

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: GABE OSBURN, DIRECTOR,
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
SUBJECT: REQUEST FOR SUMMARY VACATION OF ONE EMERGENCY
VEHICLE ACCESS EASEMENT, LOCATED AT 3901
HEATHFIELD PLACE, PARCEL NO. 173-490-035 (FILE NO.
PLN25-0115)

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Summary Vacation of an Emergency Vehicle Access Easement for the residential property located at 3901 Heathfield Place.

EXECUTIVE SUMMARY

The applicant seeks a Summary Vacation of an Emergency Vehicle Access Easement.

BACKGROUND

South Kensington LLC seeks to vacate an Emergency Vehicle Access Easement (EVA) that runs along the western half of a vacant parcel at 3901 Heathfield Place. A residential structure that was previously on the property was destroyed in the 2017 Tubbs Fire. The easement was granted to the City in 1997 by a previous owner, prior to the creation of the Fountaingrove II East – Unit 7 Subdivision. During the subdivision process, the EVA was never shown on the subdivision map or abandoned by separate instrument and thus never vacated before the development stages which allowed the construction of a home that was destroyed.

The easement has not been used for 20+ years and is no longer needed given that emergency vehicles have access to numerous routes by subsequently built public roads. In addition, due to steep grades, physical obstructions and historical lack of use make the easement unsuitable for modern emergency vehicles.

This City-initiated Summary Vacation of the EVA will allow the construction of a new home.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

Vacation procedures are established by the state law. Pursuant to Streets and Highways Code Section 8333, the City may summarily vacate a public service easement in any of the following cases:

- (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- (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

Pursuant to Section 8333(a), City staff asserts that the EVA has not been used for over five consecutive years.

Additionally, pursuant to Section 8333(c), City staff asserts that the EVA has been superseded by relocation, as the construction of Rincon Ridge Drive, Chanterelle Circle, and Heathfield Place serve the needs for emergency vehicular access as public streets surrounding the subject property.

FISCAL IMPACT

Approval of the requested Summary Vacation will not have an impact on the General Fund.

ENVIRONMENTAL IMPACT

This action is categorically exempt from the California Environmental Quality Act (CEQA) under the CEQA Guidelines Section 15061(b)(3) – “Common Sense Exemption,” as it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

Additionally, the proposed vacation qualifies for a Categorical Exemption under CEQA Guidelines Section 15305 – “Minor Alterations in Land Use Limitations,” which exempts

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3901 HEATHFIELD PLACE
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minor alterations in land use limitations in areas with an average slope of less than 20%, that do not result in any changes in land use or density. The Summary Vacation pertains to an easement that is no longer necessary for emergency vehicle access and does not involve any physical alteration to the land. No further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

No public notice is required for the proposed Summary Vacation.

ATTACHMENTS

- Attachment 1 – Disclosure Form
- Attachment 2 – Location Map
- Resolution
 - Exhibit A – Legal Description for Public Service Easement Vacation
 - Exhibit B – Plat to Accompany Legal Description
 - Exhibit C – Engineering Conditions of Approval dated July 11, 2025

PRESENTER

Jandon Briscoe, City Planner
Planning and Economic Development Department