



**CITY OF HOQUIAM
PUBLIC WORKS DEPARTMENT**

Brian Shay
City Administrator

STREET VACATION APPLICATION

This application packet is designed to obtain all the information necessary to allow the City to make a well-informed decision on your application. Please refer to the attached application checklist to determine the materials which must be submitted to complete your application. All application materials are public information. Your application will be evaluated on the basis of the information you provide, the criteria listed in the pertinent section of the Municipal Code, the Hoquiam Comprehensive Land Use Plan, other City regulatory ordinances, inspection of the property, as well as testimony and evidence presented through public comments.

Copies of City ordinances such as the Municipal Code, Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and Shoreline Master Program are available at the Public Works Department in City Hall, 609 8th Street, and online at www.cityofhoquiam.com.

PETITION TO VACATE A STREET, ALLEY OR PUBLIC EASEMENT

Name of person filing petition (Agent): _____

Address: _____

Phone: _____

Legal description of street, alley, or public easement to be vacated:

Assessor's Parcel Number: _____

Does the street, alley, public easement or part thereof abut any body of water? _____
If so, please describe:

Will the vacation result in any parcel of land being denied direct access?

How is the vacation in the public interest?

Size of street, alley, public easement, or part thereof to be vacated (in square feet):

PETITION TO VACATE A STREET, ALLEY OR PUBLIC EASEMENT

We, the owners of two-thirds of the real property abutting the street, alley, or part thereof, or underlying the public easement, or part thereof, legally described on page 1 of this Petition, petition the City Council of the City of Hoquiam to vacate this street, alley, or public easement, or part thereof:

NAME (please print)

ADDRESS

NOTE: If any petitioner is purchasing the property under a real estate contract, the signature of the contract seller is also required.

APPLICATION CHECKLIST: STREET VACATION

The following is a list of materials which must be submitted with your application. For some applications, it will not be necessary to submit all of the listed materials. Consult with the Public Works Department if you have questions. Please do not turn in your application until all materials which apply to your proposal have been checked off. A hearing date will not be assigned until your application materials are complete.

RETURN THIS CHECKLIST WITH APPLICATION

Pre-Submittal Meeting

A meeting with a planner is recommended prior to submittal.

Application

- A petition form signed by the owners of more than two-thirds of the lineal frontage of the property abutting the portion of the street or alley to be vacated, or in the case of an easement, more than two-thirds of the property underlying the portion of the easement to be vacated. If any petitioner is purchasing abutting or underlying property under a real estate contract, the seller of that property must also sign the vacation petition.
- A statement of why the proposed vacation is in the public interest.
- A statement explaining how no property will be denied direct access as a result of the vacation.
- A legal description of the street, alley or easement to be vacated; together with a statement certifying the validity of the legal description, signed by a licensed surveyor or registered engineer. The requirement for certifying the legal description may be waived by the Public Works Director if he/she or his/her designee certified to the validity of the legal description.

Fees

- A nonrefundable payment to the City of Hoquiam for the street vacation fee (see fee schedule)

Plans

- Five (5) copies of dimensioned plans, drawn at 1" = 100' showing the street, alley, easement, or part thereof to be vacated, and showing all properties with subdivision blocks, lots, and specifying open and unopen rights-of-way for a radius of 400 feet from any boundary of the street, alley, easement, or part thereof to be vacated. The map must designate alternate access ways if the vacation will have the effect of eliminating access to or from any property. The map must also identify each petitioner's property.

LIMITATION ON AUTHORITY:

The City may not vacate any street, alley, easement, or part thereof that abuts any body of water unless-

- (1) The vacation is sought to enable the City to acquire the property for port purposes, beach or water access purposes, boat moorage or launching sites, park, public view, recreation, or educational purposes, or other public uses;
- (2) The City, by resolution of its legislative authority, declares that the street or alley is not presently being used as a street or alley and that the street or alley is not suitable for any of the following purposes: Port, beach or water access, boat moorage, launching sites, park, public view, recreation, or education; or
- (3) The vacation is sought to enable the City to implement a plan, adopted by resolution or ordinance, that provides comparable or improved public access to the same shoreline area to which the streets or alleys sought to be vacated abut, had the properties included in the plan not been vacated.

Notes:

1. If at any time prior to the public hearing, 50 percent or more of all the owners of property abutting the street, alley or part thereof, or underlying the easement or part thereof, to be vacated file a written objection to the vacation with the Department of Public Works, the City may not hold a public hearing or grant the vacation.
2. If City Council grants the vacation, it may require monetary compensation, land dedication, and/or an easement for public utilities. This monetary compensation, dedication, or easement requirement must be fulfilled by the person filing the petition before the Ordinance granting the vacation will be signed by the Finance Director, and recorded with the Grays Harbor County Auditor. The vacation does not take effect until the Ordinance is recorded with the Auditor.
3. The owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate the City in an amount which does not exceed one-half the appraised value of the area so vacated. If the street or alley has been part of a dedicated public right-of-way for twenty-five years or more, or if the subject property or portions thereof were acquired at public expense, the City may require the owners of the property abutting the street or alley to compensate the City in an amount that does not exceed the full appraised value of the area vacated.
4. If the application for vacation is approved by City Council, the area to be vacated shall be appraised at the cost of the applicant.

Street Vacation Application Checklist (for City Staff only)

Application submitted to City Staff: _____

Application fee paid: _____

Application determined complete: _____

Application routed to City Departments for review: _____

Staff report complete: _____

City Council sets time for public hearing by resolution: _____

Date of public hearing (not more than 60 days or less than 20 days after the date of passage of the resolution): _____

Public notice posted on area proposed to be vacated: _____

Public notice posted in three public places (publish in Vidette included):

Ordinance passed (Y/N)

Property appraised (Y/N)

Appraised value paid in full less the value of the permit fee: _____

Ordinance recorded by Finance Director: _____

Ordinance recorded by County Auditor: _____