



CITY OF CAPITOLA

ENCROACHMENT PERMIT INFORMATION

CITY OF CAPITOLA COMMUNITY DEVELOPMENT DEPARTMENT
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Encroachment Permit Overview

An Encroachment Permit is required to construct private improvements within the City right-of-way. Common examples of improvements requested by property owners include landscaping, fences, walkways, and walls. The City right-of-way area consists of streets, sidewalks, and unimproved areas between a street and private property.

Encroachment Permit Applicability

The Encroachment Permit process is outlined in chapter 12.56.060 of the City's Municipal Code. There are two types of Encroachment Permits: Minor Encroachment Permits and Major Encroachment Permits.

A Minor Encroachment Permit may be issued by the Public Works Director for fences up to 3.5-foot high, walkways, and landscaping, or similar improvements which do not remove existing parking spaces.

A Major Encroachment Permit may be issued by the Planning Commission for improvements not allowed through the Minor Encroachment Permit Process including walls, improvements requiring structural support or extending 30-inches above grade, or improvements which remove existing parking spaces.

Application Requirements

Applicants must submit a City Master Application and Revocable Encroachment Permit Application and pay required fees. The application must also include the following information:

- Site Plan detailing the type, size, and locations of proposed improvements, property lines, and right-of-way;
- A copy of a current property deed with legal description.

Time and Cost

Minor Encroachment Permits are typically issued within 10 to 60 days and require a \$221.55 fee. Major Encroachment Permits are generally issued between 30-60 days and require a \$555.45 fee.

Encroachment Permit Process

Minor Encroachment Permits are issued over-the-counter by staff and do not require a public notice or a public hearing. A Major Encroachment Permit requires a publicly noticed hearing before the Planning Commission. Major Encroachment Permit applications will be processed concurrently with any other associated discretionary permits, such as a Design Permit, Conditional Use Permit, or subdivision.

As a condition of issuing an Encroachment Permit, the City will record an Agreement Regarding Private Improvements Located on Public Right-of-Way which includes an agreement from the applicant to hold the City harmless against any liability resulting from construction or maintenance of the private improvements. The applicant must also agree to remove any improvements at their own expense if ordered by the City.