

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. April 27, 2017

CALL TO ORDER:

Mayor Sexton
Council Members: Aslett, Bieche, J. DeGloria, R. DeGloria, Edmundson, Loving and Montgomery
Staff: Berner, Blaine, Bloodgood, Dempsey, Erickson, Harrison, Hawes, Brad Johnson, Brittany Johnson, L. Johnson, Moser, Pulst, Schwetz, Sherwood, Sinclair, Ward, Yengoyan

MINUTES:

City Council Meeting April 13, 2017

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION:

- 1) Summit Group Solutions – Historical Building Survey
- 2) Goals for 2017 & Accomplishments of 2016 – Community Development/Fire Marshal/Public Works/IT

OFFICERS REPORTS:

TBD

UNFINISHED BUSINESS:

CONSENT AGENDA:

NEW BUSINESS:

- 1) **PUBLIC HEARING:** Street Vacation Ordinance of the South 355 feet, 60 feet in width of North Hill Boulevard by Pacific Woodtech.

FUTURE WORKSHOP:

EXECUTIVE SESSION:

- An Executive Session may be held to discuss Personnel, Litigation, and/or Land Acquisition.

ADJOURNMENT:

MEETINGS:

- 1) **DOWNTOWN BURLINGTON ASSOCIATION:** Tuesday **April 26, 2017** 9:00 a.m.
Burlington Chamber, 520 E Fairhaven Ave
- 2) **AUDIT & FINANCE COMMITTEE:** Thursday **April 27, 2017** 4:00 p.m.
City Hall, 833 S Spruce Street
- 4) **PARKS/CEMETERY BOARD:** Monday **May 1, 2017** 5:30 p.m.
Parks & Recreation, 900 E Fairhaven Ave
- 5) **LIBRARY BOARD:** Tuesday **May 2, 2017** 6:00 p.m.
Burlington Public Library, 820 E Washington Ave
- 6) **PUBLIC SAFETY COMMITTEE:** Tuesday **May 9, 2017** 4:00 p.m.
Public Safety Building, 311 Cedar Street

April 2017

May 2017

April 2017

Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 26	27	28	29	30	31	Apr 1
2	3	4	5	6	7	8
	5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)		6:00pm 8:00pm Council Workshop (Council Chambers)		
9	10	11	12	13	14	15
		4:00pm Public Safety Committee (Public Safety Building) 5:00pm 6:00pm Historical Preservati		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
16	17	18	19	20	21	22
		4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 7:00pm 9:00pm Planning Commission (City Co	6:00pm 8:00pm Community Reception - Police Chief Recruitment (Council Chambers)		
23	24	25	26	27	28	29
			9:00am 10:00am Downtown Burlington Association (Visitor Information Center/	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
30	May 1	2	3	4	5	6

3/26 - 31

4/2 - 7

4/9 - 14

4/16 - 21

4/23 - 28

4/30 - 5/5

May 2017

May 2017

Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2017

Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 30	May 1	2	3	4	5	6
	5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)				
7	8	9	10	11	12	13
		4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
14	15	16	17	18	19	20
		4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 7:00pm 9:00pm Planning Commission (City Council Chambers)			
21	22	23	24	25	26	27
			9:00am 10:00am Downtown Burlington Associati 6:00pm 8:00pm Community Open House (Council Cha	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
28	29	30	31	Jun 1	2	3

Apr 30 - May 6

May 7 - 13

May 14 - 20

May 21 - 27

May 28 - Jun 3

April 13, 2017

CALL TO ORDER:

Mayor Steve Sexton called the meeting to order at 7:05 p.m., with the Pledge of Allegiance. Council members present: Bill Aslett, Tonya Bieche, Joe DeGloria, Edie Edmundson, Chris Loving, and Ted Montgomery. Staff present: Kelly Blaine, Geoff Hawes, Bryan Harrison, Brittany Johnson, Leif Johnson, Tom Moser, Marv Pulst, Renee Sinclair, and Levon Yengoyan.

A motion was made to excuse **Councilors R. DeGloria** by **Councilors Aslett/Bieche**. All in favor; motion carried.

MINUTES:

A motion was made to approve the minutes of the March 23, 2017 council meeting by **Councilors Loving/J. DeGloria**. All in favor; motion carried.

AUDIT OF BILLS:

A motion was made by **Councilors J. DeGloria/Loving** to approve Accounts Payable checks numbered 36000 - 36149 in the amount of \$862,416.28; and March 31 payroll checks numbered 35976 – 35999 in the amount of \$549,858.61. All in favor; motion carried.

PUBLIC COMMENTS:

No Public Comments.

COUNCIL COMMENTS:

Councilor Edmundson complimented City departments who participated in the Paint Our Town Purple event hosted by the City's Wellness Committee and stated it was a very nice event and made a nice statement for the City. **Councilor Aslett** commented that he attended a conference in Denver that focused on workplace wellness and he stated that the City's wellness program reflects the structure of nationally recognized workplace wellness cultures and thanked **Wellness Coordinator Brittany Johnson** and the Wellness committee for their efforts with the wellness program.

MAYOR COMMENTS:

Mayor Sexton stated that there is a new business ribbon cutting taking place on Friday, April 14th, at 4:00 p.m. He is unable to attend and asked council if one of them would be able to attend.

Mayor Sexton asked council if they could move the new business portion of the meeting to the beginning of the meeting as there were individuals in the audience related to the new business who would have to exit the meeting after their item was discussed.

April 13, 2017

NEW BUSINESS:

INDIGENT DEFENSE CONTRACT – MOUNTAIN LAW, PLLC

City Administrator Bryan Harrison proposed that council enter into Executive Session to following council agenda item which does contain information regarding a lawsuit, Wilbur vs. Mount Vernon.

City Attorney Leif Johnson stated that an Executive Session will be held Per RCW 42.30.110 to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. **City Attorney Leif Johnson** stated that due to the nature of the business being discussed he would not be attending the Executive Session, Attorney Scott Snyder will be attending. The executive session should take approximately twenty minutes and action is expected as a result of the executive session. Council and city staff adjourned for Executive Session at 7:06 p.m.

City Staff returned from Executive Session at 7:31 p.m.

A motion was made to approve the new contract for Indigent Defense Services with Mountain Law, PLLC with the three word change on section 1.14.2, should read “in certain situations” by **Councilors Aslett/J. DeGloria**. All in favor, motion carried.

SPECIAL PRESENTATIONS:

GOALS FOR 2017 & ACCOMPLISHMENTS FOR 2016 - EXECUTIVE/HUMAN RESOURCES/LEGAL/FINANCE:

City Administrator Bryan Harrison stated that this was the first of the presentations that will highlight each department’s goals and accomplishments. The presentations will be posted on the City website once each department has presented. **Harrison** reviewed the goals and accomplishments for the Executive, Administration, and Human Resources Department. **City Attorney Leif Johnson** reviewed the goals and accomplishments of the Legal Department. **Director of Budget & Accounting Renee Sinclair** reviewed the goals and accomplishments of the Finance Department.

April 13, 2017

OFFICER'S REPORTS:

IT Manager Geoff Hawes updated council on the IT Projects that were currently taking place and reviewed the status. **Hawes** reported to council that he and the Engineering Department applied for a second Skagit County .09 grant for Fiber Extension in the amount of \$427,000 and updated council on the current fiber project which is adding conduit to S. Burlington Business Park and Goldenrod. **Hawes** reviewed the timeline of the projects and the potential of sharing resources with other entities. **Hawes** reviewed discussions that had been had with the Port of Skagit County that related to fiber expansion.

Fire Chief Levon Yengoyan and **Fire Marshal Kelly Blaine** reported to council that the City had received a rating of five (5) from WSRB, this is an improvement from 2012 when the City received a WSRB rating of six (6); the lower the number the better the rating. **Chief Yengoyan** reviewed the changes that had been made that contributed to the new rating and the components that are considered when WSRB rates the department. Discussion followed regarding the rating and public education in the future.

City Administrator Bryan Harrison reported that the Community Open House would be held on Wednesday, May 24th, 6:00 p.m. at the City Council Chambers. **Harrison** reviewed the details of the open house and what would be discussed. **Harrison** reported that the City would be interviewing five (5) Police Chief Candidates on Friday, April 21st; there will be an open house to meet and greet the finalists on Thursday, April 20th, at 6:00 p.m. and stated the public is invited to attend. **Harrison** reported that the HVAC bid has been awarded and the contractor will have with controls fixed within the next month and the bid is within the budgeted amount. **Harrison** reported there is a contest being held to name the building located at 219 S. Skagit that is currently being renovated; the Parks Board will recommend final names to council and council will make the final decision.

ADJOURNMENT:

Mayor Sexton adjourned the meeting at 8:17 p.m.

Renee Sinclair
Director of Budget & Accounting

Steve Sexton
Mayor



ITEM #: _____

CHECK ONE:

NEW BUS. _____

OLD BUS. X

AGENDA ITEM

Council Date: April 27, 2017

Subject: Street vacation of the south 355 feet, 60 feet in width of North Hill Boulevard by Pacific Woodtech.

Brad Johnson, Senior Planner

Attachments: Ordinance

Public Hearing Required: YES (X) NO ()

Staff Report

SUMMARY

Pacific Woodtech recently purchased the two lots east of the deadend of North Hill Boulevard (P117843 & P117844) and is proposing to vacate the south 355 feet of the 60 foot wide street adjacent to these lots. The street will be gated at the north end and easements will be granted to those with utilities in the right of way including the city which has a sewer line in the right of way. Pacific Woodtech owns the properties on both sides of the right of way.

RECOMMENDATION

Motion to approve the Street Vacation and authorize the Mayor's signature on proposed ordinance.

ORDINANCE NO. 0X-2017

AN ORDINANCE OF THE CITY OF BURLINGTON, WASHINGTON IN THE MATTER OF A PETITION TO VACATE A PORTION OF NORTH HILL BOULEVARD

WHEREAS, the City received a petition to vacate a portion of North Hill Boulevard on February 28, 2017, and

WHEREAS, the property owner who submitted the vacation petition owns all of the property on both sides of the street subject to the petition, and

WHEREAS, street vacations are governed by chapter 35.79 RCW, and

WHEREAS, RCW 35.79.010 requires that vacation petitions be considered at a public hearing, and

WHEREAS, RCW 35.79.010 requires the date of the hearing to be set by resolution, and

WHEREAS, on March 23, 2017 the City Council set, by resolution number 02-2017, a date for a hearing on the proposed street vacation, and

WHEREAS, the hearing on the proposed street vacation was set for April 27, 2017, and

WHEREAS, in accordance with the requirements of RCW 35.79.020 notice of the hearing on the proposed street vacation was posted at the site of the proposed vacation, in three city buildings, and mailed to all adjoining property owners and utility companies, and

WHEREAS, in addition to meeting the requirements of RCW 35.79.020 the City also mailed notice of the hearing to all property owners within 1,300 feet of the proposed vacation and published a notice of the hearing in the Skagit Valley Herald, and

WHEREAS, following the notice procedures identified above the City provided a fifteen day period for public comment, and

WHEREAS, the City did not receive any comments on the proposed street vacation, and

WHEREAS, the proposed street vacation has been reviewed by the City Planning Department and the City Public Works Department, and

WHEREAS, the Planning Department has concluded the proposed vacation is consistent with all applicable municipal code requirements and comprehensive plan policies, and

WHEREAS, the Public Works Department has concluded that the right-of-way proposed for vacation is of little value to the City and cannot be extended due to topographical constraints, privately owned land, and the presence of critical areas, and

WHEREAS, the Public Works Department has concluded that a utility easement should be retained within the right-of-way being vacated to allow maintenance, repair, and replacement of sewers lines and facilities, and

WHEREAS, the City is authorized by RCW 35.79.030 to retain such easements, and

WHEREAS, the proposed street vacation may further the city's economic development interests by allowing an existing industrial business to expand.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGTON DO ORDAIN AS FOLLOWS:

SECTION I. The portion of North Hill Boulevard lying south of the intersection of North Hill Boulevard and Hillcrest Drive, as shown on attached exhibit "A", is hereby vacated.

SECTION II. In accordance with RCW 35.79.040 title to the land within the limits of the vacated street right-of-way shall vest with the owners of property abutting the vacated street.

SECTION III. The City of Burlington shall retain a utility easement over and under the vacated street right-of-way for purposes of accessing, inspecting, maintaining, installing, and replacing city utilities.

INTRODUCED AND PASSED at a regular meeting of the City Council of the City of Burlington on this 27th day of April, 2017.

THE CITY OF BURLINGTON

Steve Sexton, Mayor

ATTEST:

Renee Sinclair
Director of Budget & Accounting

APPROVED AS TO FORM:

Leif Johnson, City Attorney

Published: _____

Exhibits:


"A" – Map showing location of proposed vacation





CITY COUNCIL STAFF REPORT

To: Burlington City Council

From: Brad Johnson, Senior Planner 

Date: April 14, 2017

Subject: Street Vacation Request – North Hill Boulevard

Summary

On February 28th 2017 the Pacific Woodtech submitted a request to vacate a portion of North Hill Boulevard. Pacific Woodtech manufactures laminated wood products and owns a number of lots in the Burlington Business Park. Several of their properties are bisected by a section of North Hill Boulevard that extends south from the intersection of North Hill Boulevard and Hillcrest Drive. Pacific Woodtech would like to expand their business, but in order to do so, they need to consolidate their property by eliminating the portion of North Hill Boulevard that divides their site.

Analysis

Planning and Public Works reviewed the proposed street vacation to determine whether or not the street could be extended, and also, if it is currently serving an important public purpose. The Planning Department also reviewed the proposed vacation to ensure consistency with applicable municipal code requirements and comprehensive plan policies.

- *Transportation and Utility Impacts* – As documented in the attached memo, the City Engineer has determined that this section of North Hill Boulevard is of very limited value to the City and cannot be extended in the future due to topographical constraints, intervening private property, and the presence of wetlands and other critical areas. The City Engineer did note that a sewer line is located within the street right-of-way and recommended an easement be retained to allow maintenance and repair of the sewer line.
- *Comprehensive Plan* – North Hill Boulevard is located in an area zoned “Business Park” (BP). This area is also designated for “Heavy Commercial and Industrial” uses in the

comprehensive plan. The comprehensive plan does not contain any policies directly related to the street vacations or the use of industrial properties; however, the proposed vacation will enable the expansion of a use which is consistent with the purpose of the BP zone and comprehensive plan.

- *Compliance with Municipal Code* – The Burlington Municipal Code does not establish any specific standards or criteria for evaluating proposed street vacations. Street vacations are governed by Washington State law. Specifically, chapter 35.79 RCW establishes the process by which local governments shall review and approve proposed street vacations. Chapter 35.79 RCW establishes requirements for public notice, hearings, and legislative action by the City Council. As documented in the proposed ordinance, all applicable procedural and notification requirements have been met. The City established a date for a public hearing by resolution, provided notification of the hearing by mail, posted a notice on the site, posted notices in public buildings, publishing an advertisement in the Skagit Valley Herald, and provided a period for public comment.

Recommendation

The proposed street vacation complies with Washington State law and is not inconsistent with the comprehensive plan. The street is not needed for public transportation purposes and cannot be extended in the future. By vacating the street the City could realize an important economic benefit by allowing an existing industrial business to expand. The Planning Department recommends the City Council approve the proposed street vacation.

Attachments:

- "1" – Public Works Memo
- "2" – Chapter 35.79 RCW
- "3" – Vacation Petition



MEMORANDUM

ATTACHMENT "1"

TO: Permit Center – Kim O'hara

Cc: Brad Johnson
Brian Dempsey
Travis Schwetz
Don Erickson

FROM: Public Works Director - Marv Pulst

DATE: April 13, 2017

SUBJECT: **Proposed Vacation of a Portion of North Hill Boulevard**

In response to a request from Pacific Woodtech Corporation for vacation of a portion of North Hill Boulevard such that they may acquire the property from the City, I have reviewed the potential usage of the roadway.

North Hill Boulevard dead ends at the boundary to property currently owned and operated as a business by Pacific Woodtech. An extension of the roadway to the south is not possible since it would have to pass through Woodtech's business site. The land just beyond the Woodtech property is owned by the City and is a wetland.

Furthermore, the private property to the south and east of the roadway (beyond Woodtech property) is steep terrain which is impractical to reach with an extension of North Hill Boulevard. This property would be best accessed from Hillcrest Drive at a point where there is considerable elevation gain.

Within North Hill Boulevard is a 10" diameter sanitary sewer line. The City desires to retain ownership of this line and therefore any transfer of ownership of the street should provide for a sewer line easement.

I recommend the City vacate North Hill Boulevard as requested by Pacific Woodtech with a proviso for a sanitary sewer line easement.

Chapter 35.79 RCW
STREETS—VACATION
Chapter Listing

ATTACHMENT "2"
(PAGE 1 OF 4)

Sections

- 35.79.010 Petition by owners—Fixing time for hearing.
- 35.79.020 Notice of hearing—Objections prior to hearing.
- 35.79.030 Hearing—Ordinance of vacation.
- 35.79.035 Limitations on vacations of streets abutting bodies of water—Procedure.
- 35.79.040 Title to vacated street or alley.
- 35.79.050 Vested rights not affected.

35.79.010

Petition by owners—Fixing time for hearing.

The owners of an interest in any real estate abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the legislative authority to make vacation, giving a description of the property to be vacated, or the legislative authority may itself initiate by resolution such vacation procedure. The petition or resolution shall be filed with the city or town clerk, and, if the petition is signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated, legislative authority by resolution shall fix a time when the petition will be heard and determined by such authority or a committee thereof, which time shall not be more than sixty days nor less than twenty days after the date of the passage of such resolution.

[1965 c 7 § 35.79.010. Prior: 1957 c 156 § 2; 1901 c 84 § 1, part; RRS § 9297, part.]

35.79.020

Notice of hearing—Objections prior to hearing.

Upon the passage of the resolution the city or town clerk shall give twenty days' notice of the pendency of the petition by a written notice posted in three of the most public places in the city or town and a like notice in a conspicuous place on the street or alley sought to be vacated. The said notice shall contain a statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition. In all cases where the proceeding is initiated by resolution of the city or town council or similar legislative authority without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, in addition to the notice hereinabove required, there shall be given by mail at least fifteen days before the date fixed for the hearing, a similar notice to the owners or reputed owners of all lots, tracts or parcels of land or other property abutting upon any street or alley or any part thereof sought to be vacated, as shown on the rolls of the county treasurer, directed to the address thereon shown: PROVIDED, That if fifty percent of the abutting property owners file written

objection to the proposed vacation with the clerk, prior to the time of hearing, the city shall be prohibited from proceeding with the resolution.

[1965 c 7 § 35.79.020. Prior: 1957 c 156 § 3; 1901 c 84 § 1, part; RRS § 9297, part.]

ATTACHMENT "2"
(2 OF 4)

35.79.030

Hearing—Ordinance of vacation.

The hearing on such petition may be held before the legislative authority, before a committee thereof, or before a hearing examiner, upon the date fixed by resolution or at the time the hearing may be adjourned to. If the hearing is before a committee the same shall, following the hearing, report its recommendation on the petition to the legislative authority which may adopt or reject the recommendation. If the hearing is held before a committee it shall not be necessary to hold a hearing on the petition before the legislative authority. If the hearing is before a hearing examiner, the hearing examiner shall, following the hearing, report its recommendation on the petition to the legislative authority, which may adopt or reject the recommendation: PROVIDED, That the hearing examiner must include in its report to the legislative authority an explanation of the facts and reasoning underlying a recommendation to deny a petition. If a hearing is held before a hearing examiner, it shall not be necessary to hold a hearing on the petition before the legislative authority. If the legislative authority determines to grant the petition or any part thereof, such city or town shall be authorized and have authority by ordinance to vacate such street, or alley, or any part thereof, and the ordinance may provide that it shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town in an amount which does not exceed one-half the appraised value of the area so vacated. If the street or alley has been part of a dedicated public right-of-way for twenty-five years or more, or if the subject property or portions thereof were acquired at public expense, the city or town may require the owners of the property abutting the street or alley to compensate the city or town in an amount that does not exceed the full appraised value of the area vacated. The ordinance may provide that the city retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services. A certified copy of such ordinance shall be recorded by the clerk of the legislative authority and in the office of the auditor of the county in which the vacated land is located. One-half of the revenue received by the city or town as compensation for the area vacated must be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city or town.

[2011 c 130 § 1; 2002 c 55 § 1; 2001 c 202 § 1; 1987 c 228 § 1; 1985 c 254 § 1; 1969 c 28 § 4. Prior: 1967 ex.s. c 129 § 1; 1967 c 123 § 1; 1965 c 7 § 35.79.030; prior: 1957 c 156 § 4; 1949 c 14 § 1; 1901 c 84 § 2; Rem. Supp. 1949 § 9298.]

35.79.035

Limitations on vacations of streets abutting bodies of water—Procedure.

ATTACHMENT "2" (3 OF 4)

(1) A city or town shall not vacate a street or alley if any portion of the street or alley abuts a body of fresh or salt water unless:

(a) The vacation is sought to enable the city or town to acquire the property for port purposes, beach or water access purposes, boat moorage or launching sites, park, public view, recreation, or educational purposes, or other public uses;

(b) The city or town, by resolution of its legislative authority, declares that the street or alley is not presently being used as a street or alley and that the street or alley is not suitable for any of the following purposes: Port, beach or water access, boat moorage, launching sites, park, public view, recreation, or education; or

(c) The vacation is sought to enable a city or town to implement a plan, adopted by resolution or ordinance, that provides comparable or improved public access to the same shoreline area to which the streets or alleys sought to be vacated abut, had the properties included in the plan not been vacated.

(2) Before adopting a resolution vacating a street or alley under subsection (1)(b) of this section, the city or town shall:

(a) Compile an inventory of all rights-of-way within the city or town that abut the same body of water that is abutted by the street or alley sought to be vacated;

(b) Conduct a study to determine if the street or alley to be vacated is suitable for use by the city or town for any of the following purposes: Port, boat moorage, launching sites, beach or water access, park, public view, recreation, or education;

(c) Hold a public hearing on the proposed vacation in the manner required by this chapter, where in addition to the normal requirements for publishing notice, notice of the public hearing is posted conspicuously on the street or alley sought to be vacated, which posted notice indicates that the area is public access, it is proposed to be vacated, and that anyone objecting to the proposed vacation should attend the public hearing or send a letter to a particular official indicating his or her objection; and

(d) Make a finding that the street or alley sought to be vacated is not suitable for any of the purposes listed under (b) of this subsection, and that the vacation is in the public interest.

(3) No vacation shall be effective until the fair market value has been paid for the street or alley that is vacated. Moneys received from the vacation may be used by the city or town only for acquiring additional beach or water access, acquiring additional public view sites to a body of water, or acquiring additional moorage or launching sites.

[1987 c 228 § 2.]

35.79.040

Title to vacated street or alley.

If any street or alley in any city or town is vacated by the city or town council, the property within the limits so vacated shall belong to the abutting property owners, one-half to each.

[1965 c 7 § 35.79.040. Prior: 1901 c 84 § 3; RRS § 9299.]

35.79.050

Vested rights not affected.

ATTACHMENT "2" (4 OF 4)

No vested rights shall be affected by the provisions of this chapter.

[1965 c 7 § 35.79.050. Prior: 1901 c 84 § 4; RRS § 9300.]



PLANNING & PERMIT CENTER

833 S. Spruce Street
Burlington, WA 98233

(360) 755-9717 Fax: (360) 755-9309
bplanning@burlingtonwa.gov

FEE:
\$940

PETITION FOR VACATION OF STREET OR ALLEY

VACATION # _____

DATE FILED _____

To the City Council of the City of Burlington, Washington.

Comes now the undersigned and, pursuant to RCW Chapter 35.79, respectfully show:

I

The Undersigned petitioner's request that the following described property in the City of Burlington be vacated pursuant to RCW Chapter 35.79

The final 355' of North Hill Blvd. from intersection with
Hillcrest drive to the end where North Hill Blvd meets
existing fence to Pacific Woodtech property.

II

Each of the undersigned petitioners is the owner of any interest in real estate of the above described area:

III

Person(s) owns property abutting on said area.

Pacific Woodtech Corporation

IV

The names and addresses of the owners of property abutting on said area are as follows:

NAME

(PLEASE PRINT OR TYPE)

PROPERTY ADDRESS

Pacific Woodtech Corp

1250 Park Lane Burlington WA

The undersigned petitioners constitute more than two-thirds of the owners of said abutting property.

WHEREFORE, petitioners pray that proceedings be had hereon for the vacation of said

North Hill Blvd

street in the manner prescribed by RCW Chapter 35.79.

Respectfully submitted,

SIGNATURE

MAILING ADDRESS

DATE

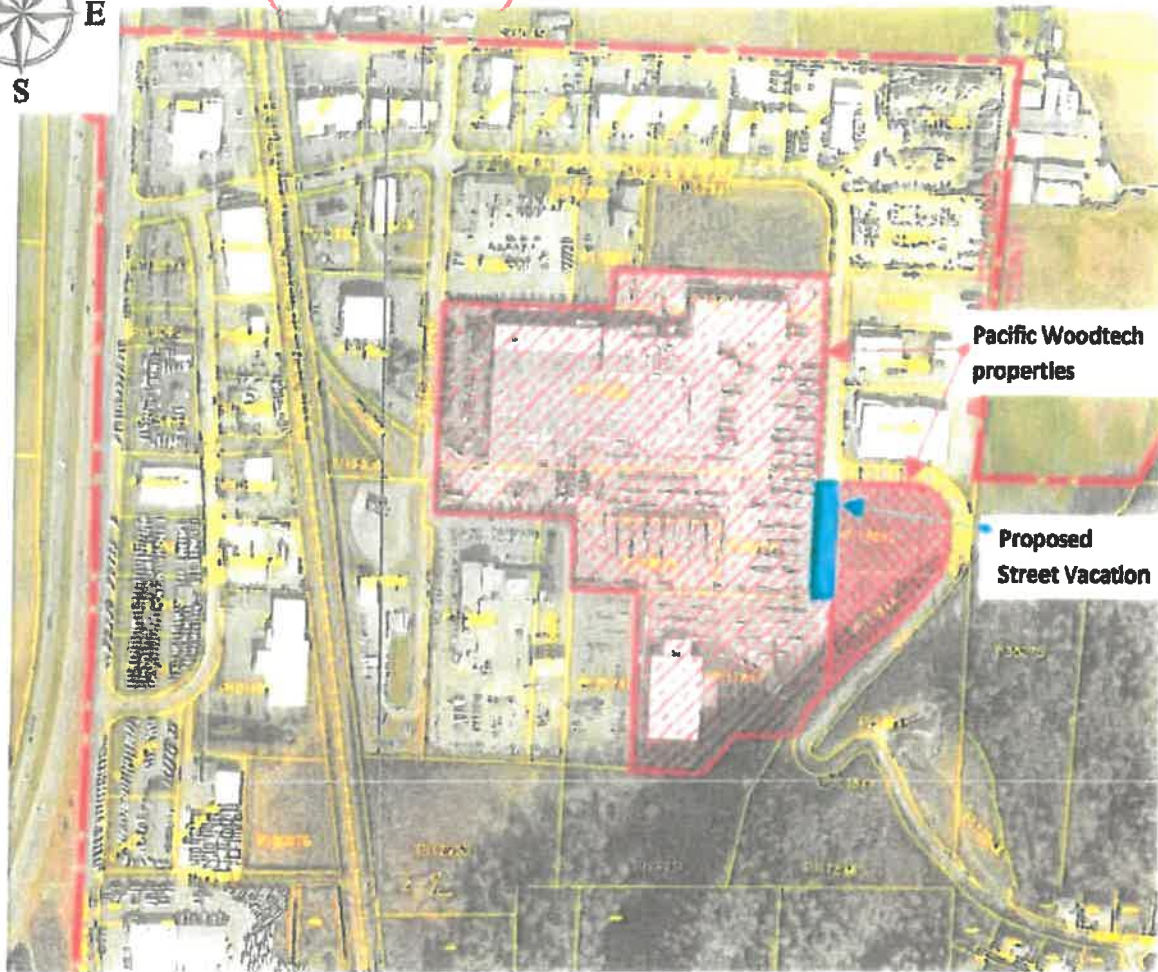
[Signature]

1850 Park Lane Burlington WA

2-28-17

ATTACHMENT "3"
(PAGE 1 OF 4)

ATTACHMENT "3"
(2 OF 4)



ATTACHMENT "3"
(3 OF 4)

Google Maps



Imagery ©2017 Google, Map data ©2017 Google 100 ft

Measure distance

Total distance: 355.07 ft (108.23 m)

LOCATION OF
PROPOSED
VACATION

ATTACHMENT "3"
(4 OF 4)

UTILITY COMPANIES
(for City use only)

FRONTIER COMMUNICATIONS
595 PEASE ROAD
BURLINGTON WA 98233

PUGET SOUND ENERGY
1660 PARK LANE
BURLINGTON WA 98233

CASCADE NATURAL GAS
1520 S. 2ND STREET
MOUNT VERNON WA 98273

P.U.D. #1
P.O. BOX 1436
MOUNT VERNON WA 98273

COMCAST CABLE
400 SEQUOIA DRIVE
BELLINGHAM WA 98226