

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: ERIC GAGE, CITY PLANNER  
PLANNING & ECONOMIC DEVELOPMENT

SUBJECT: REBUILDING TOGETHER - REQUEST TO SUMMARILY VACATE  
A 25-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT  
RUNNING EAST-WEST ON PROPERTY LOCATED AT 1156  
CLOVER DR – FILE NO. VAC15-003

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Planning and Economic Department that the Council, by resolution, approve the summary vacation of a 25-foot wide temporary construction easement for a public sewer line completed in 1968.

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EXECUTIVE SUMMARY

On April 2, 2015, an application was received to request summary vacation of a temporary construction easement on the parcel located at 1156 Clover Drive. The 25-foot easement traversing the half-acre parcel in an east-west alignment was granted to allow for the construction of a public 10" sewer main. The construction of the sewer main was completed in 1968 and Water Department staff have confirmed that the temporary construction easement is no longer needed. A separate 10-foot sanitary sewer easement will remain unchanged by the action.

BACKGROUND

1. Surrounding Land Uses

North: Single-family Residential  
South: Single-family Residential  
East: Single-family Residential  
West: Single-family Residential

2. Existing Land Use

The 0.48-acre parcel is unimproved, currently vacant with a few trees and vegetation present. The grade is relatively flat. Public sidewalks border the site to

the west. The parcel is zoned R-1-6 and designated Low Density Residential in the General Plan.

3. Project Description

The applicant, Rebuilding Together, has requested that the city vacate the temporary construction easement. The 10-foot sanitary sewer easement and the 25-foot temporary construction easement were created in the late 1960s. The property was subdivided by parcel map in 1980. In a letter dated May 23, 2014, the Water Department Director indicated no objection to releasing the temporary construction easement, with the 10-foot public sewer easement remaining in effect.

PRIOR CITY COUNCIL REVIEW

Not applicable

ANALYSIS

Vacation procedures are established by the state Public Streets, Highways, and Service Easements Vacation Law. Per the law, the city may summarily vacate a public easement if:

- (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
- (b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.
- (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

The proposed summary easement vacation is supportable because the easement has not been used since the construction of the sewer service pipeline was completed in 1968.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it meets the description of a minor alteration in land use limitations, pursuant to CEQA Guideline section 15305.

## BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

## NOTIFICATION

Notices of application were mailed to neighboring property owners on April 10, 2015, and no written comments have been received.

## ATTACHMENTS

- Attachment 1 – Disclosure Form
- Attachment 2 – Location Map
- Attachment 3 – Neighborhood Context
- Attachment 4 – Project Plans
- Resolution – Summary Vacation/Exhibit A

## CONTACT

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