

**STREET VACATION PROCESS**  
RCW 35.79 & 58.17.212

**I. Street Vacation can be Initiated by** (RCW 35.79.010)

- A. Property owner(s)
  - 1. Submit petition signed by at least 2/3<sup>rd</sup> of owners of property abutting street(s) or alleys to be vacated
  - 2. Include accurate legal description per RCW 35A.01.040(1)(c)
  - 3. Filed with City Clerk (done by city staff)
  - 4. City to issue certified of sufficiency when determined the petition is signed by 2/3rds of owners abutting street or alley to be vacated
- B. City Council (can initiate by Resolution, see Section II)

**II. Resolution to Set Public Hearing Date** (for petition or City initiative, RCW 35.79.010)

- A. At a meeting, City Council adopts a resolution fixing time of public hearing on either a certified petition or the city initiated action
- B. The hearing date is to be set between 20-60 days from date of passage of the resolution

**III. Notice of Public Hearing on Vacation Action** (RCW 35.79.020)

- A. Petition by property owner
  - 1. Publish notice of hearing at least 20 days before hearing
  - 2. Post written notice in 3 most public places in city
  - 3. Post site(s) to be vacated
- B. City initiated vacation
  - 1. Publish notice of hearing at least 20 days before hearing date
  - 2. Post written notice in 3 most public places in city
  - 3. Post site(s) to be vacated
  - 4. Mail notice to all abutting property owners at least 15 days before hearing
  - 5. Note: If, prior to the time of the hearing, 50% of those abutting property owners (see B.4, above) file written objection to the proposed vacation with the City Clerk, the City shall be prohibited from proceeding with the resolution (to hold public hearing)

**IV. Public Hearing** (Applies to a hearing held by City Council. Other procedures apply if the hearing is held by a committee or hearing examiner, see RCW 35.79.030.)

- A. Must be held between 20-60 days after adopting resolution
- B. To approve, City Council shall adopt ordinance to vacate, and may:
  - 1. Require compensation<sup>1</sup> (half or full appraised value) prior to ordinance becoming effective, and
  - 2. Retain easements for public uses and utilities
- C. Ordinance to be adopted by Council motion

**V. Ordinance**

- A. If applicable, city to be compensated for fair market value of land area prior to certification and recording of ordinance
- B. After A, above, is met, ordinance to be certified by City Clerk
- C. Certified ordinance to be recorded with Snohomish County Auditor

---

<sup>1</sup> If the area has been part of dedicated public right-of-way for 25 years or more, or was acquired in whole or part at public expense, the City may require compensation of full appraised value. Revenue shall be dedicated to the acquisition, improvement, development and related maintenance of public open space or transportation capital projects within the City.