



COUNTY OF SONOMA

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

SUMMARY REPORT

Agenda Date: 5/19/2026

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Scott Orr, Director (707) 565-1925 and Jonathan R. Olin (707) 565-7385

Vote Requirement: Majority

Supervisorial District(s): Fifth

Title:

10:05 A.M. Right-Of-Way Vacation of a portion of River Road located near 11900 Summer Home Park Road, Forestville; Permit Sonoma File No. RWV24-0001

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 River Road as shown on the map titled "MAP NO. 2 SUMMER HOME PARK, HILTON STATION", recorded December 16, 1910, in Book 21 of Maps, Page 19, Sonoma County Records. (Fifth District)

Executive Summary:

The application is a petition to vacate (permanently abandon) a portion of River Road as shown on the map titled "MAP NO. 2 SUMMER HOME PARK, HILTON STATION", recorded December 16, 1910, in Book 21 of Maps, Page 19, Sonoma County Records. Approval of the resolution would authorize the vacation. The vacation would be complete when County staff records the attached resolution.

Discussion:

On February 23, 2024, Permit Sonoma received a petition from Cinquini & Passarino, Inc. on behalf of Mitchell Fox (Petitioner), for Vacation of Public Right-of-Way (Petition). The Petition requests that the Board vacate a portion of River Road (Vacation Petition Area) that lies north of Lot 3 of Block 6 of said map titled "MAP NO. 2 SUMMER HOME PARK, HILTON STATION", (APN 081-281-038). Attachments 2 and 3 respectively are a legal description, (Exhibit A to the proposed resolution) and a graphic depiction, (Exhibit B to the proposed resolution), of the Vacation Petition Area near 11900 Summer Home Park Road. Attachment 4 is a Vicinity Map showing the general location of the Vacation Petition Area. Attachment 5 is Assessor's Parcel Map 081-28 showing the specific location. The subject portion of River Road requested to be vacated was created on the map titled "MAP NO. 2 SUMMER HOME PARK, HILTON STATION", recorded December 16, 1910, in Book 21 of Maps, Page 19, Sonoma County Records and the streets, roads, alleys and highways offered on the map were accepted by the Board of Supervisors on the map. However, the Vacation Petition Area does not contain any physical street and is not maintained by the County.

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 River Road, (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 6), 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 Public Infrastructure, Fire Prevention, Law Enforcement, 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 not receive any objections.

Notice was given to all owners of neighboring parcels located within 300 feet of the parcels containing the Vacation Petition Area. Staff did receive two objections from neighbors citing concerns. An email from Robert Poli, owner of 11895 Summer Home Park Road, stated "Mitchell Fox tried to do this without a permit and got caught" and "He only wants to do this for Air B and B. Summerhome Park does not need another rental". Also, an email from Peter Wall, owner of 11971 Summer Home Park Road, who stated "my wife and I have serious reservations about this project. The hillside was excavated without permits and in the late afternoon a few years ago, it was a 12' tall cut and put the neighboring homes and road at risk of settlement/collapse. If this is approved it will create more parking spaces than the vacation rental will allow."

Petitioner applied on July 20, 2023, for a Use Permit to construct a retaining wall (Permit Sonoma File No. UPE23-0023). A portion of the proposed retaining wall and proposed parking area will be located within the Vacation Petition Area. A public hearing with the Zoning Administrator was conducted on March 12, 2026. The Use Permit was conditionally approved by the Zoning Administrator. Condition of Approval #26 states:

- Prior to issuance of development permits, a Right-of-Way Vacation (RWV24-0001) must be approved.

Staff determined that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15303 New Construction or Conversion of Small Structures and Section 15333 Small Habitat Restoration Projects of the CEQA Guidelines. Section 15303 allows for the construction of accessory (appurtenant) structures. The proposed retaining wall is accessory to the primary rural residential land use, intended to provide off-street parking for the existing single-family dwelling. Section 15333 allows for

revegetation of disturbed areas with native plant species. The proposed project includes restoration and enhancement of approximately 510 square feet within the 200-foot Riparian Corridor setback. No exceptions listed under Section 15300.2 apply.

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:

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: Legal Description, Exhibit A to the Resolution

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

Attachment 4: Vicinity Map

Attachment 5 Assessor's Parcel Map

Attachment 6: General Plan Consistency Determination

Attachment 7: Staff PowerPoint Presentation

Related Items "On File" with the Clerk of the Board:

Not Applicable