

City of Carlton
191 E. Main St.
Carlton, OR 97111
Phone: 503-852-7575
Fax: 503-852-7761
www.ci.carlton.or.us



Street Vacation

Vacations are governed by Oregon Revised Statutes 271.080 - 271.230. The city may vacate all or part of a street, avenue, alley, plat, public square or other public place. Any person interested in any real property in the city may file a petition for a vacation.

Application Process

Once an application is submitted, along with all pertinent filing information, city staff will review it for completeness. If additional material is necessary, you will be contacted. Once the application is determined to be complete, staff will present the application to the City Council who will determine whether to schedule public hearings to consider the request. If the Council decides to forward the request to a public hearing, staff will then prepare a report for Planning Commission review. The staff report is available seven (7) days prior to the Planning Commission public hearing. The Planning Commission will conduct a public hearing and make a recommendation to the City Council. The City Council will conduct a second public hearing and make the final decision. The City Council decision can be appealed to the Oregon Land Use Board of Appeals (LUBA).

Application Requirements

To request a street vacation, there shall be submitted to the City Recorder:

☐ **One (1) paper copy** and **one (1) electronic copy** (PDF format preferred) of the application form and the application attachments. Copies must be clear and legible.

☐ Application **filing fee**

Street Vacation Application

City of Carlton

Docket No.: _____

Date: _____

Fee: _____

Receipt No.: _____

Applicant: Name _____

Mailing Address _____

Phone _____ Email _____

Location: Area to be Vacated: _____

Abutting Tax Lot No.(s) (including map page no.): _____

Description: Current Zoning _____

Existing Utilities and/or Easements within Area to be Vacated: _____

Topography: _____

Surrounding Uses: North: _____ South: _____

East: _____ West: _____

Prerequisites:

To request approval of a vacation, there shall be submitted to the City Recorder with this application and filing fee, the following evidence:

☐ Purpose of Vacation: _____

☐ A map drawn to scale on 8 ½ x 11 or 11 x 17 inch paper, or eight (8) full size copies (typically 18 x 24 inches or larger) that shows all abutting properties and all properties within 200 feet of the proposed vacation area. Any existing or proposed easements or utilities must also be identified.

☐ A petition signed by all of the abutting owners and the owners of two-thirds of the "affected area" (Note: This means the owners of two-thirds of the affected area, not two-thirds of the total number of property owners in the affected area).

For the purposes of this application, the “affected area” includes the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land included in an extension of the street for a distance of 400 feet beyond each terminus shall also be included in the affected area (ORS 271.080).

Note: City staff will provide the applicant(s) with a map showing the “affected area.”

I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT; AND THAT THE REQUEST DOES NOT VIOLATE ANY DEED RESTRICTIONS THAT MAY BE ATTACHED OR IMPOSED UPON THE SUBJECT PROPERTY.

_____	_____
Date	Applicant
_____	_____
Date	Owner
_____	_____
Date	Owner
_____	_____
Date	Owner

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.



LAND USE FEE SCHEDULE ACKNOWLEDGMENT

Land use planning fees ("fees") are an estimate of the costs necessary to process land use applications. Fees include, but are not limited to, preparation of required public notices, staff reports and decisions, and are inclusive of the time allocated by the City Planner, City Engineer, and City Attorney. Fees must be paid at the time of application.

If there are any funds remaining after the project is complete, the applicant will receive a refund for the balance. Alternatively, if the application fee is exhausted before the project is complete, the project will be billed monthly for any additional costs until all land use stages are finished.

Please note that contracted service provider fees are subject to change and may include the fees of their hired staff. For current contractor fees, please call the city at 503-852-7575.

Applicants are also required to maintain a positive deposit balance throughout the duration of the project. This ensures that there are sufficient funds available to cover ongoing costs associated with land use planning before and after decision, and the engineering and inspection requests during the project. If the deposit balance falls below the required amount, the applicant will be notified and must replenish the deposit to continue with the project. Failure to maintain a positive deposit balance may result in delays or suspension of the project.

By reading and understanding the above information, I acknowledge the terms of the land use fee agreement as outlined above. Failure to comply with the fee agreement will result in the rejection of the application.

Applicant Signature

Date