



Property Utilization Guide

Gainesville Regional Utilities
Real Estate Division
Post Office Box 147117
Gainesville, FL 32614-7117
(352) 393-1220

Revised 1/1/2016

Contents

| | | |
|-------------|--|--------------|
| I. | Introduction and General Information | 1 |
| II. | Definitions of GRU Property | 1 |
| III. | Committee Review | 2 |
| IV. | Guidelines | 2 - 4 |
| V. | Types of Utilization Request & Drawing Requirements | 5 - 6 |
| VI. | Fee Schedule | 7 |
| VII. | Application for Property Utilization | 8 |

I. Introduction and General Information

The City of Gainesville's Utility System, Gainesville Regional Utilities ("GRU"), receives many requests from land owners, adjoining property owners, other governmental agencies, and private utility companies to utilize its transmission line corridors and other City of Gainesville owned utility system property ("GRU property").

This guideline provides applicants with guidance to request the use of GRU property for purposes compatible with its facilities. Requested uses may include, among others, ingress/egress, parking, temporary storage and utility extensions. It should be noted that uses that are considered incompatible with GRU uses or facilities may not be approved.

GRU generally acquires two types of property; property for office and/or plant facilities, and property for the construction, operation and maintenance of various utility facilities needed to serve its customers.

Property acquired for the construction, operation and maintenance of various utilities must remain clear of any obstructions at all times in order to safely operate and maintain facilities located there and provide for future facility construction.

Ensuring the safety of the public and the utility facilities as well as preserving the land rights that have been acquired for the benefit of the public, are the primary objectives of these guidelines.

II. Definitions of GRU Property

GRU acquires property rights for specific utility purposes. Property rights acquired are either fee-owned or easement rights. (NOTE: For purposes of this document, GRU Property refers only to property OWNED in fee by the City of Gainesville for utility system use.)

1. Fee-Owned Property

Land that the City of Gainesville holds fee title to. The City of Gainesville utility system owns utility corridors, lift station sites, substation sites, communication and water tower sites, electric generating station sites, water and wastewater treatment plants, gate stations, and its business office sites. GRU may grant permits, easements, or agreements for uses compatible with these sites, the surrounding area, existing and/or future utilities or facilities located there, provided applicable land use regulations permit such uses. Fees assessed for the utilization of utility property provide a mechanism for recovering the costs associated with review, research and approval of utilization requests that are for the benefit of the applicant. Long term or perpetual uses also have an additional fee assessed based on the market value and size of the utilized area, as well as the intensity of proposed use, as outlined in the attached Fee Schedule.

2. Easement Areas

In easement areas, the City does not hold title, but has acquired non-exclusive specific rights from the underlying property owner, to construct, operate and maintain specific utility facilities. The underlying property owner may have certain rights defined in the original grant of easement.

Other uses may be permitted with the property owner's permission, except that they may not impair GRU's ability to utilize the easement area according to the easement rights granted. The City cannot grant permits, easements, or agreements for compatible uses at these sites.

III. Committee Review

GRU has a Property Utilization Committee consisting of representatives from its Real Estate, Energy Delivery, Energy Supply, GRUCom, Water/Wastewater and Legal Services departments. This Committee reviews all applications for GRU property utilization and recommends approval or denial.

Upon committee approval, the Real Estate Division will issue a Permit, License, or Easement for the Applicant's review and signature. Upon committee denial, the Real Estate Division will notify the applicant of the denial and reasons for denying the request.

A final document will be sent to the applicant for execution by the applicant or authorized officer of the Corporation, Partnership, L.L.C. or Ltd. Partnership (proof of such authority required) that will outline in detail the necessary terms, safety requirements, specifications and fees for any approved utilization.

IV. Guidelines

The guidelines presented below should be used in planning any project and should not be construed as permission to utilize GRU Property without proper written agreements. The guidelines presented may not apply to all situations. GRU may impose additional requirements or modify these requirements, depending on the proposed use and location.

1. Landscaping and shrubbery planted on GRU Property must not exceed twelve (12) feet in height at maturity. Trees of any species are not permitted within a transmission or distribution corridor unless approved, in writing, by GRU's Vegetation Management Department. Vegetation deemed a risk to GRU overhead and underground facilities or to be in conflict with GRU's operation, maintenance or construction of facilities shall be removed. Any vegetation planted on GRU Property must not prevent GRU vehicle access for repair, maintenance or construction. Generally, no vegetation will be permitted within ten (10) feet of any existing or proposed overhead or underground utility facility, unless it is determined by GRU to be of the type and size that does not interfere with the overhead or underground utility facility.
2. Any excavation is prohibited within thirty (30) feet of any single wood pole or guying structure, within fifty (50) feet of any steel or concrete tower or pole, and within (10) feet of any other existing or proposed utility facility. This clearance is required for emergency repair and/or routine maintenance of these structures.
3. A level thirty (30) foot wide access road must be maintained at all times along the length of a utility transmission and/or distribution corridor and to each above ground or electric transmission/distribution structure for GRU routine maintenance and/or emergency repairs. This maintenance road must be clear for vehicle access with no planted shrubs, vegetation, or other obstacles.
4. The installation of storm water retention ponds is customarily not permitted on GRU Property. Installations of storm water pipes, drains, inlets and/or swales which cross GRU Property may be permitted provided that such improvements do not adversely impact operation, maintenance, repair or future construction of utility facilities. Eighteen (18) inches of vertical clearance must be maintained between existing underground water and wastewater utilities. Thirty-six (36) inches of vertical clearance must be maintained between existing underground electric, natural gas and telecommunications utilities.

Forty-two (42) inches of cover must be maintained over existing underground primary voltage electric. Thirty (30) inches of cover must be maintained over existing underground secondary voltage electric. Thirty-six (36) inches of cover must be maintained over existing natural gas, telecommunications, water, wastewater, and reclaimed water utilities. Installations below existing underground facilities will require special approval and may also require shoring and bracing during construction to protect the structural integrity of GRU facilities.

5. Road or driveway crossing areas constructed of asphalt, concrete, lime rock or stabilized soil, may be permitted if a distance of thirty (30) feet from any wood pole or guying structure, fifty (50) feet from any above ground steel or concrete structure, and ten (10) feet from any fire hydrant, valve, manhole, electric switchgear, transformer, and junction box is maintained between the structure and/or utility facility and the edge of pavement, curb, driveway, road or parking surface.

Parking areas may be permitted if, in the sole discretion of GRU, such parking areas will not unreasonably interfere with GRU's use of the affected lands. Permitted driveways and parking areas are subject to removal by GRU for the operation, maintenance, repair, and/or installation of utility facilities.

GRU may require the installation of conduits to allow for future utility extensions by GRU in conjunction with the construction of a road, driveway crossing, and/or parking area.

Permittee will be responsible for any restoration required to their permitted driveway or access road as a result of GRU's use of the property for the installation, operation or maintenance of its utility facilities, unless otherwise agreed to in writing by both parties.

6. Changes to ground elevations shall not result in less than the minimum cover as required by GRU's construction and design standards. Changes in ground elevations shall not adversely alter the existing drainage characteristics of GRU Property. Also, changes to ground elevations should not impact the transmission line-to-ground clearance required to meet NESC (National Electrical Safety Code).

Permittee will be responsible for the installation and maintenance of erosion and sediment control facilities as required under any jurisdictional agency regulations including but not limited to the Florida Department of Environmental Protection. Proof of said compliance in a form satisfactory to GRU is a condition of any permit issued hereunder.

7. Underground utilities and structures requiring less than a four (4) foot deep ditch are required to maintain a fifteen (15) foot horizontal clearance from GRU structures, ten (10) feet from existing water mains, wastewater force mains, reclaimed water mains, underground electric, natural gas and telecommunications utility facilities, and fifteen (15) feet from existing gravity sewer mains. The greater the depth and pipe diameter of GRU's existing facilities the further the horizontal distance required. Exceptions may be granted on a case by case basis with prior GRU approval.

The adjustment and/or relocation of permitted improvements may be required, at permittee's expense if it is determined by GRU that the permitted improvements conflict with GRU's operation, maintenance and/or construction of existing or proposed utility facilities.

8. Any barriers, including fences, across GRU Property require a minimum of one gate, approximately sixteen (16) feet in width, at each barrier placed on GRU Property. Barriers shall be grounded per code and shall not exceed six (6) feet in height. A GRU system lock will be required on all gates in order to allow GRU access at all times.

9. Poles and light fixtures are not permitted unless expressly approved in advance by GRU.
10. Permanent buildings or above ground structures, including masonry structures, are not permitted on GRU Property, unless expressly approved in advance by GRU.
11. The permittee will be required to restore approved utilization areas to as close to the original condition as possible, by grading, removal of trash, debris and rocks, re-sodding or seeding, mulching and landscaping in accordance with FDOT standards and as may be specified by GRU's special conditions of approval.

GRU may, as a condition for the granting of the requested use, require assurance of payment of the costs of restoration (estimated by GRU). Such assurance may, at the election of GRU, be in the form of an irrevocable letter of credit, surety bond issued by a surety company authorized to do business in the Florida, or cash deposit.

12. The permittee will be responsible for ensuring that any plantings and/or landscaping materials approved by GRU are kept watered and maintained so that they are healthy and vigorous and that all planting areas and beds are kept free of weeds and undesirable plant growth. Permittee will also be responsible for the replacement of any landscape materials not maintained as stated above.
13. The permittee will be responsible for obtaining utility line locations prior to any permitted construction activity on GRU Property.
14. Approval by GRU to utilize its property does not relieve the applicant from obtaining approvals and/or permits as may be required by other federal, state, or local regulatory agencies. Proper zoning approval and/or permits from the appropriate regulatory agencies having jurisdiction over the proposed utilization that have been obtained (*provide copy with this application*). If it is subsequently discovered that said approval has not been obtained, this application and approval by GRU may be subject to termination.
15. Applicant may be required to provide licensee with policies of insurance acceptable to GRU with respect to General Liability with Bodily Injury limits not less than \$100,000 each person and \$300,000 each occurrence and with Property Damage limits not less than 450,000 each occurrence and \$300,000 aggregate. Applicant will furnish GRU with a completed Certificate of Liability Insurance, naming the City of Gainesville/Gainesville Regional Utilities as an "additional insured", evidencing insurance coverage of the liability.
16. Applicant may be required to provide an appraisal prepared by a Florida certified real estate appraiser, or a comparative market analysis prepared by a Florida licensed real estate agent, to determine the appropriate use fee based on the current fair market value of the area to be utilized.

V. Types of Utilization Requests & Drawing Requirements

1. Use Permits

Use Permits are generally issued to private utility companies, or other entities for the placement of utility facilities upon GRU/City owned property. A Use Permit is a license for permissive use only and is not a recorded document.

Applications for Use Permits MUST include an 11"x17" or 8 ½" x 14" scaled drawing, which will become a permanent part of the permit, covering the details of the installation and which include the following items:

- a. A general location map
- b. A detailed description of the proposed activity
- c. Total length of overhead or underground installations
- d. Method of installation of underground lines
- e. Indicate casing size, type and depth for Jack and Bores or Directional Bores
- f. Plan View and Typical Cross Section(s)
- g. All existing structures and/or utilities (underground and overhead) clearly labeled and dimensioned (including pipelines, conduits, cable, manholes, valves, fire hydrants, poles, guys)
- h. Storm water facilities – size, type, material, top and invert elevations
- i. The location of proposed installations clearly labeled and dimensioned
- j. Limits of GRU property
- k. Landscaping – location, size and type of vegetation
- l. Method of ground restoration (sod or seed and mulch)

2. Temporary Use Permits

Temporary Use Permits are issued for the use of GRU/City owned property for the following types of uses: special event parking, construction access and logging operations.

Applicants must agree to any terms, conditions, and usage fees listed in the issued permit and agree to restore the property to its original condition at the end of the use. Further, applicants must supply GRU with a certificate of insurance, naming the City of Gainesville d/b/a Gainesville Regional Utilities, as an additional insured, demonstrating adequate general liability and auto liability coverage for the proposed operation by either the applicant or its subcontractor performing said operation. See Guideline # 15 for insurance requirements. Additional requirements, including a damage deposit, may be required by GRU upon approval of the application.

Applications for Temporary Use Permits MUST include an 11"x17" or 8 ½" x 14" scaled drawing, which will become a part of the permit, covering the details of the request and which include the following items:

- a. A general location map
- b. A detailed description of the proposed activity
- c. Proposed area of use delineated and shown
- d. Limits of GRU property

3. Property Utilization Licenses

Property Utilization Licenses may be issued for a long term use (annually) of GRU/City owned property for such uses, including but not limited to, parking, construction access and agricultural purposes. Applications must include a drawing which clearly and concisely depicts the area requested for use. Applicants must agree to any terms, conditions and usage fees listed in the issued permit and agree restore the property to its original condition at

the end of the use. Further, applicants must supply GRU with a certificate of insurance, naming the City of Gainesville d/b/a Gainesville Regional Utilities, as an additional insured, demonstrating adequate general liability and auto liability coverage for the proposed operation by either the applicant or its subcontractor performing said operation.

See Guideline # 15 for insurance requirements. Additional requirements, including a damage deposit, may be required by GRU upon approval of the application. The applicant is responsible for submitting a Renewal Application annually for GRU's review and approval of a request for continued use of GRU owned property.

Applications for Property Utilization Licenses MUST include an 11"x17" or 8 1/2" x 14" scaled drawing, which will become a part of the license, covering the details of the request and which include the following items:

- a. A general location map
- b. A detailed description of the proposed activity
- c. Proposed area of use delineated and shown
- d. Limits of GRU owned property identified

4. Easements

Perpetual Easements may be granted for the use of GRU/City owned property for access to abutting property. The request may be made for a dirt/limerock residential driveway, a paved residential driveway or a paved commercial driveway or roadway. Various other types of easements including but not limited to uses for drainage, sidewalks, or transportation, may be granted to others as well, if approved by GRU.

Upon approval by GRU, the Applicant will be required to supply a legal description and sketch of the easement area, which has been prepared, signed & sealed by a registered land surveyor. Additionally upon approval, each type of use will be assessed a one-time fee, as outlined in the attached fee schedule, of the easement area being requested or; alternately, an appraisal of the easement area may be required to be supplied by the applicant for determining the cost of the easement. It will be the applicant's responsibility to record the easement in the public records of Alachua County, Florida.

Easements may be contingent upon the approval of the City Commission.

Applications for Perpetual Easements MUST include an 11 x 17 or 8 1/2 x 14 scaled drawing, which includes the following items:

- a. A general location map
- b. Limits of GRU property
- c. Proposed easement location
- d. Pavement and/or driveway width if applicable, showing
- e. Existing and proposed elevations, contours
- f. Pavement grades
- g. Pavement material
- h. Typical pavement cross-section
- i. Base and sub-base material and depth
- j. All existing utility locations



Fee Schedule

Gainesville Regional Utilities, Real Estate Division, PO Box 147117,
Gainesville, FL 32614-7117

All requests are subject to a non-refundable \$400 application fee

| Type of Use | Use Fee |
|---|--|
| <p>Use Permits – (i.e. use of GRU R/W's and/or property for utilities, crossings, extensions, & misc. other equipment)</p> <p>NOTE: May require a damage deposit to be collected</p> | N/A |
| <p>Temporary Use Permit</p> <ul style="list-style-type: none"> • Uses not exceeding 10 days NOTE: May require a damage deposit to be collected • Uses exceeding 10 days NOTE: Any change in intensity or use will be considered a new application. May require a damage deposit be collected | <p>N/A</p> <hr/> <p>Fee assessed depends on the intensity of use</p> |
| <p>Property Utilization License – Initial (Annual)</p> | <p>30% of the fair market value for each year of use</p> |
| <p>Property Utilization License – Renewal (Annual)</p> | <p>Adjustment of previous year's fee based on increase of fair market value or current CPI, whichever is greater</p> |
| <p>Easements (One-time fee assessed as follows):</p> | |
| <p>Residential - Single Family Ingress/Egress</p> | <p>40% of fair market value of easement area</p> |
| <p>Commercial Ingress/Egress</p> | <p>90% of fair market value of easement area</p> |
| <p>Other Easement – (i.e. Drainage, Sidewalk, Transportation)</p> | <p>Fee assessed depends on the intensity of use and/or the fair market value of the easement area</p> |

Notes:

1. The Application Fee and Use Fee may be adjusted annually in proportion to the cumulative change in the latest published Consumer Price Index. "Consumer Price Index" shall mean the Consumer Price Index for All Urban Consumers, All items, U.S. City Average, 1982-84=100, (U.S. Department of Labor, Bureau of Labor Statistics). If the said index ceases to be published, then a reasonably comparable index shall be used.
2. Fair Market Value is defined as the value of an asset if it were to be sold in an arms-length transaction between a willing buyer and a willing seller as determined by all relevant facts and evidence affecting marketability.



Application for Property Utilization

Gainesville Regional Utilities, Real Estate Division, PO Box 147117,
Gainesville, FL 32614-7117

- Complete all sections of the application form
 - Attach two (2) site sketches and/or plans with required information for type of use requested (see Property Utilization Guide for requirements)
 - Payment of non-refundable \$400 application fee payable to: Gainesville Regional Utilities
- Failure to include any requested information may cause this application to be returned prior to consideration.**

OWNER/AGENT INFORMATION

| | | | |
|-----------------------|-------|-----|--------------------|
| Owner's/Agent's Name: | | | Fax Number: |
| Address: | | | E-Mail Address: |
| City | State | Zip | Emergency Contact: |
| Phone Number: | | | Emergency Number: |

TYPE OF USE REQUESTED (SEE PROPERTY UTILIZATION GUIDE FOR DEFINITIONS):

- | | |
|---|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Use Permit (Use of GRU R/W's and/or property for utilities) <input type="checkbox"/> Temporary Use Permit (10 days or less) <input type="checkbox"/> Temporary Use Permit (greater than 10 days) <input type="checkbox"/> Property Utilization License (Annual - Initial) <input type="checkbox"/> Property Utilization License (Annual - Renewal) | <ul style="list-style-type: none"> <input type="checkbox"/> Ingress/Egress Easement (Residential – Single Family) <input type="checkbox"/> Ingress/Egress Easement (Commercial) <input type="checkbox"/> Purchase GRU-owned property <input type="checkbox"/> Other Easement (i.e. Drainage, Sidewalk, Transportation) |
|---|--|

LOCATION OF PROPOSED USE:

Property Address:

| | | | |
|----------|----------|-----------|--------|
| Tax ID # | Section: | Township: | Range: |
|----------|----------|-----------|--------|

Permit Term Requested: Start: ___/___/___ End: ___/___/___

I understand and agree that I have read and will comply with the guidelines outlined in the GRU Property Utilization Guide. Submission of this application and payment of the application fee do not authorize occupation of the property.

| | | |
|-------------------------|-------------|-------|
| Signature of Applicant: | Name/Title: | Date: |
|-------------------------|-------------|-------|

Forward the completed application, sketches/plans and application fee to:

Gainesville Regional Utilities, Real Estate Division (A130)
Post Office Box 147117
301 SE 4th Avenue
Gainesville Florida 32614-7117

If assistance is needed prior to the submittal of the application, please contact the Real Estate Division at (352) 393-1220

GRU Use Only:

GRU Permit No.: U-RW- _____ - _____

Receipt is hereby acknowledged for application fee in the amount of \$ _____ Cash
 Check # _____

Authorized GRU Signature: _____ Date: _____