



City of Twin Falls Vacation Application

P.O. Box 1907
203 Main Ave E
Twin Falls, ID 83303
Phone: 208-735-7267
tfplanning@tfid.org

Received Date: _____

Application No.: _____

Application Fee: **\$1,500** Paid: _____

Easement

Right of Way

Platted Subdivision

A. Applicant Information

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

B. Representative Information

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

C. Request Information

- Property Address: _____
- Parcel ID: _____
- Present Use of Property: _____
- Proposed Land Use: _____
- Land Area of Proposed Property to be vacated: _____
- Current Zoning District: _____

The following items must be included with the application at the time of submission.

D. Submittal Requirements

- **Proof of Property Control** (provide one of the following)
 - Deed
 - Lease Agreement
 - Written Consent
 - Earnest Money Agreement (signed by buyer and seller)

- **Vicinity Map** to scale on 8.5" x 11" paper of the subject property (to include the following along with any additional requirements)
 - Measurement Scale
 - Property Lines
 - North Arrow
 - Street Names
 - Showing in detail the area requested to be vacated, identifying all affected properties.
- **Written Statements (Property Owners)**
A written statement from each of the owners of the aforesaid lots indicating whether they agree with vacating the proposed right of way
- **Written Statements (Utility Companies)**
A written statement from each of the utility companies granted rights to the easement, on utility company letterhead, indicating whether they agree with vacating the easement. (sample letter included)
- **Legal metes and bounds description**, prepared and stamped by a **Professional Land Surveyor** for the proposed vacation and each property to be included in the request.
- **Public Notification Materials**
A property owner list must be provided and contain the names and addresses of all property owners within the specified radius of the subject property perimeter as listed below. This list may be obtained from one of the following:
 - Twin Falls County Assessor's Office
 - A Title Company of your choice

<u>Zoning District of Subject Property</u>	<u>Notification Distance</u>
AG, RR, TN-1, TN-2, OS	500 FT
TN-3, AP, CC, COM, MU, CMT, CSI	750 FT
IND-1, IND-2	1000 FT

The Planning & Zoning Director may require notification to additional areas which may be impacted by the proposed change.

Applicant Acknowledgement

I certify that the information provided in this application, and all submitted material is accurate and complete to the best of my knowledge.

Applicant/Signature: _____

Printed Name: _____ Date: _____

Incomplete applications will not be accepted or scheduled for review.

Per State Statutes §50-13

All vacation requests for public notice notifications must be mailed by certified mail 15 days prior to the public hearing.

Ordinance publication fee (Annexation, Vacation, ZDA, Rezones)

The cost of publication of an ordinance which implements this request is not included in the fee. The publication cost is the responsibility of the applicant. Your request is not final until publication of the implementing ordinance. Pursuant to State law, the implementing ordinance must be published within one month of passage to become effective.

Upon approval of the vacation request, the applicant shall prepare Quitclaim Deeds to dedicate the required Right-of-Way for the property.

Refund Policy

A refund for a portion of the application fee may be granted, provided a **written request** is made by the applicant, requesting the withdrawal of the application, and is subject to the guidelines listed below:

- **85%** of the application fee may be refunded if no staff application review has been conducted.
- **50%** of the application fee may be refunded once staff review has been conducted. (within 35 days of Public Hearing)
- **No** refund for permit applications withdrawn after the Public Hearing Agenda has been posted or within 48 hours of the Public Hearing

Application and Decision Process Public Hearings

1. Contact the Planning & Zoning Department (735-7267 or 203 Main Avenue East) to confirm zoning requirements and procedures.
2. Submit a complete application with required attachments and fees. **(Milestone 1)**
3. Staff reviews the application and requests additional information if needed.
4. Once deemed complete, staff schedules the request for a public hearing. **(Milestone 2)**
5. Staff will publish the public hearing notice in the *Times News* and email a Public Notice Packet to the applicant.
6. The applicant mails notice letters by certified mail to required property owners, posts the notice sign, and submits a signed Affidavit of Mailing and Posting by the deadline. *(Failure to comply will result in removal from the agenda.)*
7. Staff will generate a staff report and analysis of the request with recommendations.
8. The staff report will be emailed to the applicant prior to the hearing. **(Milestone 3)**
9. The Planning & Zoning Commission will hold a public hearing and consider the staff, applicants, and public testimony prior to deliberation.
10. The Commission deliberates and makes a final decision or forwards their recommendation to the City Council.
11. Recommendations forwarded to the City Council repeat the public notice process for public hearings.
12. The City Council holds a public hearing and makes a final decision based on the record, testimony and recommendations.
13. Commission decisions may be appealed to the City Council within 15 days of action by submitting a completed appeal application and fee.
14. Upon appeal, the City Council schedules a public hearing and may uphold, conditionally uphold, or overrule the decision.

SAMPLE LETTER

UTILITY COMPANY LETTERHEAD

DATE

To Whom It May Concern:

We, the undersigned public utility company/adjoining property owner, _____, release rights for the _____' x _____' street right-of-way AKA COMMON NAME OF STREET and/or utility easement that is located _____ or located between Lots _____, Block _____, in the _____ Subdivision, Twin Falls, Idaho.

_____, Title
Utility Company/Property Owner
Address