

City of Lynden

Vacation of City Right-of-Way Approval Process

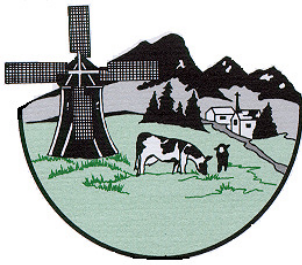
- Pre-application Meeting (MANDATORY)**
Applicant or agent meets with the Technical Review Committee for a “feasibility review” and to discuss fees, time frames for completion of the project, and early issues with the project.
- Application Review and Determination of Completeness**
City staff reviews all application materials, makes a determination of completeness, and notifies the applicant within 14 days of receiving the application that the application is complete or what information is missing.
- Publication of Legal Notice of Application and Project Proposal**
City Staff is responsible for publishing a legal notice of application and public hearing on the proposed project. Legal notices of application must be published at least 14 days prior to the public hearing.
- Certified Mailing to Surrounding Property Owners**
The proponent or applicant is responsible for notifying surrounding property owners within 300 feet of the project proposal. Property owners must be given at least 14 days written notice by certified or registered mail. In addition to the mailing, three copies of the legal notice must be posted within 300 feet of the project. A notarized affidavit of the postings and receipts for the certified mailings must be turned over to the Planning Department at least 10 days prior to the hearing date.
- Technical Review Committee (TRC) Report and Recommendations**
The TRC is notified of the application and reviews it for compliance with City plans and regulations, coordinates necessary permit reviews and identifies the development’s environmental impacts. The TRC consists of all City department heads, including the Planning Director. The applicant is mailed a copy of the report, and it is also forwarded to the City Council as part of the record for the hearing.
- Public Hearing at City Council**
The City Council makes its decision for approval or denial after reviewing and considering the project application materials, the TRC report, and any written or oral testimony in reference to the request.
- Final approval of Vacate Ordinance**
After the City Council determines that the street or alley is appropriate for vacation, the applicant submits a property appraisal to establish the value of the land to be vacated. Once an agreement is made on the price of the property, an ordinance is presented to the City Council for adoption. The ordinance is not recorded until the final payment is made.



City of Lynden

Vacation of City Right-of-Way Application Requirements

1. *Completed application form for a vacation of City Right-of Way request.*
2. *All applicable fees.*
3. *Property site map showing the following:*
 - street and alley dimensions*
 - area to be vacated*
 - footprint and dimensions of existing buildings*
 - the location of any existing utilities*
 - setbacks to existing buildings*
 - other existing physical features*
 - north point and scale*
5. *Area map showing the following:*
 - adjacent properties*
 - nearby structures and buildings*
 - streets/highways*
 - watercourses*
 - easements*
6. *Legal description of the property to be vacated.*
7. *Appraisal of property to be vacated. Appraisal must be completed by a certified appraiser.*
8. *Names and addresses of all persons, firms and corporations holding interest in the adjacent property.*



City of Lynden

APPLICATION FOR VACATION OF CITY RIGHT-OF-WAY

APPLICANT

Name: _____

Address: _____

Telephone Number: _____ Fax Number: _____

E-mail Address: _____

Who is the primary contact for this project? This person will receive all official correspondence for the project. Property owner Applicant

Location of property to be vacated (give brief, common description & attach a complete legal description):

The property is _____ x _____ = _____ square feet

Provide a brief description of the reason for seeking the vacation (attach additional sheets if necessary):

Provide a brief summary outlining the effect of the proposed vacation on the surrounding area (attach additional sheets if necessary):

Applicant's Signature: _____ **Date:** _____

PRE-APPLICATION MEETING DATE: _____ HEARING DATE: _____
(APPLICATIONS WILL NOT BE ACCEPTED WITHOUT FIRST HAVING A PRE-APPLICATION MEETING)

FEE'S PAID: _____ DATE PAID: _____ RECEIPT #: _____