



# ENCROACHMENT PERMIT APPLICATION

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## Public Works Engineering Division

Please submit entire package to:

Vincent Chen  
Engineering Division  
1947 Center St 4<sup>th</sup> Floor  
Berkeley, CA 94704

There is a two week posting period for both Minor and Major Encroachment Permit Applications. During this posting period, the public has the opportunity to submit questions, comments, and objections to the proposed encroachment.

If approved, the city will release the encroachment permit to the applicant after the final fee is paid. The applicant must record the permit at the Alameda County Recorder's Office and supply the city with a recorded copy.

If the encroachment is for a new structure in the public right-of-way, an engineering permit must be obtained from the Permit Service Center. The permit fee is approximately a few hundred dollars, depending on the scope of work.

### Engineering

1947 Center St. 4<sup>th</sup> floor  
Berkeley, CA 94704  
510-981-6400 TDD 6903

[pwengineering@ci.berkeley.ca.us](mailto:pwengineering@ci.berkeley.ca.us)

### Property Owner Information:

Project  
Address:

Owner Name:

Owner  
Address:

Owner Phone:

Owner  
Email:

### Project Description:

Briefly describe the nature of your project & reasons for encroachment.

**BMC Section 16.18.080 Approval Criteria:** No encroachment shall be approved unless it is determined that the subject encroachment conforms with the following standards. Describe how the proposed encroachment meets the seven approval criteria below.

1. The applicant will be substantially damaged by the refusal to grant the permit as requested.

2. No other reasonable method of obtaining the desired results is available except as proposed by the applicant.

3. The granting of the permit will not be materially detrimental to the public interest, safety, health and welfare or injurious to the other property.
  
4. The applicant has complied with the City of Berkeley's public works specifications.
  
5. No major or minor encroachment into a sidewalk may be granted unless a minimum clear space of six feet remains open for public use in the sidewalk area. For the purposes of determining the clear space, poles, parking meters, fire hydrants, regulatory signs, and other such objects (street hardware) may not be considered as part of the minimum horizontal clear space reserved for public use. Except for subsurface encroachments of tiebacks and soil nails, in no event may a minor encroachment extend farther than two feet from the property line into the public right-of-way.
  
6. No major or minor encroachment into a sidewalk may be granted unless a minimum clear space of six feet remains open for public use in the sidewalk area. For the purposes of determining the clear space, poles, parking meters, fire hydrants, regulatory signs, and other such objects (street hardware) may not be considered as part of the minimum horizontal clear space reserved for public use. Except for subsurface encroachments of tiebacks and soil nails, in no event may a minor encroachment extend farther than two feet from the property line into the public right-of-way.
  
7. There should be a clear color differentiation between the sidewalk paving and objects placed or installed in the sidewalk area.

Applicant Name

Signature

Date