



County of Sonoma

State of California

Date: May 24, 2022

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 A Portion of Church Street in Monte Rio**

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 Church Street was first shown on the map of Breen’s Addition to Monte Rio, Book 25 of Maps, Page 3, Sonoma County Records; and

Whereas, the subject portion of Church Street was dedicated to the public on the above mentioned map and accepted as a public right of way by the Board of Supervisors on September 12, 1910; and

Whereas, the subject portion of Church Street has not been used as a public right-of-

way for several years; and

Whereas, a petition was filed with this Board (Vacation Petition) to vacate the public interest in that portion of Church Street 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, a notice of public hearing on the Vacation Petition was duly given by publication, posting, and mailing, in accordance with applicable law; and

Whereas, the Board conducted a public hearing on the Vacation petition on May 24, 2022 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 area of Church Street being vacated is described in Exhibits A and B to this Resolution.
2. The vacation of Church Street as described herein is consistent with the Sonoma County general Plan.
3. The described portion of Church Street is not useful as a non-motorized transportation facility pursuant to Streets and Highways Code Section 892.
4. The described portion of Church Street is unnecessary for present or prospective public use.
5. Vacation of the described portion of Church Street is in the public interest because it will remove unnecessary encumbrances on title to private commercial property thereby eliminating any possible County liability.
6. The proposed vacation is exempt from CEQA, pursuant to the General Rule of CEQA Guidelines Section 1506(b)(3), because it can be seen with certainty that there is no possibility that the proposed vacation may have a significant effect on the environment. Church Street was never accepted into the County road system, was never used as a formal public street, and no new development is proposed by this

action. Accordingly, the Board finds that the proposed project is exempt from CEQA. Staff has prepared a Notice of Exemption in accordance with CEQA and the State CEQA guidelines.

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. Upon determination by the County Surveyor that the condition specified above is satisfied consistent with this Resolution, the Surveyor is hereby directed to record this Resolution at the County.

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

Supervisors:

Gorin:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.