



County of Fresno

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

Legislation Text

File #: 20-1269, **Version:** 1

DATE: November 24, 2020

TO: Board of Supervisors

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

SUBJECT: Vacation of North Plumas Road Public Road Right-of-Way
(Vacation Application No. V19-10) (Applicant - Jerry Pacheco)

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 December 15, 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 North Plumas Road public road right-of-way, that portion of North Plumas Road between West Olive Avenue and West Belmont Avenue approximately 2.339 acres (Vacation Application No. V19-10), 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 North Plumas Road public road right-of-way. The Department of Public Works and Planning has received an application from Jerry Pacheco ("Applicant") to vacate the portion of North Plumas Road public road right-of-way (ROW) lying 20 feet West of and adjacent to Lots 17 through 24 of said map, together with that portion lying 20 feet East of and adjacent to Lots 41 through 48 of said map recorded in Book 7, Page 3 of Plats of Fresno County Records. The vacation area contains approximately 2.339 acres. North Plumas Road is not included in the County's maintained mileage system, and public use is primarily limited to the adjacent property owner. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

Your Board may choose to deny the recommended action resulting in the area remaining a public ROW.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The Applicant has paid all fees associated with the application process per the Master Schedule of Fees, Charges, and Recovered Costs \$3,020. If the ROW is vacated, approximately 2.339 acres 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 North Plumas Road public road right-of-way (ROW) lying 20 feet West of and adjacent to Lots 17 through 24 of said map, together with that portion lying 20 feet East of and adjacent to Lots 41 through 48 of said map recorded in Book 7, Page 3 of Plats of Fresno County Records approximately 2.339 acres. 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, it will result in this portion of North Plumas Road being owned by Jerry Pacheco and he will assume all maintenance and responsibility.

Pacific Gas & Electric (PG&E) Company has facilities within the area to be vacated. A public service easement will be retained through reservations in the legal description of the ROW for the benefit of these facilities.

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. This determination may be made by your Board after conducting a public hearing, which is scheduled on December 15, 2020 at 9:00 a.m.

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

Roadway classifications as listed in the Transportation and Circulation Element of the General Plan include freeways, expressways, super arterials, arterials, and local roads. This segment of N. Plumas Avenue between W. Belmont and W. Olive avenues is designated as a local (unclassified) road and 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 expressways. Local roads are typically developed as two-lane undivided roadways.

In this case, the request is to vacate approximately 2,600 feet of paved road section which provides ingress/egress to an existing agricultural operation and a limited number of agricultural properties. The proposed vacation, if approved by your Board, would not result in impacts to area-wide circulation patterns or disrupt existing traffic patterns.

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, Fresno County Fire Protection District, and Fresno County Sheriff-Coroner's Office. 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 & Notice of Hearing

CAO ANALYST:

Samantha Buck