

APPENDIX 7.000

VACATIONS

General

- A7.001 Vacation Procedures
- A7.002 Submittal Requirements
- A7.003 Vacation Criteria
- A7.004 Reservation and Conditions Attached to a Vacation

General

A7.001 Vacation Procedures

- A. A proposal to vacate all or part of any street, alley, plat, greenway, or public place shall be conducted under the Type IV procedure.
- B. Notice of the hearing shall be mailed to owners of all property situated within 300 feet of the boundaries of the property to be vacated and the Multnomah County Tax Assessor's Office. Notice shall be posted pursuant to **Section 11.0602**.
- C. A proposal may be initiated by the council. If the council initiates a proposal, the requirements, of **subsection A7.002(D)** do not apply.

A7.002 Submittal Requirements

A proposal may be initiated by petition of the affected property owners. The petition shall include the following:

- A. A description of the property to be vacated.
- B. The reason for the vacation.
- C. The proposed use of the property once vacated.
- D. The petitioner must attach to the petition the written consents of all the abutting property owners.

A7.003 Vacation Criteria

The council shall base its decision to vacate property on the following criteria:

- A. Whether the proposal is consistent with the Gresham Community Development Plan.
- B. Whether the vacation will substantially reduce the market value of abutting property. This criterion need not be considered if the owners of the property affected consent to the vacation or provisions have been made to pay damages.
- C. Whether the public interest will be prejudiced by the vacation.

A7.004 Reservation and Conditions Attached to a Vacation

The council may attach the following reservations and conditions to the approval of a vacation:

- A.** That an easement for a public facility, publicly owned utility or other utility be reserved.
- B.** That a public facility, publicly owned utility or other utility be constructed, relocated or removed.
- C.** That a plat to be vacated be replatted.
- D.** If applicable, back taxes shall be paid.