



## Department of Public Works Jefferson County, Washington

623 Sheridan Street  
Port Townsend, WA 98368  
360-385-9160

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### VACATION OF COUNTY ROAD RIGHT-OF-WAY

You may petition the Board of County Commissioners to eliminate public interest in a public road or right-of-way. Private rights, interest or utility easements may still encumber the proposed vacation area.

Because road vacations require a public hearing, it is prudent to get neighborhood support before starting this process and incurring fees. Road vacations are typically denied if:

- The vacation would cut off or degrade access for someone else's parcel.
- The right-of-way leads to water.
- Public comment shows that neighbors are opposed to the idea.

To petition for a road vacation, you must submit these items to Jefferson County Public Works:

- An application to vacate a county right-of-way (attached).
- A map showing the right-of-way you wish to vacate.
- The \$1,396.75 application fee payable to Jefferson County Public Works.

Public Works will provide you a petition and name you the "primary petitioner." In this role, you must:

- Get signatures from the owners of at least 51% of the frontage of the proposed vacation area.
  - The Jefferson County Assessor's Office will verify property ownership of the individuals who sign the petition.
- Have a Washington State licensed appraiser appraise the proposed vacation area.
- Submit the signatures and appraisal to Public Works within one year.
  - If you do not return the petition within one year of the issue date, the procedure ends and you forfeit your application fee.

Public Works will notify all property owners within 300 feet of the proposed vacation area, as well as agencies that may be affected by or have comments on the proposed vacation.

The County Engineer will review the petition and recommend its approval or denial to the Hearing Examiner and County Commissioners.

The Jefferson County Hearing Examiner will conduct a public hearing on the proposed vacation, consider all comments received, and recommend that the County Commissioners either approve or deny the petition.

The County Commissioners will review County Engineer and Hearing Examiner recommendations and vote to approve or deny the petition.

If approved, the County Commissioners will sign the vacation resolution. At this time, you must pay any outstanding costs plus half of the appraised value of the vacated property before the resolution is recorded. You must pay these costs within one year of the approved vacation.

If denied, you must pay any outstanding costs, i.e. postage, staff time, copy fees, filing fees and unpaid publication fees.

### ROAD VACATION REVIEW CRITERIA – JCC 12.10.110

Road vacation petitions shall be reviewed according to the following criteria:

1. The proposed road vacation ***complies with the Jefferson County Comprehensive Plan*** and any other applicable plans, policies, or ordinances.
2. ***Roads should not be closed, vacated, or abandoned when land uses or development plans, or occurring patterns, indicate their usefulness for area circulation.*** Prior to a vacation decision, an examination should be made of its probable effect on overall area circulation in the neighborhood. Single or multiple vacations should be considered a positive tool toward improving neighborhood circulation and accesses.
3. The effectiveness of fire, medical, law enforcement, or other ***emergency services should not be impaired by the closure, vacation, or abandonment*** of county roads. Appropriate authorities should be consulted with respect to this policy.
4. ***Roads should not be closed, vacated, or abandoned when such routes can effectively be used for utility corridors.*** Suitable utility easements could be retained as a means of satisfying this policy. Public and private utility companies and their plans should be consulted with respect to this policy. (In accordance with RCW 36.87.140, the Board of County Commissioners may retain an easement within the subject vacated area for the construction, repair, and maintenance of public utilities and services).
5. ***Roads should not be closed, vacated, or abandoned when such routes can effectively be used for trails or pathways.*** Suitable trail easements could be retained as a means of satisfying this policy. The Jefferson County Parks, Recreation, and Open Space Plan should be used as a guide to determine trail needs.
6. In compliance with RCW 36.87.130, ***no county road or part thereof should be vacated that abuts on a body of salt or fresh water***, unless the vacation is to enable any public authority to acquire the vacated property for port purposes, boat moorage, or launching sites or for park, viewpoint, recreational, education, or other public purposes, or unless the property is zoned for industrial purposes.
7. The proposed vacation will ***not land lock any parcel of property.***

To learn more about the laws governing the road vacation process, read Revised Code of Washington, Title 36, Chapter 87 at <http://apps.leg.wa.gov/rcw/default.aspx?cite=36.87> and Jefferson County Code, Title 12, Chapter 10 at <http://www.codepublishing.com/WA/JeffersonCounty/>.



# Department of Public Works

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**Office use only**

Receipt # \_\_\_\_\_

Check # \_\_\_\_\_

Date paid \_\_\_\_\_

## APPLICATION TO VACATE COUNTY RIGHT-OF-WAY

### \$1396.75 Fee

Make check payable to Jefferson County.

### Applicant Information

Property Owner \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

### Designation of Agent *(fill out only if applicable)*

Designated Agent \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

### Project Information

Description of request: \_\_\_\_\_

Purpose: \_\_\_\_\_

Legal description: \_\_\_\_\_

Property parcel number(s): \_\_\_\_\_

Road name: \_\_\_\_\_

Status *(i.e. platted, unopened, opened, usage)*: \_\_\_\_\_

### Site Map

Attach a site plan, survey or map that identifies the right-of-way to be vacated and the parcels you own.

### Optional Attachments

Letters of support from adjoining property owners

Additional legal description information

Property title report

Other (describe) \_\_\_\_\_

Historical data or maps of the road to be vacated

### Signature

Property Owner Signature \_\_\_\_\_

Date \_\_\_\_\_