Agenda Item #15.1
For Council Meeting of: August 19, 2025

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 TWO PUBLIC SERVICE EASEMENTS, LOCATED AT 4362 HIGHWAY 12, PARCEL NO. 032-010-068 (FILE NO. VAC24-001)

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Summary Vacation of two Public Service Easements for the commercial property located at 4362 Highway 12.

EXECUTIVE SUMMARY

The applicant seeks a Summary Vacation of an Emergency Vehicle Access Easement (EVA) and a Waterline Easement recorded as a Public Utility Easement (PUE).The EVA easement will be superseded by dedicating a new EVA easement from Highway 12 and there are no other public facilities within this easement. The PUE has been superseded by a PUE dedication and the previous public facilities within this easement have been relocated within the new PUE corridor. The City has no use for these easements as the new EVA easement to be dedicated and PUE dedication are sufficient for City use in the future. To remove these dedicated easements, the Planning and Economic Development Department seeks City Council approval to summarily vacate the EVA and PUE shown on Attachment 3.

BACKGROUND

On October 16, 2024, the Planning and Economic Development Department received an application seeking a Summary Vacation of the Public Service Easements for utility and emergency vehicle access for the commercial property located at 4262 Highway 12. The EVA easement, recorded in 2022, was intended for emergency vehicular access for a previous development proposal of the site including a self-storage facility and apartment building. Since the recordation of the EVA, the development proposal has changed and the original location of the EVA on the front portion of the site is no longer needed as the site is vacant. The EVA easement will be superseded by

dedicating a new EVA easement from Highway 12 to serve the constructed self-storage facility. The PUE was recorded in 2002 for the construction, improvement, maintenance, repairs, operations, and replacement of public utilities, more specifically public water facilities. Since the development of the self-storage facility, a PUE along the entire lot frontage was dedicated in 2022 for public utility purposes including the future undergrounding of the overhead services along Highway 12. In addition, public water facilities have been relocated out of the existing PUE and fully encompassed within the dedicated PUE from 2022. The Fire Department has no need for an EVA on the vacant site and if development occurs in the future to trigger an EVA requirement, an EVA would then be dedicated to the City as part of the City's permitting process. The Water Department and dry utility service providers have no future need for the subject PUE as the dedicated PUE from 2022 is sufficient for their use.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

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

a) The easements have 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 easements were 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(c), City staff asserts that the emergency vehicle access easement and public utility easement have been superseded by dedicating a new EVA easement from Highway 12 and the dedicated PUE along the lot frontage.

FISCAL IMPACT

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

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act (CEQA), the project is exempt under CEQA Guidelines Section 15305 – Minor Alterations in Land Use Limitations, which applies to minor alterations in land use limitations, including easements, where the changes do not result in any changes in land use or density.

Additionally, the project qualifies under Section 15061(b)(3), the “common sense” exemption, as it can be seen with certainty that there is no possibility that the vacation of these superseded easements will have a significant effect on the environment. The City has determined that the new easement dedications sufficiently serve the existing and future needs, and no construction or physical environmental changes are proposed as part of the vacation action. Therefore, no further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1: Disclosure Form
- Attachment 2: Location Map
- Attachment 3: Current ALTA Survey with Easements for Vacation
- Resolution
- Exhibit A - Legal description of Vacation of EVA
- Exhibit B - Plat for Vacation of EVA
- Exhibit C - Legal description of Vacation of Water Line Easement
- Exhibit D - Plat for Vacation of Water Line Easement
- Exhibit E - Engineering Development Services Conditions of Approval

PRESENTER

Suzanne Hartman, City Planner
Planning and Economic Development Department