reserved for AT&T and Comcast Corporation and their heirs or assigns.

Notice was given to all owners of neighboring parcels located within 300 feet of the parcels containing the Vacation Petition Area. Staff did not receive any objections.

Staff determined that the proposed general vacation is exempt from the California Environmental Quality Act (CEQA) pursuant to the "common sense exemption" of CEQA Guidelines Section 15061 (b)(3), which provides that CEQA applies only to projects that have potential for causing a significant effect on the environment. The proposed vacation would merely terminate the public interest to a small portion of Elm Avenue that only

serves two residences. No change in the existing use of the Revised Vacation Petition Area is proposed. There is no possibility that the proposed vacation may have a significant effect on the environment, and therefore the project is exempt from CEQA.

Staff concludes that the Board may make all of the required findings to approve the Petition.

- (1) The Vacation Petition Area is unnecessary for present or prospective public use.
- (2) Granting the vacation will serve the public interest by returning land not needed for public use to private ownership, thereby eliminating any potential County liability related to the unused right-of-way.
- (3) The requested vacation is consistent with the General Plan.
- (4) The Vacation Petition Area is not useful as a non-motorized transportation facility (bike trail).

Based on these factors, staff recommends the Board adopt the Resolution finding the action exempt from CEQA and ordering the vacation of the right-of-way.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

Not Applicable

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

This is an at-cost project application with costs paid by the applicant.

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

Attachment 1: Board Resolution

Attachment 2: Vacation Petition Area Legal Description, Exhibit A to Resolution

Attachment 3: Vacation Petition Area Map, Exhibit B to Resolution

Attachment 4: Vicinity Map

Attachment 5: Proposal Statement

Attachment 6: Resolution No. 9193 Adopting County Maintained Roads

Attachment 7: Resolution No. 9193 Exhibit A, (portion)

Attachment 8: Resolution No. 9193 Exhibit B. Pg 16

Attachment 9: PowerPoint Presentation

Attachment 10: General Plan Consistency Determination

Agenda Date: 12/9/2025

Related Items “On File” with the Clerk of the Board:

Not Applicable