

**COUNTY OF SONOMA  
AGENDA ITEM  
SUMMARY REPORT**

**Clerk of the Board Use Only**  
**Meeting Date** / / **Held Until** / /  
**Agenda Item No:** \_\_\_\_\_ **Agenda Item No:** \_\_\_\_\_

**Department:** Permit and Resource Management Dept.

( ) **4/5 Vote Required**

**Contact:**  
Gary O'Connor

**Phone:**  
(707) 565-3711

**Board Date:**  
July 14, 2009

**Deadline for Board Action:**

**AGENDA SHORT TITLE:** Resolution of Intent and set public hearing

**REQUESTED BOARD ACTION:** Resolution of intent to consider the vacation of all that portion of the public right-of-way generally described as being located to the north of the intersection of Preston Depot Rd, Cloverdale Blvd North/Old Redwood Hwy, and McCray Rd, and to the south of the Russian River, and as more specifically described in the attached legal description and location maps (Exhibits A and B), and to set the public hearing for August 4, 2009.  
(Fourth Supervisorial District)

**CURRENT FISCAL YEAR FINANCIAL IMPACT**

**EXPENDITURES**

**ADD'L FUNDS REQUIRING BOARD**

**Estimated Cost** \$

**Contingencies** \$  
(Fund Name:)

**Amount Budgeted** \$

**Unanticipated Revenue** \$  
(Source:)

**Other Avail Approp.** \$  
(Explain below)

**Other Transfer(s)** \$  
(Source:)

**Additional Requested:** \$

**Add'l Funds Requested:** \$

**Explanation (if required):**

**Prior Board Action(s):** Sonoma County Resolution No. 07-0614, accepting a relinquishment of a portion of superceded State right-of-way, wherein the above described subject right-of-way was located.

**Alternatives - Results of Non-Approval:** The County of Sonoma would fail to comply with the public hearing requirements for vacation proceedings as set forth in the State of California Streets and Highways Code.

**Background:**

On August 18, 2008 Permit & Resource Management (PRMD) staff received a *Petition for Vacation of Public Easement /Public Right-of-Way* (Attachment A), requesting the vacation of all that portion of the public right-of-way generally described as being located to the north of the intersection of Preston Depot Rd, Cloverdale Blvd North/Old Redwood Hwy, and McCray Rd, and to the south of the Russian River, and as shown on the attached *Vicinity Map* (Attachment B). The petition was submitted by Mr. George Bovone, an owner of one of the two parcels directly adjacent to the area of right-of-way proposed to be vacated. Mr. Bovone was referred to PRMD by Transportation and Public Works Department (TPWD) staff, with whom he had been in communication with regarding the subject right-of-way since November of 2006.

The subject right-of-way was formerly part of the state highway system and was the site upon which the south end of the Preston Bridge, which no longer exists, crossed the Russian River to what is now known as Geysers Rd. PRMD staff determined, and confirmed with TPWD staff, that the subject area was relinquished to the County of Sonoma by the California Transportation Committee (CTC) in CTC Resolution No. R3652 (Attachment C, Pages 1-4), and was accepted by the County of Sonoma by County Resolution No 07-0614 (Attachment D, Page 1-2) by the Board of Supervisors on July 10, 2007.

PRMD staff conducted a field review of the area proposed to be vacated. Staff observed evidence of present public use of the right-of-way for vehicular parking and turnaround, and pedestrian access to the Russian River. The parking/turnaround area consists of a large paved area, and the pedestrian access to the river consists of several foot trails traversing the non-paved portion of the subject right-of-way.

**Attachments:**

Resolution and Exhibits A and B

A. Petition for Vacation of Public Easement/Public Right-of-Way

B. Vicinity Map

C. California Transportation Committee Resolution No. R3652 (Pages 1-4)

**On File With Clerk:** None.

**CLERK OF THE BOARD USE ONLY**

**Board Action** (If other than "Requested")

**Vote:**

**Background:** (Continued)

PRMD staff requested a General Plan Consistency Analysis Determination from the Comprehensive Planning Division. The proposed vacation of the subject right-of-way was determined to be inconsistent with the General Plan. Comprehensive Planning staff stated in their analysis that “vacation of this easement will result in loss of an existing public access point to the Russian River at Preston Bridge, as well as a portion of the proposed Russian River Waterway Trail, and is therefore inconsistent with Goal OSRC-17, Objective OSRC-17.1, and Policy OSRC-17d of the General Plan.”

PRMD staff sent notification of the proposed vacation to all County Departments and Agencies with a potential interest in the subject right-of-way. Sonoma County Regional Parks objected to the proposed vacation “due to its potential impact to the public and its inconsistency with the General Plan.” Regional Parks noted that the area proposed to be vacated was identified in the Russian River Trespass and Access Management Plan as “a high priority public river site,” and indicated that the 2003 Draft Sonoma County Outdoor Recreation Plan specifies a goal to “...develop public river access at Preston Bridge on the Russian River.”

While PRMD does not support the proposed vacation of the subject area due to the reasons above, the Requested Action of this item is only the approval of a resolution of intent to hold a public hearing on the matter and to set a time and date for that hearing, which PRMD recommends in accordance with the Streets and Highway Code. PRMD recommends the matter be set for public hearing for August 4, 2009 at 2:05 PM.