



Board Agenda Item 41

DATE: August 18, 2020

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Request by the City of Clovis to Obtain Right-of-Way

RECOMMENDED ACTION(S):

Approve request by City of Clovis to acquire right-of-way, excluding eminent domain condemnation actions, from parcels adjacent to existing County right-of-way in an identified unincorporated area of the County as needed in conjunction with the City's development of a traffic signal and intersection improvements at the intersection of E. Shepherd Avenue and N. Sunnyside Avenue in conjunction with the development of City of Clovis Tract Map No. 6200.

Approval of the recommended action will function as consent to the request by the City of Clovis (City) (Attachment A) to acquire additional right-of-way (ROW) in the unincorporated area at N. Sunnyside Avenue and E. Shepherd Avenue, as shown in Attachment B. The City has been advised that your Board's approval of the recommended action does not include approval to undertake eminent domain proceedings. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If your Board does not approve the action, the City will be unable to construct the traffic signal and intersection improvements at N. Sunnyside Avenue and E. Shepherd Avenue.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The City initiated the request and paid \$704 for processing in accordance with the Master Schedule of Fees. The City will acquire road ROW from private property owners and will construct the traffic signal improvements with no fiscal impact to the County. Construction management of the work will be performed by the City and the Department of Public Works and Planning staff will provide oversight inspection of the improvements through application of an encroachment permit for the work in County areas. Each agency will be responsible for the road improvement maintenance within their respective areas, pursuant to the California Streets and Highways Code.

DISCUSSION:

The City plans to make intersection and signal improvements associated with Tract Map No. 6200 at N. Sunnyside Avenue and E. Shepherd Avenue. These acquisitions are in conjunction with the City's conditions of approval imposed on Tract Map No. 6200 for a 586-lot single-family planned residential development. Shepherd Avenue is currently designated an Expressway from Clovis Avenue to State Route 168 in the City's 2014 General Plan. Expressways are limited access streets designed to carry regional

traffic. Sunnyside Avenue is designated as a Neighborhood Boulevard north of Shepherd Avenue and a Collector south of Shepherd, which allows more frequent access points into neighborhoods.

The proposed traffic signal and intersection improvements will reduce traffic queuing at the existing four-way stop sign caused by increasing urbanization within the city limits. Prior to the Applicant (Lennar Homes) filing their request for a General Plan Amendment, City staff requested comments from the County. Much of the north side of E. Shepherd Avenue is currently fronted with County properties. County staff stated that there should not be an impact to County properties, as long as the width of the street remains as identified in the City's General Plan.

In a previous action on September 24, 2019, your Board approved a similar request by the City for authorization to acquire ROW for this project at E. Shepherd Avenue and N. Clovis Avenue, also to satisfy conditions of approval for Tract Map No. 6200. That action included a similar restriction on the ability to obtain the ROW through eminent domain.

Section 1810 of the Streets and Highways Code allows the Board of Supervisors to consent to the acquisition of a road easement by a city outside of its city limits when necessary to connect or widen the existing streets of the acquiring city. If your Board consents to the acquisition of ROW by the City, the acquired ROW becomes a city street for all purposes. The proposed ROW acquisition is consistent with the need for easements sufficient to install the intersection and signal improvements per the plans provided by the City. Department staff has reviewed the intersection and signal improvement plans, and any work within the County road ROW will be processed through an encroachment permit.

OTHER REVIEWING AGENCIES:

The recommended action was initiated at the request of the City of Clovis.

REFERENCE MATERIAL:

BAI #47 - September 24, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A - City of Clovis Request
Attachment B - Right-of-Way Acquisition Plan

CAO ANALYST:

Debbie Paolinelli