



Legislation Text

File #: 23-0427, Version: 1

REQUEST FOR CITY COUNCIL ACTION

DATE: 05/17/2023

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:

WAIVER FROM CORONA MUNICIPAL CODE [SECTION 15.60.080](#) REGARDING THE UNDERGROUNDING OF EXISTING OVERHEAD UTILITY WIRES LOCATED ALONG 135 N. VICENTIA AVENUE (APPLICANT: ARASH GOSHTASBI)

EXECUTIVE SUMMARY:

This staff report asks the City Council to consider waiving the requirement of Corona Municipal Code Section 15.60.080 to place underground the overhead utility lines located along the frontage of 135 N. Vicentia Avenue. This section requires overhead wires that transmit less than 34,000 volts to be placed underground when an addition is made to an existing building, which in this case, is the construction of a new single-family dwelling. CMC Section 15.60.060 allows the City Council to grant a waiver from this provision if it finds that the application of this requirement would be unreasonable, impractical, and cause undue hardship to the applicant or the public.

RECOMMENDED ACTION:

That the City Council grant a waiver from [Section 15.60.080](#) of the Corona Municipal Code for the undergrounding of the overhead utility wires located along the frontage of 135 N. Vicentia Avenue.

BACKGROUND & HISTORY:

The property owner of 135 N. Vicentia Avenue plans to construct a new single-family residence on the 0.38-acre property. Corona Municipal Code (CMC) Section 15.60.080 requires existing overhead utility wires of less than 34,000 volts to be placed underground when any building or structure to which any utility facility provides any service is enlarged or an addition is made thereto is constructed. The overhead utilities run perpendicular to the property in a north - south direction along the frontage of the property. There are existing power poles located along the frontage of the adjacent properties to the north and south of said property, in the public right-of-way for N. Vicentia Avenue.

The applicant submitted a request to the City on April 24, 2023, requesting that the City Council grant a waiver from the undergrounding of the wires located along the frontage of the property. The applicant has indicated that the overhead wires will continue to exist above ground beyond the boundary of the project site to the north and south and that the cost of doing this public improvement would be financially infeasible based on the scope of the project.

ANALYSIS:

CMC Section 15.60.080 recognizes that above ground utility wires exist within the City and are considered nonconforming to the requirement of CMC Section 15.60.030. Section 15.60.030 prohibits above ground poles, wires, and associated structures, irrespective of the use or proposed use of the structure or building it is intended to serve. However, [CMC Section 15.60.060](#) allows the City Council to grant a waiver to this requirement if the finding can be made that the undergrounding of the utility wires would be unreasonable, impractical, and cause undue hardship to the applicant or public.

Staff has determined that the finding exists for the City Council to grant the waiver for the following reasons:

- a) The utility poles to the north and south of the property will remain even if the overhead wires along the frontage of 135 N. Vicentia Avenue are placed underground.
- b) The overhead wires will continue to remain above ground beyond the boundaries of the project site to the north and south.
- c) Approximately 65 feet of underground electrical conduit would need to be installed to relocate the overhead electrical lines along the front of the project site, which is estimated to cost \$27,700. The property owner is constructing all other missing public improvements adjacent to the property but the cost of this additional public improvement would make the prospects of constructing a single-family residence financially infeasible.

FINANCIAL IMPACT:

The applicant has paid the Utility Underground Waiver Request fee of \$1,675.

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 commonsense exemption that CEQA applies to only 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 to consider waiving the requirement of CMC Section 15.60.080 to place underground the overhead utility lines located along the frontage of 135 N. Vicentia Avenue will not have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: CAROLINA RODRIGUEZ, ASSOCIATE ENGINEER

REVIEWED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Location Map
2. Exhibit 2 - Waiver Request