

ARTICLE VI. - RESIDENTIAL STREET CLOSURES

Sec. 25-171. - Purpose; scope.

- (a) The procedures outlined herein for administering applications for street closures apply to the proposed closure of local streets within residential neighborhoods submitted by a neighborhood group. It has been found that limiting nonresidential traffic through residential neighborhoods impedes traffic congestion, reduces excessive noise, trash and refuse, prevents traffic conditions hazardous to the health, safety and welfare of persons within residential neighborhoods, and limits the opportunity for criminal activity within the neighborhood, all factors which contribute to the deterioration of residential neighborhoods within the city. The procedures are not intended to apply to the following:
- (1) The closure of arterial or county collector roads;
 - (2) The closure of local streets within other than a residential neighborhood;
 - (3) The closure of local streets located within neighborhoods designated under the neighborhood master plan program; and
 - (4) The closure of local streets located within "safe neighborhood improvement districts" as defined by section 163.503(1), Florida Statutes.
- (b) This article is not intended to limit the city commission from authorizing the implementation of any street closure within the city boundaries upon its own initiative for the health, safety and welfare of the public in accordance with such procedures it so adopts.

(Ord. No. C-89-13, § 1(40-45(a)), 5-16-89)

Sec. 25-172. - Definitions.

For the purpose of this article, unless the context clearly requires otherwise, the following words and terms shall have the meaning respectively ascribed:

Local street means a public street which is intended to serve residential properties located adjacent to the street.

Neighborhood group means a resident, group of residents or community association including those eligible for membership in the Fort Lauderdale Council of Civic Associations.

Public service vehicles means those vehicles which are used to provide services to the general public. The services which are provided utilizing such vehicles shall include but not be limited to fire, police, medical emergency, postal, utilities and sanitary services.

Residential neighborhood means a contiguous or nearly contiguous area containing local streets where more than fifty (50) percent of the land is used for residential purposes.

Street closure means any structural or traffic modification intended to limit or redirect traffic flow on a local street. Installation of multiway stop signs, speed limit signs, or both shall not be considered a street closure.

(Ord. No. C-89-13, § 1(40-45(b)), 5-16-89)

Sec. 25-173. - Initiation of process.

- (a) A neighborhood group may, upon submission of an application in compliance with the provisions herein and payment of the application fee as provided in section 25-175(a) of these procedures, initiate the review and implementation of a street closure within a residential neighborhood. The application must be signed by sixty-five (65) percent of the property owners within a residential

neighborhood which signatures shall evidence the consent of those signing to the content of the application and their willingness to assume the cost of the proposed street closure. For purposes of determining sixty-five (65) percent of the property owners, the following guidelines shall apply:

- (1) An owner of more than one (1) property within a residential neighborhood shall be listed as one (1) property owner.
 - (2) If property is a condominium or cooperative, the owner or owners of each unit shall be considered one (1) property owner.
- (b) An application submitted by a neighborhood group for a street closure shall contain the following:
- (1) Identification of the boundaries of the residential neighborhood.
 - (2) A map identifying the streets, roads, alleys and other rights-of-way within the residential neighborhood.
 - (3) Identification of the problems experienced in the residential neighborhood which have caused the neighborhood group to propose a street closure.
 - (4) Identification of the local streets proposed to be closed and the proposed means of accomplishing the street closure.
 - (5) Names and addresses of the property owners and identification of property location within the residential neighborhood. Telephone numbers of those property owners who have executed the application evidencing their approval of the content of the application and their willingness to assume the cost of the proposed street closures.
 - (6) Names and addresses of a person or persons who have been authorized by the neighborhood group to represent the neighborhood group with respect to the application.

(Ord. No. C-89-13, § 1(40-45(c)), 5-16-89; Ord. No. C-99-68, § 1, 10-19-99)

Sec. 25-174. - Consideration of application.

- (a) Upon receipt of a valid application submitted by a neighborhood group, the public works department shall evaluate and prepare a report regarding the proposed street closure within a residential neighborhood. The evaluation of the application and the report shall include the following:
- (1) A determination whether the residential neighborhood proposed for consideration identifies boundaries which justify the proposed residential neighborhood's consideration separate from adjacent surrounding areas.
 - (2) A study of areas outside the residential neighborhood as well as within, which may be impacted by the proposed street closure.
 - (3) A study of the problems identified in the application and other problems which may be experienced on other local streets in the residential neighborhood.
 - (4) A determination whether there exists a violation of the function of local streets within the residential neighborhood.
 - (5) Identification of possible alternative actions which would alleviate the problems identified in the application.
 - (6) A determination whether the proposed street closure may be accomplished in conformance with the standards, rules and regulations of the local, state and federal governing authorities.
 - (7) A determination of what additional property, easements, utility line relocation, agreements or other actions must be taken in order to accomplish the proposed street closure.
 - (8) Identification of any adverse impact which the street closure would have on the delivery of service by public service vehicles. The director of the public works department shall submit the

application for street closure to the operator of those public service vehicles which provide services within the residential neighborhood and request their review and recommendation with regard to the proposed street closure and the impact such street closure would have on the provision of services to the residences located within the residential neighborhood.

- (9) Identification of any adverse impact which the proposed street closure would have on surrounding rights-of-way.
- (10) An estimated cost of completing the proposed street closure.
- (b) The director of public works shall forward his report and recommendation to those city departments whose functions and activities may be impacted by the proposed street closure, for their approval, comments and concerns. After all input by such departments, the director of public works shall make his recommendation regarding the proposed street closure and forward his report to the city manager.
- (c) If the application or request is for closure of less than three (3) streets within a residential neighborhood, the application shall be placed on the agenda of the city commission by the director of public works for a public hearing at a regular meeting of the city commission. Based on a review of the report prepared by the public works department and the input of the public at such hearing, the city commission shall approve or disapprove the proposed street closure or may approve the proposed street closure for a temporary period not to exceed one hundred eighty (180) days. If the city commission approves a temporary street closure, a public hearing to determine whether to approve a permanent street closure shall be held and the city commission shall determine whether to approve a permanent street closure.
- (d) If the application or request is for closure of three (3) or more streets within a residential neighborhood, a public hearing on the proposed street closure shall be scheduled. Based on a review of the report prepared by the public works department and the input of the public at such hearing, the city commission may disapprove the proposed street closure or approve a temporary street closure for one hundred eighty (180) days. If the city commission approves a temporary street closure, a public hearing to determine whether to approve a permanent street closure shall be held and the city commission shall determine whether to approve a permanent street closure. Public hearings on the proposed closure of three (3) or more streets within a residential neighborhood shall be held after 5:00 p.m. on a weekday.
- (e) Notice of public hearings regarding proposed street closures as provided herein shall be given by first class mail to owners of property within the residential neighborhood and owners of property within five hundred (500) feet of the point on the street where closure has been proposed and shall contain the day, time and place of the public hearing and a brief description of the proposed street closure to be heard. For purposes of notification, the property owners and their addresses shall be considered to be the names and addresses shown on the records in the city treasurer's office to whom utility billings are sent. The notice shall be mailed at least ten (10) days before the date of the public hearing. Failure to mail such notice in any particular instance shall not invalidate any approved street closure.

(Ord. No. C-89-13, § 1(40-45(d)), 5-16-89)

Sec. 25-175. - Fees.

- (a) A fee pertaining to an application for street closure shall be calculated by the city and paid by the neighborhood group in accordance with the fee schedule adopted by resolution of the city commission.
- (b) Unless payment for costs of a proposed street closure is otherwise provided, the cost incurred for implementation of such street closure shall be levied and collected as a special assessment against the property owners benefited by the street closure in accordance with the provisions of section 2-155.

(Ord. No. C-89-13, § 1(40-45(e)), 5-16-89)

Secs. 25-176—25-180. - Reserved.