

## **Utility Right of Way Management Program Above Ground Structures located in the Right of Way**

Last Updated 11/27/07

New or expanded above-ground utility facilities (other than poles and facilities located on poles) such as pedestals, terminals, cross boxes, interfaces, remote terminals, and other item of industry standard nomenclature (“above-ground structure”) that are part of a utility’s distribution system (*i.e.*, does not include facilities or devices that primarily serve individual properties) may be located in the right of way only upon issuance of a permit in accordance with the standards set forth below. Above-ground structures shall not interfere with the operation and maintenance of existing utilities, facilities, roadways or walkways within the public right of way. If at any time CDOT determines that an above-ground structure is at a location that has a higher than average accident potential, CDOT may require the structure to be relocated at the utility’s expense.

### **Standards:**

In determining whether to issue a permit for a new or expanded above-ground structure in the right of way, the engineer/director shall consider the following:

- (i) the technical need for the structure and the need to locate the structure at the proposed location;
- (ii) whether the structure would create an unacceptable sight obstruction or other safety hazard; and
- (iii) whether a location outside of the right of way is reasonably available and whether the utility has made reasonable efforts to secure such a location. This subsection shall not apply to expansions of existing equipment already located in the right of way or the location of auxiliary equipment adjacent to existing structures already located in the right of way.

In approving a permit for a new or expanded above-ground structure, the engineer/director may impose reasonable screening, appearance, and other conditions to minimize the impact of the structure. In the event that screening, appearance, or other conditions are not adequate to minimize the impact of the structure, the permit may be denied.