

**CHAPTER 1026**  
**ESSENTIAL SERVICES**

SECTION:

- 1026-1: Purpose
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**1026-1: PURPOSE:** The purpose of this Chapter is to provide for the installation of essential services such as telephone lines, pipelines, electric transmission lines and substations in such a manner that the health, safety and welfare of the City will not be adversely affected. Essential services shall also be installed in recognition of existing and projected demands for such services.

**1026-2: ADMINISTRATIVE PERMIT REQUIRED:**

- A. All telephone lines, pipelines and structures for local distribution, underground electric transmission lines, and overhead electric transmission lines and substations less than 35kV, when installed in any public right-of-way in any zoning district established by Chapter 1050 of this Ordinance, shall require a right-of-way permit subject to review and approval of the City Engineer.
- B. All telephone lines, pipelines and structures for local distribution, underground electric transmission lines, and overhead electric transmission lines less than 35kV, which are intended to serve more than one (1) parcel and are proposed to be installed at locations other than in public right-of-way, shall require an administrative permit subject to approval by the City Engineer. Approval by the City Engineer shall be based upon the information furnished in the following procedural requirements:
  - 1. Prior to the installation of any of the previous essential services, the owner of such service shall file with the Zoning Administrator all maps and other pertinent information as deemed necessary for the City Engineer to review the proposed project.
  - 2. The Zoning Administrator shall transmit the map and accompanying information to the City Engineer for review and approval regarding the project's relationship to the Comprehensive Plan and/or ordinances and parts thereof.

3. The City Engineer shall report in writing to the Zoning Administrator its findings as to the compliance of the proposed project with the Comprehensive Plan and ordinances of the City.
4. In considering applications for the placement of essential services, as regulated in this Chapter, the City Engineer shall consider the effect of the proposed project upon the health, safety and general welfare of the City, as existing and as anticipated; and the effect of the proposed project upon the Comprehensive Plan.
5. Upon receiving the approval of the City Engineer, the Zoning Administrator shall issue an administrative permit for the installation and operation of the applicant's essential services. If the Engineer's report recommends the denial of said permit causing the Zoning Administrator to deny its issuance, the applicant may appeal said decision to the Board of Adjustment and Appeals under the rules and procedures as set forth in Chapter 1007 of this Ordinance.

**1026-3: CONDITIONAL USE PERMIT REQUIRED:** All transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 35kV and up to 100kV shall be a conditional use in all districts subject to the procedural requirements and standards stipulated in this Chapter and Chapter 1005 of this Ordinance.

**1026-4: PERFORMANCE STANDARDS:** Essential services shall be subject to the following:

- A. All distribution lines shall be underground.
- B. Outdoor storage of materials or equipment shall be prohibited.
- C. All poles and similar type structures shall be placed in the public right-of-way or utility easement unless approved as an interim use permit subject to Chapter 1006 of this Ordinance.
- D. All facilities shall be landscaped and screened to the extent practical and applicable pursuant to Chapter 1020 of this Ordinance.
- E. The size and number of accessory buildings are to be minimized to the extent possible and are to house only equipment directly related to the operation of the facility in question.
- F. The architectural appearance of all structures and buildings shall be in harmony with the primary uses within the vicinity of the site.

**1026-5: EXCEPTIONS:** This Chapter shall not apply to radio and wireless communication systems and facilities. Regulation of these uses and activities are governed by Chapter 1023 of this Ordinance.