



## Legislation Text

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File #: 2022-0019, Version: 1

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**\*\*\*DO NOT REVIEW THIS STAFF REPORT - MOST CURRENT VERSION IS IN THE ATTACHMENTS TAB\*\*\***

**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Gary O'Connor, (707) 565-4448

**Vote Requirement:** Majority

**Supervisorial District(s):** First

**Title:**

**3:30 PM** - Right-of-Way Vacation for a portion of a right-of-way on Old Maple Avenue in Sonoma; RWV21-0003

**Recommended Action:**

After close of public hearing, adopt a resolution (1) finding that the project is exempt from the California Environmental Quality Act; and (2) ordering vacation of a portion of a right-of-way on Old Maple Avenue as shown on the map entitled "Record of Survey" filed for record in Book 810 of Maps at Page 27, Official Records, Sonoma County Records. (First District)

**Executive Summary:**

The application is a petition to generally vacate (permanently abandon), Old Maple Avenue. Approval of the resolution would authorize the vacation. The vacation would be complete when County staff records the attached resolution.

**Discussion:**

The County owns a portion of Old Maple Avenue, adjacent to property owned by Springs Investors Group, LP. The owner of the adjacent property has requested the County vacate the cited portion of Old Maple Avenue. Exhibits A and B respectively, are general and specific location maps of the Vacation Petition Area. The right-of-way vacation would add square footage to the adjacent parcel.

County survey staff reviewed public records and the materials submitted on behalf of the petitioners to determine the nature of the County's interest in the right-of-way easement requested to be vacated, as shown recorded in Book 810 page 27, Official Records, Sonoma County Records (Vacation Petition Area). Staff verified that the County has a public right-of-way interest in the Vacation Petition Area. Staff determined that no public money has been expended for maintenance of this easement for many years. Additionally, the County no longer requires the Vacation Petition Area for public use.

Staff determined that the proposed vacation is exempt from California Environmental Quality Act (CEQA) pursuant to the "general rule" of CEQA Guidelines Section 15061 (b)(3), which provides that CEQA applies only to projects that have a potential for causing a significant effect on the environment. The proposed vacation would terminate a road easement that has been unused by the public for decades. No change in the

existing use of the 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. The Vacation Petition Area not been used as a public right-of-way for decades. The requested vacation is consistent with the General Plan, it is not part of a street grid, does not connect to arterial streets and is not near parks, schools, or other public uses. Granting the vacation will serve the public interest by returning land not needed for public use to private ownership, and by eliminating any potential County liability related to the subject portion of right-of-way easement. Staff recommends the Board approve the Petition.

The attached resolution will authorize the vacation of the Vacation Petition and be recorded with the County Recorder's office.

**Strategic Plan:**

Not Applicable

**Prior Board Actions:**

Not Applicable

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

Not Applicable

**Narrative Explanation of Staffing Impacts (If Required):**

Not Applicable

**Attachments:**

Attachment 1: Exhibit A

Attachment 2: Exhibit B

Attachment 3: Board Resolution

Attachment 4: Resolution Exhibit A

Attachment 5: Resolution Exhibit B

Attachment 6: Staff PowerPoint

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

Not Applicable