



County of Fresno

Hall of Records, Rm. 301
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Fresno, California
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Legislation Details (With Text)

File #: 19-0628 **Name:** Vacation of Excess Public Road Right-of-Way of Dunlap Road (Vacation Application No. V15-03)

In control: Public Works & Planning

On agenda: 6/18/2019 **Final action:** 6/18/2019

Enactment date: **Enactment #:** Resolution No. 19-249

Title: Initiate proceeding under Chapter 3, Part 3, Division 9, of Streets and Highways Code, and adopt Resolution of Intention and Notice of Hearing for July 9, 2019 at 9:00 a.m. for vacation of Dunlap Rd excess public road right-of-way, Vacation Application No. V15-03; direct Clerk of the Board of Supervisors to set hearing by fixing date, hour, and place of hearing and cause the posting, publishing, and mailing of notice(s), as required by Chapter 3, Part 3, Division 9, of Streets and Highways Code; and direct Department of Public Works and Planning to post notices on site as required by Chapter 3, Part 3, Division 9, of Streets and Highways Code

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Exhibit A, 3. Vicinity Maps, 4. Resolution No. 19-249, 5. Letter of Support, 6. Additional Information

Date	Ver.	Action By	Action	Result
6/18/2019	1	Board of Supervisors	Conducted Hearings	Pass

DATE: June 18, 2019

TO: Board of Supervisors

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

SUBJECT: Vacation of Excess Public Road Right-of-Way of Dunlap Road
(Vacation Application No. V15-03)

RECOMMENDED ACTION(S):

- 1. Initiate a proceeding under Chapter 3, Part 3, Division 9, of the Streets and Highways Code, and adopt Resolution of Intention and Notice of Hearing for July 9, 2019 at 9:00 a.m. for the vacation of Dunlap Rd excess public road right-of-way, Vacation Application No. V15-03; and**
- 2. Direct the Clerk of the Board of Supervisors to set a hearing by fixing the date, hour, and place of the hearing and cause the posting, publishing, and mailing of notice(s), as required by Chapter 3, Part 3, Division 9, of the Streets and Highways Code; and**
- 3. Direct the Department of Public Works and Planning to post notices on site as required by Chapter 3, Part 3, Division 9, of the Streets and Highways Code.**

Approval of the recommended actions will schedule the hearing to consider vacation. The Department of Public Works and Planning has initiated the process to vacate excess right-of-way (ROW) of Dunlap Road, located approximately 3.5 miles southeast of Kings Canyon Road along the frontage of Dunlap Elementary School and the Dunlap Community Club property, see Vicinity Maps. Dunlap Road was realigned at this

location in 1996, leaving a remnant of excess ROW on the west side of the road. Approval of the proposed vacation would remove the excess ROW from the County's road system. A portion of the vacated ROW is proposed to be developed by the Kings Canyon Unified School District (School District) as a parking lot.

ALTERNATIVE ACTION(S):

Your Board can deny the recommended actions resulting in the area remaining a public ROW, in which case, the County will continue to be responsible for maintenance of this ROW.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. Approximately 0.93 acres will be vacated, of which approximately 0.42 acres may be placed on the County tax rolls. This vacation was initiated by Department staff and the cost for the vacation process are included in the Department's - Roads Org 4510 FY 2018-19 Adopted Budget.

DISCUSSION:

The initial Resolution of Intention was approved by the Board on June 21, 2016. Subsequent Board action to vacate was pulled to resolve outstanding concerns between the School District and the Dunlap Community Club. The Dunlap Community Club submitted a letter of support for the proposed vacation. The recommended actions will re-establish a new hearing date for the proposed vacation.

Department staff has reviewed the County-owned portion of excess ROW and determined that the County has no current or future need for the area. Due to the location and configuration of the area, it could not be developed as a stand-alone parcel and, because it is owned by the County, it would have to be sold. If the vacation is approved, the Department recommends that the County-owned portion of the ROW be sold to the School District for their proposed parking lot.

School District representatives have met a couple times with Department staff to discuss plans for the new parking lot; however, construction of the new parking lot cannot begin until the excess ROW is vacated and the School District has acquired the County-owned portion of the ROW.

The legislative body of a local agency may vacate public ROW pursuant to Chapter 3 of Part 3 of Division 9 (General Vacation) of the Streets and Highways Code if the Board of Supervisors determines and finds that it is no longer necessary for present or prospective public use.

OTHER REVIEWING AGENCIES:

Agencies notified of this vacation request were Pacific Gas & Electric Company, Fresno County Fire Protection District, Kings Canyon Unified School District, AT&T and SBC.

REFERENCE MATERIAL:

BAI #59, June 21, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A
Vicinity Maps
On file with Clerk - Resolution of Intention
On file with Clerk - Letter of Support

CAO ANALYST:

Sonia M. De La Rosa