



Abandonment Application Submittal Requirements

GENERAL REQUIREMENTS:

- 1. The Uniform Development Application must be typed or printed and filled in completely.
 - a. If the applicant is not the property owner, the property owner shall designate the applicant as the authorized agent to act on his or her behalf and both shall sign this application.
- 2. Abandonment petition signed by all affected property owners (i.e. property owners with an interest in property underlying right-of-way to be abandoned, all immediately adjacent owners, and any parties whose access will be affected).
- 3. A legal description prepared by a Professional Land Surveyor or a registered Civil Engineer with a registration number of RCE 33965 or lower, showing the right-of-way proposed to be abandoned.
 - a. All record information used in preparation of the legal descriptions, including documents, maps and drawings as identified in the Title Report.
 - b. Traverse calculations, showing the mathematical closure of the boundary and revised lots/parcels of the lot line adjustment, to two decimal places.
- 4. Financial Interest Disclosure Form.
- 5. Environmental Information Form if required as determined by the Planning Division per the California Environmental Quality Act.
- 6. A "Pro Forma" or a "Title Commitment" from a title company which indicates how fee title to the underlying property will vest after the right-of-way is abandoned.
- 7. Drawings:
 - a. Thirty (30) sets of abandonment map at a scale sufficient to adequately show the details of the area to be abandoned.
 - b. If larger than 8½" X 11", plans shall be folded to a size of approximately 8½" X 11". *Plans will not be accepted for filing unless folded.*
 - c. If larger than 8½" X 11", ten (10) copies reduced to 8½" X 11".
 - d. Scale of 1":100' for large areas or 1":50' for small areas.
- 8. All applicable filing fees (see adopted fee schedule).

Submit prior to Planning Commission:

- 1. 12 full-size sets of tentative map, folded to 8 ½" x 11".
- 2. One (1) set provided in electronic format on CD or DVD, AutoCAD or .jpg formats.

MAP REQUIREMENTS:

- 1. Scale, north point, and date.
- 2. Vicinity map.
- 3. Name and business address of person or firm who prepared the map.
- 4. Clearly depict the boundaries of the area to be abandoned.

- 5. Location of existing and structures and improvements in relation to area to be abandoned.
- 6. Names, existing widths and centerlines of all adjoining and contiguous streets.
- 7. Location and character of all existing and proposed street improvements, including curb and gutter, and sidewalk.
- 8. Location and character of all existing public utilities within and adjacent to area to be abandoned.

Submittal Requirements for Revised Plans (after City has accepted the application and deemed it complete)

Submittals of revised plans shall include the following:

- 1. All changes shall be designated by deltas or clouds on the revised plans.
- 2. Notes describing all changes made to the plan, keyed to the deltas or clouds.
- 3. The date that the revisions were made.

Failure to include the above requirements on revised plan will be grounds for rejecting revised plans.

FOR YOUR INFORMATION: Staff may deem additional submittal information necessary to adequately analyze the project, complete environmental review for the project, or make recommendations to the Board of Zoning Adjustment, Planning Commission or City Council. Completion of the application does not presume approval nor staff support of the application. Such approval is discretionary with the Director, Board of Zoning Adjustment, Planning Commission, and/or City Council. The Board of Zoning Adjustment, Planning Commission, or City Council may deny, modify, or conditionally approve the application.

All entitlement decisions of the Planning Commission are final unless appealed within fifteen (15) days of the date on which the decision is made. The appeal shall be in writing and filed with the City Clerk. The appeal must set for the specific reasons for the appeal. All applicable fees must accompany appeals. Building permits, certificates of occupancy, or licenses will not be issued until the appeal period has elapsed. If the entitlement decision is appealed, building permits, certificates of occupancy, or licenses will not be issued until the final decision has been made on the appeal or the appeal is withdrawn.

In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website: <https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA>