



City of Enid
401 W. Owen K. Garriott Road
Enid, Oklahoma 73701
580-234-0400

METROPOLITAN AREA PLANNING COMMISSION

NOTICE OF SPECIAL STUDY SESSION

Notice is hereby given that the Enid-Garfield County Metropolitan Area Planning Commission will meet in special session at 5:00 p.m. on the 18th day of March, 2019, in the Council Chambers of the City Administration Building, located at 401 W. Owen K. Garriott Road in said city, and the agenda for said meeting is as follows:

- AGENDA -

METROPOLITAN AREA PLANNING COMMISSION REGULAR STUDY SESSION

1. CALL TO ORDER/ROLL CALL.
2. DISCUSS PROPOSED SIDEWALK ORDINANCE REVISIONS.
3. ADJOURN.

**Metropolitan Area Planning Commission Study
Session**

2.

Meeting Date: 03/18/2019

SUBJECT:

DISCUSS PROPOSED SIDEWALK ORDINANCE REVISIONS.

Attachments

Proposed sidewalk ordinance

ORDINANCE NO. 2019-

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2014, TITLE 10 “PLANNING AND DEVELOPMENT”, CHAPTER 6 “SIDEWALKS”, SECTION 10-6-1 “SIDEWALKS REQUIRED” TO PROVIDE THE PAYMENT OF THE SIDEWALK DEVELOPMENT FEE IN LIEU OF CONSTRUCTION OF SIDEWALKS MAY BE APPROVED BY THE ENGINEERING DEPARTMENT; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA:

Section I: That Title 10 Chapter 6, Section 10-6-1 of the Enid Municipal Code, 2014 is hereby amended to read as follows:

10-6-1: SIDEWALKS REQUIRED:

A. Definitions: For the purposes of this section, the following definitions shall apply:

ADDITION: Construction of a structure that is attached to or connected with an existing building.

INFILL DEVELOPMENT: The development of a previously undeveloped lot or tract of land in an existing neighborhood.

NATURAL DISASTER: An event or force of nature, including, fire, earthquake, flood and tornado.

NEW DEVELOPMENT: Improving an undeveloped lot or tract of land by subdividing, site planning, construction or building permitting. Development on a previously developed lot or tract of land which where the previous development is removed for the purposes of developing the site shall also be considered new development.

REDEVELOPMENT: The development of a previously developed lot or tract of land after a total loss.

TOTAL LOSS: The destruction of a structure as a result of a natural disaster such that nothing of value remains and the structure cannot be repaired or restored to its original condition.

B. Sidewalks That Parallel Abutting Streets: The following shall include sidewalks that parallel all abutting streets:

1. New development.

2. Redevelopment or infill development on property used or zoned as residential (four-family R-4A, townhouse R-5, multi-family R-7).

3. Redevelopment or infill development on property used or zoned as residential (estate R-1, single-family R-2, mobile home neighborhood R-3, duplex R-4), but only if an adjacent property or if a property within the same residential subdivision has a sidewalk.

4. Addition, redevelopment and infill development on property used as or zoned as commercial.

5. Addition, redevelopment and infill development on property used as or zoned as industrial.

C. Sidewalks Within A Development: Multi-family residential, commercial, educational, industrial and public gathering developments must incorporate sidewalks within its development.

D. Exceptions:

1. Addition, new development, redevelopment and infill development along unimproved roads.

2. Placement or construction of an accessory building.

3. Addition, new development, redevelopment, or infill development on agriculturally zoned land.

E. Sidewalk Development Fee: Developers may be eligible to pay a sidewalk development fee, as set out in section 2-6F-14 of this code, in lieu of constructing a sidewalk. The following shall apply:

~~1. Eligibility for the sidewalk development fee is at the discretion of the city commission.~~
2. Developers who desire to pay a sidewalk development fee in lieu of construction of a sidewalk shall make written application to the City Engineering Department for approval and the ~~mayer and board of commissioners~~.

~~3.~~ 2. New development shall not be eligible for the sidewalk development fee.

(Ord. 2016-03, 2-2-2016)

Section II: Repealer. All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section III: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section IV: Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall, for any reason, be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Enid that this section of the Enid Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section VI: Codification. This ordinance shall be codified as Title 10, Chapter 6, Section 10-6-1 of the Enid Municipal Code, 2014.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this ___ day of March, 2019.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney