

# San Diego Community Planners Committee

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*Keeping Communities in Communication* ❖ <http://www.sandiego.gov/planning/community/cpc>

June 6, 2012

Subject: City Attorney's Review of Aesthetic Concerns on Placement of Utility Equipment

Honorable Chair Zapf and Land Use and Housing Committee Members:

Thank you for the opportunity to provide a community based perspective on the above named item on your June 13, 2012 agenda. I look forward to joining community members in providing the Land Use and Housing Committee with an informative organized presentation.

Others will relay to you the long history of growing concern on this matter (see attached). However, you should be aware that this issue was brought to the Community Planners Committee (CPC) at our April 2011 meeting. After a presentation and discussion the CPC unanimously agreed:

*To endorse the formation of a citywide task force and for Land Use & Housing and the City Council to address utility boxes and the undergrounding of utilities.*

Accordingly, we suggest the task force be structured similar to the recent wireless facilities stakeholder review committee.

*Form a Utility Box Task Force led by the chair of CPC. The task force should be balanced between community and industry and consist of:*

- *Residents of communities experiencing undergrounding (for example, four community members appointed by the Community Planners Committee);*
- *Storefront Merchants (for example, two members appointed by the Business Improvement District Council);*
- *Utility Companies (for example, at least one member each from AT&T, Cox, SDG&E, and Time Warner);*
- *A design professional (for example, an appointment by a regional design association); and,*
- *City Staff (for example, an appointment by the Office of the Mayor).*

*The task force should be supported by the City Council (for example, the LU&H committee representative) and the City Attorney's Office.*

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From: San Diego Community Planners Committee

To: Honorable Chair Zapf and Land Use and Housing Committee Members

Subject: City Attorney's Review of Aesthetic Concerns on Placement of Utility Equipment

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In light of issues raised at the CPC meeting, we suggest the task force be directed to:

*Develop two sets of guidelines describing "best practices" for elements of utility undergrounding and above ground appurtenances that affect neighborhood aesthetics and walkability. Specifically:*

- 1) Utility design and installation standards which address neighborhood aesthetics especially with regards to size and location of equipment, minimizing pedestrian conflicts, and on-going graffiti removal, and*
- 2) Create a public participation process to replace the current public information process; such a process could include meaningful local input during the planning stage and continued public engagement during design and installation.*

*To ensure the task force's work is both transparent and efficient for all stakeholders, we suggest that the task force hold open public meeting and submit their recommendations to LU&H within nine months.*

Our hope is that these guidelines will help the utility companies achieve their goals and minimize or eliminate impacts to property owners and neighborhoods as they plan, design, and install projects in the City of San Diego; furthermore, to give residents and merchants confidence that the City is protecting their interests while working with the utility companies.

We appreciate the Committee's consideration and we look forward to working with all stakeholders on this citywide issue.

Sincerely,



Joe LaCava

Chair, Community Planners Committee

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Attachment: Community Involvement with Utility Boxes and the Public Right-of-way  
cc: Representatives, Community Planners Committee

## Background Paper

### Community Involvement with Utility Boxes and the Public Right-of-Way

June 6, 2012

The following is a brief history of community involvement with the issue of utility boxes in the public right-of-way presented by the Kensington-Talmadge and North Park planning groups.

Beginning in 2006, community members and organizations expressed growing concern about utility undergrounding when Kensington-Talmadge residents contacted former Council Member Toni Atkins at the start of the Talmadge undergrounding project. Independently, in 2010, the North Park Planning Committee (NPPC) communicated with Council Member Todd Gloria regarding increasing public right-of-way obstructions in their business district as well as their residential areas. The NPPC requested his assistance to obtain a legal opinion regarding the City's ability to modify existing utility installation practices.

On October 22, 2009, a Planning Commission Public Right-of-Way workshop was held at the request of Planning Commission Chair, Eric Naslund. At that workshop, city staff described the "Complete Streets" planning concept, which supports the physical enhancement of the pedestrian experience, a stated goal of the 2008 General Plan. Independent of each other, staff and members of the El Cajon Business Improvement District, University Heights Community Development Corporation, and the Kensington-Talmadge Planning Group attended the workshop and expressed their dismay over obstructions to pedestrians placed in the public right-of-way.

In an effort to coalesce various stakeholders and with the assistance of our council members, City staff and representatives of planning groups from Greater Golden Hill, Kensington-Talmadge, La Jolla, Normal Heights, and North Park met with representatives of SDG&E, Cox, and AT&T on March 28, 2011 to discuss utility box placement and issues related to utility undergrounding. While some progress was made at that meeting, many outstanding issues remained. Still, it was encouraging to hear from the utility representatives who were present state that they could do a better job and would work with the communities to solve problems.

On April 26, 2011, the North Park and Kensington-Talmadge planning groups made a presentation to the Community Planners Committee (CPC) and secured their 24-0-1 vote supporting the formation of the Utility Box Task Force which is now coming before you. In addition to the CPC, numerous community organizations have formally or informally supported this initiative, including CPGs from City Heights, Eastern Area, Greater Golden Hill, La Jolla, Normal Heights; the BID Council, Adams Avenue BID, Downtown Partnership BID, El Cajon BID, and the North Park Main Street BID; as well as the Bankers Hill CDC, and University Heights CDC. More organizations are in the process of joining.

In response to Councilmember Gloria's 2011 inquiry, we are pleased to see the City Attorney's response which outlines his opinion on the Council's authority to enact guidelines for more aesthetically pleasing undergrounding and utility box placement. We believe that the task force can work within these parameters as they are not dissimilar to those which led to the enactment of the Wireless Communications Facilities Ordinance over a decade ago, San Diego Municipal Code, Chapter 14, Sections 141.0420 et seq. That code has been very effective in regulating the placement of wireless communications facilities within the city and has been copied by many other jurisdictions.