

CITY OF **LA CAÑADA FLINTRIDGE**  
**PUBLIC WORKS DEPARTMENT**

**REQUIREMENTS FOR OBTAINING A CONSTRUCTION PERMIT IN THE PUBLIC RIGHT-OF-WAY**

A construction permit is required PRIOR to the start of any work within the Public Right-Of-Way (PROW). All work must comply with the National Pollution Discharge Elimination System (NPDES) requirements. **Typically, the PROW extends a certain distance beyond the edge of the roadway or face of curb. The distance varies from street to street.** The permit applicant is solely responsible for providing evidence such as a land survey or other legal documents to delineate or stake the property lines/Public-right-of-way. **Any damage to public improvements must be repaired at the expense of the Permittee to the satisfaction of the Public Works Department.** There are basically two types of Construction Permits: (1) Encroachment Permit and (2) Excavation Permit.

**An Encroachment Permit is required when there is activity within the PROW that affects the operation of the PROW:**

- Roll-off bin.
- Staging of vehicle, equipment and/or material.
- Traffic detour and/or street closure.
- Landscaping other than groundcover such as shrubs or bushes.
- Hardscaping including, but not limited to, decorative pavers, and stamped or colored concrete.

**An Excavation Permit is required when there is excavation to be performed within the PROW:**

- Utility construction.
- Curb, gutter, sidewalk, driveway approach, hardscaping, curb drain, street pavement construction; temporary construction fence.  
Mailbox on the top of/or within a "breakaway" pillar. However, the pillar cannot be a solid unit, it must be hollow (A copy of the city Mailbox construction detail standard plan will be provided upon request). This type of mailbox requires an Encroachment Agreement if it is constructed of breakaway materials which create an obstruction, as determined by the Public Work Director per LCMC 8.02.060
- Mailbox mounted on a breakaway post. The mailbox location is subject to the City and USPS approval.

**No permit is required for the following within the PROW:**

- Landscaping such as groundcover and irrigation. However, landscaping Plan must be submitted for review and approval by the Public Works Department prior to commencing any work in the public right-of-way.

**What is not allowed within the PROW:**

1. New fence or wall.
2. Existing fence or wall that is already within the PROW and is to be reconstructed must be relocated onto private property.
3. Moving or storage container.
4. Decorative light poles, and flag pole.
5. Basket Hoop Pole or Any Permanent Pole or Structure.

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**Maintenance Responsibility:**

- The property owner is responsible for maintenance of all landscaping and irrigation within the PROW with the exception of trees, which are maintained by the City. Only the City is authorized to install, trim, or remove trees within the PROW.

**Instructions for applying for a Construction Permit.**

1. Obtain and complete an application from the Public Works Department.
2. If permit applicant is **NOT** the private property owner (i.e. Permittee), a notarized letter of authorization is required from the private property owner to process the permit.
3. Provide an 8.5" x 11" scaled drawing of the site showing the existing improvements and the proposed improvements including, but not limited to the following:
  - Property address and north arrow.
  - Lot size – width of front yard, if corner lot, show width of both street frontages.
  - ROW line, centerlines of street and ROW, width of parkway (distance between edge of roadway and ROW line) as established by engineering survey.
  - Existing curb height, gutter width, sidewalk width, drive approach dimension, hardscaping, curb drain, tree, mailbox, utility pole, sign post, etc.
  - Proposed construction with dimensions of all work.
  - For decorative concrete or brick/stone paver work within the PROW, the permit applicant shall execute and record a covenant for the maintenance of said decorative concrete work.
4. Provide 8.5" x 11" photographs of the project site.
5. Provide proof of insurance (general liability, workers' compensation). All insurance documents **MUST** name the City as an additional insured and provide the proper endorsement form and language as specified in the insurance requirements. A copy of a valid insurance certificate must be submitted to the City upon renewal.
6. A CAL/OSHA permit is required if the excavation is deeper than five (5) feet.
7. ***A California State contractor's Class A license is required.***
8. Contact Underground Service Alert (USA) at 800-227-2600 and provide the USA number on the permit.
9. The construction permit is void if work has not started in fourteen (14) calendar days for encroachment permits and one hundred twenty (120) calendar days for excavation permits and continued to completion. Permits may be extended one time for the same duration without going through the full permitting process.
10. Pay the appropriate fee and/or deposit for the permit. No permit will be issued without proper payment.

**QUESTIONS: CONTACT PUBLIC WORKS DEPARTMENT AT 818-790-8882(V), 818-790-8897(F)**



**8.01.650 Refunds—Remainder of deposits.**

The remainder of any deposit, if there is any remainder, shall be refunded to the person making such deposit, or to his assigns. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 6 § 601, 1940)

**8.01.660 Refunds—Permit issuance fees.**

An issuance fee may be refunded when a permit has been issued as the result of an error not made by the permittee. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 6 § 602, 1940)

**8.01.670 Refunds—Driveway inspection or other unit fees.**

The fee deposited for driveway inspection or any other unit fee established may be refunded if it was erroneously collected or if the work was not constructed by the permittee. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 6 § 603, 1940)

**8.01.680 Applicability of provisions.**

The provisions of Sections 8.01.690 through 8.01.820 apply to permits for the laying, constructing, reconstructing or repairing of curbs, sidewalks, gutters, driveways, highway surfaces, retaining walls, storm drains, culverts, highway lights or lighting system, or other appurtenant structures. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 701, 1940)

**8.01.690 Plans prepared by engineer required when.**

If, in the opinion of the city engineer, the work proposed to be done requires the making of plans or the setting of stakes, or both, the city engineer may require the application be accompanied by the necessary plans, which plans shall be prepared by a competent engineer. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 702, 1940)

**8.01.700 Lines and grades for performance of work.**

Before a permittee performs any work covered by this chapter he shall obtain from the city engineer the approved lines and grades therefor. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 703, 1940)

**8.01.710 Driveways—Concrete construction required when.**

Driveways shall be constructed of cement concrete where a cement concrete curb exists. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 704, 1940)

**8.01.720 Driveways—Location restrictions.**

A driveway shall not be constructed or maintained where fences, buildings, natural grade or any other obstacle will prevent a vehicle from being stored entirely off the public right-of-way after entering such driveway. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 705, 1940)

**8.01.730 Driveways—Width specifications.**

The width of an individual driveway shall be considered as being the net width thereof, exclusive of side slopes and returns, measured along the line of the curb or centerline of the highway. The width of an individual driveway shall be not less than ten feet and shall not exceed in width:

- A. Twenty (20) feet if the driveway serves only residences or apartments;
- B. Twenty (20) feet for lots or parcels of land less than one hundred (100) feet wide;
- C. Thirty (30) feet or twenty (20) percent of the front frontage of the lot or parcel of land, whichever is greater, but not to exceed sixty (60) feet, when the driveway serves other than residences or apartments on a lot or parcel of land not less than one hundred (100) feet wide. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 706, 1940)

**8.01.740 Driveways—Aggregate width limitations.**

The aggregate width of the total number of driveways serving any single lot or parcel of land from any one highway shall not exceed:

- A. Forty (40) percent of the frontage, if the driveway serves only residences or apartments;
- B. Sixty (60) percent of the frontage in other cases. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 707, 1940)

#### **8.01.750 Driveways—Minimum intervening distance.**

The minimum intervening distance between the side slopes or returns of adjacent driveways serving the same lot or parcel shall be twenty-two (22) feet. In the case of adjacent driveways serving two adjoining lots or parcels, the intervening distance between the side slopes or returns shall be at least one foot; otherwise, a common or continuous driveway will be required. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 708, 1940)

#### **8.01.760 Driveways—Prohibited in certain locations.**

A. A driveway, including the side slopes, shall not be constructed:

1. Between the prolonged intersecting property lines of any highways; or
2. Between the points of curvature of any curb return having a radius of twenty (20) feet or less.

B. In applying the provisions of this section, the condition producing the greater length of curb between the specified control points in the particular case shall govern. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 709, 1940)

#### **8.01.770 Driveways—In curb return curvature—Limitations.**

A. A driveway, including the side slopes, shall not be constructed between the points of curvature of any curb return except:

1. In the case of a curb return having a radius of twenty-five (25) feet or more, driveways may encroach at each end thereof for a distance not greater than one-eighth of the total arc length of return, leaving in the clear at least three-quarters of such arc length, if such encroachment does not conflict with other requirements of this section.
2. In the case of a curb return having a radius of less than twenty-five (25) feet but more than twenty (20) feet, the maximum permissible encroachment at each end of the return, subject to other requirements of this section, shall be that proportion of one-eighth of the total arc length that the difference between the length of the radius and twenty (20) feet bears to five.

B. Notwithstanding any of the foregoing provisions, a driveway shall not encroach on any curb return beyond or ahead of any traffic-regulating device located on or adjacent thereto. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 710, 1940)

#### **8.01.780 Driveways—Deviation from requirements authorized when.**

Where topographical or traffic conditions are such that a modification of the provisions of Sections 8.01.710 through 8.01.770 are necessary for the promotion of traffic safety, and the city engineer so finds, he may permit a deviation from the provisions of such sections to the extent which he finds necessary. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 711, 1940)

#### **8.01.790 Certificate of acceptance for completed work.**

If the city engineer, by survey or by inspection or by both, ascertains that the work has been completed according to the requirements of the permit issued therefor, and of all the provisions of this chapter, he shall issue, if requested so to do by the permittee, a certificate of acceptance which shall contain a statement of the location, nature, and extent of the work performed under the permit. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 712, 1940)

#### **8.01.800 Highway lights or lighting system—Investigation before dedication to city.**

If any person offers to dedicate as a highway any land upon which any highway light or highway lighting system has been installed, the city council, shall refer such offer to the city engineer for investigation and report as to whether such highway light or highway lighting system conforms with the requirements of this chapter and with the standard specifications. (Ord. 63 (part), 1979: LACC Ord. 9349 § 1 (part), 1967: LACC Ord. 3597 Ch. 7 § 713, 1940)

### **8.01.810 Highway lights or lighting system—Report of investigation—Conditions for acceptance by city.**

A. Upon reference to him, the city engineer shall make an adequate investigation of such highway light or highway lighting system, and the construction and installation thereof, and shall report, in writing, to the city council advising it as to whether or not such highway light or highway lighting system so complies, and if not, what changes or alterations are necessary so that such light or system will conform.

B. If such light or system does not conform, the city council shall not accept such offer of dedication unless and until such light or system shall have first been made to conform to the provisions of this chapter and to the said specifications. (Ord. 63 (part), 1979; LACC Ord. 9349 § 1 (part), 1967; LACC Ord. 3597 Ch. 7 § 714, 1940)

### **8.01.820 Stakes set for work—Charge for resetting required when.**

If any stakes set for any work covered by this chapter are disturbed or destroyed by cause directly attributable to the permittee's delay in making use of the stakes, the city engineer shall set the additional stakes and shall charge the cost thereof to the permittee. (Ord. 63 (part), 1979; LACC Ord. 9349 § 1 (part), 1967; LACC Ord. 3597 Ch. 7 § 715, 1940)

### **8.01.830 Excavations and encroachments—Applicability of provisions.**

The provisions of Sections 8.01.840 through 8.01.990 apply to permits for the making, or causing to be made, in any highway, of excavations, and for the placing, constructing, testing, repairing, changing, monitoring, removing or abandoning of facilities or encroachments. The provisions of this chapter also apply to written emergency plans for owners or operators of pipelines used to convey toxic, corrosive or flammable liquids, and mandatory membership in a one-call notification system. (Ord. 63 (part), 1979; LACC Ord. 12038 § 4, 1979; LACC Ord. 11581 § 5, 1977; LACC Ord. 9349 § 1 (part), 1967; LACC Ord. 3597 Ch. 8 § 801, 1940)

### **8.01.040 Excavations in new street improvements.**

Notwithstanding any provision of the highway permit ordinance of the city, the following provisions are enacted by the city council to prevent unnecessary interference with new pavement on public streets and highways during the period immediately following its construction or resurfacing: A. The city shall attempt to give notice to all owners of substructures located within the city streets who might be affected, approximately one year prior to the probable date of construction of any new paving or repaving of any street in the city, and approximately four months prior to such date. The failure to give any such notice shall not affect the further provisions of this section.

B. No excavation shall be made in any city street within three years following the date of completion and acceptance of any slurry seal and within five years following the date of completion and acceptance of any resurfacing of such street, except for emergency repairs or service, unless the person proposing to make such excavation shall agree to pay for the pavement grindings and for the resurfacing of the entire street section with an asphalt concrete cap of a minimum thickness of one inch for a distance of fifty **(50) feet** on either side of the excavation on a longitudinal basis from curb to curb or the full width of the street.

C. Notwithstanding any other provision of this section, the city manager or the director of public works may authorize the issuance of an excavation permit if he/she determines:

1. That an emergency exists or the work to be performed is necessary to eliminate a hazardous condition; or
2. Following an administrative hearing before the director of public works that:
  - A. Such work will not constitute a public or attractive nuisance, and
  - B. Such work will not create a potential safety hazard to traffic and/or pedestrians, and
  - C. It is within the community's best interest to allow excavation during the restricted period. (Ord. 252 § 2, 1996)

### **For List of City of La Cañada Flintridge – Ordinance List, Zoning Ordinance List, Statutory References, Code Alert - Recently Passed Ordinances; Refer to City Website at:**

WEBLINK: <http://www.lacanadaflintridge.com/>

Link To: ● Municipal Code

WEBLINK: <http://qcode.us/codes/lacanadaflintridge/>

Link To: **Title 8 STREETS**