



INTEROFFICE MEMORANDUM FROM THE DEVELOPMENT SERVICES DEPARTMENT

TO: City Commission

FROM: Robert Massarelli, AICP, Director of Development Services

DATE: June 5, 2019

RE: Culvers' Underground Wiring Waiver Application

Culvers has applied for a waiver of the undergrounding of wiring requirement in Section 31-2 of the City's Code. It is my recommendation that the waiver be granted. It is further recommended that the underground wiring requirement be reviewed to determine the intent of the ordinance and if the methodology of the ordinance is appropriate to achieve the intent.

The justification for the waiver is the segment involved is minor when the entire network is considered. Since there is not a clear statement of intent in the ordinance, it is not possible to determine what would be accomplished by requiring this applicant to underground wires only at this property. There are two other properties that have requested a waiver that will be considered by the Commission. The first is at the intersection of Coconut Creek Parkway and Banks Road, northwest corner. The second is at the northeast corner of the intersection of US441/SR7 and SW 8th Court. Other possible sites include the property at northwest corner of Copans Road and Banks Road and the CRA City Center property. Large scale undergrounding of wires will not be accomplished as a result of this requirement. In addition, Florida Power and Light does not like to underground short segments of their transmission lines.

A review of the ordinance is recommended which would include a determination of the intent and what is the best way to achieve it. For example, if the intent is to provide for hurricane resiliency, an identification of priority transmission lines to be underground would allow a fee to be collected from those served by those lines. If the intent is to remove the lines for beautification, a fee from those properties that benefit from the undergrounding might be collected. The review of the ordinance should also include addressing any waiver fees paid.