



Type V Review

Street Vacation Application

Fee: \$2,625.00 | File No. _____

(Fee includes a 5% technology charge.)

Applicability: A **street vacation** application is used to request that the public's interest in street right-of-way be extinguished. The vacation process is prescribed in Oregon Revised Statutes, Chapter 271.

Applicant:	
Address:	
Email Address:	
Phone(s):	
Owner (if different from above):	
Owner Address:	
Phone:	
Vacation Type: <input type="radio"/> Alley <input type="radio"/> Easement <input type="radio"/> Street	
Location:	Zone:
Is the proposed vacation site currently in use? If yes, what is the current use?	
Surrounding Uses:	
North:	South:
East:	West:
Reason for Request:	
Identify the Tax Lots that abut the proposed vacation site:	

Submittal Requirements (1 copy that includes original signatures + one electronic copy of all information)

- Title report for each parcel adjacent to the area proposed for vacation, and a vicinity map of the area.
- Vicinity Map
- Written response to the right-of-way vacation application criteria per ORS 271.130 listed below.
 1. Obtain consent from the owners of all abutting property and at least 2/3 majority consent of owners in the affected area (See Map for “owners in the affected area”).
 2. Where owner consent has not been provided, the vacation will not significantly affect the value of the abutting properties, unless the City provides for paying damages.
 3. Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.

Approval cannot be granted unless the above criteria have been satisfied. The burden of proof, or demonstration of compliance with the criteria, is the responsibility of the applicant and not the city. The following questions and comments are intended to assist you in responding to the criteria.

1. What is the proposed use for the site?
2. Identify the specific public need to vacate this right-of-way.
3. What impacts will this street vacation have upon public services such as police and fire protection, sewer, water, electrical utilities and access thereto?
4. Identify specific impacts this vacation will have on abutting property owners.

I attest that to the best of my knowledge the information provided herein and attached is accurate; and certify that approval of the vacation does not create a violation of any other code standard or previous land use approval.

Applicant Signature Date

Owner Signature Date

Print Name

Print Name

Process

Overview: Per ORS271.080: Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may apply for a Vacation with a description of the ground proposed to be vacated, the purpose for which it is proposed to be used for and the reason for such vacation. In the vacation of any Right-of-Way thereof the consent of the owner or owners shall be obtained in writing.

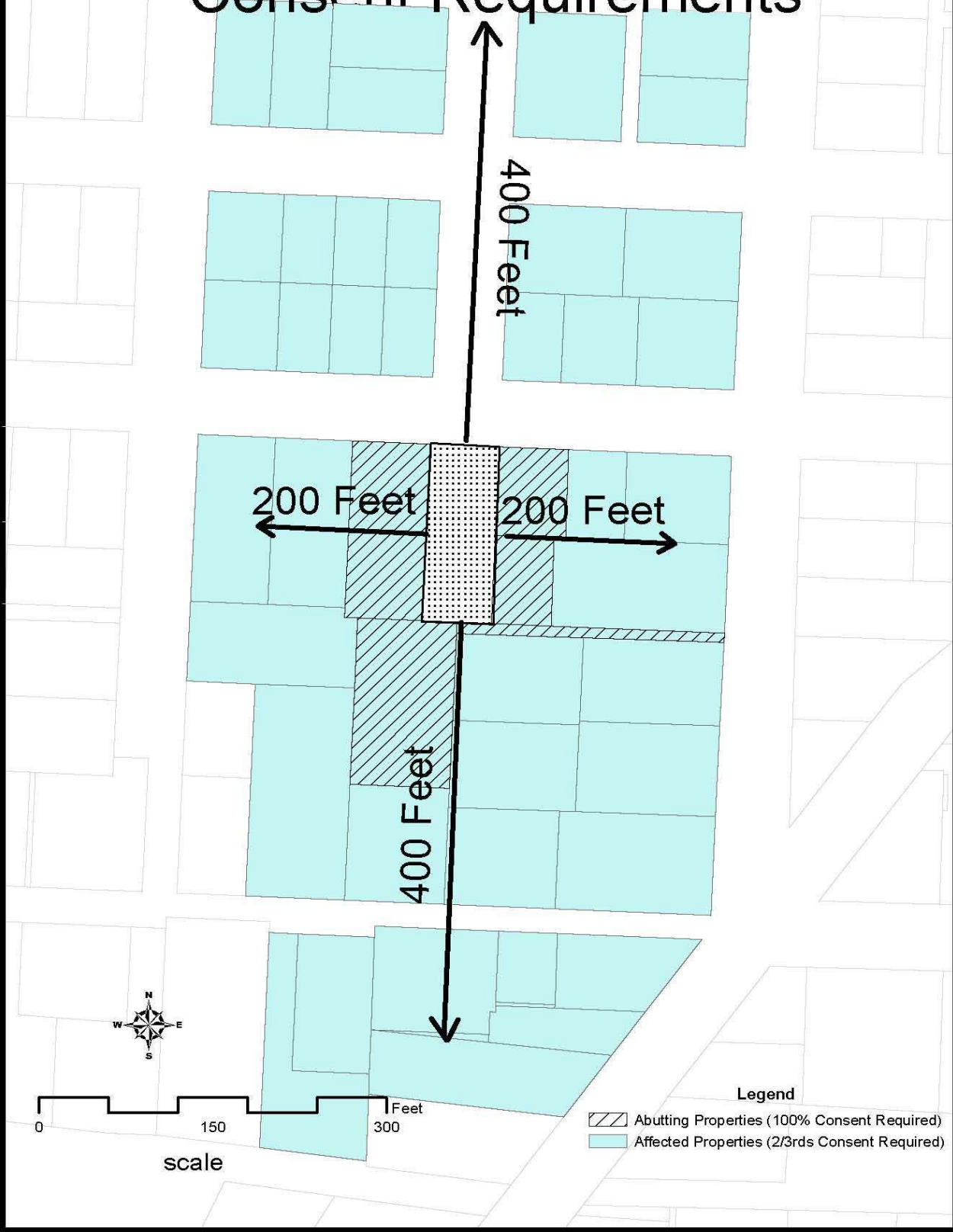
Submit Application

- Pay fees
- Complete application form(s)
- Owners abutting the proposed vacation site must sign the application or submit letters of consent.
- Submit required information.

Processing

- Staff will perform a completeness check of the application and notify applicant(s) of any information that is missing or incomplete. Processing time 0 to 30 days.
- Staff will route the application to all City departments and utility agencies for their review.
- The City Council will set a hearing date for a future City Council Hearing on the matter. Once the hearing date is set, the City will advertise the public hearing date in the Newberg Graphic for two (2) weeks prior to the scheduled Council hearing on this matter; and will post notice at, or near, each end of the proposed vacation location.
- Staff will prepare a written report for review by the City Council. A copy will be available for review seven (7) days prior to the hearing. A copy will be sent to the applicant seven (7) days prior to the hearing.
- A public hearing will be held by the City Council. At the hearing, the applicant and all interested parties are encouraged to testify. Testimony may be given orally or in writing. After public testimony, the City Council may approve, deny, table, or continue the item.
- If approved, the County Clerk's office will be notified of the Council action. Title to the vacated property will be divided among the abutting property owners.

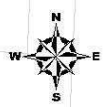
Right-of-way Vacation Consent Requirements



200 Feet 200 Feet

400 Feet

400 Feet



0 150 300 Feet
scale

Legend

- Abutting Properties (100% Consent Required)
- Affected Properties (2/3rds Consent Required)

