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## **HOW TO SUBMIT A ROAD ABANDONMENT APPLICATION**

**1. PREFACE:** A Road Abandonment is applied for when a property owner or public agency requests a public right-of-way or a public service easement be “abandoned” by the County. Once the subject right-of-way or easement is abandoned the public use of the land or easement area is relinquished to the adjacent property owners.

**2. CONSULTATION:** To avoid unnecessary expense and delay consult with the Inyo County Planning Department for a preliminary review and discussion of your proposal in order to answer any questions regarding the application and processing procedures. A pre-application meeting is held with applicant(s) and the Public Works/Road Department to evaluate feasibility of proposed road abandonment. Road abandonments must not result in the creation of any "landlocked" parcels. Road Abandonments must be consistent with General Plan policies. In Darwin, this requires the merger of all contiguous lots owned by the applicant adjacent to the right-of-way to be abandoned.

**3. PLANNING DEPARTMENT MAIN APPLICATION:** The Main Application Form must be completed in its entirety with the Road Abandonment box checked and it must be signed by the person(s) requesting the abandonment. It must also include road abandonment permission letters from all other property owners with land adjacent to the area of abandonment. The Processing Fee Agreement Form must also be filled out in its entirety and accompany the Main Application Form.

**4. ENVIRONMENTAL INFORMATION FORM:** This form is included in the Main Application Package. The information requested by this form assists the County in preparing the appropriate environmental documentation as required by the California Environmental Quality Act (CEQA).

**5. ROAD ABANDONMENT APPLICATION PACKAGE:** Applications for road abandonments (and any required parcel mergers) are submitted to the Planning Department. The application must include a legal description of the right-of-way to be abandoned which has been prepared by a licensed California Registered Surveyor or Registered Civil Engineer. Submission of the following normally constitutes a complete application:

1. One original Main Application Form with the Road Abandonment box checked and the Environmental Information Form filled out.
2. One original Processing Fee Agreement Form.
3. At a minimum, one 18”x26” and one 8.5”x11” map prepared by a licensed California Registered Surveyor or Registered Civil Engineer, indicating the road and the portion of the road that is being requested for abandonment. The maps must be based off a

Current Assessor's parcel map and must show all properties adjacent to the roadway to be abandoned. The Assessor's maps may be obtained at the Inyo County Assessor's Office.

4. A legal description of the right-of-way to be abandoned which has been prepared by a licensed California Registered Surveyor or Registered Civil Engineer.
5. A list of the full names and addresses of all property owners whose property is adjacent to the road to be abandoned. This information must be taken from the latest assessed property roles of Inyo County. The sole responsibility for the accuracy of this information is that of the applicant.
6. Road Abandonment permission letters from all property owners whose property is adjacent to the road to be abandoned (see last page for example).
7. Any other documentation that you may want to submit to substantiate and support the proposed road abandonment.

**6. FILING FEES:** Fees are required to initiate the processing of the Road Abandonment. County fees for the Road Abandonment application and environmental review are indicated on the Planning Department's fee schedule.

**7. ADDITIONAL REQUIREMENTS:** Government Code Section 65402 requires a street abandonment to first be reviewed at a public hearing before the Planning Commission, including a CEQA determination and a determination as to the proposal's conformance with the County General Plan. The public hearing shall be noticed 10-days prior in a newspaper of general circulation and mailed to all property owners fronting the street or road to be abandoned. The determinations of the Planning Commission shall be adopted by resolution.

The California Streets and Highway Code 8320 Section requires a Board of Supervisors public hearing. It also requires that the Board Clerk shall fix a time and date for consideration of a Resolution of Notice of Intent to abandon the road. Planning Staff submits Board Agenda Request; Planning Commission Staff Report and Resolution: Resolution of Notice of Intent; and Resolution Ordering Abandonment (reviewed and approved by County Counsel) to Board Clerk. The Resolution of Intent shall include legal description of road to be abandoned and the time, date and place of the Board public hearing on the Resolution Ordering Abandonment.

The Board of Supervisors holds a hearing and considers Resolution of Intent pursuant to Section 8320 of Streets and Highways Code.

Notice of the public hearing to consider Resolution of Abandonment shall be given as follows (Streets and Highways Code Sections 8322 and 8323):

- (a) Planning Department posts the Resolution of Intent along the line of the right-of-way to be abandoned at least two weeks prior to the fixed day for the hearing. A minimum of three such notices shall be posted.

(b) Board Clerk runs a public hearing notice in a newspaper of general circulation at least two weeks prior to the day fixed for the public hearing.

As provided by Sections 8320 and 8324 of Streets and Highways Code, the Board conducts a public hearing and, if it approves the application, adopts the Resolution Ordering Abandonment. Board makes final CEQA determination and (if applicable) Planning Department files a CEQA Notice of Determination for the Board.

A certified copy of the Board Resolution Ordering the Abandonment is taken by the Planning Department to the County Recorder for recordation. A copy of the recorded Board Resolution is then returned to the Clerk of the Board.

**NOTE: THIS APPLICATION REQUIRES A PUBLIC HEARING BEFORE THE INYO COUNTY PLANNING COMMISSION AND A PUBLIC HEARING BEFORE THE INYO COUNTY BOARD OF SUPERVISORS. YOU OR A REPRESENTATIVE MUST BE PRESENT AT BOTH TO ANSWER ANY QUESTIONS. FAILURE TO APPEAR MAY RESULT IN THE PUBLIC HEARING BEING CONTINUED OR THE APPLICATION DENIED.**

Date: \_\_\_\_\_

To:  
Inyo County Planning Department  
PO Drawer L  
Independence, CA 93526

From:

\_\_\_\_\_  
Property Owner  
APN: \_\_\_\_\_  
Parcel Address:  
\_\_\_\_\_  
\_\_\_\_\_

Dear Inyo County Planning Department:

I hereby extend my permission for the applicant to pursue Road Abandonment No.  
\_\_\_\_\_.

\_\_\_\_\_  
Signed  
\_\_\_\_\_  
Printed Name  
Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_