



Memorandum

Planning Division
Community & Economic Development Department

To: Historic Landmark Commission

From: Janice Lew, Senior Planner

Date: August 28, 2014

Re: Briefing on Ground Mounted Utility Boxes Text Amendment
Petition PLNPCM2014-00193

Purpose

The purpose of the briefing is to allow the Historic Landmark Commission an opportunity to provide direction to Planning Staff about utility box installations located in the City's historic districts or affecting landmark sites. More specifically, staff is seeking comments and suggestions regarding design and location. Most applications for a certificate of appropriateness are approved administratively subject to the applicable standards outlined in Section 21A.34.20 H Historic Preservation Overlay District of the Zoning Ordinance.

The City is looking at how to establish a more predictable and consistent review process for the installation of ground mounted utility boxes. The new standards are intended to ensure the community has access to reliable utility services while ensuring installations are achieved in a manner that preserves the aesthetic quality of the City. The boxes might be more noticeable when they are first installed, but over time, their appearance may be seen as part of the urban environment by some individuals.

The Planning Division hopes to encourage the installation of less visible boxes by streamlining the approval process for boxes located on private property or in alleys, and smaller boxes in park strips. The amendment will affect various sections of the Zoning Ordinance (Title 21A) as well as changes to Title 14 of the City Code relating to Streets, Sidewalks and Public Places. No changes to Section 21A.34.20 H Historic Preservation Overlay District are proposed.

Any comments or direction the Commission Members have regarding this topic are greatly appreciated.

Issues

The current zoning ordinance regulations include design criteria, and establish a conditional use review process that includes a public hearing to make a decision on

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 in some cases, very few in the public comment on these types of projects. In addition, the conditional use process has given some people the impression that their voice can influence whether or not the use is allowed. However, State Law states that “conditional uses” generally must be approved if any detrimental effects can be mitigated. The City’s Appeals Hearing Officer has made a determination that the utility boxes should be allowed, and the purpose of the review is to apply conditions to specific installations to mitigate impacts.

Summary of Changes Under Consideration

- Tiered Review Process:
 - Establishes a streamlined review process for qualifying private above ground utility boxes in the public way under the purview of the Engineering Division.
 - Over-the-Counter permit for boxes located on private property.
 - Replaces conditional use review process with Planning Division review process for larger boxes in park strips and along street frontages where they are more visible.
- Clarify existing language.
- Application approvals conditioned on service providers ensuring the boxes are properly maintained.
- Provide opportunities for public art.



Please Consider the Following Questions

- Should the City encourage the installation of multiple service provider boxes in groupings or implement spacing requirements.
- If a ground mounted utility box is located in a highly visible public right-of-way such as a park strip, what types of regulations should it have to meet?
- If the equipment boxes need to be in a residential neighborhood where should they be located?
- What types of mitigation measures would enhance the appearance of an installation?
- Do art wraps detract from the historic character of overlay districts?



Next Steps

The Planning Commission will hold a public hearing on the petition and recommend approval or denial of the proposed amendments to the City Council, the decision making body on text amendments.

Attachments

- A. Existing Section 21A.40.160 of the Zoning Ordinance

Attachment A

21A.40.160: GROUND MOUNTED UTILITY BOXES:

- 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)