



King County
Department of Local Services
Permitting Division
206-296-6600
www.kingcounty.gov

R17 Web date: 11/20/2012

Right-of-Way Use Permit Application Instructions

For alternate formats, call 206-296-6600.

PERMITS REQUIRED

Any portion of County Road right-of-way shall not be privately improved or used for access or other purposes unless a Right-of-Way (ROW) Use permit has been issued pursuant to Chapter 14.28 King County Code (KCC), except for utility construction work pursuant to Chapter 14.44 KCC. Work proposed under another development permit may have the ROW Use permit consolidated into the development permit reviews. Driveway connections from private property to county-maintained road right-of-way are exempt from the ROW permit requirement (total one driveway per parcel). However, driveways or any work proposed in County ROW shall conform to minimum standards established by the King County Road Standards and Surface Water Design Manual.

Application for a ROW Use permit shall be submitted to the Permitting Division's permit counter. For questions or application materials, visit our Customer Support page via <https://kingcounty.gov/permits> or call 206-296-6600.

SUBMITTAL REQUIREMENTS

- ☐ 1. Completed application form. Fill in blanks and answer questions in Sections I through V. Include a location sketch on the back of application form only if other plans or sketches are not available. Submit good quality photographs showing location(s) of proposed work in the right-of-way, roadway(s) or right-of-way(s) in all directions, road side ditches, shoulders, road pavement, or gravel surface and other existing adjacent utility structures. Identify property corner locations on photographs wherever possible.
- ☐ 2. Assessor's Map(s). Outline in red on a copy of a County Assessor's Map the County right-of-way(s) to be opened or improved. Also, outline the property to be served as a result of the proposed project. This map may be obtained from the Public Information Counter of the King County Assessor, 500 Fourth Ave., Seattle, WA. Call 206-296-7300 to order this map and allow at least one day.
- ☐ 3. SEPA Environmental Checklist. This form is required by the State Environmental Policy Act (SEPA) unless a checklist has already been submitted for another development permit on the same property or the proposed work is exempt. (Categorical exemptions are specified under WAC 197-11-800. See list of exempted projects.)
- ☐ 4. Pay Initial Review Fee. Most applications require a **Simple Permit Initial Review Fee** (if engineering plans not required). If engineering plans are required by the County, then a **Complex Permit Initial Review Fee** shall be paid. Note that complex permits require 2 copies of engineering plans and the initial plan submittal review fee and additional review fee if plans include retention/detention facilities. For detailed information about permit fees, please refer to the ROW Use Permit Fee Schedule.
- ☐ 5. Certificate of Applicant Status/Transfer of Applicant Status.
- ☐ 6. Site (Parcel) Legal Description.
- ☐ 7. Affidavit Concerning Critical Areas Compliance.

PERMIT REVIEW PROCESS

Applications will be checked for compliance with applicable County ordinances, standards, and policies, then initial review conditions will be compiled and mailed to the applicant. These conditions establish requirements needed for permit issuance such as, engineering plan requirements, other review or inspection fees, and construction bonding requirements. If a SEPA Environmental Checklist is required (see SEPA Exemption information), a SEPA determination may require additional processing requirements, conditions, review fees, public notification, and special mitigating measures.

If road and drainage engineering plans are required and submitted after the initial application, the initial plan review fee shall be paid at plan submittal. For more information on the ROW Use Permit processing requirements, please refer to Permitting Customer Information Bulletin No. 31, *Right-of-Way Use*.

A permit will be issued after the applicant complies with all established conditions, pays all applicable fees, and posts any required financial guarantee (bond). When a Right-of-Way Use Permit is issued, construction inspection is required. **Simple Permits** require a minimum 3-hour inspection fee plus a fixed bond administrative fee. Prior to starting construction activities, the applicant must hold a pre-construction meeting with Permitting staff after permit issuance.

Types of Right-of-Way Proposals Exempt from Environmental Checklist Requirements

The following excerpts identify typical proposals effecting King County Right-of-Way (ROW), which are exempt from SEPA. This list is compiled to assist the applicant in making a determination whether or not to include a SEPA checklist with a ROW use permit application. If the project you propose is described below, you do not need to submit a SEPA checklist with your application. If the scope of your project goes beyond those described below, complete a SEPA checklist for your application. WAC 197-11-800 Categorical exemptions

(2) *Other minor new construction*

(a) The construction or designation of bus stops, loading zones, shelters, access facilities and pull-out lanes for taxicabs, transit and school vehicles.

(b) The construction and/or installation ofpublic signs and signals.

(c) The construction or installation of minor road and street improvements such as pavement marking, freeway surveillance and control systems, railroad protective devices (not including grade-separated crossings), grooving, glare screen, safety barriers, energy attenuators, transportation corridor landscapingtemporary traffic controls and detours, correction of substandard curves and intersections within existing rights-of-way, widening of a highway be less than a single lane width where capacity is not significantly increased and no new right-of-way is required, adding auxiliary lanes for localized purposes, (weaving, climbing, speed change, etc.), where capacity is not significantly increased and no new right-of-way is required, channelization and elimination of sight restrictions at intersections, street lighting, guard rails and barricade installation, installation of catch basins and culverts, and reconstruction of existing roadbed (existing curb-to-curb in urban locations), including adding or widening of shoulders, addition of bicycle lanes, paths and facilities, and pedestrian walks and paths, but not including additional automobile lanes

(f) The demolition of any structure or facility,except for structures or facilities with recognized historical significance. . . .

(h) The vacation of streets or roads.

(i) The installation of hydrological measuring devices

(j) The installation of any property, boundary or survey marker, other than fences,

(3) *Repair and maintenance activities*. . . . The repair, maintenance, or minor alteration of existing facilities including utilities, involving no material expansions or changes in use beyond that previously existing; except that, where undertaken wholly or in part on land covered by water,

(24) *Utilities*. The utility-related actions listed below shall be exempt, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation or alteration that does not change the action from an exempt class.

(a) All communications lines, including cable TV, but not including communication towers or relay stations.

(b) All storm water, water and sewer facilities, lines, equipment, hookups or appurtenances including, utilizing or related to lines eight inches or less in diameter.

(c) All electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less; and the overbuilding of existing distribution lines (55,000 volts or less) with transmission lines (more than 55,000 volts); and the undergrounding of all electric facilities, lines, equipment or appurtenances.

(d) All national gas distribution (as opposed to transmission) lines and necessary appurtenant facilities and hookups

(f) Periodic use of chemical or mechanical means to maintain a utility or transportation right-of-way in its design condition: Provided, that chemicals used are approved by the Washington State Department of Agriculture and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality in accordance with WAC 248-54-660.

(g) All grants of rights-of-way by agencies to utilities for use for distribution (as opposed to transmission) purposes

(j) Issuance of rights-of-way, easements and use permits to use existing roads in nonresidential areas.

APPLICATION FOR RIGHT-OF-WAY USE PERMIT

THIS PORTION TO BE COMPLETED BY THE APPLICANT/AGENT/OWNER		Official Use Only
SECTION I APPLICANT INFORMATION	<p>Name: _____ Phone: _____ - _____</p> <p>Address: _____</p> <p>City, State, & Zip: _____</p> <p>Relationship to property owner: _____</p> <p>Applicant is: <input type="checkbox"/> Private Individual <input type="checkbox"/> Private Agency <input type="checkbox"/> Government Agency</p>	<u>Permit Number:</u>
SECTION II PARCEL/PERMIT INFORMATION	<p>Site's Tax Parcel ID No. _____ Kroll Map Page No. _____</p> <p>Section-Township-Range: _____ Zoning: _____</p> <p>Site Address: _____</p> <p>Are there any related permit application(s) pending in King County? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, list application number(s)</p> <p>1. _____ 2. _____</p> <p>3. _____ 4. _____</p>	
SECTION III IMPROVEMENT INFORMATION	<p>Type of Use (work) proposed in the County Right-of-Way (ROW)</p> <p><input type="checkbox"/> Road <input type="checkbox"/> Non-franchised Utility* <input type="checkbox"/> Other _____</p> <p>Description of Use (work) proposed in the County ROW (including length):</p> <div style="border: 1px solid black; height: 120px; margin: 5px 0;"></div> <p>Name of Street/Avenue: _____</p> <p>From: _____ To: _____</p> <p>To do this work in the County ROW, do you need to cut any trees?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Are you including Engineering Plans for this Work? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">If no, use site plan sheet (see page 4) to show <u>detailed</u> sketch of proposed work.</p> <p>* Franchised Utilities requires a Franchised Permit issued by King Co. Property Services Division.</p>	<p>1. Date Submitted:</p> <p>_____</p> <p>2. Comp Plan Designation</p> <p><input type="checkbox"/> Rural <input type="checkbox"/> Urban</p> <p>3. Permit type:</p> <p><input type="checkbox"/> Limited <input type="checkbox"/> Extended</p> <p>4. Purpose:</p> <p><input type="checkbox"/> Residential Use <input type="checkbox"/> Commercial Use</p> <p>5. Open ROW:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

SECTION IV EXISTING ROW/ROAD & DRAINAGE INFORMATION	<p>A. Provide a good quality photograph showing location(s) of proposed work in the right-of-way in all directions and showing all existing road features.</p> <p>B. Please answer the following questions as they relate to your project(s):</p> <p>1. Indicate County ROW width (refer to assessor Parcel maps): _____ feet.</p> <p>2. Is there a road currently in the ROW? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, answer questions 1 through 4. If no, please skip these questions.</p> <p>a. Indicate the road surface type and width: _____ ft. paved road _____ ft. gravel road _____ ft. dirt or logging road</p> <p>b. Indicate the road surface conditions: <input type="checkbox"/> Excellent (recently surfaces) <input type="checkbox"/> Fair <input type="checkbox"/> Poor</p> <p>c. Are there roadside shoulders: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate shoulder type: _____ shoulder width: _____ ft.</p> <p>d. How many lots (dwelling units) does this road currently serve? <input type="checkbox"/> 0-16 <input type="checkbox"/> 17-50 <input type="checkbox"/> 51-100 <input type="checkbox"/> Over 100</p> <p>3. Are there any ditches, swales, culverts or other types of utility lines in the ROW? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate ditch depth: _____ ft., ditch width: _____ ft. If yes, is there overgrown vegetation in the ditch(es) flow line? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate culvert(s) size: _____ and type: _____</p> <p>4. Are you aware of any drainage problems in the ROW or adjacent to it? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div> </p> <p>5. Are you aware of any erosion problems in the ROW or adjacent to it? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div> </p>	<p>6. County Maintained: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7. Road Classification <input type="checkbox"/> Local Access <input type="checkbox"/> Neighborhood Collector <input type="checkbox"/> Arterial / Commercial</p> <p>8. Variances Required <input type="checkbox"/> Road <input type="checkbox"/> SWM <input type="checkbox"/> CAO <input type="checkbox"/> Zoning <input type="checkbox"/> None</p>
SECTION V CRITICAL AREAS INFORMATION	<p>Please identify Critical Areas in/or adjacent to ROW (check those that apply):</p> <p><input type="checkbox"/> Erosion <input type="checkbox"/> Landslide <input type="checkbox"/> Coal Mine <input type="checkbox"/> Seismic <input type="checkbox"/> Lake <input type="checkbox"/> Flood plain</p> <p><input type="checkbox"/> Stream (<input type="checkbox"/> Class I <input type="checkbox"/> II or <input type="checkbox"/> III)</p> <p><input type="checkbox"/> Wetland (<input type="checkbox"/> Class I <input type="checkbox"/> II or <input type="checkbox"/> III)</p> <p><input type="checkbox"/> Steep slopes (land terrain steepness along the ROW): <input type="checkbox"/> 0-10% (rolling) <input type="checkbox"/> 10-30% (moderate) <input type="checkbox"/> 40% & over (steep)</p> <p>Information on mapped Critical Areas and classifications may be found in the critical areas portfolio maps, available at the Department of permitting.</p>	

Any county right-of-way opened pursuant to this permit shall be open for use by the general public. It is the responsibility of the applicant to notify all Utility Districts and private property owners when such property is liable to injury or damage through the performance of the above work. The applicant shall make all necessary arrangements relative to the protection of such property and/or utilities. Utility damage is costly; call 2 days before you dig: **1-800-424-5555**.

Before any construction/development activity occurs, an approved permit must be obtained, and a pre-construction meeting must be held with Permitting staff. Please call **206-296-6600** to schedule.

 Signature (Applicant/Agent/Owner)

 Date



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ROW USE PERMIT Site Plan Sheet



North

Vicinity Map

(show site location)
No Scale

Show all existing/proposed road features including but not limited to roadside ditches, shoulders, storm drain systems, power poles, and any other Utility lines.



North
Scale: 1" = _____

Signature (Applicant/Agent/Owner)

Date

Check out the Permitting Web site at <https://kingcounty.gov/permits>