

MEMORANDUM

To: Mayor Keefer and members of the City Council
cc: Brandon Hammond, City Manager
From: Carla McLane, Planning Official
Date: January 28, 2025
RE: Right-of-Way Licenses – Final Draft

We are nearly there. Provided with this memorandum is 1) the ROW Ordinance Draft that provides a new chapter for Utility Use of the Rights-of-Way with some minor changes to the Excavations chapter and 2) amendments to the Underground Wiring Control District to create consistency. Our intent is to have this on the March City Council agenda for adoption.

There are three minor items that we are working on to bring this to conclusion as follows:

- Confirming with our land use attorney group which enforcement provisions are best used in this situation (we have some duplicate enforcement provisions which is another topic for another day). We have a placeholder in the attached drafts but that could change in the version presented for adoption.
- We want to work towards a Master Fee Schedule. In working towards that we do not want to create more work by inserting fees into this Municipal Code chapter. A separate resolution will be provided at adoption in March for the associated fees. The drafts presented this month are drafted to support this move.
- A final aspect that is outstanding are 'design standards' for installation within a right-of-way that would only be applicable to small-cell installations. The Development Code does not regulate activities in the right-of-way and we did not want to goober up the ROW License chapter either. We are going to borrow from the City of Ashland and will present those as well in March along side the other items that are included here. Once we have a draft it will be provided to you well before the March meeting for your individual review. It may also be added to this meeting packet although after initial publication on Tuesday, January 28, 2025.

Do reach out should you have any questions or want to discuss this in more detail.