

PROCEDURAL GUIDELINES FOR RIGHT-OF-WAY(ROW) VACATION PETITIONS

City of Yakima Council Resolution # D-5630 (Adopted 9/12/89)

SUBMIT COMPLETE APPLICATION

Once a petition, application form and fee have been filed the petition and application will be reviewed by the staff to determine completeness. When it is determined to be sufficient, the City Clerk will be notified and a petition number assigned.

TECHNICAL MEETING

The applicant will be invited but not required to attend a Development Services Team (DST) meeting where personnel from the Planning Division and other City departments such as Engineering, Building Codes, Utilities and Fire will meet to provide technical comments on the proposal. Using the comments the Planning Division will draft a recommendation to the Hearing Examiner.

NOTICE OF HEARING

The City Council must set the date of public hearing by Resolution during regular meeting of the Yakima City Council. The hearing will be held by the Hearing Examiner and must occur between 20 and 60 days after the Council meeting.

POSTING

All postings must occur at least 20 days prior to the public hearing. (Please ask Planning Division staff or refer to the 'Property Postings for Hearings' handout for posting requirements)

FINAL DECISION

The hearing examiner will use suggestions presented by the Planning Division along with evidence collected at the public hearing in order to make a suggestion of approval, denial or approval under conditions to the City Council. The City Council public hearing is a two step process. First a public meeting is held to set the date for public hearing and then the public hearing is held to affirm or reject the Hearing Examiner recommendation. (Posting must be revised.)

ORDINANCE FOR RIGHT-OF-WAY VACATION

If the Hearing Examiner's recommendation is for approval and the City Council affirms this recommendation, the City Legal Department will prepare an Ordinance to enact the right-of-way vacation which includes the following terms and conditions: 1) The compensation required, as specified in Resolution D-5630; 2) Whether an easement will be retained, for what purpose, its location and width; 3) The length of time the petitioners will be allotted to complete the required improvements and submit the compensation to the City of Yakima, after which time the Ordinance becomes null and void. 4) Other conditions specified in the Hearing Examiner's written recommendation.