



ENCROACHMENT PERMIT: TO ENCROACH UPON COUNTY HIGHWAY



IMPORTANT NOTICE

Section 4216/4217 of the Government Code requires a DigAlert Identification Number (ID) be issued before a "Permit to excavate" will be valid.

For your DigAlert ID Number
Call Underground Service Alert
TOLL FREE 811
Two working days before you dig.

For more information, go to:
www.digalert.org

Applications should be submitted to:

County of San Diego
Planning and Development Services (PDS)
Land Development Counter
5510 Overland Avenue, Suite 110
San Diego, CA 92123

(858) 694-2055
Fax (858) 279-7020

Email: rowpermitcounter@sdcounty.ca.gov

FOR GENERAL INFORMATION ONLY
NOT TO SUPERSEDE THE APPROPRIATE
ORDINANCE

COUNTY OF SAN DIEGO
DEPARTMENT OF PUBLIC WORKS

www.sdcounty.ca.gov/dpw

ENCROACHMENT PERMIT

PERMIT PURPOSE

The County may be held all or partially responsible when a person is injured or property is damaged in the County road Right-of-Way

DEFINITION

An encroachment means any tower, pole, pipeline, private pipe, private pipeline, nonstandard driveway, private road, fence, billboard, stand or building, or any structure or object of any kind or character, which is placed in, under or over any portion of the highway

PERMIT REQUIRED

A written Encroachment Permit is required prior to placing, changing or reviewing an Encroachment in, under or over any portion of the County Road R/W in accordance with Section 71 (Highway and Traffic) of the San Diego County code of Regulatory Ordinances.

SPECIAL REQUIREMENTS

- ◆ Public notification may be required prior to commencement of construction

APPLICATION PROCEDURE

The applicant shall provide the following:

- ◆ Location of Proposed Encroachment
- ◆ Description of structure or object
- ◆ Justification for encroachment
- ◆ Will it interfere with the public use/maintenance?
- ◆ Duration for which permit is sought (one day, days, indefinite)
- ◆ Date request is to be effective
- ◆ \$179.00 issuance fee (checks payable to County of San Diego)
- ◆ \$67.00 permit renewal fee.
- ◆ An additional deposit may be required
- ◆ Drawings or sign plan
- ◆ Lights, barriers, warnings signs or other measure designed to protect the traveling public, where applicable
- ◆ *An Encroachment Removal Agreement may be required and a deposit

POLICY

All permits other than those issued to public agencies or a public utility having legal authority to occupy the public road right-of-Way are revocable on five days' notice and the encroachment must be removed or relocated as may be specified by the Director in the notice revoking the permit and within a reasonable time specified by the Director unless the permit provides a specified time. Encroachments not removed within the period shall be removed by County forces with the cost borne by the owner. Encroachment determined to obstruct or prevent public use of County road Right-of-Way, consist of refuse, cause a traffic hazard, or in violation of other specific regulations will be removed immediately.

NOTE:

PAINTING HOUSE ADDRESS NUMBER ON CURBS:

Vendors must obtain a solicitor's license from the County Sheriff's Department (858) 974-2020 as well as an encroachment permit before painting house numbers on curbs within the unincorporated areas of the County. A copy of the solicitor's license must be submitted with the encroachment permit application. Specific guidelines for painting addresses on curbs are available from the Planning and Development Services Construction/ Road Right-of-Way Counter.

<i>FOR COUNTY USE ONLY</i>
RECORD ID: _____
DPW20 _____
RWENCP- _____

APPLICATION TO ENCROACH UPON COUNTY HIGHWAY
 GOVERNED BY CHAPTER 6, DIVISION 1
 TITLE 7 OF SAN DIEGO COUNTY CODE
COUNTY OF SAN DIEGO
DEPARTMENT OF PUBLIC WORKS
 5510 OVERLAND AVENUE, SUITE 110
 SAN DIEGO, CA 92123
 PHONE (858) 694-2055 • FAX (858) 279-7020
 E-mail ROWPERMITCOUNTER@SDCOUNTY.CA.GOV

Date _____

<i>THOMAS BROTHERS</i>		
YEAR	PAGE	COORD

Permit Owner _____ Telephone # _____

Last Name First

Mailing Address _____

Street City State Zip Code

Application Contact Name _____ Email Address _____ Telephone # _____

Is the work part of a larger project or program requiring multiple permits, or currently under review for permit? YES NO

If yes provide: Related Permits _____ Assessor Parcel # _____

Is this a utility relocation in connection with a County Capital Improvement Project? YES NO

If yes provide: Name of Project _____

Location of encroachment _____

Street Name and Number and nearest cross street

- Fencing Political Signs Scaffolding Storage Yard BMP Other

Describe _____

Will encroachment interfere with the public use and maintenance of?

Travelled way Yes No Side path or sidewalk Yes No

Shoulder or parking lane Yes No Drainage structure or watercourse Yes No

Justification for Encroachment _____

Permit requested: 1 day 3 days 10 days indefinite _____ days Effective date _____ 12.01 a.m.

AGREEMENT

In consideration of the granting of this permit, the applicant agrees:

1. I hereby agree as a condition of the granting of this permit to provide defense and indemnification in accordance with Section 71.103 of the San Diego County Code of Regulatory Ordinances as follows: Permit Owner agrees to indemnify, hold harmless and defend the County and each of its officers and employees from any liability of responsibility for accident, loss or damage to persons or property arising by reason of the work done by Permit Owner, or Permit Owner's agents, employees or representatives.
2. To comply with all applicable laws in the establishment, maintenance and removal of the encroachment.
3. That the Permittee and any other person engaged in any work authorized by this permit shall conform to all due safety precautions for the protection of persons and property.
4. To remove or relocate any encroachment placed, changed or renewed under the authority of this permit; prior to its expiration or within 24 hours of notification to remove, if the duration is 10 days or less; or within 5 day of notification to remove, if the permit is of indefinite duration
5. After removing or relocation the encroachment, to restore the highway to the equivalent or better condition than it was prior to the date this permit became effective, or prior to the date the encroachment was first placed, whichever is earlier.

"I declare under penalty of perjury under the laws of the State of California that the statements made herein are true and correct."

Signed _____

Owner Date

ENVIRONMENTAL REVIEW QUESTIONNAIRE
FOR WORK WITHIN THE COUNTY OF SAN DIEGO ROAD RIGHT OF WAY
(TO BE FILLED OUT BY APPLICANT)

PERMITTEE NAME OR ORGANIZATION: _____

PROJECT NUMBER OR NAME: _____

PROJECT LOCATION: _____

Please Check YES or NO for the following statements. (Note: further environmental review may be required by applicant and/or County staff for a "Yes" answer.)

- | YES | NO | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | The project proposes grading, filling, or dredging within a creek or wetland area |
| <input type="checkbox"/> | <input type="checkbox"/> | The project will remove vegetation adjacent to a creek or wetland area |
| <input type="checkbox"/> | <input type="checkbox"/> | The project will harm or remove healthy, mature, or scenic trees |
| <input type="checkbox"/> | <input type="checkbox"/> | The project is located on a hazardous waste site per Section 65962.5 of Gov. Code |
| <input type="checkbox"/> | <input type="checkbox"/> | The project will degrade surface water quality |
| <input type="checkbox"/> | <input type="checkbox"/> | The project will impact groundwater quality or quantity |
| <input type="checkbox"/> | <input type="checkbox"/> | The project will have significant impact to aesthetics or visual resources |
| <input type="checkbox"/> | <input type="checkbox"/> | The project is located on a dedicated trail, or pathway |
| <input type="checkbox"/> | <input type="checkbox"/> | The project will impact historic, tribal cultural, or prehistoric resources |
| <input type="checkbox"/> | <input type="checkbox"/> | The project will conflict with the County Noise Ordinance
<small>(San Diego County Code of Regulatory Ordinances, Title 3, Division 6, Chapter 4)</small> |

The following language shall be placed on the project plans and will become permit conditions:

"If during the course of any ground disturbing activities any historic or pre-historic resources are identified, work will be ceased immediately in that area and the Department of Public Works notified. Work will commence once authorized by the Department of Public Works."

"To avoid harm to any mature trees, the applicant will not place any concrete, fill, or grade within the canopy of any tree with a diameter of 3 inches or greater unless only hand-tools are used or an arborist provides direction and certification that such activities would not cause harm to the tree."

"If existing landscaping is to be removed, the applicant will replace it in kind".

"As defined by the County Noise Ordinance, general sound levels will not exceed the limits defined in Section 36.404 of the Noise Ordinance. Further, construction Activities will not occur before 7 a.m or after 7 p.m. nor will any construction occur on Sundays or holidays without first obtaining a noise variance."

"No grading, fill, or any activities are permitted within a creek or wetland area."

I hereby certify the above answers are true and correct to the best of my knowledge:

SIGNATURE: _____

DATE: _____



County of San Diego, Planning & Development Services
**APPLICATION DEPOSIT
 ACKNOWLEDGEMENT AND AGREEMENT**
 SUPPORT SERVICES DIVISION

Do you already have an existing active Trust Account with PDS/DPW for the same site/application/project: Yes No

This can be through a Use Permit, Site Plan, TM, GP, or other Discretionary approval. Grading permits associated with a site that has a Discretionary permit in place should be tied to that trust account.

Are we linking this site/application/project to the existing Trust Account: Yes No

If the existing Discretionary permit has been approved it should still be tied to the work being done through this action for tracking purposes.

If linking, please provide existing Trust Account number:

No additional information is necessary. The rest of this form does not need to be completed.

If you do not know the trust account number but know the record associated with the Use Permit, Site Plan, TM, or GP, please indicate the discretionary permit number here:

INTRODUCTION

It is the policy of the County of San Diego to recover from applicants for land development approvals the full cost of processing such applications, including all time spent by County staff to review, comment, coordinate and communicate with applicants and the public on the processing of a proposed application. (See Board of Supervisors' Policy B-29: <http://www.sdcountry.ca.gov/cob/docs/policy/B-29.pdf>). For [application types](#) where processing costs vary substantially between individual applications, the County establishes a Trust Account to assure cost recovery. In such cases, an initial **deposit** is required, in an amount as set by ordinance to cover the estimated costs of the initial review (Scoping) of a project following intake of the application. In the event the estimated deposit is not sufficient to cover actual costs of the initial scoping, an additional deposit will be required. At the conclusion of scoping of the project (approximately 30 days after application), a refined project-specific estimate of total costs to process your application to completion, based upon a number of assumptions, will be provided with a complete listing of project specific issues, revisions, and studies required as deemed necessary for compliance with State and County codes and ordinances.

The cost associated with processing a discretionary permit with Planning & Development Services (PDS) varies widely depending on the type of entitlement being applied for and the complexity of the project. Estimates of processing costs for a variety of permit types have been identified based on historic data for recently completed projects. These summaries are available on the PDS website at <http://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/formfields/PDS-PLN-369.pdf>. Actual cost may vary substantially from the ranges listed online due to project location, environmental issues, planning constraints, appeals or code/ordinance compliance. The applicant is required to pay all costs associated with application processing, regardless of the original estimate provided or historic costs. When the application and case closure process is complete, any remaining funds in the Trust Account will be refunded.

----- OFFICIAL USE ONLY -----

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123

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County of San Diego, PDS, Support Services Division
APPLICATION DEPOSIT ACKNOWLEDGEMENT AND AGREEMENT

Continued

AGREEMENT

The person named below as "Depositor" is herewith depositing, or has previously deposited with the County of San Diego the sum of \$ _____ for the initial review (Scoping) of the following application being filed with the County:

Said deposit and any subsequent deposits are made on behalf of the person, corporation or partnership named below as the "Financially Responsible Party". With reference to said application and deposits, Depositor and Financially Responsible Party hereby acknowledge and agree as follows:

1. Said initial deposit and any subsequent deposits shall be held by the County in an account under the name of Financially Responsible Party, and Financially Responsible Party shall be considered the owner of all funds in said account, and Depositor (if different from Financially Responsible Party) releases any interest in said funds. Except as provided below, any funds remaining in said account at the completion of work shall be refunded to the Financially Responsible Party at the address below. In the case that the Financially Responsible Party transfers ownership of the subject property and wishes to transfer responsibility of the Trust Account to the new owner, a Change of Financial Responsibility form must be completed to authorize transfer of ownership of funds in said account. The Financially Responsible Party may contact the Trust Account Customer Service Unit at: PDSDevDep@sdcounty.ca.gov or by calling (858) 694-2320 to request the form
2. All costs incurred by the County in processing said application, including overhead, whether within or over the amount of project-specific estimate provided at the conclusion of the initial Scoping of the project (typically 30 days), shall be paid by the Financially Responsible Party. This is the Financially Responsible Party's personal obligation and shall not be affected by sale or transfer of the property subject to the application, changes in Financially Responsible Party's business organization, or any other reason. As work proceeds on an application, actual County costs, as established by County Ordinance, will be recorded and invoiced against the deposit account. County is authorized to deduct such costs from said deposits at such times and in such amounts as County determines. The County may allow incremental deposit submittals by the Financially Responsible Party over the course of the project processing such as prior to each submittal, public review, and hearing(s), as applicable to the permit. "Costs incurred by the County" as identified in this paragraph may include costs for the services of an outside contractor. Where the County determines it is necessary to engage the services of an outside contractor or other County Departmental staff to assist with application processing, costs for such services are to be paid by the Financially Responsible Party in the same manner identified above. If the Financially Responsible Party withdraws an application not involving a violation of a County ordinance, County will cease processing of the application within one day and will proceed with the case closure process. The Financially Responsible Party is responsible for all case closure costs. Case closure costs will be minimized to the maximum extent practicable.
3. If it is determined that the estimated cost provided in the original cost estimate will not be adequate to cover all costs associated with application processing, the estimate will be refined, and additional monies may be required. County may make a written demand for additional deposit(s) and the Financially Responsible Party shall deposit with County such additional sums demanded within 14 days of the date of County's request. If Financially Responsible Party fails to deposit such additional sums within said period, County staff will cease work on said application until such funds have been deposited. If no deposit is received within 30 days, the County may forward said application to the appropriate decision-maker with a recommendation for denial. The application will not be finalized for hearing or decision until required deposits are paid in full. If at any point in the processing of the project, the deposit account becomes depleted, County staff shall stop work on the project until sufficient funds are restored. When the processing of the application is completed, any unused amount in deposit account will be refunded.
4. If the amount of costs incurred by County exceeds the amount of funds on deposit, and the Financially Responsible Party has failed to pay County sufficient funds to cover said deficit after demand, County may, in addition to ceasing work on said application, take any or all of the following actions:
 - a) cease work and refer the account to the County's collection agency;
 - b) commence suit or pursue any other legal or equitable remedies available to it.
5. If County commences suit to recover any deficit in processing costs, the party prevailing in such suit shall be entitled to recover as costs from the other party its costs of litigation, including reasonable attorneys' fees.

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**County of San Diego, PDS, Support Services Division
APPLICATION DEPOSIT ACKNOWLEDGEMENT AND AGREEMENT**

Continued

FINANCIALLY RESPONSIBLE PARTY

The information of the Financially Responsible Party provided below must be 100% accurate. All Developer Deposit customer statements and refund checks, if any, will be mailed to the name and address stated below.

If the information stated on this form is inconsistent with our system, then the Financially Responsible Party must clarify and correct before the application can be accepted.

If the Financially Responsible Party is a COMPANY or ORGANIZATION, please complete below (additional information may be required if an agent signed this form):

Company/Business/Trust Name: _____
 If Attention/Care of/ Doing Business as: _____
 Billing Address: _____
 City: _____ State: _____ Zip Code: _____
 Preferred Phone: _____ Alt. Phone: _____
 Email: _____

If the Financially Responsible Party is an INDIVIDUAL, please complete below:

First Name: _____ MI: _____ Last Name: _____
 Billing Address: _____
 City: _____ State: _____ Zip Code: _____
 Preferred Phone: _____ Alt. Phone: _____
 Email: _____

I have read this form and understand all funds deposited into the Trust Account are owned by and any refund will be sent to the Financially Responsible Party (FINRESP) listed above. I understand and agree that the Financially Responsible Party is responsible for payment of all fees associated with this project including all hourly or other fees which may accrue during the review and/or post-issuance whether the permit is issued or whether the application is canceled or denied before the permit is issued.

Financially Responsible Party Name (Print): _____

Financially Responsible Party's Signature: _____ Date: _____

Did you know you can request access to your Trust Account online—which allows you to review charges, make deposits, and see your account balances—in real time? Please go to <http://www.sandiegocounty.gov/content/sdc/pds/AccelaUpdates.html> for additional instruction.

----- OFFICIAL USE ONLY -----				
Trust Account No.		-	-	
Associated Records:				
Associated Records:				

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**County of San Diego, PDS, Support Services Division
APPLICATION DEPOSIT ACKNOWLEDGEMENT AND AGREEMENT**

Continued

---OFFICIAL USE ONLY ---

Trust Account #

	-		-	
--	---	--	---	--

Reference Contact ID

Trust Account Type

Unique Identifier

The Trust Account shown above has been linked to the following Records ID(s):

Counter Staff: _____

Trust Account Types

	A	PDS	Cash Guarantees for Resource Management Plans		N	ALL	Future Use - Dept Trust Account Type
	B	PDS	Cash Guarantees for Model Homes		O	DEH	Hazardous Materials Division (HMD)
	C	PWS	Construction & Demolition Recycling		P	DPW	Cash guarantee for Prior-to-Occupancy
	D	ALL	DEH, PKS, PDS, PDS LD, PWR, PWW -- Trust Accounts		Q	DEH	Cash guarantee for Land & Water Quality Well Bond (LWQD Well Bond)
	E	DEH	Land & Water Quality (LWQD PP)		R	DPW	Cash guarantee for Right-Of-Way
	F	DPW	Cash guarantee for Future Improvements		S	DPW	Cash guarantee for SWMP Maintenance Agreement
	G	DPW	Cash guarantee for Grading		T	PDS	Cash guarantee for Misc. PDS Guarantees
	H	PDS	Cash guarantee for Health Care Trailers		U	DPW	Cash guarantee for Improvements Labor & Maintenance and Faithful Performance
	I	PDS	Cash Guarantees for Defense and Indemnity Agreement		V	DPW	Cash guarantee for Misc. DPW Guarantees
	J	DEH	Land & Water Quality Site Assessment Mitigation (LWQD SAM)		W	PDS	Cash guarantee for Lien Contract
	K	DEH	Community Health Division (CHD)		X	PDS	Cash guarantee for Restoration
	L	PDS	Cash Guarantees for Landscape / Re-Vegetation Plans		Y	ALL	Future Use - Dept Trust Account Type
	M	PDS	Cash Guarantees for Surface Mining and Inspection		Z	ALL	Future Use - Dept Trust Account Type

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