



City Council

Approval of Resolution Setting a Public Hearing Date for Consideration of a Street Vacation Petition

Agenda Date: 7/26/2016
Agenda Item Number: 4.B
File Number: 16-0794

Type: resolution **Version:** 1 **Status:** Filed

Title

Approval of Resolution Setting a Public Hearing Date for Consideration of a Street Vacation Petition

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve a resolution to schedule a Public Hearing on August 30, 2016 to hear public testimony regarding the vacation petition of a portion of Cherry Street south of 8th Ave SE and north of 9th Ave SE.

Report

Issue:

Whether to schedule a public hearing on August 30, 2016 to hear public testimony regarding the vacation petition.

Staff Contact:

Ladd F. Cluff, City Surveyor, Public Works Engineering, 360.753.8389

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

The property owner adjacent to City right-of-way has asked the City to initiate the process to abandon a portion of Cherry Street south of 8th Ave SE and north of 9th Ave SE.

Under state law RCW 35.79.010, the Council is required to adopt a resolution to set the public hearing date prior to acting on a right-of-way vacation petition. The statute states in part:

RCW 35.79.010

Petition by owners -- Fixing time for hearing.

The owners of an interest in any real estate abutting upon any street or alley who may desire to

vacate the street or alley, or any part thereof, may petition the legislative authority to make vacation, giving a description of the property to be vacated, or the legislative authority may itself initiate by resolution such vacation procedure. The petition or resolution shall be filed with the city or town clerk, and, if the petition is signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated, legislative authority by resolution shall fix a time when the petition will be heard and determined by such authority or a committee thereof, which time shall not be more than sixty days nor less than twenty days after the date of the passage of such resolution.

Neighborhood/Community Interests (if known):

The public hearing will provide an opportunity for Council to hear from the community on the requested vacation.

Options:

Option 1. Pass the resolution setting August 30, 2016 as the date for the Public Hearing. This is within the required timeline of the proposed resolution.

Option 2. Reject the resolution setting the August 30, 2016 as the date for the Public Hearing. Staff will work with Council to set another Public Hearing date that meets the statutory requirements.

Financial Impact:

None

Attachments:

Resolution
Vicinity Map