

PLANNING COMMISSION STAFF REPORT

AMENDMENTS TO CHAPTER 21A.40.160 UTILITY BOX REGULATIONS Case #PLNPCM2009-00902 November 18, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Applicant:

City Council

Staff:

Ray Milliner ray.milliner@slcgov.com
(801)535-7645

Current Zone:

N/A

Master Plan Designation:

City Wide

Council District:

City Wide

Review Standards

21A.50.050 Standards for General
Amendments

Affected Text Sections

Chapter 21A.40.160

Notification

- Notice mailed on November 4, 2009
- Published in Deseret News November 4, 2009
- Posted on City & State Websites November 4, 2009

Attachments

- A. Proposed Red Line Text Amendments
- B. Summary Notes from ZAP task force meeting.
- C. Letter from Sugar House Community Council

REQUEST

In July of 2008, the City Council adopted amendments to Section 21A.40.160, redefining the regulations for the placement of a ground mounted utility box on both private and public property. These regulations included design criteria, and requirements for processing them. As part of the approval, the Council directed staff to further refine the regulations, and return with suggested improvements as a second phase.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the proposed modifications to Chapter 21A.40.160 Ground Mounted Utility Boxes, conduct a public hearing and forward a positive recommendation to the City Council.

Background

In July of 2008, the City Council adopted amendments to Section 21A.40.160, redefining the regulations for the placement of a ground mounted utility box on both private and public property. These regulations included design criteria, and requirements for processing them. As part of the approval, the Council directed staff to further refine the regulations, and return with suggested improvements as a second phase. Staff is now presenting an updated version of the regulations for review. Highlights are summarized below.

On October 28, 2009 the Planning Commission reviewed the proposed changes to the ordinance and provided staff with direction to change the text. Specifically, staff was directed investigate the following:

1. Should language limiting the size of boxes allowed on each property be created?
2. Should Language be created that requires boxes to be spaced so as to limit clustering in a certain area?
3. Clear up confusing language in definition and allowed use sections.

Staff has conducted a review of the Planning Commission direction and is now requesting that the Commission forward a positive recommendation to the City Council.

As an aside, staff has contacted a number of Cities in the area to determine what, if anything they do to regulate utility box installation. Staff found the following:

- Ogden: No regulation
- Provo: No regulation
- Sandy: Boxes must be 5 feet from front property line
- Park City: No regulation
- Murray: No regulation
- Cottonwood Heights: No regulation

Staff found that a majority of the cities in the region rely on a franchise agreement with the utilities wherein a staff member from the engineering or public utility division will review plans to determine if the proposed box would impact other utilities or sight lines in the right-of-way. If a resident is troubled by the location of a box near her home, it is generally a matter left between the utility provider and the property owner to resolve.

Public Participation

This application was reviewed by the Zoning Amendment Project task force on August 10, 2009. Summary notes are attached as exhibit B.

The project was also reviewed at an open house on July 21, 2009. No public comments were received.

Staff has also met a number of times with representatives from Rocky Mountain Power, and Qwest Corporation (the two entities impacted the most by these regulations). They have provided technical input regarding the manner in which the boxes are installed and the locations necessary to effectively provide the service.

Staff has received comments from members of the Sugar House Community Council, who have expressed concerns regarding the maintenance and upkeep of the boxes after they have been installed, they specifically state that they have had significant impacts from maintenance vehicles, graffiti and a general lack of maintenance of the boxes (letter included as exhibit C).

Issue Analysis

There are a number of significant changes proposed in this chapter, as well as general fine tuning designed to clarify language and facilitate understanding and application of the regulations. Below is a summary of the changes proposed, with a brief analysis of the rationale for the amendment.

Chief among the proposed changes is the placement of the process under the jurisdiction of the Planning Commission. Currently utility boxes can be reviewed as a routine and uncontested matter, or a conditional use, thereby placing certain boxes under the jurisdiction of the Board of Adjustment (routine and uncontested matters) and others under the jurisdiction of the Planning Commission (conditional uses). The proposed amendments will place all review of utility boxes under the jurisdiction of the Planning Commission. This eliminates the requirement that applicants receive signatures from adjacent property owners as part of a routine and uncontested matter. Nonetheless, the public will still receive notice as all conditional uses require notice of adjacent property owners within 300 feet of the use location.

Throughout the process of modifying the requirements for this section, staff has encountered a number of persons and entities with strong opinions on the regulation of these boxes. Opinions have ranged from total deregulation to requiring significant review and conditions of approval for all boxes placed in the City. The proposed changes to the ordinance are an attempt to mitigate concerns expressed by these citizens, while still providing utility companies and business owners with an efficient permitting process. Staff recognizes that the boxes are an essential component to the provision of electrical, telephone, internet, and cable TV services throughout the city. These services are generally deemed as essential by the citizenry. Nonetheless, staff also recognizes the impact that one of these boxes may have on a property owner's quality of life, if it were placed in front of her home without her permission. As a result, staff is recommending the following changes.

Definition

Staff has modified the language that defines ground mounted utility boxes. Language includes:

A. **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.

Staff investigated the possibility of leaving the size designations of boxes in the definition proposed for these structures; nevertheless, staff is recommending that the size of the box not be a contributing factor of review for the following reasons:

1. Extremely large utility structures such as a substation or maintenance structure are defined in the Zoning Ordinance as Public/Private Utility Buildings and Structures, and are subject to a separate review.

2. Most of the larger boxes are located in the industrial zones; an area that does not necessitate as much review as residential areas.
3. Most boxes proposed in residential areas are of a similar size and shape, as the industry has a standard box that is used throughout the neighborhoods. Therefore, most boxes would either be permitted or conditional depending on the size determined.

As a result, staff finds that the creation of a size limitation on boxes would not be an effective mitigation tool in the review of utility boxes.

Allowed

There are certain situations where the requirement that a utility box be processed as a conditional use is cumbersome and contrary to the purpose of the goal of the ordinance, to mitigate the visual, environmental and physical impacts of the boxes on neighboring residents. To eliminate this issue, staff is proposing to feature the following uses as allowed, meaning they would only need to receive a building permit as required by the International Building Code:

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 5 feet 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 2 feet of the sidewalk.

The staff rationale for recommending that boxes meeting the above criteria is based on the following:

- The general purpose of this regulation is to mitigate the visual impact of the boxes on surrounding neighborhood. The visual impacts of subterranean boxes and boxes located within an enclosed building have been eliminated by virtue of their being enclosed.
- Boxes located within the buildable area should be allowed no differently than any other type of mechanical equipment such as an air conditioner or heating unit.
- Location options for a public necessity such as a traffic control box are limited, and many times the health safety and welfare need for the box is outweighed by the visual impacts.
- Ground mounted equipment used for transmission or distribution generally is associated with the undergrounding of power lines and cables. Above ground power lines are an allowed use in the City (State Law requires it). If a person or entity would like to place power lines below ground she must do so at her cost. As a result, the requirement that a box receive a conditional use approval increases the time necessary and the cost of undergrounding utilities, and encourages applicants to simply leave the utilities above ground. Generally, the visual impact of the above ground power lines is greater than that of the transmission boxes.

Conditional Use

All utility boxes not featured as permitted uses would then be reviewed as an administrative conditional use (primarily those in the front yard without an easement, or in the public right-of-way without an easement). In response to the Commission concern that many boxes would be clustered and become

unsightly, staff has proposed a new standard limiting the visual and environmental impact of the boxes. No specific spacing requirement is provided, as there may be situations when the clustering of a number of boxes is appropriate. Staff is recommending the criteria featured below:

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.

Applications requiring a conditional use may include (but are not limited to) placement of a box in the front yard setback of a private lot, or a box in the public right-of-way with no easement.

STANDARDS FOR GENERAL AMENDMENTS

A decision to amend the text of the Zoning Ordinance or the Zoning Map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the City Council should consider the following factors:

1. **Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;**

Discussion: While no adopted master plans for Salt Lake City specifically refer to ground mounted utility installations, some of them, such as the Capitol Hill Master Plan and the Central Community Master Plan, call for well-maintained and adequate public utilities, buildings and facilities that are compatible with the surrounding area. In residential and other potentially high-impact districts, the proposed text amendment ensures that all high impact utility boxes are reviewed for their compatibility and impact on the surrounding area. Building permits would still be required for all installations, regardless of size of district.

Finding: The proposed text change is consistent with adopted master plans.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.

Analysis: The proposed changes to the ordinance will further the purpose statements of the Zoning Ordinance by modifying and clarifying the requirements necessary for approval of a utility box. By making certain boxes conditional and others allowed, the amendments provide decision makers with an opportunity to mitigate any impacts that the uses may have on specific neighbors or properties, while providing utility providers with a streamlined and more efficient permitting process. These modifications create standards and factors for consideration that will facilitate mitigation of adverse impacts on neighboring property owners and will clarify sections of the chapter that were not clear or concise.

Finding: Staff finds that the proposed changes to the Zoning Ordinance are consistent with the purpose statements found in the Zoning Ordinance.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.

Discussion: The proposed text amendment is not site specific, and is not associated with any overlay zoning districts. Where a particular installation is within an overlay zoning district, any applicable regulations must be met.

Finding: The proposed text amendment meets this standard.

Attachment A
Proposed Amendment

21A.40.160: GROUND MOUNTED UTILITY BOXES:

~~A. Compliance With Regulations Required; Exception: 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; Dimensions; District Requirements: "Ground mounted utility boxes" shall mean such facilities, including pedestals, boxes, vaults, cabinets, meters or other ground mounted facilities and associated equipment such as condensing units and generators that directly serve the property or local area in which the facility is placed, that are not primarily for transmission or distribution to other locations, or otherwise are customarily found in such areas.~~

~~1. Ground mounted utility boxes are separated into three (3) tiers: small, medium and large.~~

~~a. Small ground mounted utility boxes are less than fifteen (15) cubic feet in volume with a limit of forty eight inches (48") in height.~~

~~b. Medium ground mounted utility boxes are equal to or greater than fifteen (15) cubic feet in volume and equal to or less than forty (40) cubic feet in volume with a limit of sixty inches (60") in height.~~

~~c. Large ground mounted utility boxes exceed forty (40) cubic feet in volume with a limit of seventy two inches (72") in height.~~

~~2. Residential districts and neighborhood commercial (CN), mixed use (MU), mobile home park (MH), and open space (OS) districts are subject to the following requirements:~~

~~a. Small ground mounted utility boxes shall be considered routine and uncontested matters as outlined in chapter 21A.14 of this title, subject to the following standards:~~

~~(1) Screen Standards: The intent of these screening standards is to minimize negative visual impacts while taking into consideration maintenance, access, and public safety.~~

~~(A) Screening materials are to be provided in a manner that minimizes the visual impact of the utility installation but also addresses crime prevention through environmental design (CPTED) principles of maintaining views of the subject area from public locations such as sidewalks and streets.~~

~~(B) Solid or opaque screening materials are permitted when part of an existing design element of the site.~~

~~(2) Location Standards:~~

~~(A) Location does not block views within sight distance angles of sidewalks, driveways and intersections.~~

- ~~(B) Located to minimize blocking views from and of the principal structure(s).~~
- ~~(3) Signatures Required: The zoning administrator shall require the signatures of all abutting property owners, including property owners across the street, in the regular process for considering any routine and uncontested matters relating to small ground mounted utility boxes.~~
- ~~(4) Community Council Notification: The affected community council will be notified of the request and of the administrative hearing, if applicable.~~
- ~~b. Medium or large ground mounted utility boxes shall be processed as conditional uses subject to chapter 21A.54 of this title.~~
- ~~3. Commercial, downtown, manufacturing, gateway and special purpose districts other than those listed in subsection B2 of this section shall be subject to the following requirements:~~
- ~~a. Small ground mounted utility boxes shall be considered permitted uses.~~
- ~~b. Medium or large ground mounted utility boxes when located on private property in commercial, downtown, gateway, manufacturing, and some special purpose districts (all except natural open space, mixed use, mobile home park, and open space districts) shall be considered routine and uncontested matters as outlined in chapter 21A.14 of this title, and shall be subject to the screening, location, and administrative review standards of subsections B2a(1) through B2a(3) of this section.~~
- ~~4. All ground mounted utility boxes not subject to subsections B1, B2 and B3 of this section shall be processed as conditional uses subject to chapter 21A.54 of this title.~~
- ~~5. In addition to subsections B2a and B3 of this section, 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. (Ord. 21-08 § 8, 2008)~~

21A.40.160 Ground Mounted Utility Boxes:

- B. 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.
- C. 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.

D. **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 5 feet 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 2 feet of the sidewalk.

E. **Conditional Use:** Conditional use review is required for all ground mounted utility boxes not specifically addressed in sections C of this chapter. 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.

Attachment B

Summary Notes from ZAP Task Force Meeting

2009 Zoning Text Amendment Project

August 10, 2009

Task Force Meeting

Members Present

Alene Bentley; Cindy Cromer; Sydney Fonnesebeck; Barbara Green; Jerry Green; Esther Hunter; Bruce Jensen; Jeremy King; Bill Nighswonger; Helen Peters; Vasilios Priskos; Dave Richards; Lon Richardson; Steven Rosenberg; Judi Short; Grace Sperry; Ray Whitchurch

Staff Present

Wilf Sommerkorn, Planning Director; Cheri Coffey, Planning Manager; Ray Milliner, Principal Planner; Mike Akerlow, Economic Development Division

Review of Summary Notes

Staff clarified that the underlined verbiage in the notes that were handed out in the meeting represent comments that were submitted to staff, from Task Force members, clarifying what they said at the July 13, 2009 meeting.

There was a request to clarify the notes relating to density and the proposed planned development regulations. Staff agreed to make the changes.

General Discussion on ZAP Process

There was a request for staff to notify the Task Force members of what issues staff agreed to and therefore, incorporated into the final recommendation of the various ZAP petitions. Staff agreed that the staff reports can be written to better identify the input from the Task Force and how staff addresses the issues raised by the Task Force. Staff also agreed to send Task Force members a website link to the staff reports once they are posted for the various ZAP petitions.

There was a request for staff to speak up in the Task Force meetings to let the Task Force members know when a suggestion is or is not feasible.

The Planning Director was asked to clarify whether the proposed amendments to address non-conforming medical clinics would be presented to the ZAP Task Force. Mr. Sommerkorn responded that the Planning Staff will need to think about how to deal with that issue, which is a separate issue from the Zoning Amendment Project issues because it is very specific to one geographic area.

Discussion relating to proposed amendments to Utility Box Regulations

Bruce Jensen, of Rocky Mountain Power company described the typical box construction use and location.

He was asked why Rocky Mountain Power was not eager to install underground power. He responded that the cost to put the utilities underground is 3-6 times more expensive to install and maintain. There are safety issues and issues relating to ease of finding the underground boxes in the snow (takes time and money).

In certain zones, the City requires or encourages buildings built to the street. In these instances, where do you put the utility box? The cable and conduit do not bend and sometimes there is no other place than the right-of-way.

It was suggested to have the developer and Rocky Mountain Power meet early in the process so the utility box can be located in the proper location on site (preplan).

Do we need to tweak walkable regulations to identify how to locate boxes?

Is there a way to require the boxes to be located on the site plan earlier?

The current rules encourage overhead wires –you have to get a conditional use for a utility box that places the lines underground

The developer hasn't the knowledge early on about power.

Support allowing boxes as a permitted use in buildable area.

It would be good to have the guidelines from RMP so that developers know how to deal with switching boxes (size etc).

Maintenance of the equipment requires an eight foot long fiberglass stick so we must account for that in locating boxes.

The greater the open area around the equipment, the more opportunity to dissipate heat.

DSL Qwest boxes, location is more flexible on private property.

To avoid graffiti put in back yard of owner property

Location issue – if put it on a narrow roadway then the maintenance truck blocks the road.

The pre meeting is a good idea. Give Qwest ideas early on and they can look for alternatives.

There are some places in building areas that are better than others (put in rear – not next to the residence neighbor on the side).

Putting in the back lot creates significant issues to maintain (dogs, fences, sheds, landscaping)

Develop a hierarchy for placement of the utility boxes. Create a preference of where they should go (such as adjacent to alleys in rear yards, etc) and if they can't be located in the first preference, then go to the next preference for locating the box.

How do you deal with an easement for these when you have a retaining wall?

What are appropriate screening options, such as landscaping, art/ graphic wrap and paint color, and who maintains the screening?

If upgrade to an overhead facility is necessary would you upgrade or put it underground? Upgrade overhead.

Can we get a creative design of utility boxes like telecommunication boxes?

Rocky Mountain Power is somewhat limited on how creative they can be. They have to ensure the heat is dissipated and wraps or screening may trap the heat.

- Design fake rocks so they disperse heat
- Wraps act like insulation and hold the heat in.
- Wrap in mirrors.

If want power lines buried, why make it harder to put underground than overhead? Use public right of way

Rocky Mountain Power typically has one electric transformer to serve approximately 4-6 homes or one business

The cost for placing lines underground is passed on to consumer

The community needs to determine the cost of requiring them underground and if it is willing to pay the expense for doing so.

Downtown – are there already vaults where they can be placed? City and County Building has six boxes clustered together. Consider that first.

The cost of development vs. the cost of utilities has to be looked at. If the development is millions of dollars, then \$50,000 is not a big deal. If the cost of the development is \$500,000 then \$50,000 is a big expense in the project.

The streets downtown are full of utilities, vaults etc

If not allowed in public right of way, then all existing utility boxes are considered non complying. They can continue but expansion rules are changing.

Public input should be allowed on City boxes (traffic boxes etc). They can interfere with abutting property owners such as blocking the doors to businesses.

Attachment C:
Letter from Sugar House Community Council/Public Comments

I am sorry I am unable to attend the Planning Commission meeting tonight. I have some concerns about the changes to the utility boxes provision of the ordinance.

If Qwest was always a good neighbor, the staff recommendations would be easy to accept. As far as I can tell, very few boxes would not be required to be reviewed, the vast majority would be just over the counter permits. The last one approved in our council district required considerable discussion and meetings with the neighbors, because the site selected by Qwest was poor, and moving the box across the street was a much safer location. If the new ordinance was in place, that box would be in the wrong place and a continual problem.

Every person I know who has a utility box in the parkway in front of their house or on their block, always bends my ear about the concerns they have because the boxes are a problem. Every time the trucks are there and men are working, they park on the grass, the trucks idle, they leave debris of pop cans, paper and wire all over the ground, and sometimes even block the crosswalks. The boxes are covered with graffiti, and it takes a number of phone calls to get that painted out, and then the color doesn't match. Wouldn't you think they could make all their boxes the exact same color, and then stock cans of paint that matched? A patchwork of colors on a box is an eyesore.

To allow no community input means that we have boxes installed, then discover they are a big problem, but there is never any remedy. Do you really think they will move a box once it is installed?

If you are going to limit the review to Planning Director approval at the very least you should require some signatures from neighbors on the street involved. Not just the person whose house is behind the proposed box, but those within a certain number of feet. Maybe there should be a designated person on the planning staff who becomes an expert, who works with Qwest to determine the best site, rather than always reacting to the Qwest proposal, the planner could be proactive, looking out for the interests of the citizen. the suggestions given by the ZAP committee could be a template for a checklist the planner would use when reviewing a project.

Qwest should enter into some sort of an agreement with Salt Lake City about the maintenance of these boxes, including, but not limited to, cleaning up the site after each worker does any work on the boxes, post a phone number to call to have graffiti removed within a day, post a phone number where a citizen can call with complaints or issues about the boxes.

And, this is a very good reason why we should not vacate any more alleys in the city. The alleys become a good place to locate this equipment, out of the public view and up on the telephone poles.

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Judi Short

Ray,

This is a real pet peeve of mine, and if anyone were to put a box on public property near my house I would jump at the chance to test the legality of that in the courts. See my note to Council Simonsom. We should *not* be accommodating these boxes and we especially should *not* be streamlining their installation. The companies that use them should be slowly but surely forced to upgrade their technology to make them unnecessary, or at least fewer.

Thanks,

Scott Kisling

2409 Lynwood Drive

From: Scott Kisling <scott.kisling@comcast.net>

Date: October 29, 2009 11:46:59 AM MDT

To: Soren Simonsen <soren.simonsen@slcgov.com>

Cc: Carlson Philip <PhilipCarlsonSHCC@StoryCupboard.com>

Subject: Fwd: Administrative Hearing for Qwest

Dear Councilman Simonsen,

I hate these ugly and damage-prone boxes that are currently used for DSL to operate at greater distances from their central office and at higher frequencies. I would like to put pressure on companies that install them so they improve their technology so as to require fewer of them. They are usually located on the public right of way, though I doubt the City gets any revenue from them, though the City should as further enticement to improve the technology. When located on private property the property owner is compensated. Homeowners in proximity of the boxes are unfairly singled out when the market imposes a lower value on their property because of the nearby boxes. This is essentially an forced private subsidy of a corporation.

Many years ago the Sugar House Community Council, and others, successfully pushed the Planning Commission to become more restrictive on mobile phone antennas, requiring the antennas to be designed to lessen their visual impact by both better placement and colorization. Unfortunately, as Commissioners have changed, so has that attention. We once again have very visible and poorly integrated mobile phone antennas, often on buildings such as the Redman Building, that exemplified good antenna integration in the past.

We need to consider what we are doing to the desirability and value of our neighborhoods in the course of our race for improved connectivity.

Thanks for listening.

Scott

2409 Lynwood Drive