



STREET / EASEMENT ABANDONMENT INFORMATION SHEET

GENERAL INFORMATION

This information sheet explains how your application requesting the abandonment of a street or easement will be processed, what fees you must pay, and what information you must submit. This application is for street rights-of-way and easements (e.g. public utility, drainage, recreational) that have been dedicated to Nevada County or the Town of Truckee or for which the Town has an interest. If you have any questions after you have read this information, please contact the Planning Division.

REVIEW AND APPROVAL AUTHORITY

Street rights-of-way and public easements can be abandoned only by action of the Town Council. Before a right-of-way or easement can be abandoned, the Town Council must make special findings at a public meeting regarding the past, present and future use of the right-of-way or easement. Generally, the Town Council may abandon a street right-of-way or easement if the right-of-way or easement is currently not being used and there is no prospective public use of the easement.

However, the Town cannot unilaterally abandon any interests in an easement which are held by a special district or utility provider. For public utility easements, the applicant must provide a signed "Vacation (Abandonment) Release of Interest" form from each special district or utility company giving the Town of Truckee authorization to abandon the easement on its behalf, or the applicant must provide written confirmation from all affected special districts and utility companies that they have abandoned their interest in the easement. The property owner(s) or authorized representative must provide copies of "Vacation (Abandonment) Release of Interest" forms or written confirmation of easement abandonment from all affected entities at the time of application submittal. A title report may be required in order to ascertain anyone with right, title or interest in the easement.

HOW YOUR APPLICATION WILL BE PROCESSED

The steps involved in reviewing your street/easement abandonment application are summarized below:

1. For public utility easement abandonments, the applicant must contact all special districts and public utilities that have an interest in the easement and obtain signed "Vacation (Abandonment) Release of Interest" forms giving the Town of Truckee authorization to abandon the easement on their behalf, or written confirmation from them stating that they have abandoned their interest in the easement. The applicant must also provide a legal description and plat of the easement area(s) proposed to be abandoned, prepared by a California licensed land surveyor (or California licensed civil engineer licensed before January 1, 1982). The letters, legal description and plat map must be provided to the Town at the time of application submittal.
2. Within thirty (30) days after submittal of the application, information and fee deposit, Town staff will review the submittal for completeness. If the submittal is complete, the application is formally accepted for processing and continues through the review process. If the application submittal is incomplete and additional information or clarification is required, you will be notified in writing. Until the application is deemed complete, it will not proceed through the process.

3. After the application is complete, Town staff will route the plans and materials to Town departments and other agencies for review and comment. All responses, comments and corrections will be forwarded to the applicant for your information. At this stage of the review process, Town staff will analyze the agency comments and the project to determine if additional information is required to determine if the findings for approving the abandonment can be made. If additional information is needed, the applicant will be notified in writing within 30 days of the additional information required. If additional information is not needed, Town staff will continue with the review of the abandonment and schedule it for consideration by the Town Council.
4. Town staff will then complete a staff report that includes a staff recommendation on the approval or denial of the abandonment and any recommended conditions of approval. The staff report will be provided in writing to the applicant at least five days prior to the Council meeting.
5. At the Council meeting, the Council will consider the staff report and all written and verbal input submitted on the project by the applicant and any other interested party. The Council will take action to approve, conditionally approve or deny the abandonment application. A written report on the findings of the action taken by the Council will be provided to the applicant after the meeting.

FEES

The fee for processing an abandonment application is a deposit based on the actual costs of Town staff time spent on processing the application and any direct costs (e.g. publication costs for the hearing notice). A fee deposit must be submitted with the application to cover these costs. The fee deposit for a Street or Easement Abandonment application is \$1,750.00. If the actual application costs are less than the fee deposit, the applicant will be given a refund of the unused fees at the end of the application process.

For public utility easements, special districts and utility companies may charge fees to abandon their interest, which are separate from the Town's fees.

SUBMITTAL REQUIREMENTS

The items listed in the "Street/Easement Abandonment Application Submittal Checklist" must be submitted as part of the application package in order for the application to be considered complete for processing. The signed checklist must also be submitted with the application. Your application will not be accepted if all of the items listed are not submitted.

After your project is assigned to a planner, you will be contacted and asked to provide an electronic version of the entire application submittal package, including plan sets, technical studies, environmental application, letter of justification, photos, etc. Electronic files may be submitted via email (if less than 15 MB), CD, thumb drive or Dropbox.

Street / Easement Abandonment Application Submittal Checklist

Applicant Name: _____ Project Site APN: _____

Application Number (to be filled out by Town staff) _____

Applicant must fill out the checklist below by placing a check mark in the boxes listed under Column A (for Applicant) and signing below. Column S is for staff to verify that your submittal requirements have been met.

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- 1. Completed Land Use/Zoning Application. (The property owner[s] must sign the application or the applicant must submit a letter or other documentation signed by the property owner[s] authorizing the applicant to submit the application.)
- 2. Fee deposit. Checks must be made payable to the Town of Truckee; cash and credit cards are also accepted.
- 3. Letter of justification that describes the requested abandonment and the reasons why the applicant is requesting the abandonment.
- 4. Site Plan Requirements – A site plan with the following information must be submitted with the application. The site plan must be of sufficient scale to show all information clearly and must be readable and understandable. If the plans are not legible, the application will not be accepted. One 11" x 17" copy of the site plan must be submitted with the application.
 - a) General Information
 - Assessor's Parcel Number(s) and Street Address(es).
 - North arrow and scale.
 - Distance and bearings of property lines.
 - Location and elevation of 100-year flood plains within the property(s).
 - Location, width and purpose of easements within the property (e.g. recreational, drainage, public utility, snow and access easements).
 - Location, type and specifications of any existing utility lines (above and underground) within the property(s).
 - b) Streets, Parking, and Driveways
 - Alignment, width (including turning radii) and names of streets and access easements (indicating private or public) that border or are located within the site(s).
 - Location and width (including turning radii) of existing driveway improvements within the property(s).
 - All paved areas within the property(s) including existing parking areas, driveways, malls, plazas, curbs (location and height), gutters and sidewalks, including pavement markings and stripings.
 - c) Buildings and Other Structures
 - Location and dimension of existing and proposed structures on the property(s). Show both wall lines and eave lines.
 - Location and heights of all walls, fences and gates with details, materials and construction method (*Truckee Development Code Section 18.30.070*).

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- Dimensions of building setbacks from property lines (*Truckee Development Code Section 18.30.120*) and 100-year flood plains (*Truckee Development Code Chapters 18.34 & 18.38*).
- d) Other Information
 - Location and dimensions of septic tank and leach lines including replacement area within the property(s).
 - Location of wells within the property(s).
- 5. A preliminary title report on the subject property dated no earlier than six months prior to submittal of the application.
- 6. Easement Abandonment Confirmation or Authorization – The applicant must provide one of the following: (1) a signed “Vacation (Abandonment) Release of Interest” form from each special district or utility company having an actual or potential interest in the easement(s), giving the Town of Truckee authorization to abandon the easement on its behalf; (2) written confirmation of easement abandonment from all special districts and utility companies having an actual or potential interest in the easement(s); or (3) a combination of signed “Vacation (Abandonment) Release of Interest” forms and written confirmations of easement abandonment. The applicant may submit the original abandonment documentation, or may request that the special district or utility company send a digital version directly to the Planning Division. If a special district or utility company is willing to give up easements in excess of the initial request, those relinquishments must be clearly delineated on an exhibit and submitted to the Planning Division along with the other submittals for the Abandonment. Signed “Vacation (Abandonment) Release of Interest” forms and/or written confirmations of easement abandonment must be dated no earlier than one year prior to submittal of the application.
- 7. Plat Map for Recordation – The property owner(s) or their authorized representative must have a California licensed land surveyor (or California licensed civil engineer licensed before January 1, 1982) prepare a legal description and plat of the easement area(s) proposed to be abandoned. The legal description should be labeled “Exhibit A,” and the plat should be labeled “Exhibit B.” The legal description must bear the seal and signature of a professional land surveyor. The surveyor should provide closure calculations, if applicable. Please note: there may need to be updates to more than one record map.

Applicant Signature: _____
I certify that I have completed and have included all material checked above in the attached application submittal.