



County of Fresno

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Fresno, California
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Legislation Text

File #: 19-0764, **Version:** 1

DATE: September 10, 2019

TO: Board of Supervisors

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

SUBJECT: Summary Vacation of Riverside Avenue Public Road Right-of-Way (Vacation Application No. V17-03) (Applicant: Granville Farms)

RECOMMENDED ACTION(S):

Adopt Findings and Resolution approving the Summary Vacation of Riverside Avenue public right-of-way. The Board finds that:

- 1. The vacation is determined to meet the criteria for Summary Vacation, pursuant to Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.**
- 2. The right-of-way is unnecessary for the development of non-motorized transportation, pursuant to Section 892 of the Streets and Highways Code.**
- 3. The vacation is consistent with the County General Plan.**

The subject right-of-way consists of a portion of Riverside Avenue from Mountain View Avenue, northerly approximately 1604-feet to the southerly right-of-way line of the San Luis Canal.

The Department of Public Works and Planning received an application to vacate the public road right-of-way (ROW) of a portion of Riverside Avenue from Mountain View Avenue, northerly approximately 1604-feet to the southerly ROW line of the San Luis Canal. The Applicant has irrigation facilities encroaching within the public ROW, and plans to construct additional improvements. The ROW must be vacated or the existing irrigation facilities must be relocated outside of the public ROW. The road is not included in the County's maintained mileage system and public use is limited primarily to the Applicant/property owner. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

Your Board may choose to not approve the action and allow the area to remain public ROW; however, the Applicant's irrigation facilities will continue to encroach in the ROW. .

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The Applicant has paid the required fees, pursuant to the Master Schedule of Fees, Charges, and Recovered Costs, totaling \$3,020 to cover the cost incurred to process the vacation. Approximately 2.19 acres may be placed on the County tax rolls by the vacation of this ROW. Sufficient appropriations and estimated revenues were included in the Department's - Roads Org 4510 FY 2019-20 Recommended Budget.

DISCUSSION:

The subject ROW was dedicated as part of the California Land Investment Co. Tract No. 1 in 1912. The Applicant would like to vacate this ROW and use the land to construct additional irrigation facilities. Public use of this section of Riverside Avenue is non-existent due to the San Luis Canal at the north end. Riverside Avenue is a dirt road used primarily as an agricultural access to irrigation facilities and adjoining farmland. Riverside Avenue does not provide any way to cross the San Luis Canal and does not continue on the north side of the canal. The Applicant owns all adjoining parcels along the ROW, public use is limited primarily to the Applicant/property owner, and the road is not included in the County's maintained mileage system.

The legislative body of a local agency may summarily vacate public ROW pursuant to Chapter 4 of Part 3 of Division 9 (Summary 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.

Comments were solicited and received from Department staff, various agencies, and adjacent property owners. No comments received in opposition to the vacation. Pacific Gas & Electric Company (PG&E) has facilities within the area to be vacated. A public service easement will be retained through exceptions and reservations in the legal description of the ROW for the benefit of the PG&E facilities.

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

The Transportation and Circulation Element (Transportation 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. Riverside Avenue is designated as a local road. Local roads are defined as roads that provide direct access to abutting property and connect with other local roads, collectors, arterials, super arterials, and expressways. Local roads are typically developed as two-lane undivided roadways.

The request to vacate an approximate 1,604-foot long portion of Riverside Avenue that currently provides access to existing irrigation facilities and adjoining farmland. The segment of Riverside Avenue does not provide access to other roadways within the vicinity or carry significant volumes of traffic and there is no residential development. The proposed vacation would not result in impacts to area wide circulation patterns or disrupt existing traffic patterns.

As a result, the proposed vacation is consistent with the transportation goals and policies of the 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 will not have a significant effect on the environment and is categorically exempted.

OTHER REVIEWING AGENCIES:

Agencies notified of the proposed vacation request were the PG&E, the California Department of Water Resources, and Westlands Water District. There have been no objections raised by any of the foregoing agencies.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map
On file with Clerk - Resolution

CAO ANALYST:

Sonia M. De La Rosa