

CONDITIONS OF APPROVAL FOR THE INSTALLATION OF LARGE ABOVE-GROUND CABINETS IN THE CITY OF COSTA MESA

April 2007

Although the City's preference is to have all utility lines and appurtenances underground within the public right-of-way, the following conditions shall apply to all permit requests where undergrounding is not possible, and that involve the installation of above-ground boxes greater than twenty-five (25) cubic feet in volume:

1. Prior to issuance of any individual encroachment permit for equipment, and in order to ensure that any required California Environmental Quality Act (CEQA) analysis is completed, the applicant shall submit a complete plan identifying the location and total number of utility cabinets or other above-ground fixtures or equipment, known to be, or expected to be, installed in the general area in the reasonably foreseeable future. To the extent that the proposed encroachment permit involves upgrading of existing cabinets or interfacing/connecting/tying new cabinets with existing cabinets or other hardware, the applicant shall submit a complete plan showing the locations of such existing cabinets/hardware in the City which will be upgraded, connected, or interfaced. The City will then assess what environmental review, if any, is required based on the potential, if any, for individual or significant cumulative effect from installations at multiple locations in the general area. Review by staff shall also include whether installation of individual utility cabinets or hardware may be exempt from CEQA review pursuant to CEQA Guidelines § 15303. Once environmental review is completed (if determined necessary per State law by City staff), and a determination is made that the requested above-ground installation(s) can be made with or without adjustments, the remaining conditions (below) shall apply.
2. Applicant shall notify, in writing and sent registered mail, all owners and tenants of parcels of land (if the Assessor's records show an address for the property owner separate from the parcel itself) within one hundred feet (100') of the proposed cabinet(s), to inform them of the proposal, to obtain input, and to provide them with any pertinent requested information concerning the cabinet(s) and the location. The City shall receive a copy of all notices, along with the addresses that are notified. The notices shall contain the name and number of the applicant's representative, as well as a City contact. City shall not issue a permit less than ten (10) calendar days from the date of mailing/notification to the owners/tenants in the area, or until appropriate contact and resolution is made with any responder(s), whichever time is greater. Applicant shall submit a draft of the notification document to the City for review and comment prior to sending.
3. Plan submittals shall contain adequate dimensions to show that all requirements of the Americans with Disabilities Act (ADA) can be met within the public right-of-way, in the area of any proposed above-ground facilities, prior to issuance of a permit.
4. If a proposed cabinet(s) is visible from the public right-of-way, landscaped screening and parkway irrigation/plantings may be warranted, if space allows, and shall be identified on the plans.