



Instructions for Filing a Special Encroachment Permit Agreement

The Special Encroachment Permit Agreement is devised in order to allow property owners to construct structures within the City's right-of-way. The special encroachment permit is a discretionary permit therefore the City Engineer has the right to approve, deny or modify with conditions. One of the key provisions of the Special Encroachment Permit Agreement is the property owner(s) shall assume any and all liability for any injuries caused by the existence of the structure.

This guide will serve to "walk" property owners through the sequence of steps required for the issuance of the Special Encroachment Permit Agreement.

Step 1: The Application

1. Property owner or Developers shall submit an 8 1/2" x 11" drawing, to scale, of the proposed structure showing: property line, edge of pavement, north arrow, location of encroachment and construction details. All engineered structures shall have the drawing signed and stamped by the design engineer.
2. Provide a current copy of a preliminary title report or copy of property deed.
3. Property owner or Developers shall submit the permit fee of \$1,238.

Step 2: Completing the Documents

1. Public Works department staff and the City Engineer will complete the technical review of the proposal. As a result of this review the application will either be approved, denied, or modification required.
2. If approved, staff will provide the property owner with the Special Encroachment Permit Agreement.
3. All property owners read understand and agree to all the conditions delineated on the permit form.
4. All property owners sign the permit form in the presence of a Notary Public.

Step 3: City Engineer approval and recording

1. Once all documents are submitted the City Engineer will review the submittal. If all items are correct, the City Engineer will sign the agreement on behalf of the City and authorize for the property owner(s) to record the document at the San Luis Obispo Recorder's office. The property owner(s) must request a "conformed copy" from the Recorder's Office.
2. The property owner(s) must submit the "conformed copy" to the City as proof of recordation.
3. After the document is recorded, the original recorded permit is retained by the Public Works Department and the recorded copy is sent to the property owner.
4. A standard encroachment permit can then be obtained prior to starting the project.
5. Final inspection is required to ensure the structure has been completed per the approved plans. Applicant shall call for the final inspection 772-6215.