



Office of the City Manager

PUBLIC HEARING

October 13, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Amendments to Berkeley Municipal Code (BMC) Section 23.304.100 (Site Features in Residential Districts) to require undergrounding of electrical transformers on private land

RECOMMENDATION

Conduct a public hearing and upon conclusion adopt the first reading of an ordinance amending Berkeley Municipal Code (BMC) Section 23.304.100 (Site Features in Residential Districts) to prohibit the above-ground installation of electrical transformers serving new residential, commercial, and mixed-use projects grade on private property, consistent with the Planning Commission's recommendation.

SUMMARY

The proposed ordinance (**Attachment 1**) includes amendments to BMC Section 23.304.100 that prohibit the above-grade installation of any Electrical Distribution Equipment, as defined in the proposed ordinance, that serves a project located in a Residential or Commercial zoning district, or that serves a residential or mixed-use project in a Manufacturing zoning district.

The ordinance would not determine whether a transformer is required. The utility company (PG&E) makes that determination based on project load, location, and existing infrastructure. The ordinance would also not automatically permit the placement of a transformer in the public right-of-way. That determination remains the sole discretion of the City Engineer.

Existing provisions in Section 23.304.100 regarding garbage cans, utility meters, pedestrian walkways, and exterior lighting would remain in effect.

FISCAL IMPACTS OF RECOMMENDATION

Staff time and resources would be required to implement the provisions of the proposed amendments. Land Use Planning and Department of Public Works staff currently review and process applications for development projects, and it is not anticipated that the proposed amendments would result in significant amounts of new work. Costs associated with Staff time are offset by Planning and Engineering permit fee revenues, subject to periodic adjustments of departmental fee schedules.

The public right of way is a limited resource that holds value. When permitting underground electrical equipment in the public right of way, the City could consider charging a fee for the use of the public right of way.

CURRENT SITUATION AND ITS EFFECTS



Figure 1. Pad-mounted (above-grade) transformer installed on a concrete pad with protective bollards. The equipment is visible and requires a dedicated footprint and clear working space for access and maintenance.

An electrical transformer is utility equipment that reduces (i.e., transforms) the voltage of electricity from the distribution system to the service voltage used within a building for lighting, outlets, and equipment. A new transformer may be required when a project's electrical demand cannot be served by existing nearby infrastructure, or when the service configuration needs to change. PG&E determines whether a new transformer is required, based on proximity to existing infrastructure and the project's electricity demand. The need for a transformer is generally evaluated during schematic design, usually 12–18 months before breaking ground, and well after a project has received land use approvals, oftentimes extending into the Building

Permit review period. Developers typically start working with the utility company, then work with the City's Department of Public Works on locating transformers after meeting PG&E's requirements.

For new development, PG&E may provide service to a project using either above ground transformers or underground transformers, depending on the project's electrical demand, service configuration, existing utility infrastructure, and site and right-of-way constraints.¹ Transformer selection is typically based on the required voltage class (kV) and transformer capacity (kVa) for the proposed development and is subject to PG&E's Electric Rule No. 16 (Service Extensions)², effective May 17, 2025. Per Rule No. 16, underground service extensions, including underground transformers, are installed when required by applicable tariff schedules, laws, or ordinances, when determined as necessary by PG&E or requested by the applicant and agreed to by PG&E, or when the

¹ PG&E, Electric and Gas Service Requirements. <https://www.pge.com/assets/pge/docs/account/service-requests/greenbook-manual-full.pdf>

² PG&E's Electric Rule No. 16 (Service Extensions), https://www.pge.com/tariffs/assets/pdf/tariffbook/ELEC_RULES_16.pdf

applicant's load requires a separate transformer installation of 75 kVa or greater (typically a size applicable to denser commercial or multifamily developments). Otherwise, PG&E's Rule No. 16 specifies that above ground transformers be installed.

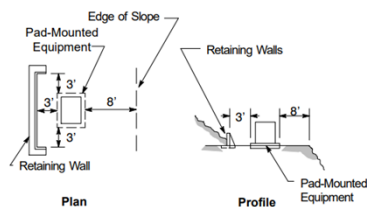
Above ground transformers are above-grade cabinets installed on a concrete pad (see Figure 1); underground transformers or related equipment are installed below grade within an enclosure, room or vault, with surface covers (see Figure 2).



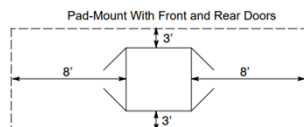
Figure 2. Underground transformer located on private property.

Clearances and Location Requirements for Enclosures, Pads, and Underground Equipment

4. Work Space Requirements



Example of Pad-Mounted Equipment (with front doors only) Installed on Sloped Terrain



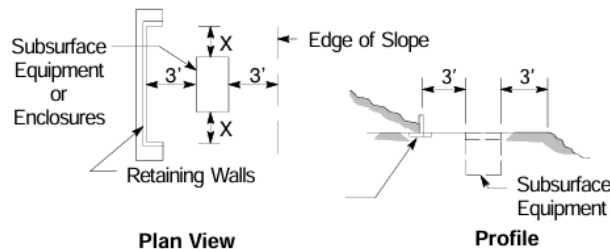
Work Space for Pad-Mounted Equipment (with front and rear doors including most switches and capacitors)

Figure 3. PG&E Required Working Space for Above Ground Transformers

In addition to the concrete pad footprint, PG&E requires clear, level working space around equipment—including an 8-foot minimum clear working space in front of equipment doors—meaning the practical space impact on a constrained infill site or within the public right-of-way is often driven as much by required clearances as by the cabinet itself. Figure 3 includes examples of specifications and clearance requirements for above ground transformers.

While underground transformers reduce above-ground visual impacts, they also require operating and maintenance clearances. PG&E's

location and clearance standards include minimum work space requirements around primary enclosures and specify that the area immediately around and below pads or



X = 3' for Round or Square
X = 3' for 3' x 5'
X = 5' for 4' 6" x 8' 6"

Example of Subsurface Equipment or Enclosures Installed on Sloped Terrain

Figure 4. PG&E Required Working Space for Underground Transformers.

enclosures must remain free of obstructions. Figure 4 includes examples of specifications and clearance requirements for underground transformers.

PG&E also specifies minimum vertical clearances from overhangs (including balconies and building projections) to allow

hoisting and replacement of equipment. For typical installations, PG&E requires 20 feet of vertical clearance for single-phase pad-mounted equipment and underground equipment, and 30 feet for most three-phase pad-mounted equipment.

In practice, the need for a transformer and the associated trenching for conduit routes are typically evaluated during early utility coordination and service design. Transformer placement is often the endpoint of the trenching process; PG&E tends to require locations that minimize trench length, avoid conflicts with other uses or facilities, and keep the trench route constructible and permittable. PG&E's priorities in these cases can often conflict with project design, frontage or streetscape design goals. During application processing, the final transformer location is frequently confirmed only late in the entitlement sequence, often during final design review, or at the building permit stage, after key site and frontage design decisions have already been made.

Existing Regulations

BMC Section 23.304.100 currently establishes site standards for "Site Features in Residential Districts," including screening of garbage cans and utility meters, pedestrian walkway requirements for multi-family dwellings, and exterior lighting standards. However, it does not address the placement of electrical transformers or similar equipment that serve new development, and it does not apply to non-residential zoning districts. As a result, the siting of transformers has been determined on a project-by-project basis through informal coordination between applicants, PG&E, and City staff,

with no explicit zoning standard guiding where transformers should be located on a site or in the public right-of-way.

Recent changes in PG&E policy, reflected in PG&E's Greenbook requirements for underground transformers (Doc. 072149, Rev. #07, dated December 17, 2020),³ have made it more difficult for transformers to be undergrounded. While PG&E has previously been satisfied with the City's determination of when undergrounding is appropriate, PG&E's new policy is to prohibit the undergrounding of transformers unless it is explicitly required by a local government agency. The absence of such a requirement in the current BMC has led to the placement of above-ground transformers, which can adversely affect project design and site configuration.

PG&E Input

PG&E's Public Affairs and Local Government Relations Office met with staff to discuss this proposed ordinance amendment. PG&E staff confirmed that PG&E does not support installing underground transformers, for new installations or for reconstruction, when there is a feasible alternative to install new or replace an underground transformer with a pad-mount transformer. PG&E shared the following rationale:

- **Cost and Supply Chain** – Generally underground equipment is more costly. Cost from manufacturers and supply chain are driven by industry standard designs and usage; transformer manufacturers for underground equipment are much less common than those manufacturers that make pad-mounted equipment. Underground equipment must be more rigorously designed and manufactured as it is designed to continue to operate when submerged. The availability of underground transformers has been severely limited due to manufacturing constraints; there is no resolution date for inventory shortages.
- **Worker Safety** – Pad-mount designs present a better option in that they are much easier to inspect to assure proper operation and maintenance. As part of the CPUC's General Order 165, PG&E is responsible for inspecting all their equipment; pad-mount equipment provides an opportunity for a thorough inspection.
- **Resiliency** – Visibility of and easy access to equipment leads to easier maintenance practices. Underground enclosures can hold water and debris leading to more corrosive conditions compared to pad-mount equipment.
- **Future Electrical implications** – Pad-mounts are easier to replace; they tend to have universal mounting pads that support multiple sizes without need to change when replacing with larger capacity units. Simply stated, underground designs

³ PG&E Greenbook 072149.Rev. #07, Dec. 07, 2020.

<https://www.pge.com/assets/pge/docs/account/service-requests/072149.pdf>

are constrained by the underground enclosure size they are placed in while pad-mounted equipment generally has sufficient space allotted to accommodate larger capacity transformers. At present, PG&E underground radial design is constrained to a design of 1MVA (1 million Volt Amps – Similar to 1 MW of Load), meanwhile pad-mount equipment is constrained to 3.3MVA which is based on CPUC's Electric Rule 2 for PG&E Distribution Services. This means for an EV Charging Station, for a single installation of chargers, pad-mount offers 3.3 times more chargers to be connected.

Interdepartmental Staff Input

PG&E's recent policy change now requires certain transformers that were previously permitted to be installed underground to be installed above ground. Due to their size and required safety clearances, above-ground transformers may adversely affect development project design. Because PG&E prefers transformers to be located as close as possible to the public right-of-way, pad-mounted transformers can have a detrimental impact on a project's appearance when viewed from public streets. In addition, their footprint and clearance requirements often require dedicating land that could otherwise be used for additional dwelling units, increased residential square footage, retail frontage on commercial corridors, or common space. From a land use planning perspective, the requirement to install pad-mounted transformers above ground negatively affects residential and mixed-use design quality and may reduce achievable residential densities and commercial vitality.

To better understand other operational and safety considerations, Land Use Planning staff requested input from the Building & Safety Division and Public Works Department regarding transformer siting preferences. These staff preferred above-ground transformers to be located on private property, to minimize any potentially negative impact on the availability or usability of public rights of way.

While staff could not identify studies that specifically compared underground to above-ground electrical distribution equipment risk, research did reveal that the relative safety of underground versus above-ground transformers involves competing risks. On one hand, underground transformers are generally less exposed to external hazards such as vehicle collisions, falling trees, severe weather, vandalism, and accidental public contact, which can reduce the likelihood of certain types of incidents. On the other hand, when maintenance or repair work is required, underground installations can place workers in confined or restricted spaces where avoiding energized equipment may be more difficult.

A particularly dangerous hazard related to electrical distribution equipment is the risk of an arc flash, which is a type of electrical explosion that occurs when electric current passes through the air. The Occupational Safety and Hazards Administration notes that

the risk of arc-flash incident increases with proximity to energized equipment.⁴ Smaller approach boundaries and confined vault conditions may make it harder for workers to maintain safe distances from electrical equipment. Industry data indicate that transformers of all kinds (both above ground and underground) account for only a small share of reported arc-flash incidents (approximately 3.8%), and human error is a contributing factor in roughly two-thirds of arc-flash events, suggesting that work practices and maintenance procedures are often more significant determinants of risk than the equipment type itself.⁵ That said, even while incidents occurring in underground vaults are relatively infrequent, they are disproportionately severe when they occur because of confined-space conditions, limited egress, and the potential accumulation of heat, pressure, smoke, or gases. Overall, the evidence suggests that underground transformers may reduce the frequency of incidents arising from external causes, while potentially increasing the consequences and complexity of worker-safety hazards during maintenance and emergency-response activities.

Staff in the Office of Energy and Sustainable Development also shared concerns about the impact of underground transformers on future electrification efforts. Undergrounding an electrical transformer could affect future electrification opportunities by constraining the ability to upgrade transformer capacity as electrical demand increases. As buildings transition from natural gas to electric appliances and add vehicle charging, additional electrical infrastructure may be needed, and an underground transformer can be more difficult and costly to replace or expand than an above-ground installation. While future increases in electrical demand may be moderated by improvements in building and appliance efficiency, which could reduce overall energy consumption, the extent to which efficiency gains will offset increased demand from building electrification and electric vehicle charging remains uncertain. In addition, underground transformers offer less resilience because power outages are more likely and are likely to last longer. Specifically, maintenance of underground transformers is more difficult, time-consuming, and dangerous, so restoring power after an outage takes longer. Underground equipment is subject to water accumulation, which can contribute to equipment failure and result in the contamination of water.

Staff in the Toxics Management Division identified water intrusion as the primary environmental concern associated with underground transformers. Unlike an above ground release, a leak from an underground transformer may not be readily visible and could go undetected for a longer period of time. Staff recommended that groundwater conditions, water intrusion potential, and flood risk be considered during the siting and design of underground transformer installations.

⁴ <https://www.osha.gov/sites/default/files/publications/OSHA4472.pdf>

⁵ <https://jscholarship.library.jhu.edu/server/api/core/bitstreams/8a734ce7-4844-4eb6-a109-e9e1c9f6a8c5/content>

Developer Input

To understand feasibility and cost from the development community's perspective, staff solicited input from local housing developers. They provided written responses to a series of questions regarding transformer requirements and placement. Developers report that they typically cannot physically fit transformers—above ground or underground—on small infill parcels without eliminating housing units, due to PG&E's strict clearance requirements. Their responses reflected a desire to maximize developable space and to limit the adverse effects of requirements to place transformers above ground and/or in internal areas within buildings that could be utilized instead to provide more units or amenities. Developers therefore supported placing transformers in the public right-of-way, to maximize developable space on their parcel, and preferably below ground, to minimize any potentially negative impact on the availability or usability of public rights of way.

Proposed Ordinance

The proposed ordinance creates a default assumption that transformers are to be located underground, either on private property or within the public right-of-way. This approach removes equipment from sidewalks and frontages, and avoids the potential loss of residential, commercial, or common open space that can occur with large above-ground pads on constrained infill sites.

Requiring underground placement could also encourage PG&E to consider alternative approaches. When undergrounding is clearly required by local regulation, PG&E is incentivized to evaluate alternative solutions, such as different configurations, rather than defaulting to above-ground installations. This dynamic is illustrated by the experience in the City of Fremont, where a local zoning code requirement to underground transformers on private parcels has prompted utilities to work within that constraint and pursue compliant underground solutions, rather than shifting impacts into the public realm.

While the proposed amendment would prohibit above-ground placement of electrical distribution equipment on private property, it would not create an entitlement to place electrical distribution equipment within the public right-of-way. The proposed amendment would not infringe on the City's discretion to approve encroachments in the public right-of-way. Approval of encroachments would remain at the sole discretion of the City Engineer and would be based on protection of public safety, ADA accessibility, pedestrian and bicycle access, emergency response, existing and future public infrastructure, streetscape impacts, utility conflicts, operations, and maintenance considerations. It would also not require the City Engineer or the Public Works Department to identify, design, justify, or accommodate placement in the public right-of-way.

As noted above, transformer siting has historically been determined on a project-by-project basis through coordination among project applicants, PG&E, and City staff, without an explicit zoning standard governing transformer placement on private property or within the public right-of-way. For projects incorporating underground transformer vaults in the public right of way, applicants typically obtain a letter from the City's Land Use Planning Division following zoning approval. This letter is provided to PG&E to document the approved requirement for underground transformer installation in accordance with the approved plans, subject to the issuance of an Engineering Permit. Approval of the transformer encroachment is generally processed as part of a broader Engineering Permit that also authorizes other customary improvements and utility connections within the public right-of-way, such as sewer, telecommunications, water, and other utility infrastructure.

Additionally, the applicant and/or property owner would remain solely responsible for all costs associated with design, permitting, installation, protection, maintenance, relocation, and removal of the equipment, and any approval could be conditioned on a revocable encroachment permit, maintenance agreement, indemnification, insurance, and any other requirements determined necessary by the City Engineer.

BACKGROUND

Planning Commission Meeting – June 4, 2025

At its meeting of June 4, 2025, the Planning Commission received staff's proposed BMC amendments and unanimously recommended Council adoption, with changes reflected in the Planning Commission's motion and included in **Attachment 2** (Moved Twu, Second Kahn, Ayes: Merker, Vincent, Owens, Oatfield, Kahn, Marthinsen, Twu, and Hauser. Noes: None. Abstain: None. Absent: None (8-0-0-0)).

The proposed ordinance (Attachment 1) differs slightly in wording and organization than the version of the ordinance recommended by the Planning Commission. The proposed ordinance has a definition of Electrical Distribution Equipment that includes not only transformers, but also associated pads, switches and other features, and also includes language restating the City Engineer's exclusive authority to permit the placement of Electrical Distribution Equipment in the public right-of-way.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Implementation of these zoning amendments may result in a greater density of housing units, particularly on infill sites with good proximity to transit and existing pedestrian and bicycling infrastructure. As a result, residents in these developments may be more likely to use cleaner forms of transportation. Transportation is responsible for the majority of Berkeley's greenhouse gas emissions (58% in 2023). In addition, new construction, subject to current energy and green building codes, has increased requirements for energy and water efficiency, electrification, and EV charging infrastructure.

However, undergrounding electrical transformers could also affect future electrification opportunities by constraining the ability to upgrade transformer capacity as electrical demand increases. Buildings are the second largest contributor to Berkeley's greenhouse gas emissions (39% in 2023) and completely transitioning buildings to clean electricity is key to reducing these emissions.

RATIONALE FOR RECOMMENDATION

The recommended ordinance responds to identified land use policy concerns and formalizes a clear rule for transformer siting. Above-ground transformers are bulky, visually prominent, and difficult to integrate into constrained infill sites without compromising building form, active frontages, or pedestrian circulation. Requiring below-grade placement on private property keeps this equipment out of front setbacks and, in many cases, out of the public sidewalk, supporting quality urban design and more efficient use of limited land.

The ordinance also facilitates transformer placement decision-making early in project planning, giving applicants a predictable standard around which to design the site and negotiate with the utility provider. This provides a more consistent framework for coordination among project sponsors, Land Use Planning, Building & Safety, Public Works, and the utility company, supporting Safety Element policies to maintain the functionality of key routes and critical facilities during and after hazard events (e.g., Policy S-12). It provides clear direction on expectations around the placement of transformers on private property, while reiterating the City Engineer's continued authority to regulate the placement of transformers on public property.

ALTERNATIVE ACTIONS CONSIDERED

Council could take no action on the proposed amendments. Under this "no project" alternative, BMC Section 23.304.100 would continue to address garbage cans, utility meters, and lighting, but not transformer placement. Staff would continue to negotiate equipment locations on a project-by-project basis, and above-ground transformers could continue to appear in front setbacks or near the public right-of-way without clear standards. This alternative is not recommended because it does not address the identified policy and design concerns and perpetuates a fragmented approach.

CONTACT PERSON

Branka Tatarevic, Associate Planner, Planning and Development, 510-981-7472.

Attachments:

- 1: Ordinance
- 2: Planning Commission Staff Report, June 4, 2025
- 3: Public Hearing Notice

ORDINANCE NO. -N.S.

AMENDMENTS TO TITLE 23 (ZONING ORDINANCE) OF BERKELEY MUNICIPAL CODE TO REQUIRE UNDERGROUNDING OF TRANSFORMERS ON PRIVATE PROPERTY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 23.304.100 is amended to read as follows:

23.304.100 Site Features ~~in Residential Districts.~~

A. ~~Applicability All Residential and Commercial Zoning Districts.~~ The standards in this section apply in all Residential and Commercial zoning Districts ~~districts, and to all residential, commercial, and mixed-use projects.~~

1. Electrical Distribution Equipment. Electrical Distribution Equipment means primary-voltage electrical distribution system equipment, including but not limited to transformers, switches and fuses, and junction bars, and associated pads and enclosures needed for installation, operation, and maintenance.

2. Above Grade and Pad-Mounted Electrical Distribution Equipment
Prohibited: No Electrical Distribution Equipment serving the development shall be installed above grade on a private parcel, except where the City Engineer determines that it is not in the public interest to site electric distribution equipment within the public right-of-way.

3. Electrical Distribution Equipment within Public Right-of-Way. Approval of the placement of any Electrical Distribution Equipment within the public right-of-way shall be at the sole discretion of the City Engineer and shall be based on protection of public safety, ADA accessibility, pedestrian and bicycle access, emergency response, existing and future public infrastructure, streetscape impacts, utility conflicts, operations, and maintenance considerations. Nothing in this section requires Public Works or the City Engineer to identify, design, or approve a location in the public right-of-way.

B. Residential Districts. The standards in this section apply in Residential Districts.

1. Garbage Cans. All garbage cans shall be effectively screened from view from the public right-of-way and surrounding properties.

2. C.—Utility Meters. For buildings with two or more units, all utility meters shall be effectively screened from view from the public right-of-way and surrounding properties.

3. D.—Pedestrian Walkway for Multiple Dwellings.

a4. All multi-family dwellings shall have an unobstructed walkway for pedestrian access from the public right-of-way to the building.

b2. The required walkway shall be separated and physically protected from a driveway or off-street parking spaces with a minimum 2-foot wide landscaped strip.

4E. Exterior Lighting.

1. All exterior lighting shall be shielded and directed downward and away from lot lines to prevent excessive glare beyond the property on which the light is located.

2. Lights on motion sensors may not be triggered by movement or activity located off the property on which the light is located.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



Planning and Development Department
Land Use Planning Division

STAFF REPORT

DATE: June 4, 2025

TO: Members of the Planning Commission

FROM: Branka Tatarevic, Associate Planner

SUBJECT: Amendments to Title 23 (Zoning Ordinance) of Berkeley Municipal Code to require undergrounding of transformers on private property

RECOMMENDATION

Conduct a public hearing, receive public comment, and upon conclusion make a recommendation to City Council on proposed amendments to Berkeley Municipal Code (BMC) Section 23.304.100 (**Attachment 1**).

BACKGROUND

The existing BMC Section 23.304.100 specifies requirements for site features within residential districts, primarily addressing screening and pedestrian access. However, current zoning standards do not sufficiently address the placement of transformers in all zoning districts.

The proposed ordinance amendment originates from recent rejections by Pacific Gas & Electric (PG&E) to allow the undergrounding of transformers for medium-sized development projects in Berkeley. In response, a City Councilmember requested consideration of undergrounding requirements on private property and interest was expressed by Planning Commissioners at the March 5, 2025 Planning Commission meeting.

PG&E currently requires that transformers be installed above-ground unless a jurisdiction has explicit regulations to require undergrounding of electrical equipment. This requirement for the placement of above-ground transformers has created design and circulation conflicts. Recent development projects have highlighted the need for regulations to optimize lot usage and avoid conflicts with site layout and circulation. In response, the City proposes to update the Zoning Ordinance to require underground installation of transformers for all new development projects.

Amendments to the BMC to Require Undergrounding of Transformers

Planning Commission
June 4, 2025

DISCUSSION

The key changes proposed to BMC Section 23.304.100 include:

- Expanding applicability from Residential Districts to all zoning districts. Requiring new transformers serving residential or mixed-use development on parcels below a specified size to be installed below ground for new development.
- Defining conditions under which above-ground electrical equipment, if approved, must be located and screened from public view.

ENVIRONMENTAL REVIEW

The proposed zoning ordinance amendments do not include any allowances for additional development capacity or other new physical changes to the environment that are not already permitted and previously evaluated under CEQA. Adoption of the proposed amendments would in no way have a significant effect on the environment and therefore is not subject to CEQA (CEQA Guidelines Section 15061(b)(3), Common Sense Exemption).

NEXT STEPS

Upon a recommendation from the Planning Commission, the City Council will conduct a public hearing on the proposed ordinance.

CONTACT PERSON

Branka Tatarevic, Associate Planner, Planning and Development Department, 510-981-7472

ATTACHMENTS

1. Planning Commission Resolution
Exhibit A. Draft Zoning Ordinance Amendments
2. Public Hearing Notice

ATTACHMENT 1

PLANNING COMMISSION
RESOLUTION NO. 2025-04**A RESOLUTION OF THE CITY OF BERKELEY PLANNING COMMISSION
RECOMMENDING THE CITY COUNCIL ADOPT PROPOSED AMENDMENTS TO
BERKELEY MUNICIPAL CODE SECTION 23.304.100 TO REQUIRE UNDERGROUNDING
OF TRANSFORMERS ON PRIVATE PROPERTY**

WHEREAS, the City of Berkeley regulates development on private land through the Berkeley Municipal Code, including Title 23 (Zoning); and

WHEREAS, BMC Section 23.304.100 currently addresses certain site features in residential districts, but does not address the placement of electrical equipment in all zoning districts; and

WHEREAS, the proposed amendment was prompted by a City Councilmember request, Planning Commission interest, and staff experience processing medium-sized development applications where above-ground electrical equipment created design and circulation challenges;

WHEREAS, the proposed undergrounding requirement supports the quality urban design, efficient land use, and improved visual character; and

WHEREAS, a public hearing notice was published in the Berkeley Voice and posted in three public places pursuant to California Government Code Section 65090 for the public hearing held on June 4, 2025.

WHEREAS, all documents constituting the record of this proceeding are and shall be retained by the City of Berkeley Planning and Development Department, Land Use Planning Division, at 1947 Center Street, Berkeley, California; and

WHEREAS, the proposed amendments would have no adverse effect on the environment, and are thereby exempt from CEQA under CEQA Guidelines Section 15061(b)(3).

NOW, THEREFORE, IT BE RESOLVED that the Planning Commission does hereby recommend to the City Council of the City of Berkeley to adopt the amendment to BMC Section 23.304.100, as contained in **Exhibit A**, attached hereto and hereby incorporated by reference; and

BE IT FURTHER RESOLVED, that pursuant to Berkeley Municipal Code Section 23.412.060, the Planning Commission makes the following findings to support its recommendation for the zoning ordinance amendments:

- (1) **The proposed amendment is consistent with the General Plan and any applicable specific plan or area plan.** The zoning ordinance amendments are not inconsistent with the General Plan or any specific or area plan. The General Plan's Disaster Preparedness and Safety Element prioritizes undergrounding of utility infrastructure.

- (2) **The proposed amendment is consistent with state law.** The zoning ordinance amendments are consistent with state law, and similar regulations have been adopted by other jurisdictions without legal challenge or determination of illegality;
- (3) **The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare.** The zoning ordinance amendments serve the public interest by requiring the undergrounding of transformers that may otherwise occupy locations on a site that may decrease development potential or obstruct internal circulation, while also providing exceptions to the undergrounding requirement in certain cases;
- (4) **The proposed amendment is internally consistent with other applicable provisions of the Zoning Ordinance.** The zoning ordinance amendments revise an existing set of site standards and do not contradict other provisions within the zoning ordinance.

I HEREBY CERTIFY the foregoing resolution was passed and adopted by the Planning Commission of the City of Berkeley, at a regular meeting thereof, held on the 7th day of May 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Alisa Shen
SECRETARY TO THE PLANNING COMMISSION

Exhibit A: Ordinance

EXHIBIT A

ORDINANCE NO. -N.S.

AMENDMENTS TO TITLE 23 (ZONING ORDINANCE) OF BERKELEY MUNICIPAL
CODE TO REQUIRE UNDERGROUNDING OF TRANSFORMERS ON PRIVATE
PROPERTY.

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 23.304.100 is amended to read as follows:**23.304.100 Site Features in Residential Districts.**A. *All Districts.* The standards in this section apply in all Zoning Districts.1. Undergrounding Requirement.

- a. Residential and Mixed-Use Properties. For residential and mixed-use developments on lots 6,000 square feet or smaller and containing five or more dwelling units, all transformers serving the development shall be installed below grade (subsurface).
- b. Commercial Properties. For exclusively commercial properties, pad-mounted transformers may be permitted provided that:
 - i. Above-ground installation is accommodating public infrastructure design, and
 - ii. Located outside required setbacks;
 - iii. Not located between the building and a public street or sidewalk unless no alternative location is feasible; and

Screened by landscaping, fencing, or architectural features consistent with the design of the building

B. *Residential Districts.* The standards in this section apply in Residential Districts.
1. *Garbage Cans.* All garbage cans shall be effectively screened from view from the public right-of-way and surrounding properties.2. *Utility Meters.* For buildings with two or more units, all utility meters shall be effectively screened from view from the public right-of-way and surrounding properties.3. *Pedestrian Walkway for Multiple Dwellings.*

- a. All multi-family dwellings shall have an unobstructed walkway for pedestrian access from the public right-of-way to the building.
- b. The required walkway shall be separated and physically protected from a driveway or off-street parking spaces with a minimum 2-foot wide landscaped strip.

4. *Exterior Lighting.*

- 1. All exterior lighting shall be shielded and directed downward and away from lot lines to prevent excessive glare beyond the property on which the light is located.
- 2. Lights on motion sensors may not be triggered by movement or activity located off the property on which the light is located.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

NOTICE OF PUBLIC HEARING BERKELEY CITY COUNCIL AMENDMENTS TO BMC TITLE 23 ZONING

The public may participate in this hearing by remote video or in-person.

Notice is hereby given by the City Council of the City of Berkeley that on **TUESDAY, October 13, 2026 at 6:00 P.M.** a public hearing will be conducted to consider the Planning and Development Department proposal to amend BMC Title 23 (Zoning) Section 23.304.100 to include citywide requirements for the undergrounding of Electrical Distribution Equipment.

The hearing will be held on October 13, 2026 at 6:00 p.m. in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

For further information, please contact Branka Tatarevic, Associate Planner at (510) 981-7472.

A copy of the agenda material for this hearing will be available on the City's website at <https://berkeleyca.gov/> as of September 3, 2026. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

Published: October 2, 2026 – The Berkeley Voice
Public Hearing required by BMC 23.412.050 and Govt Code 65853; notice provided according to Govt Code 65090 and BMC 23.404.040.

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on October 1, 2026.

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Mark Numainville, City Clerk

