

PRIVATE USE OF PUBLIC RIGHT OF WAY – THE R-PERMIT

9.2 General Conditions or Requirements for a Revocable Permit

In some cases it may be advisable to seek input from the Council Office over the area where the encroachment is proposed. The basis for approval should, of course, be the findings of the District Office regarding public safety, consistency within the neighborhoods, and compliance with applicable City standards.

Permittee's Obligations

Permittees are responsible for paying fees and fulfilling conditions.

Information Required Before a Revocable Permit Can be Issued

Include with application a sketch 8-1/2"x11" showing the encroachment with dimensions, elevations, details, north arrow, adjacent street names, a copy of a valid deed and the appropriate fee.

All R-Permits will normally require appropriate insurance coverage to reduce the City's liability, Waiver of Damages to hold the City harmless, and other maintenance agreements and permits. Criteria and requirements to allow the placement of the encroachments in the public rights-of-way will be determined based on the potential conflicts with the American Disabilities Act, pedestrian and vehicular traffic, and public safety.

For Hillside Areas Only

If the roadway fronting the property is less than 20 feet wide, the property owner will be required, as a condition of the R-Permit, to widen/improve it to a minimum paved width of 20 feet which may include concrete curb and gutter.

A copy of a land survey that shows the proposed/existing encroachments, property line, centerline of roadway/right-of-way, width of existing roadway, and any other existing street improvements fronting the property is required to be submitted with the application.

City Planning Specific Plan Applicability

All R-Permit applications will be checked for City Planning Specific Plan applicability. If your proposed encroachment is within a Specific Plan Area or other special City Planning area, your project must comply with the Specific Plan conditions. Customers will be referred to City Planning for specific requirements.

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Public Notification

In general, no formal public notification is required for most over-the-counter R-Permits. However, as a result of the R-Permit approval process, neighbors may become aware of the proposed encroachment.

For R-Permits that require a full Board Report, a public hearing by the Board of Public Works is required for approval. The posting of the R-Permit item on the Board of Public Works agenda is considered sufficient public notice.

In all R-Permit cases, the Applicant is highly encouraged to notify neighbors of encroachment plans.

Safety Requirements

In general, safety measures in accordance with the current edition of the Work Area Traffic Control Manual are required for construction work. Specific safety requirements will be listed as conditions of the R-Permit that must be maintained by the Permittee.