



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

VACATION OF EASEMENT (VOE) APPLICATION PACKET

FREQUENTLY ASKED QUESTIONS:

What is an easement?

An easement is generally defined as one party's right to use land owned by another party. Title 16 Subdivision of the Franklin County Code additionally states an easement means a grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for a specific purpose and on or over which the owner will not erect any permanent improvements which serve to interfere with the free exercise of that right.

It is typical in Franklin County that an easement is a grant of land reserved for public utilities, drainage, or other public facilities. Such easements allow the utility companies the right to perform work within the area of the easement, such as install and maintain utility lines. Often the County will require an easement be deeded or dedicated (shown on the plat) at the time of initial development, which is typically the short plat or subdivision stage. The County does this to ensure that utility service will be available to the land in question, or in some circumstances, to abutting land owners. Most newly created lots in residential subdivisions contain standard lot easements along either the front, side, or rear property lines for this purpose.

What is a vacation of easement?

When an easement is vacated, the right of one party to use land owned by another is removed. The property owner would no longer be restricted from making improvements in an easement area. The County allows landowners to eliminate or "vacate" an easement when it is determined that the easement is not being used, and there is no apparent use of the easement in the future.

How do I vacate an easement?

The Planning and Building Department staff will assist you through the application and review process of a vacation of easement. The final decision regarding a vacation of easement request is made by the Board of County Commissioners at the completion of a public hearing to review the request. In this decision making process, all established standards, criteria, and policies regarding the easement will be reviewed.

How do I apply for a Vacation of Easement?

To begin the process, please contact the Planning and Building Department at 509-545-3521, visit our office at 502 W. Boeing Street, Pasco, WA 99301 or visit our website at <http://www.franklincountywa.gov/>.

A pre-application meeting with the Planning and Building Department staff is encouraged for all Vacation of Easement Applications. Please call the Planning and Building Department at 509-545-3521 or visit our office.

Complete applications are to be submitted to the Planning and Building Department.



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The following minimum application requirements shall be submitted:

1. General Land Development Application;
2. Fees (see application checklist);
3. Written description explaining the proposed change to the text including affected code sections;
4. Petition information for a change in zoning. Please see Franklin County Code 17.84.030 for requirements (<https://library.municode.com/index.aspx?clientId=16300>).

What happens after I apply?

During the time prior to the public hearing, the Planning and Building Department staff will notify in writing (copy of public hearing notice) all the property owners of record within 500 feet of your property (if within an Urban Growth Boundary) or 1 mile of your property (if located outside an Urban Growth Boundary).

Additionally, the staff will conduct a review of your request and will do the following:

1. Establish a hearing date for the request;
2. Send notification of the hearing to local newspapers;
3. Send notification of the request to applicable technical agencies for comments;
4. Send notification of the request to neighboring landowners (see above);
5. Compile public and agency comments to help develop a Staff Report for the hearing.

What happens at the public hearing?

An open record hearing (public hearing) is held to review your request. The applicant or representative is encouraged to be present to discuss and answer any questions the Board of County Commissioners or public may have. Anyone who wants to testify for or against your request will be allowed to do so.

When do I find out if my request was approved or denied?

At conclusion of this public hearing, the Board of County Commissioners will make a final decision to approve, modify, or deny the vacation of easement request.

*- Keep this section for your records -
- Return the following completed pages with your application -*



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VACATION OF EASEMENT (VOE) APPLICATION SUPPLEMENT

Submittal Checklist:

<input type="checkbox"/>	<p>Vacation of Easement Fee: \$300.00 Check made payable to the Franklin County Planning and Building Department</p>
<input type="checkbox"/>	<p>Variance Report Fee: \$80.00 Check made payable to the Franklin County Planning and Building Department.</p> <p>This report includes (and is mailed to) the adjoining Property Owner's names and addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary).</p> <p><i>Please note: the typical thirty (30) day review period requirement will not begin until this Variance Report is completed.</i></p>
<input type="checkbox"/>	<p>General Land Development Application – See last two pages of packet</p>
<input type="checkbox"/>	<p>Site Plan On a sheet of 8.5"x11" or 11"x17" paper, drawn neatly and to scale, please provide the following:</p> <ul style="list-style-type: none"> • North arrow • Legend, must state the Owner/Applicant name, date the site plan was drawn, tax parcel number, and scale • Exterior property lines and any adjacent public street or alley rights-of-way • All easements, including the easement proposed to be vacated • Existing and proposed points of ingress and egress, drives and driveways, and circulation pattern • Existing and proposed buildings, and other structures • Location of all utilities (power, water, etc.)
<input type="checkbox"/>	<p>Copy of Recorded Document Copy of the recorded short plat or subdivision plat, which identifies the easement to be vacated</p>
<input type="checkbox"/>	<p>Written approval by all with interests Provide copies of written approval from the property owner(s) of the easement, all with use of the easement, and any applicable utility company or agency</p>
<input type="checkbox"/>	<p>Attach Property Information <u>Proposed or recorded</u> Covenants, Conditions and Restrictions (CC&Rs) or deed restrictions pertaining to or affecting the property (if any), Latecomers agreements</p>
<input type="checkbox"/>	<p>Written narrative addressing the following: Provide an attachment with a written explanation of the project stating the: who, what, where, when, and the how of the proposal. State why the easement needs to be vacated. Please be as detailed as possible.</p>



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Vacation of Easement Supplemental Information

Current Zoning:	Parent Lot/Parcel Size (Gross Acreage):
Are any of the following features (natural or man-made) located on the property? (Check all that apply and include on the site plan) <input type="checkbox"/> Ponds <input type="checkbox"/> Lakes <input type="checkbox"/> Streams/Rivers <input type="checkbox"/> Wetlands <input type="checkbox"/> Floodplains <input type="checkbox"/> Floodway <input type="checkbox"/> Irrigation Ditches <input type="checkbox"/> Canals <input type="checkbox"/> Steep Slopes (Greater than 15%)	
Irrigation Source:	<input type="checkbox"/> SCBID <input type="checkbox"/> FCID <input type="checkbox"/> Private <input type="checkbox"/> None
Domestic Water Supply:	<input type="checkbox"/> On-Site Well <input type="checkbox"/> City Water <input type="checkbox"/> Farm Exempt Well (provide documentation) <input type="checkbox"/> Community Well (Well ID # and location):
Sewage Disposal:	<input type="checkbox"/> On-Site Septic <input type="checkbox"/> City Sewer <input type="checkbox"/> Other (Specify):
List Existing or Proposed Utility Providers: Power: _____ Cable/Broadband: _____ Natural Gas: _____ Landline Phone (if applicable): _____ Sanitary Waste Disposal: _____ Other (if not listed): _____	
Present use of the land and structures, if any: 	

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

Owner (signature)

Applicant/Representative (signature)

Print Name

Print Name

Date signed 20____

Date signed 20____



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GENERAL LAND DEVELOPMENT APPLICATION

FOR STAFF USE ONLY	FILE #:	<i>S T A M P H E R E:</i>
	Total Fees:	Date deemed complete:
	Receipt #:	Pre-App Meeting Date:
	Reviewed By:	Hearing Date:

CHECK ALL THAT APPLY AND ATTACH SUPPLEMENTAL FORM(S):	<input type="checkbox"/> Alteration/Vacation of Easement	<input type="checkbox"/> SEPA – Environmental Checklist
	<input type="checkbox"/> Appeal (File # of item appealed: _____)	<input type="checkbox"/> Shoreline Permit
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Shoreline – Conditional Use Permit
	<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Shoreline – Exemption
	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Shoreline – Non-Conforming
	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline – Substantial Development
	<input type="checkbox"/> Critical Areas Determination/Review Reasonable Use Determination	<input type="checkbox"/> Shoreline – Variance
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Short Plat
	<input type="checkbox"/> H2A Farm Worker Housing (Zoning Review)	<input type="checkbox"/> Subdivision (Long Plat)
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Variance
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Zone Change (Rezone)
	<input type="checkbox"/> Other:	<input type="checkbox"/> Zoning Interpretation/Administrative Decision

CONTACT INFORMATION (Please provide all necessary information and checkmark the primary contact)

<input type="checkbox"/>	<p><u>Property Owner</u></p> <p>Name: _____ Mailing Address: _____</p> <p>Phone Number: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><u>Applicant/Agent/Contractor (if different)</u></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><u>Surveyor/Engineer</u></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>



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PROPERTY INFORMATION

Parcel Number(s) (9-digit tax number):
Legal Description of Property:
Site Address: (describe location if no address is assigned)

BRIEF DESCRIPTION OF PROJECT OR REQUEST

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- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current pricing of fees.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Please ensure that all required information is submitted along with this application form.
- If the property is owned by a trust, corporation, or LLC, please attach documentation showing that the person signing as the “owner” has the authority to sign on behalf of the trust, corporation, or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning and Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

This authorizes the designated Applicant’s representative (if applicable) to act on behalf of the applicant for the processing of this request.

_____	_____	_____	_____
Owner (Signature)	Date	Applicant/Representative (Signature)	Date

_____	_____	_____	_____
Owner (Print Name)	Date	Applicant/Representative (Print Name)	Date