



## STANDARD PROCEDURES FOR RIGHT-OF-WAY VACATION REQUESTS

1. Requests to vacate a street, alley, or right-of-way must be made in writing.
  - a) The applicant must submit a completed petition to the City Clerk. (See attached **Exhibit "A"**)
  - b) The petition must be signed by owners of more than two-thirds of the property abutting the part of such street, alley, or right-of-way.
  - c) Attach a copy of the County Assessor's map showing the proposed property and all properties that share a boundary with the proposed vacation.
  - d) For at least five adjacent or neighboring properties provide the size of the property in square feet and the assessed value of the property. (This information is available from the County Assessor's Office.) Alternatively, the applicant may provide a professional appraisal of the property's value per square foot.

Note: If the City initiates a vacation, the property owners abutting the property to be vacated shall be notified. If fifty percent of the abutting property owners file written objection before the date of the public hearing, the City shall be prohibited from proceeding with the vacation.

2. The City Clerk shall review all Vacation Requests to ensure that they are complete. Incomplete or insufficient submissions will be returned to the applicant.
3. The petition shall then be forwarded to the Public Works Department where a case file will be opened and maintained. Staff shall:
  - a) Notify the applicant that a case file has been opened and provide an outline of the approval process. (See attached Exhibit "B")
  - b) Solicit comments from Finance, Fire and Police departments and the Public Works Operation Division and allow ten days for a response.
  - c) Compile all comments made and submit to the Public Works Director.
4. The Public Works Director will review all pertinent material and make a recommendation to City Council to schedule a public hearing.
5. The Council, by resolution, shall fix a time for a public hearing, not less than 20 days nor more than 60 days from the passage of the resolution. A public notice shall be posted not less than 20 days prior to the public hearing.
6. Once Council has set the date of the public hearing, the City shall give twenty days notice prior to the public hearing.



Details for notices of public hearings:

a) Posting of Property

Per RCW 35.79.020, a written notice shall be posted in three of the most public places in the city and on the street or alley sought to be vacated.

b) Mailing notice to property owners

Per RCW 35.79.020, in cases where the vacation is initiated by resolution of the City, notice shall be given by mail at least fifteen days before the date fixed for the hearing.

7. The public hearing will be held, and Council will approve or deny. The abutting property owners shall compensate the City based on the value of the area vacated.
8. Upon receipt of compensation, the Council shall adopt the ordinance for vacation. The ordinance shall be effective thirty days from the time of final passage. (CMC 1.18.030)
9. If there are further questions, refer to RCW Chapter 35.79 Streets – Vacation and CMC (attached Exhibit "F").
10. Reference Ordinances (attached Exhibit "E").

See (attached Exhibit "G") for flow chart showing each deadline.

## EXHIBIT "A"

**PETITION FOR VACATION OF CITY RIGHT-OF-WAY AT:** NE Everett St. between NE 4th & NE 3rd

TO: City Council, City of Camas, State of Washington

We, the undersigned taxpayers and landowners within the City of Camas, Washington, present this Petition and request that the City right-of-way known as: NE Everett Street be vacated from the point commencing at NE 4th Avenue and ending at NE 3rd Avenue. The area of the land requested to be vacated consists of approximately Approx. 14,000 square feet.

The Petition for Vacation of right-of-way/alley/street (circle one) based on the following:

☐ The land is no longer used or has not been used for some time by the public or the city.

☐ The maintenance of this property is a waste of city funds.

☒ The land would be better used under private ownership.

The names and addresses of the abutting property owners whose realty abuts the City property are:

<u>Name</u>	<u>Address</u>
<u>City of Camas</u>	<u>528 NE 4TH AVE</u>
<u>City of Camas</u>	<u>533 NE 3RD AVE</u>
<u>City of Camas</u>	<u>616 NE 4TH AVE Property: 78198000</u>
<u>City of Camas</u>	<u>306 NE EVERETT ST</u>
<u> </u>	<u> </u>

The effect of the vacation of this property to the owners thereof will be:

The City of Camas owns all properties abutting the proposed vacation area. The vacation will enable the consolidated redevelopment of the site as the new Camas-Washougal Fire Department Headquarters and Station 41. The vacated

emergency response capabilities. No adverse effects to the City or neighboring properties are anticipated.

Respectfully submitted,

<p>DocuSigned by:</p> <div style="border: 1px solid black; padding: 2px; display: inline-block;"> </div> <p style="margin-top: 5px;">310E41690B39431...</p>	<p style="text-align: center;"><u>Name</u></p> <p><u>Steve Hogan</u></p> <hr/> <p style="text-align: center;"><u>Address</u></p> <p><u>528 NE 4th Ave, 533 NE 3rd Ave,</u>  <u>616 NE 4th Ave Property:</u>  <u>78198000, 306 NE Everett St</u></p> <hr/>	<p style="text-align: center;"><u>Date</u></p> <p><u>7/23/2025</u></p> <hr/>
<p></p> <p><b>Steven McAtee</b></p>	<p style="text-align: center;"><u>Contact: Steven McAtee</u></p> <p><u>smcatee@mackaysposito.com</u></p> <p><u>360-603-5144</u></p> <hr/>	<hr/> <hr/> <hr/> <hr/>

Attachment: Assessor's map of the requested City property and legal description.

**EXHIBIT "B"**



Date

Name

Street Address City, State, Zip

RE: City Right-of-Way Vacation Request

Dear :

In order to facilitate your request for the City to vacate City property please read the attached "Standard Procedures for Right-of-Way Vacation Requests." When you have submitted the required documents and information and if your application meets City requirements, you will be notified of the hearing date and time so that you may speak to the City Council directly if desired.

Currently, your request has been determined legally sufficient. City staff will continue to process your request in the manner described above.

Should you have any questions or concerns, please do not hesitate to contact me at City Hall.

Sincerely,

James E. Carothers, P.E.  
Engineering Manager/City Engineer

**EXHIBIT "C"**



**CITY OF CAMAS  
Memorandum**

**TO:** Sydney Baker, City Clerk  
Doug Quinn, City Administrator  
Cliff Free, Fire Chief  
Tina Jones, Police Chief  
Steve Wall, Public Works Director

**FROM:** James Carothers, Engineering Manager

**DATE:**

**SUBJECT:** Street, alley, right-of-way vacation  
(address)

Attached is a street vacation request at (address).

Please review the request and submit any comments you may have to the Planning Department for preparation of presenting this to the City Council. Please submit comments by (one week to ten days - give a deadline).

Attachment: Assessor's Map

**Vacation Request of *street name and location***

The purpose of this public hearing is to review a street vacation request of *street name and location*.

The request to vacate the portion of the street was submitted by petition representing 2/3's of the property owners abutting the *street, alley, r/w* to be vacated.

**EXHIBIT "D"**



**NOTICE OF PUBLIC HEARING**

**Vacation Request of *street name and location***

**NOTICE IS HEREBY GIVEN**, that a Public Hearing will be held on **Monday, XXXX XX, 202X, at 7:00 p.m.** at Camas City Hall, 616 NE Fourth Avenue, or via Zoom meeting, details below, before the Camas City Council.

The purpose of this public hearing is to review a street vacation request of *street name and location*. The request to vacate the portion of the street was submitted by petition representing 2/3's of the property owners abutting the *street, alley, r/w* to be vacated.

**Public Comment:** Any interested party may be heard at the hearing. In addition, the City Clerk will receive written testimony at [publiccomments@cityofcamas.us](mailto:publiccomments@cityofcamas.us) at any time between this publication and the completion of the hearing.

**Use this web address to join the meeting virtually:** <https://us06web.zoom.us/j/88544014593>

Attendees may also attend by phone 877-853-5257, Webinar ID: 885 4401 4593.

**More Information:** Meeting agendas will be available on the city's website within a few days of the meeting at <https://www.cityofcamas.us/meetings>

Questions related to this vacation request may be directed to James Carothers, Engineering Manager, at (360) 817-1561 or email to: [jcarothers@cityofcamas.us](mailto:jcarothers@cityofcamas.us).

**Title VI Notice to the Public.** The City of Camas hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities.

**Americans with Disability Act (ADA) Information.** This material can be made available in an alternate format by contacting the City of Camas City Clerk at (360) 817-1591 with 24 hours advance notice. Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

CITY OF CAMAS

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Sydney Baker  
City Clerk



## Staff Report – Public Hearing for Ordinance

Month Day, Year Council Regular Meeting

Public Hearing - Ordinance No. 2#-### Title Case (brief/abbreviated)

Presenter: Name, Title

Time Estimate: ## minutes

Phone	Email
360.817.####	name@cityofcamas.us

*[REMOVE ALL ITALICIZED TEXT BEFORE FINALIZING. Formatting: Use one space after a comma or period. Keep the formatting intact. The font is Segoe UI and 11 points. The items that are bolded, should remain bolded. The paragraphs are Justified. All the Staff Reports are to have a uniform look for all City Council agendas.]*

**BACKGROUND:** Begin text here.

*High level background. Limit to one paragraph. Items to consider:*

- General history of the subject.
- What do we do now (vs. what's proposed and described below)?
- Previous meetings where the item was discussed.
  - Prior Council meetings/discussions
  - Other meeting body efforts (e.g. Planning Comm, Parks/Rec Comm, etc.)
- Current applicable CMC sections, policies, etc.

**SUMMARY:** Begin text here.

*Provide specifics related to item written in a manner that is understandable to the public (avoid acronyms, project numbers, etc.). Items to consider:*

- *If providing a formal presentation, may provide additional info here or simply state "See attached presentation. Additional information to be provided during the meeting."*
- *What are the desired results and outcome? What is the relevant data?*
- *How has the community been engaged?*
- *If Consultant contract, what process was used for selection? Any unique characteristics of the consultant?*

**Figure 1: Figure Name** *this is the format to name your image. If there will only be one image, there's no need to number it. Delete if not necessary.*

**BENEFITS TO  
THE**



**COMMUNITY:** Begin text here.

*Summarize how the City or Community will benefit from this Agenda item. If none, or doesn't apply, delete section.*

- *Does this item implement a Capital Facilities Plan, Comp Plan goal or other policy?*
- *Does this move the City forward or improve things for the future?*
- *Does this item support underserved communities, people living with disabilities, and/or communities of color?*

**POTENTIAL CHALLENGES:** Begin text here.

*Summarize potential challenges or risks. If none, or doesn't apply, delete section.*

*Budget considerations should be discussed in BUDGET IMPACT section below.*

- *Is there a portion of the community that may be impacted more over another?*
- *Environmental Justice considerations?*
- *Are there any unknowns associated with this proposal?*
- *Are there future decisions that need to be made related to this?*

**BUDGET IMPACT:** Begin text here.

*Summarize any budget considerations.*

- *What is the cost of this item, if any?*
- *Is this item included in the adopted budget?*
  - *If yes, which fund and how much is available?*
    - *Are additional funds needed beyond the budget?*
  - *If no, will this item be included in a future Budget or Omnibus?*
- *If costs are unknown, why? Will additional information be provided to Council in the future?*

**RECOMMENDATION:** Begin text here.

*Succinct wording, capturing next steps or requested Council action. For sample wording see:*

<G:\AGENDAPREP\Resources\Staff Recommendation - SAMPLE wording.docx>



**EXHIBIT "E"**

ORDINANCE NO. 16-012

AN ORDINANCE providing for the vacation of a portion of NW Utah Street, located north of NW 6<sup>th</sup> Place, subject to certain conditions.

WHEREAS, on April 6, 2015, the owners of real property described as Lot 23 of Hillside Terrace II Plat, Lot 80 of WP Smith DLC and 2229 NW 6<sup>th</sup> Place, submitted a request to vacate a portion of NW Utah Street adjacent north of NW 6<sup>th</sup> Place, and

WHEREAS, on November 16, 2015, the City Council adopted a Resolution setting a public hearing on December 7, 2015 at 7:00 p.m., in the Council Chambers in the City Hall of Camas, Washington, as the time and place for a public hearing on said vacation request, and

WHEREAS, pursuant to said Resolution, the City Clerk caused notices to be posted and mailed in accordance with the requirements of law, and

WHEREAS, the City heretofore signed an Agreement, recorded under Clark County Auditor's File No. 5242579 AGR, providing for certain conditions associated with the proposed vacation including, but not limited to, establishment of a public easement across lots 23 and 80 and construction of certain drainage ditch improvement within the NW Utah Street right-of-way, and

WHEREAS, at the time and place set for said hearing, the Council considered the testimony of all persons commenting on said vacation, and

WHEREAS, the Council finds that the portion of NW Utah Street as described is more suitable for private use, NOW, THEREFORE,

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

That portion of NW Utah Street adjacent north of NW 6<sup>th</sup> Place as described in Exhibit "A" attached hereto and by this reference incorporated herein be and the same is hereby vacated.

Section II

Said vacation is contingent upon compliance with all conditions as set forth in the Agreement as referred to herein.

Section III

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 20<sup>th</sup> day of June, 2016.

SIGNED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Clerk

APPROVED as to form:

\_\_\_\_\_  
City Attorney

**EXHIBIT "F"**

Title 35 RCW: Cities and Towns

Chapter 35.79

STREETS—VACATION

## Sections

- 35.79.010** Petition by owners—Fixing time for hearing.
- 35.79.020** Notice of hearing—Objections prior to hearing.
- 35.79.030** Hearing—Ordinance of vacation.
- 35.79.035** Limitations on vacations of streets abutting bodies of water—Procedure.
- 35.79.040** Title to vacated street or alley.
- 35.79.050** Vested rights not affected.

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.

[ **1965 c 7 § 35.79.010**. Prior: **1957 c 156 § 2**; 1901 c 84 § 1, part; RRS § 9297, part.]

RCW **35.79.020**

Notice of hearing—Objections prior to hearing.

Upon the passage of the resolution the city or town clerk shall give twenty days' notice of the pendency of the petition by a written notice posted in three of the most public places in the city or town and a like notice in a conspicuous place on the street or alley sought to be vacated. The said notice shall contain a statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition. In all cases where the proceeding is initiated by resolution of the city or town council or similar legislative authority without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, in addition to the notice hereinabove required, there shall be given by mail at least fifteen days before the date fixed for the hearing, a similar notice to the owners or reputed owners of all lots, tracts or parcels of land or other property abutting upon any street or alley or any part thereof sought to be vacated, as shown on the rolls of the county treasurer, directed to the address thereon shown: PROVIDED, That if fifty percent of the abutting property owners file written objection to the proposed vacation with the clerk, prior to the time of hearing, the city shall be prohibited from proceeding with the resolution.

[ **1965 c 7 § 35.79.020**. Prior: **1957 c 156 § 3**; 1901 c 84 § 1, part; RRS § 9297, part.]

RCW **35.79.030**

Hearing—Ordinance of vacation.

The hearing on such petition may be held before the legislative authority, before a committee thereof, or before a hearing examiner, upon the date fixed by resolution or at the time the hearing may be adjourned to. If the hearing is before

a committee the same shall, following the hearing, report its recommendation on the petition to the legislative authority which may adopt or reject the recommendation. If the hearing is held before a committee it shall not be necessary to hold a hearing on the petition before the legislative authority. If the hearing is before a hearing examiner, the hearing examiner shall, following the hearing, report its recommendation on the petition to the legislative authority, which may adopt or reject the recommendation: PROVIDED, That the hearing examiner must include in its report to the legislative authority an explanation of the facts and reasoning underlying a recommendation to deny a petition. If a hearing is held before a hearing examiner, it shall not be necessary to hold a hearing on the petition before the legislative authority. If the legislative authority determines to grant the petition or any part thereof, such city or town shall be authorized and have authority by ordinance to vacate such street, or alley, or any part thereof, and the ordinance may provide that it shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town 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 or town may require the owners of the property abutting the street or alley to compensate the city or town in an amount that does not exceed the full appraised value of the area vacated. The ordinance may provide that the city retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services. A certified copy of such ordinance shall be recorded by the clerk of the legislative authority and in the office of the auditor of the county in which the vacated land is located. One-half of the revenue received by the city or town as compensation for the area vacated must be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city or town.

[ 2011 c 130 § 1; 2002 c 55 § 1; 2001 c 202 § 1; 1987 c 228 § 1; 1985 c 254 § 1; 1969 c 28 § 4. Prior: 1967 ex.s. c 129 § 1; 1967 c 123 § 1; 1965 c 7 § 35.79.030; prior: 1957 c 156 § 4; 1949 c 14 § 1; 1901 c 84 § 2; Rem. Supp. 1949 § 9298.]

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## RCW 35.79.035

### Limitations on vacations of streets abutting bodies of water—Procedure.

(1) A city or town shall not vacate a street or alley if any portion of the street or alley abuts a body of fresh or salt water unless:

(a) The vacation is sought to enable the city or town 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;

(b) The city or town, 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

(c) The vacation is sought to enable a city or town 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.

(2) Before adopting a resolution vacating a street or alley under subsection (1)(b) of this section, the city or town shall:

(a) Compile an inventory of all rights-of-way within the city or town that abut the same body of water that is abutted by the street or alley sought to be vacated;

(b) Conduct a study to determine if the street or alley to be vacated is suitable for use by the city or town for any of the following purposes: Port, boat moorage, launching sites, beach or water access, park, public view, recreation, or education;

(c) Hold a public hearing on the proposed vacation in the manner required by this chapter, where in addition to the normal requirements for publishing notice, notice of the public hearing is posted conspicuously on the street or alley sought to be vacated, which posted notice indicates that the area is public access, it is proposed to be vacated, and that anyone objecting to the proposed vacation should attend the public hearing or send a letter to a particular official indicating his or her objection; and

(d) Make a finding that the street or alley sought to be vacated is not suitable for any of the purposes listed under (b) of this subsection, and that the vacation is in the public interest.

(3) No vacation shall be effective until the fair market value has been paid for the street or alley that is vacated. Moneys received from the vacation may be used by the city or town only for acquiring additional beach or water access,

acquiring additional public view sites to a body of water, or acquiring additional moorage or launching sites.  
[ [1987 c 228 § 2](#).]

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RCW [35.79.040](#)

Title to vacated street or alley.

If any street or alley in any city or town is vacated by the city or town council, the property within the limits so vacated shall belong to the abutting property owners, one-half to each.  
[ [1965 c 7 § 35.79.040](#). Prior: [1901 c 84 § 3](#); RRS § 9299.]

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RCW [35.79.050](#)

Vested rights not affected.

No vested rights shall be affected by the provisions of this chapter.  
[ [1965 c 7 § 35.79.050](#). Prior: [1901 c 84 § 4](#); RRS § 9300.]

## **Camas Municipal Code**

### **Chapter 1.18**

#### **Initiative and Referendum Powers**

##### **1.18.010 Powers conferred on electors—Statutory authority.**

The powers of initiative and referendum are hereby conferred upon the qualified electors of the city. Except as provided in this chapter, the powers of initiative and referendum shall be exercised in the manner set forth for the commission form of government in RCW 35.17.240 through 35.17.360, as now or hereafter amended.

(Ord. 1694 § 1, 1988)

##### **1.18.020 Petitions—Number of signatures.**

The number of registered voters needed to sign a petition for initiative or referendum shall be fifteen percent of the total number of names of persons listed as registered voters within the city on the day of the last preceding general city election.

(Ord. 1694 § 2, 1988)

##### **1.18.030 Ordinances subject to referendum—Exceptions.**

- A. Any and all ordinances hereinafter passed and adopted by the city shall not go into effect prior to thirty days from the time of final passage, and are subject to referendum during the interim, except the following ordinances:
1. Ordinances initiated by petitions;
  2. Ordinances necessary for immediate preservation of public peace, health and safety, or for the support of city government and its existing public institutions which contain a statement of urgency and are passed by unanimous vote of the council;
  3. Ordinances providing for local improvement districts;
  4. Ordinances appropriating money;
  5. Ordinances providing for or approving collective bargaining;
  6. Ordinances providing for the compensation of or working conditions of city employees;
  7. Ordinances authorizing or repealing the levy of taxes; and
  8. Ordinances that have been held by the courts of the state not to be subject to initiative and referendum.
- B. All excepted ordinances shall go into effect as provided by the general law, or by applicable sections of RCW Title 35A, as now or hereafter amended.

(Ord. 1694 § 3, 1988)

**EXHIBIT "G"**

**FLOW CHART TO HELP REMEMBER DATES**

