

Business Impact Estimate

Proposed ordinance's title/reference:

Ordinance #79-24 AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF CAPE CORAL, FLORIDA, ARTICLE 3, DEVELOPMENT REVIEW, CHAPTER 4, SPECIFIC REVIEW PROCEDURES–QUASI-JUDICIAL PERMITS AND APPROVALS, SECTION 3.4.5., VACATIONS OF PLATS, EASEMENTS, AND RIGHTS-OF-WAY, REGARDING ADDITIONAL REQUIREMENTS FOR SURVEYS, SKETCHES, AND LEGAL DESCRIPTIONS, AND ADDITIONAL REQUIRED PROCEDURES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

In accordance with the provisions of controlling law, the City of Cape Coral hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The purpose of the ordinance is to 1) clarify requirements for sketches and legal descriptions associated with vacation requests, 2) require owners to participate in a pre-application meeting with staff prior to filing a vacation application, and, 3) require owners to make a one-time, monetary contribute to the tree fund as a condition of approval for vacation requests.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Cape Coral, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Cape Coral regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The City does not require property owners to vacate rights-of-way or easements. Thus, any new expenses borne by property owners will result from voluntary actions made by each owner. As the contribution to the tree fund will vary based on the value of the land and the vacated area which will vary among sites, it is not possible to identify an average contribution to the tree fund.

Most business owners will be unaffected by this ordinance as only owners who voluntarily request to vacate rights-of-way or easements will be required to contribute to the tree fund.

There will be no new expenses borne by the City in administering this ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Based on the past number of vacation cases filed, it is anticipated this ordinance will impact 20 to 30 owners annually.

4. Additional information the governing body deems useful (if any):

The ordinance will allow the City to receive monetary compensation for relinquishing a public asset for private use. The contribution to the tree fund is based on a combination of the land value and area of the right-of-way requested to be vacated, and as a result, can be determined by the owner prior to filing an application with the City.