



# City of Yuba City Overhead Utility Policy

March 17, 2020

**Purpose:**

The purpose of this policy is to establish guidelines, criteria, and requirements for the mitigation of overhead utilities within the City and Sphere of Influence. It is the ultimate goal of the City to encourage the growth of the City while maintaining a high standard for the appearance and function of its right-of-way, especially for roadway arterials and collectors. The City has determined that a primary means of improving the appearance of said roadways is through mitigation or undergrounding of proposed and existing overhead utility structures with development and redevelopment projects; however, the City also recognizes the financial burden of utility mitigation and undergrounding. This policy intends to balance the needs of the City's development community with the goals and aims of the City. This policy does not supersede Municipal Code Section 8-2.1511.

**Policy:**

*All proposed and existing: poles, overhead wires, associated overhead utility structures, and/or services, within the property boundaries or along the entire property frontages of proposed developed property, shall be constructed by the developer so as to improve the function and appearance of the City right-of-way, up to and including the undergrounding of utilities. This shall be required as a condition to development for non-ministerial developments.*

**Options for Utilities:**

During the development review process, staff shall recommend the level and requirements for mitigation of overhead utilities, to ensure conformance with roadway design standards and reducing visual blight. Any alternative to undergrounding must not create a situation hazardous to the health, safety, and welfare of the general public nor limit any mode of transportation. Any combination of mitigation options listed below will be required for approval through the City's approving authority as established in the Municipal Code. Options are as follows:

1. Overhead Utility:

The majority of development projects may require a combination of the following measures as an alternative to undergrounding utilities unless exempted by the approving authority for the City:

- Relocation of the poles and/or facilities to meet roadway design and other applicable standards.
- Undergrounding of all new utility services, including associated transformers or other equipment, as approved by the City.
- Complementary or shielding landscaping, masonry walls, or other aesthetic or structural enhancements.
- Bundling and consolidating of existing and added infrastructure.
- Modified limits of undergrounding along property frontages.
- No additional poles or service lines along newly constructed roadways.
- Alternative phasing or timing of the utility undergrounding in order to make construction more feasible or affordable.

- Payment of an in-lieu contribution equal to the full cost of constructing the developer's share of the utility undergrounding improvements adjacent to the property.

If alternative cost options are less than 25% of the determined undergrounding cost for the project, overhead utility mitigation shall be accompanied by an enhancement contribution. The enhancement contribution plus the cost of project overhead utility improvements is to be no less than a total of 25% of the estimated cost of undergrounding utilities. Enhancement contribution payments to the City will be used at the City's discretion to underground or relocate utilities at priority locations and/or provide other site-specific enhancements.

The cost of undergrounding utilities shall be estimated at \$850 per lineal foot at the time of adoption of this policy, and indexed annually each year per the ENR Construction Cost Index 20 City Average, calculated from April to April, with a recurring five-year review of the base cost estimate.

Proof of valuation and cost analysis must be submitted to the City for review and approval.

2. Undergrounding:

The City may require undergrounding of utilities for:

- Projects that require a development plan, specific plan, or master plan.
- Projects that are adjacent to the "Streets Requiring Undergrounding" in the section below.
- Projects within any current or future established undergrounding district.

3. Complete Exemption:

- Complete exemption from the utility requirement. This option shall be reserved only for cases where undergrounding or overhead utility alternatives have been determined to be unsafe or infeasible.

**Streets Requiring Undergrounding:**

All new roadways constructed after the time of approval of this policy must have utilities undergrounded, including all distribution and service lines.

Developments adjacent to established undergrounding districts and/or future undergrounding districts have been determined by the City Council to be ineligible for exemptions or deferrals from undergrounding, unless otherwise authorized by the City Council. However, if undergrounding has been determined to be unsafe, infeasible, or must be used for the transmission of electric energy in excess of 26,000 volts, exemption or deferral may be considered during the approval process.

**Construction:**

Once the appropriate City authority has approved the requirements for the installation of utilities, the developer must meet the following requirements during construction:

- Unless otherwise agreed to by the affected public utilities and the developer, the cost of installing such utilities shall be borne by the developer.
- Existing utility improvements shall be updated in conformance with this Policy and the City's standards in effect at the time of construction, including any requirements that the affected public utilities may have. Satisfactory construction will be determined by the Public Works Director or designee.
- Prior to commencing the work, the developer shall obtain any necessary permits from the City, including encroachment and/or building permits.
- If, for various reasons, it has been deemed necessary to extend the installation of utilities beyond the project limits, the developer may be partially or fully reimbursed from future development for the costs associated with such extensions.