



City of Stevenson

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To: City Council
From: Leana Kinley, City Administrator
RE: Iman Cemetery Rd. and No Name Rd. Vacations
Meeting Date: March 18, 2021

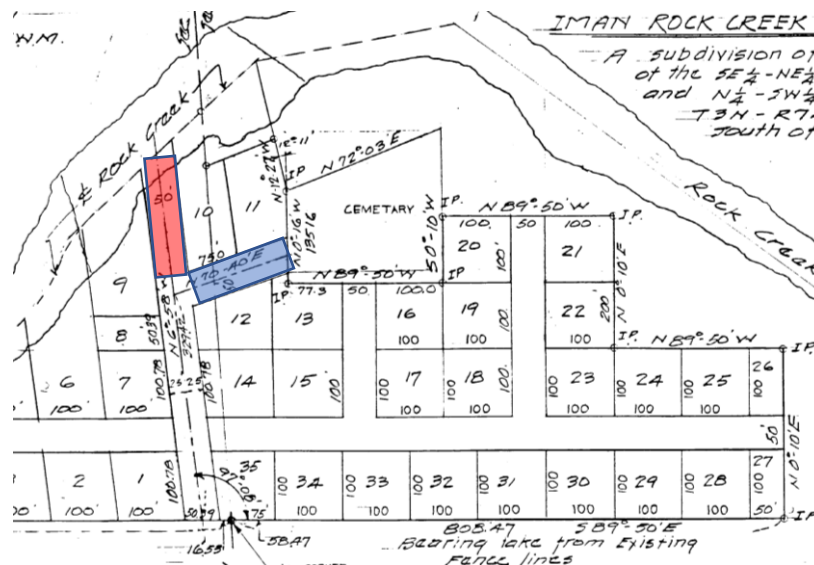
Executive Summary:

The City received two petitions for road vacations in the area near Iman Cemetery which are used to access Rock Creek via private property. Council held a public hearing on December 10th on the vacation of No Name Rd. where council directed the creation of the Rock Creek Access Committee to find solutions ahead of the summer. An additional public hearing is scheduled at the March 18th meeting.

There is a public hearing for vacating Iman Cemetery Rd scheduled at the March 18th meeting. There are specific requirements for vacating a right of way that abuts a body of water, which council needs to decide if this meets.

Overview:

- October 16, 2020 the city received a petition to vacate No Name Rd. (blue section)
- November 23, 2020 the city received a petition to vacate Iman Cemetery Rd. (red section)
- December 10, 2020 public hearing on the vacation of No Name Rd.
- December 10, 2020 council held off setting a date for the Iman Cemetery Rd. public hearing.
- December 10, 2020 council established the Rock Creek Access Committee
- January 22, 2020 Rock Creek Access Committee met and discussed issues.
- February 18, 2021 council discussed the Rock Creek Access issues and set a date of March 18, 2021 for a public hearing for Iman Cemetery Rd. and No Name Rd.



The documents for the prior meetings and public hearings can be found online at <https://meetings.municode.com/PublishPage/index?cid=STEVWA&ppid=0c407be1-1c62-45e8-b64f-81816aee037c&p=-1>

During the public hearing for No Name Rd. the Skamania County Cemetery District requested the right of way not be vacated and be maintained to increase the allowable parking for funeral services, equipment, and other cemetery users. They are open to an agreement between the city and the district to maintain the right of way including signage, gravel, and landscaping (weed eating, mowing, etc.).

The Iman Cemetery Rd. vacation request is different from the No Name Rd. request as it abuts a body of water and has to follow RCW 35.79.035-Limitations on vacations of streets abutting bodies of water – Procedure. The full language of the code is attached to this memo.

The Iman Cemetery Rd. right of way currently aligns with the city’s Comprehensive Plan in several ways as outlined below.

Goal 4-Downtown and Waterfront

- Objective 4A.3 – Manage lands abutting the Columbia River and Rock Creek for the benefit of the community.
 - Tactic 4A.3-2 Review development proposals located on or near banks and floodway of the River and creeks to maintain the recreation and open space potential while promoting healthy and visually attractive environments.

Goal 9 – Parks and Recreation

- Objective 9.2 – Preserve open space and recreational resources.
- Objective 9.7 – Develop a balanced system of recreation facilities, lands and programs that meets the recreation needs of residents and visitors alike.
 - Tactic 9.7.1 Develop small parcels of land resulting from urbanization as mini-parks or landscaped areas.

The Planning Commission will discuss this at their March 15th meeting and may provide additional comment.

The Rock Creek Access Committee suggests these right of way vacations be treated separately from the Rock Creek access issues.

Action Needed:

Decide whether to move forward with vacating No Name Rd.

If No Name Rd. is vacated:

- Decide how lot 11 is accessed as outlined in the Dec. 10th staff memo from Ben Shumaker.
 - Require a lot line elimination between lots 10 and 11.
 - Record an easement across lot 10 for the benefit of lot 11.
 - Record a covenant requiring an easement prior to sale of lot 11.
- Decide how the property is divided.
 - Split the area between two property owners, Patricia Doblje and Susan and Larry Krug.

- Split the area equally between all three property owners abutting the street (Patricia Doblle, Susan and Larry Krug, and the Cemetery District)
- Decide how to address emergency access turn around.
 - Move forward with retaining area as outlined in attached map for fire apparatus turn around.
 - Move forward with other option.

If No Name Rd. is not vacated:

- Decide whether to re-establish the city Right of Way.
 - If yes, how far do we go re-establish the ROW.
 - Only trim brush encroaching the right of way.
 - Remove fence encroaching the right of way.
 - Remove retaining wall/all structures encroaching the right of way.
- Decide whether signs need to be installed restricting parking to cemetery use only.
 - If yes, an ordinance will be presented at the next meeting.
 - If no, are there other parking changes to make.

Decide whether to move forward with vacating Iman Cemetery Rd.

If moving forward with Iman Cemetery Rd. vacation:

- Decide whether to contract out for the study as required by RCW 35.79.035(2)(b)

If not moving forward with Iman Cemetery Rd. vacation:

- Decide whether or not to make any changes to the infrastructure within the right of way such as increased signage, fencing, benches, etc.