

PROPOSED UTILITY BOX REGULATIONS INFORMATION SHEET

November 2014

Regulation Changes Relating to Ground Mounted Utility Boxes
Petition PLNPCM2014-00193



Department of
Community and
Economic
Development:
Planning Division

Summary of Proposal: The purpose of this petition is to ensure that the community has reliable access to telecommunication networks and state of the art communication services while ensuring installations are achieved in a manner that preserves the aesthetic qualities of the community.

What is the main reason to change the City Code?

The current regulations include design criteria, and establish a conditional use review process to approve such requests. The regulations incentivize locating boxes on private property rather than in park strips by creating an easier review process for boxes installed on private property. The Planning Division has found that the conditional use review process has given the public the impression that their voice can have a major influence on whether the use is allowed. However, utility boxes generally must be approved if any detrimental effects can be mitigated. The City is now looking at how to establish a more predictable and consistent review process and evaluate private utility box installations in the public way to see if additional regulations should be adopted.



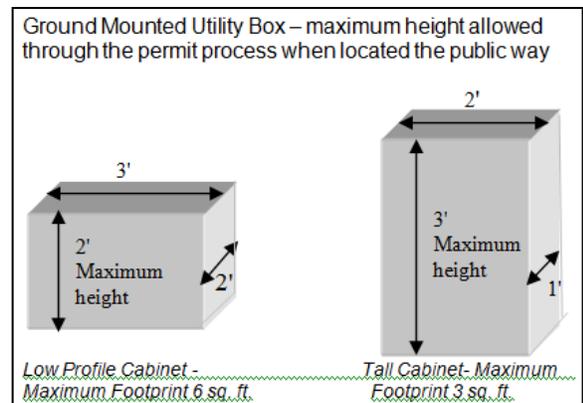
Utility Boxes

Process: The initial proposed regulation changes were provided through an Open House that was held on July 17, 2014. Information regarding the proposed regulation changes was also posted on the City's Open City Hall.

Final Draft Ordinance: Planning staff has developed a final draft of the proposed regulation changes based upon the input received through the Open House and Open City Hall as well as input from City departments.

Key components of the proposed ground mounted utility box text are:

- Exempts utility boxes placed in the right of way for public safety purposes.
- Defines certain locations outside of the public right of way that utility boxes are allowed (such as on private property and utility easements).
- Defines that small utility boxes are allowed in the park strip subject to specific location criteria.
- Larger boxes proposed for the park strip or additional boxes over the number per block can only be allowed if a Special Exception is approved. Special exceptions require public review and input.
- Addresses general location, materials and maintenance issues.
- Provides opportunities for public art on utility boxes.

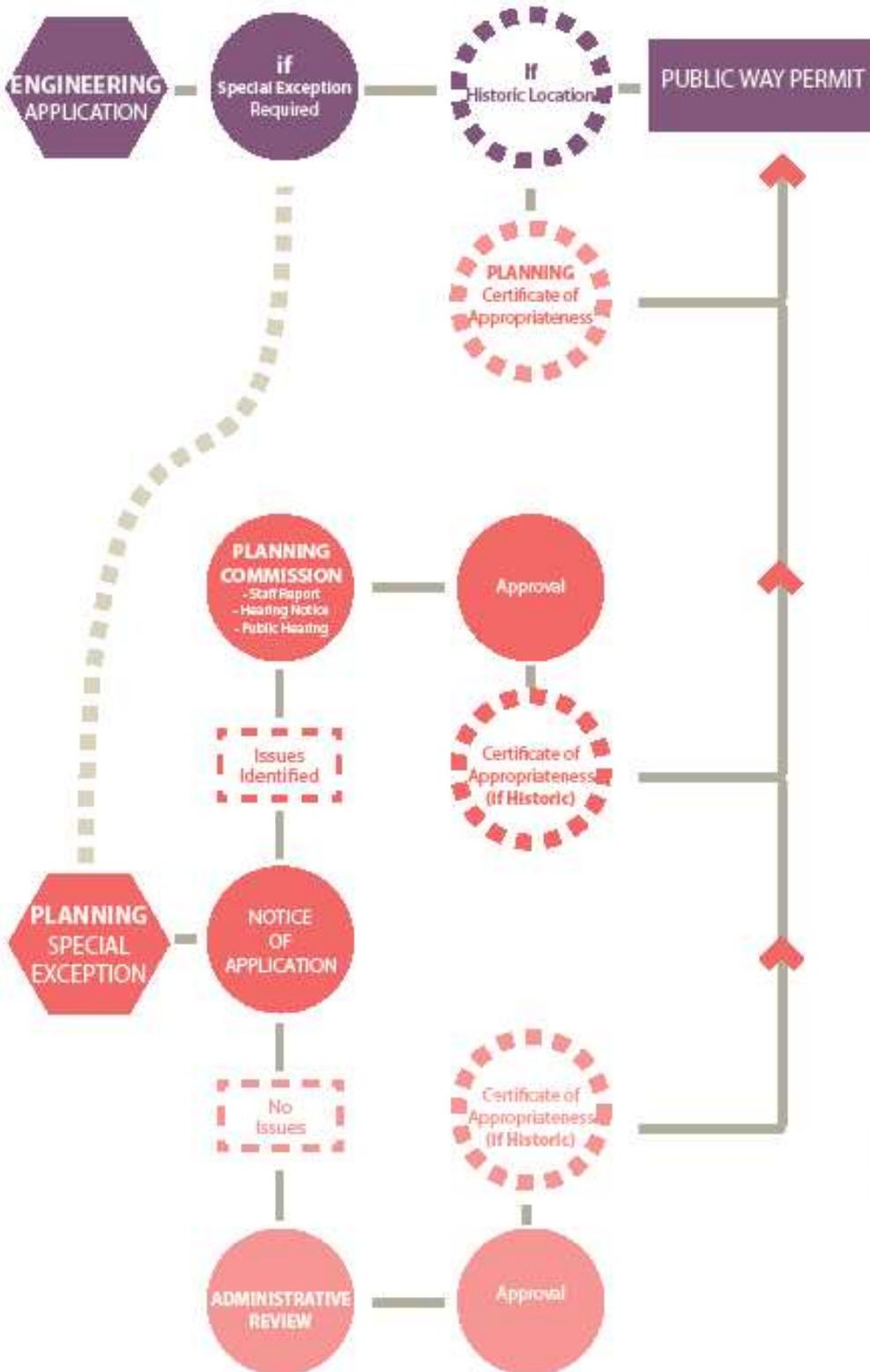


Status: The Planning Commission will hold a public hearing and forward its recommendation to the City Council for its review and final decision. The Planning Commission has not yet scheduled the date of its public hearing.

Questions or Comments: Please contact Everett Joyce at 801-535-7930 or everett.joyce@slcgov.com. Written comments can be submitted via email or mailed to: Salt Lake City Planning Division, c/o Everett Joyce, 451 South State Street Room 406, PO Box 145480, Salt Lake City, UT 84114-5480.

GROUND MOUNTED UTILITY BOXES

LOCATED IN PUBLIC WAY



GMU ALLOWED



LOW PROFILE CABINET

Footprint ≤ 6 sq. ft.



TALL CABINET

Footprint ≤ 3 sq. ft.

GMU SPECIAL EXCEPTION



and/or



GMU EXEMPTIONS

Utility boxes placed by a governmental entity in the right of way for public purposes.

PROPOSED REGULATION CHANGES

Title 21A – ZONING

21A.02.050: APPLICABILITY:

- A. General Applicability: The provisions of this title shall apply to all of the land area within the corporate limits of Salt Lake City, as indicated on the zoning map as provided in chapter 21A.22 of this title. Except as expressly provided in this title, no development shall be undertaken without prior zoning approval pursuant to the provisions of this title.
- B. Exemptions: The following properties, uses and structures shall, to the extent provided by law, be exempt from the regulations of this title:
1. Properties Of The State Of Utah Or Federal Government: Properties owned and occupied by the state of Utah or the United States. Where laws applicable to such properties require the property owner to take reasonable steps to comply with local regulations, this exemption shall not be construed to abrogate that requirement.
 2. Utility Installations: Wires, cables, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas or water, or the collection of sewage or stormwater when owned, operated and/or maintained by a governmental entity or a public utility. Such installations shall comply with federal communications commission and federal aviation administration rules and regulations and those of other authorities having jurisdiction. This exemption includes ground mounted utility boxes installed by a governmental entity in the public right of way for public safety and management purposes, such as traffic control devices, utility boxes for lighting and parking meters. All other ground mounted utility boxes shall not be exempt from the regulations of this title apply and are subject to section 21A.40.160, "Ground Mounted Utility Boxes" of this code.
 3. Railroad Facilities: Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad right of way, and maintenance and repair work on such facilities and equipment.

21A.40.160: GROUND MOUNTED UTILITY BOXES:

- A. Purpose: Utility infrastructure provides a service to the community. The regulations of this section are intended to allow for ground mounted utility boxes while reducing the negative impacts they may create. Of concern is the location and size of utility boxes. The placement of ground mounted utility boxes should consider the location priority order below:
1. In a location not readily visible from a street.
 2. In an alley located along the rear of adjacent properties.
 3. In a nonresidential location that may be visible from a street.
 4. In the park strip of a nonresidential property.
 5. In the park strip of a residential property.

- B. Compliance with Regulations Required: All ground mounted utility boxes shall be subject to the regulations of this section unless exempted within section 21A.02.050 of this title.

C. Definition: "Ground mounted utility boxes" shall mean such equipment and facilities, including pedestals, boxes, vaults, cabinets, meters or other ground mounted facilities and associated equipment that extend over six inches above ground level used for the transmission or distribution of utilities.

D. Location: Any ground mounted utility box shall not be located within two (2) feet of any sidewalk or eighteen (18) inches from the face of a control curb or obstruct any required sight distance triangles for driveways and intersections.

E. Allowed Ground Mounted Utility Boxes: Ground mounted utility boxes proposed as follows shall be allowed in all zoning districts subject to subsection D of this section.

1. Private Property: On private property with permission of the property owner or representative at the following locations:
 - a) Below grade utility boxes that do not extend greater than six inches above ground level.
 - b) Within the buildable area of a lot, rear yard or side yard.
 - c) Behind required front and corner side yards or within five (5) feet of a building when front and corner side yards are not required.
 - d) Within a utility easement.
 - e) Within a right of way when the location does not interfere with circulation functions of the right of way and subject to subsection E1c of this section.
2. Public Right of Way: The City Engineer may issue a permit for the installation of a ground mounted utility box in the public right of way in accordance with standards set forth in this section and being in compliance with chapter 14.32 of this code.
 - a) Below grade utility boxes that do not extend greater than six inches above ground level.
 - b) A utility box installed in a park strip or behind the sidewalk in the public way meeting the following criteria:
 - i) A box not exceeding a height of three (3) feet and a footprint of three (3) square feet, or a box not exceeding two (2) feet in height and a foot print six (6) square feet.
 - ii) The pad for a utility box shall not extend more than three (3) inches beyond the footprint of the box.
 - iii) The utility box is located within fifteen (15) feet of the interior lot line of an adjacent property.
 - iv) There will not be more than three (3) ground mounted utility boxes on any one block face as defined in chapter 21A.62 of this title, if more than three (3) boxes then special exception approval is required for any additional utility box regardless of the utility box size.
 - c) A utility box installed in a public alley that does not interfere with the circulation function of the alley.

F. Special Exception: Proposed ground mounted utility boxes not specifically addressed in section E of this chapter may be approved as a special exception pursuant to chapter 21A.52 of this title and the following requirements.

1. Submission Of Application: A special exception application shall be made on a form prepared by the planning director or designee and submitted to the planning division, that includes required information and the following additional information:
 - a. Described plan of proposed utility box:
 - (1) Dimensions of box and footing/platform detail.
 - (2) Location of contact information on the box.
 - (3) Description of cabinet materials and finish treatment.

b. A location analysis which identifies other sites considered as alternatives within five hundred (500) feet of the proposed location. The applicant shall provide a written explanation why the alternatives considered were either unavailable, or technologically or reasonably infeasible.

2. General Standards And Considerations For Special Exception Review of ground mounted utility boxes: No application shall be approved unless the planning director or the planning director's designee determines that the application is appropriate in the location proposed based upon its consideration of the following criteria:

a. Spacing: Utility boxes shall be spaced in such a manner as to limit the visual impact of the box when viewed from the street or an adjacent property. The Planning Director with input from the City Engineer may modify the location of a utility box. The setback variation will be a function of the site constraints, the size of the proposed box and the setbacks of adjacent structures.

b. Design: Utility box design shall reflect the urban character and pedestrian orientation of the area where it is located. For installations that are readily visible from a City street or sidewalk that includes the visual treatment of the box that may include using a stainless steel material or painted the color used for public utility boxes in the vicinity or cabinet wraps or a screening plan. Cabinet wraps with public art are an optional finish that must receive approval through Salt Lake City Arts Council's Community Art Projects Program.

c. Maintenance: The service provider for all public right of way utility boxes shall comply with the post-installation obligations of subsection H of this section.

G. Materials: All utility boxes shall consist of high quality durable material such as stainless steel and finished in a neutral color such as dark or light green, beige or gray or color similar to utility boxes within the vicinity and coated with a graffiti resistant treatment.

H. Post-Installation Obligations: All utility boxes and any related screening materials shall remain the service provider's responsibility to keep in a state of good visual quality and repair.

1. Franchise Agreements: Permitted and installed utility boxes shall comply with all conditions as set forth in the service provider's/owner's Franchise Agreement with the City.

2. Discontinued Use: If the service provider/owner of a utility box in the public right-of-way discontinues the use or has no defined need for said box, it is their sole responsibility to remove the box and all associated conduit and wiring at their own expense complying with all Engineering Division requirements.

3. Required Contact Information: A service provider shall place a permanent notice on the box that shall contain the service provider's name, and provide a telephone number for the purpose of notification in the event of graffiti or damages to the equipment.

4. Maintenance: A service provider shall be solely responsible for maintaining utility box sites in a clean and safe condition. A service provider shall repair any damage to a utility box within 72 hours after discovering or being notified of such damage to a box.

I. Other City Permits: Additional City permits may be required.

1. No construction shall be undertaken without the applicable City permits and public way permits.

2. Certificate of Appropriateness: Any ground utility box located within an area subject to section 21A.34.020, "H Historic Preservation Overlay District", of this Code shall require a certificate of appropriateness.

~~A. Compliance With Regulations Required: All ground mounted utility boxes shall be subject to the following regulations unless exempted within section [21A.02.050](#), "Applicability", of this title or where limited by other provisions of this title.~~

~~B. Definition: "Ground mounted utility boxes" shall mean such facilities, including pedestals, boxes, vaults, cabinets, meters or other ground mounted facilities and associated equipment used for the transmission or operation of underground public utilities.~~

~~C. Allowed Use: Ground mounted utility boxes proposed as follows, shall be allowed in all zoning districts:~~

- ~~1. Subterranean utility boxes located entirely on private property.~~
- ~~2. Utility boxes located entirely within an enclosed building or structure.~~
- ~~3. Ground mounted equipment required to serve a single commercial customer located behind minimum setback or within five feet (5') of a building.~~
- ~~4. Utility boxes for essential public uses such as traffic control boxes, installed by or with permission of Salt Lake City Corporation.~~
- ~~5. Ground mounted utility boxes located within the front line public utility easement or on private property within a private easement which is mutually acceptable to both the property owner and the utility. The equipment shall not be located within two feet (2') of the sidewalk.~~

~~D. Conditional Use: Conditional use review is required for all ground mounted utility boxes not specifically addressed in subsection C of this section. Applications shall be reviewed administratively by the planning director or an assigned designee subject to the following criteria:~~

- ~~1. Location: Utility boxes shall be located and designed to reduce its visual and environmental impacts on the surrounding properties.~~
- ~~2. Spacing: Utility boxes shall be spaced in such a manner as to limit the visual and environmental impact of the boxes on neighboring properties. The planning director may limit the number of boxes allowed on a specific site to meet this standard.~~
- ~~3. Setbacks: The planning director may modify the setback of the utility box to reduce the visual and environmental impact of the box when viewed from the street or an adjacent property. The setback variation will be a function of the site constraints, the size of the proposed box and the setbacks of adjacent properties and structures.~~
- ~~4. Screening: To the greatest extent possible, utility boxes shall be screened from view of adjacent properties and city rights of way. Utility boxes and their associated screening shall be integral to the design of the primary~~

~~building on site and address crime prevention through environmental design (CPTED) principles by maintaining solid or opaque screening materials.~~

- ~~5. Design: Utility box design shall reflect the urban character and pedestrian orientation of the area where it is located.~~
- ~~6. View: The location shall not block views within sight distance angles of sidewalks, driveways and intersections, or hinder pedestrian or vehicular circulation on the site.~~
- ~~7. Certificate Of Appropriateness: Any ground mounted utility box located within an area subject to section [21A.34.020](#), "H Historic Preservation Overlay District", of this title shall require certificate of appropriateness review and approval with respect to location and screening materials. (Ord. 29-10, 2010)~~

21A.52.030: SPECIAL EXCEPTIONS AUTHORIZED:

23. Ground mounted utility boxes may be approved subject to the regulations and standards of Section 21A.40.160 of this title.