



# County of Fresno

Hall of Records, Rm. 301  
2281 Tulare Street  
Fresno, California  
93721-2198

## Legislation Details (With Text)

**File #:** 20-0577 **Name:** Vacation of South Barton Square (aka Calwa Alley)

**In control:** Public Works & Planning

**On agenda:** 7/7/2020 **Final action:** 7/7/2020

**Enactment date:** **Enactment #:** Resolution No. 20-248

**Title:** Adopt a Resolution of Intention initiating a hearing under Chapter 3, Part 3, Division 9 of the Streets and Highways Code (collectively, the "Vacation Laws"), setting 9:00 a.m. on August 4, 2020, in the Board of Supervisors' chambers, as the time, date, and place for the Board to conduct a hearing for the proposed vacation of the South Barton Square (aka Calwa Alley) public road right-of-way, i.e., the east portion of South Barton Square (aka Calwa Alley) lying to the East of the intersection of South Barton Square and East Barton Square approximately 4,038 square feet (Vacation Application No. V19-06), directing the Clerk of the Board to cause the posting, publishing, and mailing of notice(s), as required by the Vacation Laws, and directing the Department of Public Works and Planning to post notices on site as required by the Vacation Laws

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Item, 2. Exhibit A, 3. Vicinity Map, 4. Notice of Exemption, 5. Resolution No. 20-248

Date	Ver.	Action By	Action	Result
7/7/2020	1	Board of Supervisors	Approved as Recommended	Pass

**DATE:** July 7, 2020

**TO:** Board of Supervisors

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

**SUBJECT:** Vacation of South Barton Square (aka Calwa Alley) Public Road Right-of-Way  
(Vacation Application No. V19-06) (Applicant - Rick Porter)

### RECOMMENDED ACTION(S):

**Adopt a Resolution of Intention initiating a hearing under Chapter 3, Part 3, Division 9 of the Streets and Highways Code (collectively, the "Vacation Laws"), setting 9:00 a.m. on August 4, 2020, in the Board of Supervisors' chambers, as the time, date, and place for the Board to conduct a hearing for the proposed vacation of the South Barton Square (aka Calwa Alley) public road right-of-way, i.e., the east portion of South Barton Square (aka Calwa Alley) lying to the East of the intersection of South Barton Square and East Barton Square approximately 4,038 square feet (Vacation Application No. V19-06), directing the Clerk of the Board to cause the posting, publishing, and mailing of notice(s), as required by the Vacation Laws, and directing the Department of Public Works and Planning to post notices on site as required by the Vacation Laws.**

Approval of the recommended action will schedule a hearing for your Board to consider the proposed vacation of the South Barton Square public road right-of-way (30 feet by 134 feet). The Department of Public Works and Planning has received an application from Rick Porter ("Applicant") to vacate the portion of South Barton

Square (aka Calwa Alley) public road right-of-way (ROW) located East of the intersection of South Barton Square and East Barton Square and more accurately described as a portion of Lot 1 of Barton Addition to Calwa, in the County of Fresno, State of California, Recorded July 23, 1946, in Volume 13 of Maps at Page 5, Fresno County Records. The vacation area contains approximately 4,038 square feet. South Barton Square (aka Calwa Alley) is not included in the County's maintained mileage system. This item pertains to a location in District 3.

#### ALTERNATIVE ACTION(S):

Your Board may choose to deny the recommended action resulting in the area remaining a public ROW. The proposed vacation will have no impact on maintenance because it is not part of the maintained mileage system and therefore is not currently being maintained by the County.

#### FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The Applicant has paid all fees associated with the application process totaling \$3,020 per the Master Schedule of Fees, Charges, and Recovered Costs. If the ROW is vacated, approximately 4,038 square feet will be placed on the County Tax roll.

#### DISCUSSION:

The subject ROW is not included in the County's maintained mileage system. The vacation under consideration will vacate the portion of South Barton Square (aka Calwa Alley) public road right-of-way (ROW) (30 feet by 134 feet) located East of the intersection of South Barton Square and East Barton Square and more accurately described as a portion of Lot 1 of Barton addition to Calwa in the County of Fresno, State of California, Recorded July 23, 1946, in Volume 13 of Maps at Page 5, Fresno County Records. The vacation area contains approximately 4,038 square feet. The portion of the ROW is very limited and only of use to the adjacent property owners, indicating that it is no longer necessary for present or prospective public use.

If the vacation is approved, the Applicant will assume all maintenance, control and responsibility of the vacated area.

The Board of Supervisors, as the legislative body of the County, 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 (Vacation Laws), if the Board determines and finds that it is no longer necessary for present or prospective public use. Your Board may make this determination after conducting a public hearing, which is scheduled on August 4, 2020 at 9:00 a.m.

#### REPORT OF THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND PLANNING

The Transportation and Circulation Element of the General Plan provides the framework for County decisions concerning the countywide transportation system and includes classification of roadways within the unincorporated areas of the County. Roadway classifications include freeways, expressways, super arterials, arterials, and local roads. South Barton Square is designated as a local road; however, the project site (Calwa Alley) is not included in the County's maintained mileage system. Local roads are defined as roads that provide direct access to abutting property and connect with other local roads, collectors, arterials, super arterials, and expressway; typically developed as two-lane undivided roadways.

In this case, the request is to vacate an approximately 4,038 square-foot portion of unpaved public right-of-way. The subject alleyway fronts three parcels and connects to another residential alleyway located at the eastern end of the Calwa Alley. The proposed vacation, if approved by your Board, would not result in impacts to area-wide circulation patterns. However, a minor disruption to existing traffic patterns may occur for

residents accessing the residential alleyway between South Barton Square and South Ninth Street, but access points to the alleyway off East Kavaland Avenue and South Ninth Street are still available and in close proximity to adequately service the residents if the vacation is approved.

As a result, the proposed vacation is consistent and in conformance with the transportation goals and policies of the Fresno County General Plan.

#### ENVIRONMENTAL DETERMINATION

It has been determined pursuant to Section 15061(b) (3) of the California Environmental Quality Act (CEQA) guidelines that the proposed road vacation, if approved by your Board, will not have a significant effect on the environment and is not subject to CEQA.

#### OTHER REVIEWING AGENCIES:

Agencies notified of the proposed vacation request include PG&E, Comcast, AT&T, and County of Fresno Fire and Sheriff Department. There has been no opposition raised by any of the foregoing entities.

#### ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A  
Vicinity Map  
On file with Clerk - Notice of Exemption  
On file with Clerk - Resolution of Intention and Notice of Hearing

#### CAO ANALYST:

Debbie Paolinelli