RESOLUTION NO. RES-2025-154

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING SUMMARY VACATION OF AN EMERGENCY VEHICLE ACCESS EASEMENT FOR THE PROPERTY LOCATED AT 3901 HEATHFIELD PLACE, ASSESOR'S PARCEL NUMBER 173-490-035; FILE NO. PLN25-0115

WHEREAS, in 1997, an Emergency Vehicle Access Easement was recorded against the property located at 3901 Heathfield Place, Assessor's Parcel No. 173-490-035; and

WHEREAS, on April 22, 2025, an application was submitted requesting a Summary Vacation of said Easement at 3901 Heathfield Place, also identified as Assessor's Parcel No. 173-490-035; and

WHEREAS, pursuant to Section 8333, subdivision (a) of the California Streets and Highways Code, the City may summarily vacate the Easement if it has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

WHEREAS, pursuant to Section 8333, subdivision (c) of the California Streets and Highways Code, the City may summarily vacate the Easement if it has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement; and

WHEREAS, the Easement requested to be vacated has not been used for Emergency Vehicle Access for over five consecutive years, and no overhead or public underground utility lines have been installed within the Easement; and

WHEREAS, the Emergency Vehicle Access aspect of the Easement has been superseded by relocation.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa finds that:

1. The Easement to be vacated is fully described in Exhibit A – Legal Description for Summary Vacation, and depicted in Exhibit B – Plat to Accompany Legal Description, attached hereto and incorporated herein.

2. This Vacation is made pursuant to Section 8333, subdivision (a) of the California Streets and Highways Code, which allows for a Summary Vacation of Public Service Easements which have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and subdivision (c), which allows for a Summary Vacation of Public Service Easements which have been superseded by relocation.

3. The Easement proposed for Summary Vacation has not been used for Emergency Vehicle access for over five consecutive years, and there are no other public facilities located within the easement.

4. The Emergency Vehicular Access aspect of the Easement has been superseded by relocation.
5. The proposed Summary Vacation is consistent with the General Plan and Zoning as the orderly development of the property will be best facilitated by the proposed vacation.

6. 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 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.

BE IT FURTHER RESOLVED, based on these findings, that this Council hereby approves the summary vacation of a Public Service Easement described in Exhibits A and B, subject to the following condition:

1. Compliance with all conditions as specified by the attached Engineering Conditions of Approval dated July 11, 2025, attached to this resolution as Exhibit C and made a part of herein.

BE IT FURTHER RESOLVED that the Council authorizes the Deputy City Engineer to approve all documents necessary to complete this transaction.

/ / /

/ / /

/ / /

BE IT FURTHER RESOLVED that the Planning and Economic Development Department, Engineering Development Services Division, is hereby ordered to record a certified copy of this resolution in the Office of the County Recorder.

IN COUNCIL DULY PASSED this 19th day of August 2025.

AYES: (6) Mayor Stapp, Council Members Bañuelos, Fleming, MacDonald, Okrepkie, Rogers

NOES: (0)

ABSENT: (1) Vice Mayor Alvarez

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

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