



Land Use & Transportation Memorandum

Engineering, Traffic and Survey

To: Holders of the Washington County Uniform Road Improvement Design Standards
From: Stacy Shetler PE, County Engineer
Date: March 7, 2023
Subject: Clear Zone Guidance for Utility Poles

The purpose of this memo is to give guidance for utility pole placement in County Right-of-way. This memo includes both new and replacement utility poles and is intended for application in both urban and rural areas.

Utilities have the right to use County right-of-way for placement of their utility poles (ORS 758.010). The County has the duty and authority to regulate where utility poles are placed within the right-of-way to keep them from interfering with the public's use of the road and sidewalk (ORS 758.010).

There are many challenges when it comes to finding acceptable locations for utility poles: the existing right-of-way is often constrained, utility poles are getting taller and wider, pedestrian access and comfort are considered to a higher degree, and many other factors. Utility poles are fixed objects that are not designed with vehicle impact attenuation characteristics and often AASHTO clear zone recommendations cannot be met in a built urban environment or rural environments with limited right-of-way. Protection of utility poles with measures like guard rail are often infeasible because they require space and deflection buffers. Protection measures may cause other issues, such as interfering with underground utilities, accesses, and additional maintenance burdens.

The public interest and use of the County right-of-way is best served when utility poles:

- Are placed behind the sidewalk and/or as far from the vehicle travel way as possible.
- Do not cause vehicle and pedestrian travel ways to be constrained from County Standard minimum widths.
- Have adequate horizontal clearances from vehicle and pedestrian traveled ways.
- Do not compromise Americans with Disabilities Act requirements.
- Do not interfere with other uses of the right-of-way (i.e. sight distance, ditch function, beautification efforts).

Sections 370.070 and 340.160.1 of the County Road Standard ("Clear Zones" and "Dry Utilities" respectively) are intended to address utility poles in the County right-of-way. However, there needs to be more specific guidance for utility companies and County Staff to effectively manage the complexities of utility poles in the right-of-way.

Currently section 370.070 (Clear Zone) in the Road Standards says that "The engineer is responsible for meeting AASHTO guidelines. For uncurbed roadways, apply the guidance in the AASHTO Roadside Design Guide." and "For curbed roadways, in no case shall the horizontal clearance from face of curb to the face of non-breakaway obstacles be less than 2.0ft."

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In addition, section 340.160.1 (Dry Utilities) in the Road Standard includes “Utility poles shall be installed behind the sidewalk when possible.” and “All above ground structures and facilities shall meet the requirements for clear zones in section 320.170.”

The Public Utility Commission regulates the construction, operation, and maintenance of electrical supply and communication lines in compliance with the standards prescribed by the 2017 Edition of the National Electrical Safety Code (OAR 860-024-0010). This means that utility companies are not required to comply with OSBEELS engineering requirements and the practice of engineering for “public works.” Therefore, no responsible engineer is required and no stamped engineering plans are submitted to the County for review of utility pole installations. That is the reason there is a separate “Dry Utility” section in the County Road Standards that references back to the Clear Zone standard. This puts the County in the position of regulating clear zones for utility pole placements.

Currently, the County Road Standards do not distinguish between new utility poles and replacement utility poles for which regulating for clear zone becomes drastically different in practice. Existing utility poles are connected to existing overhead lines and other infrastructure that are collectively dependent on each other. It becomes impractical to move individual poles without affecting the entire series of poles. Existing utility poles also have a safety performance history as measured by reported vehicular crash data and field evidence of pole/vehicle damage. It is also unclear what should be done when AASHTO clear zone guidance can’t be met for uncurbed roadways, especially when clear zones extend beyond available right-of-way.

Therefore, the following guidance shall be used to clarify the existing Road Standards:

“New Utility Poles” shall be defined as any utility pole that did not exist before. New Utility Poles are also defined as any replacement utility pole(s) where any of the following are true:

- 1. The diameter of the pole increases**
- 2. The material of the pole changes**
- 3. The pole gets closer to the vehicular travel lane**
- 4. The pole encroaches on pedestrian and/or bicycle facilities.**

Information shall be provided by the utility that clearly defines what infrastructure is being installed and/or removed in a manner that is dimensionally accurate and shows offsets from the face of curb, traveled way, bicycle & pedestrian facilities, public utility easement, and/or right-of-way. The County may request additional information when needed for appropriate oversight.

For roadways with curbs:

- 1. New Utility Poles shall not be placed in the planter strip.**
- 2. New and Replacement utility poles shall be placed in utility easements.**
- 3. Replacement poles shall not be placed closer to the vehicular travel way.**

If placing New or Replacement Utility Poles in a Public Utility Easement has been determined by the County to be infeasible, then utility poles shall be placed behind the sidewalk and as far from the traveled way as possible.

Alternative locations may be approved by the County Engineer on a case-by-case basis and subject to the following:

- 1. In no case shall the horizontal clearance from face of curb to the face of a utility pole (or foundation) be less than 2.0 feet. This includes any attachments from the base of the utility pole to 10 feet above road grade at the curb.**
- 2. The standard sidewalk width shall be maintained. This is typically, 6 feet for a curb-tight sidewalk, and 5 feet for a non-curb-tight sidewalk.**
 - a. When the existing sidewalk / multiuse path / cycle track exceeds the road standards, then the width of the prevailing existing condition shall be maintained.**
 - b. When the existing sidewalk has a planter strip between the roadway, the sidewalk shall not be moved closer to the roadway.**
- 3. The utility pole shall have no less than 12 inch horizontal offset from either side of the sidewalk / multiuse path / cycle track.**
- 4. Written justification shall be provided by the utility explaining why any of the requirements for new Utility Poles cannot be met.**

For roadways without curbs:

- 1. Replacement poles and their foundations, if exposed, shall not be placed closer to the vehicular travel way if the existing poles are already within the clear zone.**
- 2. New poles shall be placed in a Public Utility Easement if available or at the outer edge of the right-of-way.**
- 3. In some cases, the County may require protection for new or replacement poles based on crash history or other safety concerns.**
- 4. New poles shall not be placed in a manner that interferes with surface water management or conveyance facilities.**

Alternative locations may be approved by the County Engineer on a case-by-case basis and subject to the following:

- 1. Written justification shall be provided by the utility explaining why any of the requirements for new Utility Poles cannot be met.**