

Sec. 25-174. - Consideration of application.

- (a) Upon receipt of a valid application submitted by a neighborhood group, the ~~public-works~~ transportation and mobility 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~~ transportation and mobility 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~~ transportation and mobility 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)