



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

Date: June 7, 2016

To: Theresa Murphy, Right-of-Way Agent I

From: Karen L. Lamberton, AICP, County Transportation Planner

Subject: Proposed Abandonment of dedicated right-of-way on Friend Drive/Parcel 102-57-023/024

The applicant has requested abandonment of a public right-of-way known as Friend Drive, a diagonal primitive road located between Martinez St. and Towner Ave. in the Naco townsite. This short internal circulation roadway was dedicated to the public in 1907 and appears to have served the Naco Port of Entry, freight and border business in the past.

Comprehensive and Area Plan Compatibility

This area is subject to the Naco Community Plan and Development Map adopted on Feb. 17, 1998 per Resolution 98-09. Goals of that plan included a desire for a park system, maintain the historic character of the area, and preserve natural drainageways. The plan also called for a "safe and convenient traffic system", moving freight/manufacturing traffic off of residential roadways, providing for adequate parking. Policy 6 of Element Two (Roads) specifically desired an ordinance to regulate inappropriate use of residential streets by semi-trucks. Resolution 99-85 was then enacted establishing a no truck or trailer parking zone on both Towner Ave. and Dominguez St. Although the roadway along Martinez St. is also signed for No Parking of Trucks clearly the area is frequently being used for the unauthorized parking of semi-trucks and/or staging of these vehicles for loading. Friend Drive was not included in this no truck/trailer restriction.

The area subject to this abandonment request was identified for business (retail and services) purposes in the Naco Area Plan Land Use Map.

The Comprehensive Plan, updated in 2014, states that public alleys should be discouraged. This policy was brought forward by the Highway Dept. due to the difficulty in maintaining the narrow roadways. In addition, inevitably these back alleyways become heavily encroached upon by adjacent property owners for other uses. As is the case with this abandonment request, property owners begin to rely upon the public access routes for their own uses, sometimes maintaining or landscaping these areas, and using unauthorized driveways onto the dedicated right-of-way routes. The public, however, still has a right to continue to use these public routes creating conflicts between the private uses and public rights.

Transportation Circulation Analysis

Like many of the areas that have been in active use since the establishment of Cochise County, Naco has numerous historic, narrow, native-surfaced routes that local residents have relied on for connectivity through their neighborhood. Identifying those routes for improvement to effectively move 21st century traffic as well as identifying routes to be closed off and re-vegetated for safety, effective circulation and consolidation of fragmented private parcels is needed in these older Colonia areas.

A Colonia Area Circulation Plan for the Naco area identified in the 2025-2035 timeframe of the 2040 Long-Range Transportation Plan. An ideal traffic circulation design for the Naco area would include clearly defined and maintained alleyways and connecting streets. However, a Colonia transportation circulation plan is not yet in place and funding for the implementation of recommendations for such a plan is unlikely in the near-future. Continued changes in land uses and the future growth (or decline) of the Naco Port of Entry is also uncertain.

At the present time, this back alleyway/roadway is providing access to the back parking areas for several private residents and/or businesses as well as a back access route for the Naco fire department. Freight (semi-trucks) were parked on Friend Drive both times staff made site visits and have been observed in previous site visits to the Port of Entry area. The route is well-used for a small, dirt roadway reflecting the number of private property owners on both sides of this road. It appears that it is more heavily used by the property owners than by pass-through traffic as the county-maintained roadways, Towner Ave. and Martinez St. are more easily accessed and are chip-sealed. However, the presence of the Gay 90's bar on the northwest corner of Friend Dr. at the Towner St. intersection indicates that patrons use Friend Drive as an alternative route. In addition, this segment of Friend Drive is part of a longer, diagonal route that moves northwest through Naco that has historically been used by area residents.

This roadway serves a small neighborhood circulation purpose and it may be preferred by those property owners to have legal control over this back access route to their properties. It also serves as a staging area for semi-trucks for adjacent business – either these owners should gain legal control over those “parking” areas (via an abandonment of the public rights) or should contain their vehicles within their own business properties. The Naco Fire Dept. has requested this abandonment in order to ensure their future access for fire equipment and to control the adjacent land to their Fire Dept. restricting vehicular traffic so that they have room to expand and bring out equipment currently stored or staged in the back area of their lot.

Completely closing access off could be problematic for future utility access (which exists within this right-of-way at this time) and for private property owner's reliance on the public right-of-way for their back garage access. It also is in current use and the partial abandonment proposed would create undesired dead-ends and fragment the existing roadway. Providing utility, private or public easements might mitigate the impact on adjacent property owners; however, any roadway that has multiple easements is often better off with a fully dedicated public right-of-way in order to avoid future conflicts when properties change hands or land uses change. In addition, this area is very close to the International Border. Long-range Border Master Plans recommend the acquisition of small parks and parking lot features near Ports of Entry to serve pedestrian, tourists and freight movement in these key economic generator zones. As such, giving up right-of-way in this area may later be seen as short-sighted as it is positioned to serve border and business needs.

Recommendation:

The short term benefits of the abandonment may outweigh the uncertain long-term benefits of retaining this dedicated right-of-way. At this time this alleyway/roadway is primarily being used for private ownership travel purposes; however, there is use of this route as an alternative route by the public at this time. In addition, parking for the Gay 90's bar is frequently occurring within the public right-of-way.

A partial abandonment would fragment the roadway connectivity. It is recommended that if the County pursues this abandonment, that the County considers the abandonment of the entire segment of Friend Drive, rather than retain any portion of it. Appropriate easements for utilities and for the private owners currently accessing the back of their properties via Friend Drive should be retained. The property owners adjacent to this right-of-way could then take their own actions to develop private driveways and parking areas. The willingness of all the adjacent property owners to take over this historic travel-way in the Naco Colonia area should be a serious consideration in deciding if this abandonment is appropriate at this time.