

11-20.160

Abandonment or Vacation of Public Right-of-Way

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11-20.160.010 Purpose

The purpose of this division is to provide procedures for the abandonment or vacation of public rights-of-way or portions thereof (including streets, alleys, or public access easements).

11-20.160.020 Procedures

A. Initiation. The abandonment or vacation of public right-of-way may be initiated by the City Council, the City Manager or the City Engineer, as well as any property owner who owns land adjoining the public right-of-way contemplated for abandonment or vacation.

B. Process.

1. The processing procedure for a written request for abandonment or vacation by the City Engineer shall include:
 - a. The written request for abandonment or vacation shall be checked for compliance with required submittal information;
 - b. A location map of the area proposed to be abandoned or vacated showing abutting properties and a vicinity map, if necessary; and,
 - c. A memorandum stating the reasons for requested abandonment or vacation.
2. The memorandum and map of the requested abandonment or vacation of public right-of-way shall be forwarded to all public utility companies, City divisions and agencies serving the proposed area to be abandoned or vacated to request their review and comments.

3. For public rights-of-way, including roadways as defined in A.R.S. § 28-7201, notice shall be provided in the manner specified in A.R.S. § 28-20, Article 8, Disposition of Public Roadways.

C. Staff Report. The City Engineer in consultation with the Utilities Director and Public Works Director shall prepare and transmit a staff report to the City Council. The report shall include an evaluation of the consistency of the proposed vacation or abandonment with the General Plan, Zoning Code, any applicable Specific Plan, and all applicable Utilities and Public Works Division standards. The staff report shall also provide an analysis and recommendation. A copy of the staff report shall be made available to the public and affected parties prior to the public hearing.

D. Action by the City Council. Upon receipt of a recommendation from the Planning Commission, the City Council shall conduct a public hearing. Upon completion of this hearing, the City Council shall approve, approve in modified form, or deny the application. Approval shall be by resolution.

E. Recordation. The City Engineer shall record the final vacation resolution with the office of the Coconino County Recorder.

11-20.160.030 Submittal Requirements

All applications for the vacation of public streets or easements shall be submitted to the City Engineer in writing on a form prescribed by the City. The application shall include the information and materials specified in the checklist for the Abandonment of Public Rights-of-Way, together with the required fee established in City Code Title 10, Zoning Code, Appendix 2, Planning Fee Schedule.

11-20.160.040 Effective Date

The effective date of vacation of streets and easements is the date of City Council approval.

11-20.160.050 Appeals

Decisions of the City Council on the vacation of streets and easements are final.