

APPLICATION SUBMITTAL REQUIREMENTS

Street/Plat Vacation

The following information must be submitted along with a City of Newport Land Use application¹ for the vacation of a public street/right-of-way:

- 1. A current 18" x 24" Lincoln County Assessor's tax map(s) showing the subject property and the notification area. The notification area is all properties 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 or part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. (ORS 271.080) [Amended by 1999 c.866 §2].
- 2. A list of names and addresses of property owners, as shown in the records of the Lincoln County Assessor, within the notification area described in #1 above. (*Lincoln County Assessor's Office is located in the Lincoln County Courthouse at 225 W Olive St, Newport*)
- 3. Consent in writing of the owners of all abutting property and of not less than two-thirds (2/3) in area of the real property affected thereby (the property within the notification area described in #1 above).
- 4. A title/search report showing the present ownership of the street right-of-way and the manner of creation of the street.
- 5. A determination as to whether or not the street area to be vacated lies within 5,000 feet of the harbor or pierhead line of the Port of Newport. If so, the Port of Newport may need to consent to the vacation (depending on the vacation procedure followed).
- 6. Findings on whether or not the public interest would be prejudiced by the vacation.
- 7. Findings regarding Newport Municipal Code (NMC) § 14.26.001 (Maintenance of Public Access) for vacation of public right-of-way or easements for access within the Ocean/Coastal Shoreland boundaries.
- 8. Findings regarding the Bay Front Plan Goal 5, Policy 1 if the requested vacation involves a right-of-way on the hillside above the Bay Front.
Goal 5, Policy 1 states: The City should retain rights-of-way on the hillside above the Bay Front in order to preserve vegetation in those areas. However, circumstances may dictate the need to vacate some rights-of-way when the City finds it necessary to do so. In addition to the standard criteria for street vacation, the City shall also find that the vacation does not interfere with convenient pedestrian, bicycle or other transportation connections.
- 9. Fee of \$845.00 (*plus appraisal cost and damages*).

¹ If not set forth on the Land Use Application, the following information pursuant to ORS 271.080 should be included in a petition for the vacation: 1) description of the ground proposed to be vacated; 2) the purpose for which the ground is proposed to be used; and 3) the reason for such vacation.