



County of Sonoma

State of California

Date: December 9, 2025

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 Elm Avenue In El Verano**

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 street, Elm Avenue, was first 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; and

Whereas, the subject street, Elm Avenue, was not offered for dedication on the above mentioned map; and

Whereas, a portion of the subject street, Elm Avenue, including the Vacation Petition

Area, was adopted as a County Maintained Road per Resolution No. 9193 of the Board of Supervisors, adopted May 22, 1956; and

Whereas, the subject portion of Elm Avenue has largely not been used as a public right-of-way; and

Whereas, on April 30, 2025, a revised Petition for Right-Of-Way Vacation of a portion of Elm Avenue lying east of Olive Avenue in El Verano; RWV23-0003, (Vacation Petition) was filed by Hogan Land Services on behalf of Richard Crumley, (Petitioner), with Permit Sonoma requesting that this Board vacate the public interest in a portion of Elm Avenue lying in the unincorporated area of Sonoma County and more precisely identified in the legal description (Exhibit A) and map of the Vacation Petition Area (Exhibit B), both attached to and incorporated into this Resolution by reference; 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 9, 2025 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.

Now, Therefore, Be It Resolved that the Board of Supervisors hereby finds that the foregoing recitals are true and correct based on all of the evidence submitted during these proceedings, and makes the findings and determinations as follows:

1. The Vacation Petition Area that is being vacated has been reviewed by the County Surveyor and is accurately 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 because Permit Sonoma finds the abandonment of the 270-foot portion of Elm Avenue consistent with the General Plan, policies, and goals of Sonoma County. Research showed that the County does not have an easement interest in the portion of Elm Avenue between the proposed area to be vacated and Arnold Drive. Since the road does not connect to Arnold Drive, the proposed project is found to not conflict with the General Plan policies and Subdivision Ordinance.

3. The Vacation Petition Area is not useful as a non-motorized transportation facility as described in Streets and Highways Code Section 892 because this portion of Elm Avenue adopted as a County Maintained Road per Resolution No. 9193 dead ends at a creek and there is no public right of way beyond the Vacation Petition Area.
4. The described Vacation Petition Area is unnecessary for present or prospective public use because this portion of Elm Avenue adopted as a County Maintained Road per Resolution No. 9193 dead ends at a creek and there is no public right of way beyond the Vacation Petition Area.
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 right-of-way easement.
6. The proposed vacation is exempt from 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.
7. This right-of-way vacation will not affect any existing public utilities.

Be It Further Resolved that, based on the above findings and determinations, the Board of Supervisors hereby orders the petition granted, and hereby further authorizes and directs 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 the attested 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 said portion of Elm Avenue shall be complete.

Supervisors:

Hermosillo: Rabbitt: Coursey: Gore: Hopkins:

Ayes: Noes: Absent: Abstain:

So Ordered.