



## Legislation Details (With Text)

**File #:** ID 2017-709    **Version:** 1    **Name:**  
**Type:** Ordinance - 2nd Reading    **Status:** Agenda Ready  
**File created:** 10/23/2017    **In control:** Regular City Commission Meeting  
**On agenda:** 11/1/2017    **Final action:** 11/1/2017  
**Title:** CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 31 - PLATTING, SUBDIVISION AND OTHER LAND USE REGULATIONS, ARTICLE 1. - IN GENERAL, SECTION 31-2. UNDERGROUND WIRING REQUIRED; EXCEPTION AND ADDING NEW SECTION SEC. 31-3 UNDERGROUND UTILITY TRUST FUND - ESTABLISHED; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORDINANCE, 2. MINUTES: DRC 09/26/17, 3. MINUTES: P&Z 10/03/17

Date	Ver.	Action By	Action	Result
11/1/2017	1	Regular City Commission Meeting		

**TO:** Mayor and City Commission

**FROM:** Samuel A. May, City Manager

**DATE:** November 1, 2017

CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 31 - PLATTING, SUBDIVISION AND OTHER LAND USE REGULATIONS, ARTICLE 1. - IN GENERAL, SECTION 31-2. UNDERGROUND WIRING REQUIRED; EXCEPTION AND ADDING NEW SECTION SEC. 31-3 UNDERGROUND UTILITY TRUST FUND - ESTABLISHED; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**BACKGROUND:** The proposed ordinance provides that for substantial redevelopment or new commercial, industrial, retail development application or any other development application, with certain exceptions, all utilities to be located within or in the public rights-of-way adjacent to the development and within that development even if not in the public rights-of-way shall be installed underground at the developer's and/or owner's cost.

This ordinance was discussed extensively at the Planning and Zoning Board meeting and was approved by a vote of 4-1 at the meeting with the following amendment:

"To approve with the contingency that the redevelopment section for commercial and residential properties be removed; and to change "may" to "shall" under section 4(c)."

**RECOMMENDATION:** For consideration by the City Commission.

The Development Review Committee (DRC) approved this item at the DRC meeting held on September 26, 2017. An

excerpt of the draft meeting minutes is attached. The Planning and Zoning Board approved the ordinance 4-1 at the Planning & Zoning Board meeting held on October 4, 2017. An excerpt from the draft meeting minutes is also attached. At the October 18, 2017 first reading, the City Commission approved this ordinance with an amendment to exempt single family homes from this requirement and to modify the definition of “substantially redevelop or reconstruct” to remove language referencing site plan amendments.

**FISCAL IMPACT:** To be determined.

**CONTACT PERSON:** Reddy Chitepu, P.E.  
Acting Director of Economic Development/Director of D.E.E.S.