



# STREET VACATION OVERVIEW

**Community & Economic Development**

City of Arlington • 18204 59<sup>th</sup> Avenue NE • Arlington, WA 98223 • Phone (360) 403-3551

---

## Vacating Streets, Alleys and Other Public Rights-of-Ways

AMC Title 12.18

### **The Petition:**

A Petition requesting the vacation of a street, alley, or other public right-of-way should be filed with the City of Arlington's Community & Economic Development Department.

The application must be signed by the owners of at least 2/3 of the property owners bordering the proposed right-of-way to be vacated. However, we recommend that you obtain 100% of the bordering owners' signatures. In addition, please attach a map of the area proposed for vacation.

When the application is filed, a non-refundable filing fee must accompany the application. (*Per current fee resolution*)

The application should explain:

- The public benefits of the project
- The reasons for the proposed vacation, and
- The limits of the project.

The applicant may attach additional information to the petition form as needed.

The property owner is responsible for paying for the expense of closing the right-of-way. This cost may include removal and replacement of concrete, asphalt, and other items.

### **Proposal Review:**

When the application is filed, Community & Economic Development will review the vacation proposal. Copies of the application will be sent to all concerned City Departments and private utilities.

### **Public Hearing:**

The Arlington City Council will (by resolution) set a date of a public hearing on the request for vacation before the City Council. This hearing will take place not less than twenty days or more than sixty days after the passage of the resolution.

The City will give at least twenty days' notice of a public hearing of the proposed vacation in the manner required by RCW 35.79.020. The property will be posted and adjacent property owners will be notified of the proposed vacation by mail.

Prior to the public hearing Community & Economic Development will make a recommendation as to the project's feasibility to the City Council. The recommendation will include the specific requirements of the vacation, such as drainage, street closure and necessary easements. The proponent must meet these requirements before the vacation ordinance receives City Council approval. In addition, the proposed street vacation will be referred to the city planning commission for their review and consideration. The Planning Commission may report to the City Council any recommendations, findings or advice it has regarding the proposed street vacation.

**Payment for Land:**

At the time of adopting the resolution for a public hearing, the city council may, if it chooses, require the petitioner to obtain, at the petitioner's expense, an appraisal by an appraiser acceptable to the city as a condition of proceeding with the street vacation. The City Council may, but is not required to, condition the street vacation upon the payment of compensation by the petitioners within a fixed time by the petitioners. The City Council may also, when it deems it appropriate, waive the right to compensation. Any compensation that the council may require shall be consistent with state law.

**City Council Action:**

If the City Council approves the vacation petition, Community & Economic Development will submit an ordinance to the City Council which outlines the terms and conditions of the vacation. The ordinance may retain easements or the right to grant easements for the construction, repair, and maintenance of public and private utilities and services.