

Ground Squirrel Hollow Community Services District



Encroachment Permit
Policy & Procedures

JANUARY 2009

Prepared By:

WALLACE GROUP
612 Clarion Court
San Luis Obispo, CA 93401
(805) 544-4011

(Revised Edition August 10, 2009)

Applications for Encroachment Permits may be obtained on
www.groundsquirrelhollowcsd.org, or by calling the GSHCSD General Manager
at (805) 674-5463

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I. GENERAL DESCRIPTION

Any connection to a District maintained road is considered an encroachment. If your building permit involves the construction of a new driveway or improvement to an existing one, or the connection to utilities under the road, it will require an encroachment permit.

Encroachment Permit Application

The Ground Squirrel Hollow Community Services District (District) has several different standard driveways. The District will determine by plan review or field inspection, the type of driveway that best fits your driveway approach. This determination takes into consideration the flow of storm water and other drainage factors. When your building permit is issued, you will also receive an encroachment permit.

You can determine if the District will be looking into the encroachment of your building permit by determining if you have a connection to a District maintained road. A complete listing of these roads is attached (Appendix A). After the District receives your building permit application, we will make the final determination.

II. A POLICY ESTABLISHING CLEARANCE REQUIREMENTS FOR DISTRICT ROAD RIGHTS-OF-WAY

It is the policy of the Board of Directors of the Ground Squirrel Hollow Community Services District (District) of the County of San Luis Obispo, State of California, as follows:

I. Definitions

a. Lateral Clearance Area defined.

On a paved District road without concrete sidewalks, a horizontal dimension measured outward from the edge of pavement. On an unpaved District road, a horizontal dimension measured outward from the edge of the traveled way. It is not the intent of this policy to address naturally occurring obstacles found within the right-of-way.

b. Vertical Clearance Area defined.

A vertical dimension measured from the ground surface at any point within the width of the Lateral Clearance.

c. Right-of-Way defined.

Property which the District has the right to use for street, road or related purposes pursuant to a dedication, deed, easement, resolution, deed or other legal means, and includes both the traveled and untraveled portions of said property. It is not the intent

of this policy to expand any existing rights-of-way or to create any new rights-of way.

d. Roadway defined.

The traveled portion of the right-of-way

II. Maintenance of Clearance Areas.

The clearance areas, as defined in this Policy, shall be maintained free of all encroachments, including but not limited to landscaping or other vegetation, or fences or other obstructions which would restrict the passage of pedestrians and equestrians along the District right-of-way, unless an encroachment permit is issued under the provisions of Chapter 13.08 of the San Luis Obispo County Code. Property owners are allowed to plant ground cover, or cover the area with mulch or other material which will retard soil erosion, provided that said ground cover, mulch or other material can be walked or ridden upon.

III. Clearance Requirements Established

Clearance requirements shall be established on all District rights-of-way as follows: There shall be a lateral clearance a minimum of four (4) feet in width, except where a greater width is required for concrete sidewalks in the District's adopted Standard Improvement Specifications and Drawings. There shall also be a vertical clearance sixteen (16) feet in height. These clearance requirements shall apply to both sides of all District roadways. Under this policy, property owners may not place or maintain any obstructions within the clearance areas.

IV. Adopted Resolution

RESOLUTION NO. 09-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
GROUND SQUIRREL HOLLOW COMMUNITY SERVICES DISTRICT
TO ADOPT POLICIES AND PROCEDURES ON ISSUING
ENCROACHMENT PERMITS**

WHEREAS, the Ground Squirrel Hollow Community Services District (“District”) became effective July 29, 2004, pursuant to an election and Resolution of the Board of Supervisors of the County of San Luis Obispo, and under the authority of the Cortese-Knox-Hertzberg Local Reorganization Act of 2000 (Government Code § 56000 et seq.); and

WHEREAS, by said Resolution and the resulting election, the Ground Squirrel Hollow Community Services District, pursuant to Government Code §61600(j) and (k) is authorized to exercise the following services:

- (j) The constructing, opening, widening, extending, straightening, surfacing, and maintaining, in whole or in part, of any street in the District, subject to the consent of the governing body of the county or city in which the improvement is to be made; and
- (k) The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in subdivision (j) subject to the consent of the governing body of the county or city in which the improvement is to be made; and

WHEREAS, such authorization requires standards for development and implementation of road improvements and maintenance,

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Ground Squirrel Hollow Community Services District do hereby declare and adopt the following:
Encroachment Permit Policies and Procedures

PASSED AND ADOPTED by the Board of Directors of the Ground Squirrel Hollow Community Services District this 14th day of January, 2009 by the following roll call vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

Nancy Sandeck, Secretary

Pam Fulmer, President

Board of Directors

Board of Directors

III. PERMIT APPLICATION – INFORMATION REQUIRED

Any person desiring a permit shall file a written application with the General Manager (see cover for contact information). The application shall be in the form prescribed, and shall give at least the following information:

1. Excavations
 - a. Estimated cost of repairing damage to the road caused by the excavation,
 - b. Plans covering said excavation,
 - c. Location of the excavation,
 - d. Estimated time necessary to complete the excavation, and repair the damage;

2. Transporting oversize and overweight loads
 - a. A full description of the structure, equipment or materials to be transported, including size and gross vehicle weight thereof,
 - b. Make and type of conveyance upon which structure, equipment or material will be transported,
 - c. Designation of District road over which the structure, equipment or materials will be transported,
 - d. Estimated time necessary to complete the transportation,
 - e. Other information required by Vehicle Code Sections 35781, 35790 and 35790.5, if applicable to the type of permit issued;

3. Removal or trimming of roadside trees
 - a. Full description of the tree or trees to be removed or trimmed,
 - b. Location of the tree or trees,
 - c. Estimated time to complete the removal or trimming,
 - d. The necessity for removing or trimming roadside tree or trees;

4. Other encroachments: such information as may be required by the District.

Encroachment Permits

The District may issue written encroachment permits in accordance with the provisions of Chapter 5.5 (commencing with Section 1450) of Division 2 of the Streets and Highways Code.

Standards of Construction

All construction and installation of encroachments permitted under this chapter shall conform to the standard improvement specifications and drawings adopted by resolution of the Board of Directors.

GROUND SQUIRREL HOLLOW CSD

5915 Silverado Place
Paso Robles, CA 93446

Telephone 805.674.5463

Work to be Prosecuted with Diligence

After the work permitted hereunder is commenced, the same shall be prosecuted with due diligence until completed, and in a manner not to unreasonably obstruct the road.

Security

The District Engineer may require the permit applicant to file with District a satisfactory surety bond, a cash deposit, or a certificate of deposit (with assignment to the District) in an amount sufficient to guarantee the proper compliance by the permittee with the terms and conditions of the permit.

Security Refund

Upon satisfactory completion of all the terms and conditions of a permit, the District Engineer shall cause the security to be refunded or the bond exonerated.

Permittee's Liability

Each applicant is solely responsible for any damage or liability occurring by reason of anything done, or omitted to be done, by applicant or its or his agents, employees, or independent contractors directly responsible to applicant, or in connection with any work or authority delegated under any permit issued as result of an application; and each applicant shall, to the extent permitted by law, indemnify and save harmless the District, its officers, agents, employees or servants from any and all loss or liability resulting from any claims made by reason of, or in connection with, any work done under the authority of, or as a result of, any permit issued hereunder.

Permit Contents

All the terms and conditions of this chapter, and of Chapter 5.5 of Division 2 of the California Streets and Highways Code, and Division 15 of the Vehicle Code, as applicable, shall be incorporated by reference into any permit issued hereunder.

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IV. FEES

The *current estimated fee* for the issuing of an encroachment permit is listed below.

Description	Fee's Effective 7/1/09 – 6/30/10
Encroachment Permits	
Utility	\$306.00
Utility Blanket	\$537.00
Driveway (after occupancy)	\$360.00
Other Encroachments:	
Curb, Gutter & Sidewalk – Per project	\$125.00
Permit Appeal Fee	\$109.00
Road Abandonments	*Actual Cost
Major projects	*Actual Cost

* Requires signed agreement

Appendix

- A. District Road Listings
- B. District Boundary Map
- C. Encroachment Permit Application Forms
- D. California Street and Highway Code

APPENDIX A

District Road Listings

The following list contains roads, or portions of roads, maintained by the District. If your road appears in the list it is likely subject to an encroachment fee.

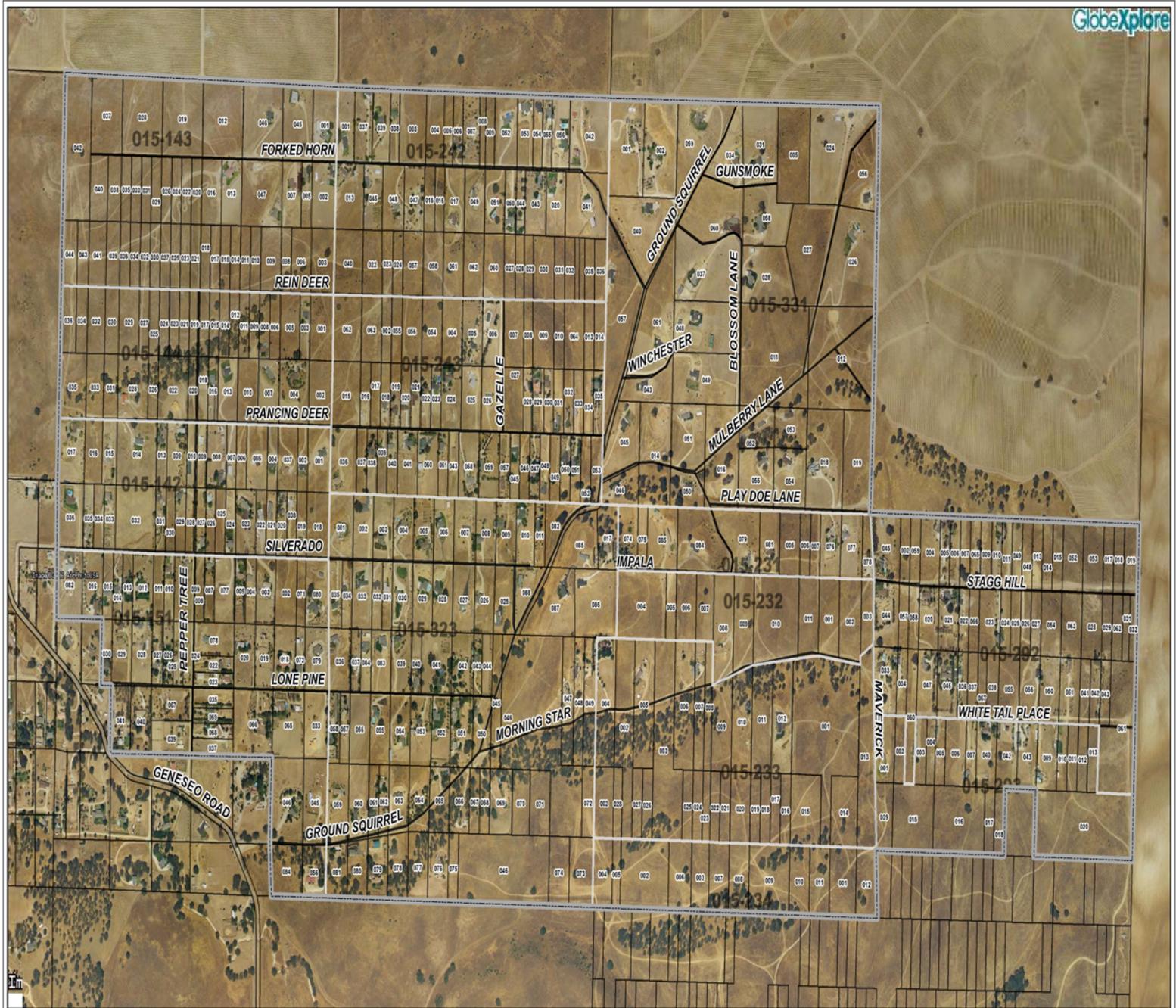
- | | |
|----------------------------|---------------------|
| BLACKTAIL PLACE | MORNING STAR PLACE |
| BLOSSOM LANE | MULBERRY LANE |
| BUCK WAY | |
| ELK HILL WAY | PEPPER TREE LANE |
| FORKED HORN PLACE | PLAY DOE LANE |
| GAZELLE LANE | PRANCING DEER PLACE |
| GROUND SQUIRREL HOLLOW RD. | REINDEER PLACE |
| GUNSMOKE ROAD | SILVERADO PLACE |
| IMPALA DRIVE | STAGG HILL PLACE |
| LONE PINE PLACE | WHITE TAIL PLACE |
| MAVERICK WAY | WINCHESTER PLACE |

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APPENDIX B District Boundary Map



- Legend**
- District Boundary
 - Parcels

Ground Squirrel Hollow Community Services District Developers Guide

1 inch equals 700 feet
0 175 350 700 Feet



NOTES: 1 foot resolution aerial photography produced by Airphoto USA August 2003. Wallace Group did not provide survey or boundary determination services for this project. GIS data and maps presented are for reference only. This is not a legal document. Map produced August 2006.



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APPENDIX C STANDARD ENCROACHMENT PERMIT APPLICATION

(Application is not complete until all required attachments, plans, maps, etc. are included.)

Applicant _____

APN _____ Project Address _____

Cross Street _____

Work to be Performed By _____

Estimated Start Date _____ Estimated Completion Date _____

Fully Describe the Work on District Facilities _____

Is any other improvement being done on the Applicant's property? If yes, please describe. _____

THE UNDERSIGNED AGREES AND UNDERSTANDS THAT A PERMIT CAN BE DENIED OR A BOND REQUIRED FOR NON-PAYMENT OF PRIOR OR PRESENT PERMIT FEES, THAT THE WORK SHALL BE DONE IN ACCORDANCE WITH SAN LUIS OBISPO COUNTY STANDARDS AND SPECIFICATIONS, GROUND SQUIRREL HOLLOW COMMUNITY SERVICES DISTRICT DEVELOPMENT STANDARDS AND CLATRANS STANDARD SPECIFICATIONS AND REGULATIONS SUBJECT TO INSPECTION AND APPROVAL, AND THAT THE PERMIT FEES MAY STILL BE DUE WHEN AN APPLICATION IS WITHDRAWN OR DENIED.

Organization or Applicant Name (*print or type*) _____ Business Phone _____

Engineer or Project Manager Name (*print or type*) _____ Business Phone _____

Business Address (*Include City and Zip Code*) _____

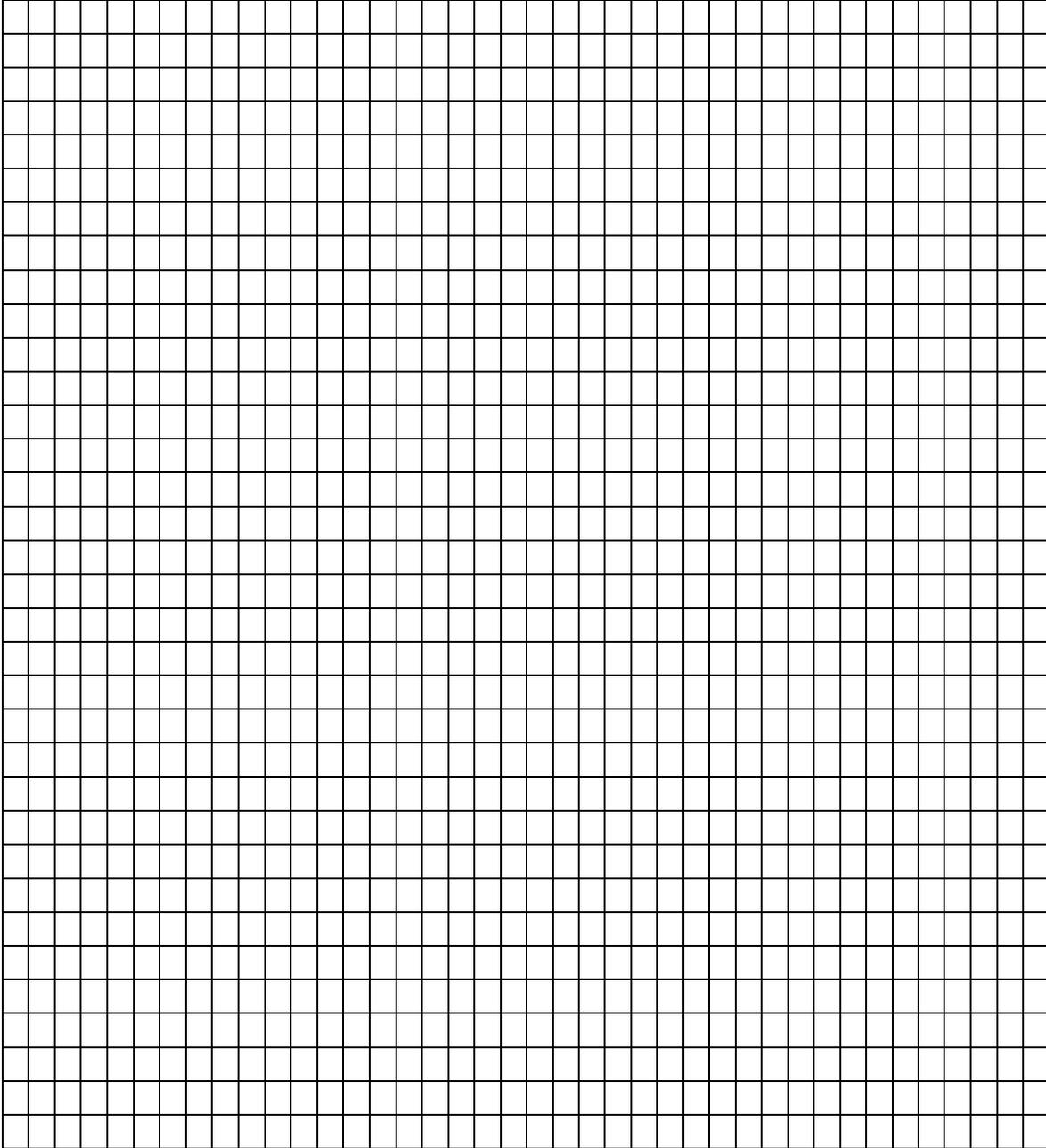
Authorized Signature _____ Print or Type Name _____ Title _____ Date _____

Special Requirements _____

GROUND SQUIRREL HOLLOW CSD

Telephone 805.544.4011

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SUBMIT THE FOLLOWING TO THE DISTRICT ALONG WITH YOUR APPLICATION.

Three (3) sets of plans (no larger than 24" x 36") to include the following information.

- a. Site Plan (Vicinity Map) showing the private property line and District Road Right of Way in relationship to the edge of street pavement or road.
- b. The edge of pavement and gutter lip (if applicable).
- c. North Arrow and Scale. Scale must NOT be smaller than 1" = 20'.
- d. Addresses and Assessor's Parcel Numbers.
- e. Trenching and/or the placement of utilities to include utility boxes, pedestals, pads, vaults and poles, etc. Shall be delineated in a typical trench detail outlining the size, type, length, location, etc.
- f. Trench Detail (depth, width, etc.)

UTILITY ENCROACHMENT PERMIT APPLICATION

(If applying for a utility permit, please complete the following)

TYPE OF UTILITY: (CHECK ONE)

- GAS**
- WATER**
- ELECTRIC**
- WASTEWATER**

- TELEPHONE**
- CABLE TV**
- OTHER**

PROVIDE THE NAMES, CONTACT AGENTS & PHONE NUMBERS OF SERVICE PROVIDERS FOR THE PROPOSED UTILITY SERVICE HERE:

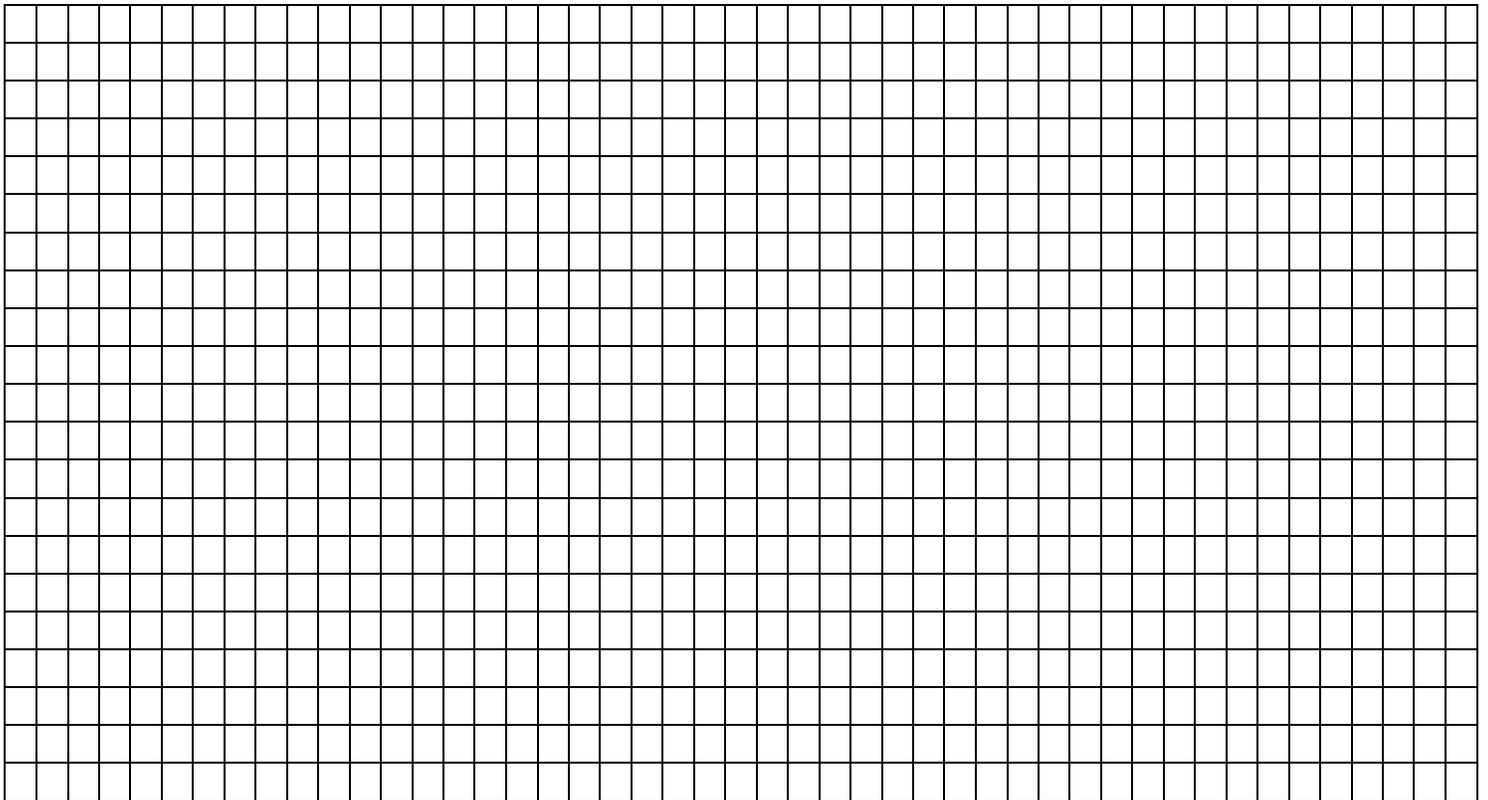
ENTER THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE CONTRACTOR THAT WILL PERFORM THE WORK:

CONTRACTOR LICENSE NUMBER: _____

UTILITY

IF THE PROPOSED UTILITY INSTALLATION / WORK INVOLVES LESS THAN 100 LINEAR FEET, USE THE FOLLOWING GRAPHY SHEET TO PROVIDE A DETAILED DRAWING OF UTILITY INSTALLATION / WORK PLANS FOR YOUR PROJECT. MAKE SURE TO INCLUDE ACCRUATE DEMINSIONS OF ANY UTILITY LINES IN ORDER TO PORCESS YOUR PERMIT APPLICATION. ALSO BE PREPARED TO PROVIDE ANY APPROVED PROJECT PLANS THAT ARE AVAILALBLE TO THE PERMIT ENGINEER AS REQUESTED.

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SUBMIT THE FOLLOWING TO THE DISTRICT ALONG WITH YOUR APPLICATION.

Three (3) sets of plans (no larger than 24" x 36") to include the following information.

- a. Site Plan (Vicinity Map) showing the private property line and District Road Right of Way in relationship to the edge of street pavement or road.
- b. The edge of pavement or road and gutter lip (if applicable).
- c. North Arrow and Scale. Scale must NOT be smaller than 1" = 20'.
- d. Addresses and Assessor's Parcel Numbers.
- e. Trenching and/or the placement of utilities to include utility boxes, pedestals, pads, vaults and poles, etc. Shall be delineated in a typical trench detail outlining the size, type, length, location, etc.
- f. Trench Detail (depth, width, etc.)

MISCELLANEOUS ENCROACHMENT PERMIT APPLICATION
(If applying for a miscellaneous permit for “other” work, complete the following)

ENTER THE NAME, ADDRESS, AND PHONE NUMBER OF THE CONTRACTOR THAT WILL PERFORM THE WORK HERE:

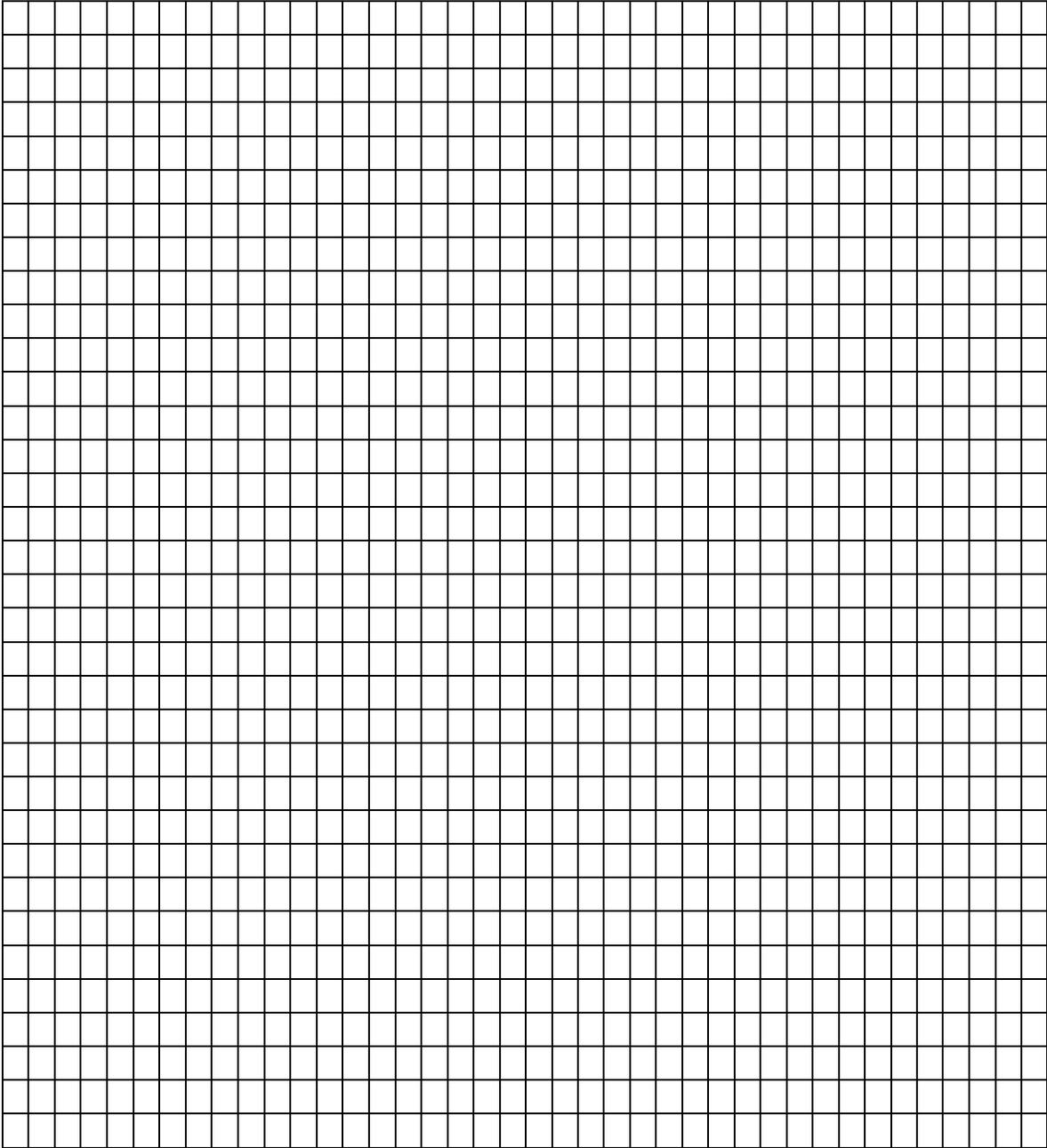
CONTRACTORS LICENSE NUMBER: _____

Please provide a detailed drawing of your proposed miscellaneous project on the graph sheet provided below. More complex projects may require engineered plans, and will be determined by the Permit Engineer at the time of application.

Differentiate between all existing improvements (structures, hardscape, landscape, etc.) and the proposed new improvements, including but not limited to the following:

- a. Hardscape (asphalt and/or concrete) to include driveway approach(es), parking areas, paving, curbing and/or berms, sidewalks, curb and gutters, etc. Show type and dimensions.
- b. Drainage facilities, both major and minor.
- c. Trenching and/or the placement of utilities to include utility boxes, pedestals, pads, vaults and poles, etc. shall be delineated in a typical trench detail outlining the size, type, length, location, etc.
- d. Landscaping to include trees, shrubs, groundcover, irrigation facilities, walls, pillars, fences, gates, and a planting schedule/legend.
- e. All other miscellaneous construction and improvements.

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SUBMIT THE FOLLOWING TO THE DISTRICT ALONG WITH YOUR APPLICATION.

Three (3) sets of plans (no larger than 24" x 36") to include the following information.

- a. Site Plan (Vicinity Map) showing the private property line and District Road Right of Way in relationship to the edge of street pavement or road.
- b. The edge of pavement or road and gutter lip (if applicable).
- c. North Arrow and Scale. Scale must NOT be smaller than 1" = 20'.
- d. Addresses and Assessor's Parcel Numbers.
- e. Trenching and/or the placement of utilities to include utility boxes, pedestals, pads, vaults and poles, etc. Shall be delineated in a typical trench detail outlining the size, type, length, location, etc.
- f. Trench Detail (depth, width, etc).

APPENDIX D

California Streets and Highway Code

Note: the cite below was printed at the time of this printing and is provided for convenience. That said, subsequent changes are always possible and current language shall prevail. Applicant/Permit Holder shall be responsible to look up and adhere to the current changes for which a website is provided below.

14663. Any permit issued to a public agency or a public utility having lawful authority to occupy the highways shall contain a provision that in the event the future improvement of the highway necessitates the relocation of such encroachment the permittee will be relocated the same at his sole expense. In said event the road commissioner shall serve on the permittee his written demand specifying the place of relocation, and specifying a reasonable time within which the work of relocation must be commenced. The permittee must commence such relocation within the time specified in said demand and thereafter diligently prosecute the same to completion.

All permits other than those issued to public agencies or a public utility having lawful authority to occupy the highways are revocable on five days' notice and the encroachment must be removed or relocated as may be specified by the road commissioner in the notice revoking the permit and within a reasonable time specified by the road commissioner unless the permit provides a specified time.

Public utilities may be required, within a reasonable time, to relocate such of their facilities as interfere with an enlarged public use of the highway, except in those cases where the enlarged use of the highway involves a state freeway.

<http://law.justia.com/california/codes/shc.html>