



County of Sonoma

State of California

Date: December 12, 2023

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Finding Exemption From The California Environmental Quality Act (CEQA) And Ordering
Vacation Of Unnamed Streets Near Guerneville**

Whereas, pursuant to the Public Streets, Highways, and Service Easements Vacation Law (California Street and Highway Code, Section 8300 et seq.), the Board of Supervisors may vacate any street, highway, or public service easement within its jurisdiction that it finds unnecessary for present or prospective public use; and

Whereas, the “vacation” of a street as defined in Streets and Highways Codes Sections 8308 and 8309, is the complete or partial abandonment or termination of the public right to use a public highway, road, street, avenue, alley, lane, driveway, place, court, trail, or other public right-of-way or easement, or purported street or highway, and right connected therewith, including but not limited to restrictions of access or abutters’ rights, slope easements, or other incidents to a street or highway; and

Whereas, the subject portion of the unnamed streets located between Block 23 and Block 24 was first shown on the map of Subdivision A of Russian River Heights, recorded June 12, 1903, in Book 15 of Maps, Page 14, Sonoma County Records.; and

Whereas, the subject portion of the unnamed streets was accepted as a public right-of-way on the above mentioned map by the Board of Supervisors on June 5, 1903; and

Whereas, the Vacation Petition Area does not contain any portion of roadway that is

paved and/or maintained by the County of Sonoma; and

Whereas, on March 21, 2023 a petition, (Vacation Petition), was filed by Sonoma County Community Development Commission, (Petitioner), with Permit Sonoma requesting that this Board vacate the public interest in that portion of the unnamed streets lying in the unincorporated area of Sonoma County and more precisely identified in the legal description and map attached hereto as Exhibits A and B, (Vacation Petition Area); and

Whereas, notice of public hearing on the Vacation Petition was duly given in accordance with applicable law; and

Whereas, the Board conducted a public hearing on the Vacation petition on December 12, 2023 at which hearing the Board heard all evidence offered by persons interested in the Vacation Petition. At the conclusion of the public testimony, the Board closed the hearing and considered all the evidence submitted before voting on the Vacation Petition; and

Now, Therefore, Be It Resolved based on the foregoing findings and determinations and all of the evidence submitted during these proceedings that the Board of Supervisors hereby determines and orders as follows:

1. The Vacation Petition Area that is being vacated is described in Exhibits A and B to this Resolution.
2. The vacation of the Vacation Petition Area as described herein is consistent with the Sonoma County general Plan.
3. The Vacation petition Area is not useful as a non-motorized transportation facility as described in Streets and Highways Code Section 892.
4. The described Vacation Petition Area is unnecessary for present or prospective public use.
5. 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 and maintenance obligations related to the subject portion of the right-of-way easement.
6. The proposed vacation is exempt from CEQA pursuant to Health & Safety Code Section and 50675.1.4 because it involves activities funded by the Homekey

program. The proposed general vacation is also exempt 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 and 14 CCR Section 15301 Class -1 Existing Facilities which provides for minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features.

7. This right-of-way vacation will not affect any existing public utilities.

Be It Further Resolved that the Board hereby authorizes the Clerk of the Board of Supervisors to send a certified copy of this Resolution together with its Exhibits A and B, and attested by the Clerk under seal, to the Office of the County Surveyor in the Permit and Resource Management Department. The County Surveyor is hereby directed to record this Resolution at the County Recorder at no cost to the County as provided under Government Code Section 6103.

Be It Further Resolved that from and after the date of recording, the vacation of the said portion of said unnamed streets shall be complete.

Supervisors:

Gorin:

Rabbitt:

Gore:

Hopkins:

Coursey:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.