



Legislation Details (With Text)

File #: 18-1556 **Version:** 1 **Name:**
Type: Waiver **Status:** Passed
File created: 2/22/2018 **In control:** City Council
On agenda: 3/7/2018 **Final action:** 3/7/2018
Title: City Council consideration for a waiver of the Corona Municipal Code Section 15.60.080 requirement to place underground and overhead utility lines fronting 1071 West Sixth Street - Hitesh Patel and Nimala Patel, Owners.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Location Map - 1071 W. Sixth Street_CH.pdf, 2. Exhibit B - Waiver Request Letter - 1071 W. Sixth Street - Underground of Utility Waiver_CH.pdf

Date	Ver.	Action By	Action	Result
3/7/2018	1	City Council	approved	

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 3/7/2018

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration for a waiver of the Corona Municipal Code Section 15.60.080 requirement to place underground and overhead utility lines fronting 1071 West Sixth Street - Hitesh Patel and Nimala Patel, Owners.

RECOMMENDED ACTION:

That the City Council waive the requirement to underground the overhead utility lines fronting 1071 West Sixth Street.

ANALYSIS:

Hitesh Patel owner of the property at 1071 West Sixth Street, has submitted a request to waive the requirement to underground overhead utility lines fronting his property. The property is located on the north side of west Sixth Street approximately 50 feet east of Lincoln Avenue, as shown on Exhibit "A."

Corona Municipal Code Section 15.60.080 stipulates that the owner of a property is obligated to

comply with the requirement to place all overhead utility lines, less than 34 kilovolts, underground when a proposed addition exceeds 50 percent of the cost of replacing the existing building. The overhead utility lines fronting and within the subject property carry multiple distribution lines, which are less than 34 kilovolts, and supply power and telecommunications to residences in the immediate area. As shown on Exhibit "B," the owner is requesting that the City Council waive the requirement to place the distribution lines underground.

In response to the request, staff has reviewed the site, the surrounding properties and the existing condition of the utilities in the area. The property under consideration is one of only two small lots in the general immediate area that remains undeveloped. Considering the current condition of the neighborhood, the existing overhead utilities in the immediate area are not likely to be placed underground in the near future. Therefore, requiring the property owner of 1071 West Sixth Street to bear the burden of placing the overhead utilities adjacent to the property underground when overhead utilities exist on adjacent properties and in the immediate area would cause an unreasonable hardship to the property owner. Furthermore, there are unknown obstacles that could occur when placing such a short run of utilities underground due to the fact that none of the other overhead utilities have been placed underground. For these reasons, the Public Works Department supports the request for a waiver of the requirement to underground the overhead distribution lines.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not Applicable.

FISCAL IMPACT:

All applicable fees have been paid by the applicant.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action merely approves a waiver of the requirement to underground the overhead distribution lines, and there is no possibility that approving this waiver will have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: CHRIS HORN, SENIOR CIVIL ENGINEER

REVIEWED BY: TOM KOPER, P.E., ASSISTANT PUBLIC WORKS DIRECTOR

REVIEWED BY: NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

REVIEWED BY: KIM SITTON, FINANCE MANAGER

REVIEWED BY: PATRICIA SONG, FINANCE MANAGER

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Exhibits: “A” - Vicinity Map
 “B” - Waiver Request with attachments