

Application for Right-of-Way/Easement Permit



Leesville Planning and Zoning Commission

Planning and Zoning Department
City Hall Building
Leesville, LA 71446
Grant Bush, City Planner
(337) 404-4078

When an applicant is requesting to attend an open meeting held by the Planning and Zoning Commission or have a representative attend in his/her absence to petitioner for a Right-of-way/Easement permit for development.

Right-of-way/Easement Permit Application Checklist.

- ✓ \$50 Application Fee (Non-Refundable), plus \$20 per pole and \$0.20 per foot for gas and electric utilities.
 - Fee is waived for homeowners that are completing the work without the use of a contractor.
- ✓ Completed Application
- ✓ For Utility Installation: complete and return the “Right-of-way Checklist for Utility Installation”.
- ✓ One (1) set of plans showing proposed work within the public right-of-way or easement (complete site plans are not necessary and may be rejected)
- ✓ Photos of proposed structure, including proof of age of the structure (attach copy)
- ✓ Survey of property owners within 600-foot radius of proposed development petitioned (to be done by City Planning Department)
- ✓ Case brief with maps, pictures, history of property, and petitioner’s application submitted to Planning and Zoning Commission and City Council Representative of the district in which the property lies.

NOTE:

- The application will not be reviewed until all of the above items have been received by the Planning Department and Planning and Zoning Commission.
- The plan must indicate the work to be performed, the location of the work, any trees within the work area and whether they are to be removed or protected. The plan must also indicate whether traffic will be impacted as a result of the work.
- If a land closure or road closure is proposed, this **MUST** be indicated as part of the application and specifically allowed as a condition of the permit. **A traffic control plan is required for all proposed closures.**
- The review of the application may take 30-90 days to allow for proper review by multiple departments for compliance with City Ordinance and standards.
- Following review of the application, a notification will be sent to the individual listed in the application identifying the following:
 - Additional information may be required
 - Performance Guarantee Deposit Requirements (min. \$1500 cash required for minor work, min \$5000 required for new homes on public streets)
 - Insurance requirements (\$11,000,000 min. general liability)
 - If contractor is not known at time of application, if must be provided prior to issuance
- When the requirements in the notification have been satisfied, the permit can be signed by the contractor (if applicable) and issued.

*Performance Guarantee Deposit will be held to the end of the project and returned upon satisfactory inspection by the City of Leesville.

For further information, contact Grant Bush, City Planner, at 337-404-4078.

Leesville City Hall
Planning and Zoning Department
508 S. 5th St. Leesville, LA 71446



**Application for
Right-of-way/Easement Permit**
Application Fee \$50.00
 Plus \$20 per pole and \$0.20 per foot for gas and electric utilities
Payable to: City of Leesville
 (Paid upon submission of application. Non-Refundable.)

**Internal
Use Only**

Code: 7950
 Price: \$ _____

*Note: The procedure to approve or deny this permit may take 30 to 90 days.

Complete this application to construct, operate, use and/or maintain within the right-of-way and easements; or to close a city street. **Read carefully and fill out completely.**

Date of Application: _____

APPLICANT INFORMATION	
Applicant Name (Property Owner, Company, etc):	
Point of Contact (if different from above):	
Mailing Address:	
Phone:	Email:
Property Address (if different from Applicant Address):	
Parcel Number:	

CONTRACTOR INFORMATION	
Contractor:	
Point of Contact (if different from above):	
Mailing Address:	
Phone:	Email:
Property Address (if different from Applicant Address):	

SITE INFORMATION			
Is a site plan currently under review for this property?		YES	NO
If "YES", Site plan number:	Site Plan Name:		
Anticipated Start Date:	Anticipated End Date:		

**TYPE OF WORK TO OCCUR IN RIGHT-OF-WAY/EASEMENT
(CHECK ALL THAT APPLY)**

<input type="checkbox"/> Replace Residential Driveway
<input type="checkbox"/> New Residential Driveway
<input type="checkbox"/> Fill in Ditch/Culvert Replacement
<input type="checkbox"/> Subdivision Sign

<input type="checkbox"/> Commercial Driveway Construction
<input type="checkbox"/> Utility Construction
<input type="checkbox"/> Bore & Jack
<input type="checkbox"/> Road Widening/Road Construction

<input type="checkbox"/> Telecommunications (Length in ft. _____)
<input type="checkbox"/> Tree Trimming
<input type="checkbox"/> Other: _____

Provide a detailed description of the desired facility and/or activity as follows: (include size, length, type of facility, material). If crossing under the roadbed, describe method. If buried, indicate depth from top of facility to surface. If facility is to run parallel to highway, indicate distance from inside edge of facility to centerline of road. If driveway approach, state if residential or commercial; if commercial, state type of establishment it will service. If tree trimming or tree removal, state number, species and sizes of trees involved. (Continue on separate sheet if needed)

ONE (1) SET OF PLANS MUST BE ATTACHED TO APPLICATION.

I, the undersigned applicant, acknowledge that I have reviewed and fully understand the City's ordinances, zoning regulations, building codes, and all other applicable regulations related to the work to be performed, including those set forth in the Code of Ordinances, Section 74-4. I understand that the submission of this application does not guarantee the issuance of a permit, and that no work may begin prior to the official issuance of the permit. I also understand and accept the Performance Guarantee Deposit requirements, acknowledging that this deposit is held as assurance that the work will be completed in accordance with the city's standards. I further understand that the Performance Guarantee Deposit will be returned upon satisfactory inspection by the City of Leesville at the completion of the project, provided all work is in compliance with the necessary requirements. By signing below, I agree to comply with all the conditions outlined above.

Printed Name and Title of Applicant

Date of Public Hearing: _____

Applicant Signature

Planning and Zoning Department Use Only

Application Recommended for Approval Denial

Return to City of Leesville Planning Department - City Hall 508 S 5th Street, Leesville, LA 71446



Right-of-Way Checklist for Utility Installation

PROJECT INFORMATION	
Project:	
Location:	
Point of Contact:	
PHONE:	EMAIL:

General Requirements: this form shall be completed by the applicant and submitted with the City of Leesville Application for Right-of Way and Easement Work Permit and one (1) copy of the site plan to the Planning Department. Each applicable item shall be addressed prior to approval. If an item cannot be provided, give a response in the comment column.

<input checked="" type="checkbox"/>	ITEM	Comments
<input type="checkbox"/>	Plan shall include a location map to the scale of not more than 1" = 50'.	
<input type="checkbox"/>	Plan shall include proprietor information, parcel identification number and/or address of all affected adjacent parcels.	
<input type="checkbox"/>	Plan shall include all relevant street names.	
<input type="checkbox"/>	Plan shall show the location of the proposed facility, including invert elevations of all structures, piping, or appurtenances.	
<input type="checkbox"/>	Plan shall show any property lines within 50-feet of the proposed facility.	
<input type="checkbox"/>	For the area of 25-feet on either side of the proposed facility, the plan shall show 2-foot contours or strip topography of elevations and the location of any and all water courses, along with any associated 25-foot buffers.	
<input type="checkbox"/>	Plan shall show the location of all physical structures, manholes, hydrants, trees, or any other permanent physical objects.	
<input type="checkbox"/>	Plan shall show the length, size and type of each section of proposed pipe/conduit.	
<input type="checkbox"/>	Plan shall include a minimum of two (2) benchmarks consistent with the datum utilized by local standards.	
<input type="checkbox"/>	Provide a note stating whether or not the proposed facility will be located within 500-feet of a waterbody or watercourse. If so, the project may also require a SESC permit.	
<input type="checkbox"/>	Provide a note on the plan stating the contractor will field verify all existing utility locations, inverts and grades prior to the start of any work.	
<input type="checkbox"/>	Show and note any and all locations of staging and/or stockpiling of equipment and materials.	
<input type="checkbox"/>	If any road closure, including shoulders, is proposed, a traffic control plan must be submitted.	
<input type="checkbox"/>	All existing facilities within the road right-of-way or within 25-feet of the proposed facility shall be shown.	
<input type="checkbox"/>	Pavement types/limits (including driveways) and existing/proposed right-of-way lines shall be shown on the plan.	
<input type="checkbox"/>	For proposed above-ground facilities a separate detail of each facility including dimensions shall be provided.	
<input type="checkbox"/>	Dimensions of the proposed facility/facilities from existing pavement, property lines, right-of-way lines and other facilities shall be provided.	
<input type="checkbox"/>	All plans shall show compliance with AASHTO standards.	
<input type="checkbox"/>	Above ground facilities shall be installed outside of the site triangle. If an above-ground facility is proposed within the sight triangle of the right-of-way, strip topography is required within 50-feet of the proposed facility to verify no sight obstructions will be proposed.	
<input type="checkbox"/>	Proposed parking locations shall be indicated. Parking on non-motorized pathways is prohibited.	
<input type="checkbox"/>	Provide a sufficient landscape plan showing proper screening and density to screen any proposed above-ground facility. Landscape should not interfere with any other proposed or existing use of the right-of-way.	

<input type="checkbox"/>	Utilities shall not be located within the Zone of Influence (45-degrees from the utility invert to the ground elevation) of any existing or proposed sanitary sewer or water main.	
<input type="checkbox"/>	Underground facilities shall maintain a minimum 18-inch clearance on all utility crossings.	
<input type="checkbox"/>	Underground facilities shall be installed at least four (4) feet below the centerline of the road.	
<input type="checkbox"/>	Road crossings shall be at a 90-degree angle to an adjacent road. Show in detail bore pit and recovery pit locations.	
<input type="checkbox"/>	Above-ground facilities shall be installed outside of the site triangle.	
<input type="checkbox"/>	Above-ground facilities shall be a minimum of 3-feet off of the pedestrian pathways or sidewalks.	
<input type="checkbox"/>	Above-ground facilities shall be of neutral color and blend with the immediate surroundings.	
<input type="checkbox"/>	If work is done in the parish right-of-way, a note shall be provided on the plan stating Road Commission of Vernon Parish approval is required.	
<input type="checkbox"/>	Provide a note on the plan stating two (2) copies of as-built plans shall be submitted to the City Engineer within thirty (30) days of the completion of the utility installation	
Additional Comments:		

City of Leesville Ordinance

Sec. 74-4. - [Grading permit and site development study policies.]

(a)

Except as provided in this section, it shall be unlawful for any person to engage in a development activity prior to approval of a site plan by the planning commission detailing a clearing, grubbing, grading, and water drainage plan. Unless a development activity is exempt from the application of this section, a grading permit may not be issued unless a site plan has been approved by the planning commission as set forth in this section.

(b)

Unless otherwise stated, no person shall perform any clearing, excavation, or earthwork within the city without first submitting a site development plan detailing clearing, grubbing, grading, and water drainage and obtaining approval from the planning commission to commence work.

(1) The site plan review is applicable, but is not limited, to the following activities:

- a. Excavating, cutting, clearing, filling, grading, draining, or paving lots, parcels, or other areas;
- b. Altering, rerouting, deepening, widening, obstructing, or changing in any way an existing drainage system or feature;
- c. Development for: residential, commercial, institutional, industrial, utility, or other activities;
- d. Commencing any other development or excavation which may: significantly increase or decrease the rate and/or quantity of surface water runoff; degrade the quality of water; or adversely affect any sinkhole, watercourse, or water body.

(2) Developers and/or property owners shall use appropriate erosion and sedimentation control measures to ensure that erosion, or adverse conditions caused by erosion or sedimentation, is eliminated or held to an acceptable minimum and does not cross to an adjoining property, right-of-way, or stream.

(c)

A site development application shall include a site sketch and site plan. The planning commission may require the submission of additional plans and studies prior to issuing a grading permit.

(1) A site development application shall contain the name and address and signature of the applicant, and all persons or legal entities whose ownership interest in the property equals or exceeds five percent.

(2) The site sketch shall contain in addition to such basic information as owner name and address, date and parcel number the following:

- a. The actual shape, location, and dimension of the lot to be built upon;
- b. The shape, size, and location of all existing and proposed buildings or other structures;
- c. The location and approximate dimension of all points of access to a public street or road;
- d. The location of all driveways and entrances; and
- e. Locations of areas subject to flooding, if applicable.

(3) The site plan shall contain, at a minimum, the following items or information, as applicable:

- a. Total land area;
- b. Existing and proposed topography of existing land and impervious areas shown;
- c. Elevations of all existing and proposed streets, alleys, utilities, sanitary and stormwater sewers, and existing buildings and structures;
- d. All existing and proposed impervious area;
- e. Natural or artificial watercourses;
- f. Limits of floodplains, if applicable;
- g. All existing and proposed slopes, terraces, or retaining walls;
- h. All existing and proposed stormwater drainage structures or features;
- i. All stormwater structures/features immediately upstream and downstream of the site;
- j. Erosion and siltation controls plans;
- k. Drainage calculations when required; and
- l. Drainage easement when required.

(4) If site, drainage, grading, and erosion plans for the purpose of obtaining a grading permit are required, they shall be submitted to the planning commission. They are to be submitted not less than ten days prior to the intended date to begin site development. The issuance of all other permits is based upon approval of submitted plans. The grading permit is valid for a period of one year from the date of issue. Extensions will be considered based on circumstances.

(5) The applicant shall certify that all development activity shall be conducted in strict compliance with the approved site plan.

(6) An applicant shall pay a site development plan application fee. The application fee is intended to assist the City of Leesville in recovering some of the expenses associated with the permitting process. These costs consist primarily of administration, inspection, and enforcement activities and shall be approved and set by the city council. The fee schedule for grading permits is as follows:

Areas less than or equal to one acre \$50.00

Areas greater than one acre, per additional acre 15.00

(7) All utility or city right of way improvements shall be reviewed by the city administrator or designee; must adhere to the requirements of this Section 74-4 (a) –(c); and must deposit a *bond* with the municipality, guaranteeing that all damage will be rectified within a reasonable time, the amount of the *bond* fixed by this section shall be \$5,000.00, and the *bond* required by this section shall be made payable to the mayor of the City of Leesville, Louisiana and endorsed by good and solvent surety. The *bond* required by this section shall remain in force and effect until the proper municipal inspector has approved the repairs made to the public right of way, damaged street, or sidewalk.

(d) The following described activities shall not require a grading permit in order to perform clearing, excavation, or related earthwork:

(1) If a building permit is obtained, no grading permit is required;

(2) Excavation in connection with a building, swimming pool, retaining wall, or other structure authorized by a valid building permit;

(3) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources;

(4) Septic repair and/or alteration;

(5) Cemetery graves;

(6) Temporary stockpiling or storing of materials provided that such operations do not affect adjacent properties and all drainage and erosion control requirements;

(7) Accepted agricultural practices such as plowing, cultivation, construction of agricultural structures, nursery operations, tree cutting, logging operations leaving the stump and root mat intact, and cultivated sod operation;

(8) Minor landscaping and sprinkler installation. The grading permit exceptions listed above do not relieve the owner, developer, contractor, or other legal representative of the responsibility of installing and properly maintaining the proper erosion/sedimentation control measures or other liability resulting from such activities.

(e) An application required by this section shall undergo the following review procedure:

(1) After submission of a proposed site development plan, the planning commission shall send notice that a development plan has been filed along with a summary of the plan to the owners of all adjacent properties.

(2) The planning commission shall review the plan to determine compliance with the requirements of this section.

(3) If a site development plan is not approved or denied within 30 days after the submission of a completed plan, it shall be deemed as a denial.

(4) A site plan may not be considered approved until the planning commission approves the plan in writing.

(5) No development activity for which a site plan is required may begin until such a plan has been approved.

(6) Compliance with the approved site development plan shall be a condition of the city grading permit for the development activity.

(7) In granting an approval for a site development plan, the planning commission may impose such conditions as the planning commission deems necessary to ensure compliance with the plan and the provisions of this section.

(f) The planning commission may require the owner(s) of the property on which the grading is proposed to occur to provide security, as a condition of the issuance of a grading permit for any grading involving property that is three or more acres. Where unusual conditions or special hazards exist, the planning commission may require security for grading involving less than three acres. The purpose of the security shall be to guarantee the land owner's obligation to mitigate any hazardous conditions, including flooding and geological hazards, that may be created if the grading is not completed in accordance with the approved plans and specifications, and to complete any work that the planning commission determines is necessary to bring the property into compliance.

(g) The owner of the property upon which development activity occurs, all successors to the owner's interest to the property and any other person or agent in control of the property, shall maintain in good condition and promptly repair and restore all grade surfaces, structures, drains, and other elements as required under an approved site development plan.

(1) The repairs, restorations and/or maintenance shall be in accordance with an approved site plan and maintenance schedule. The obligation to repair, restore and maintain shall run with the land unless released by the city.

(h) Any person may file a written request for a variance from the requirements of this section. The request shall be filed with the planning commission, which shall include all facts warranting the variance and descriptions, drawings, and any other information that is necessary to evaluate the request.

(1) Within ten days of receipt of a variance, the planning commission shall schedule a public hearing.

(2) The planning commission shall provide written notice of the hearing to the applicant and owners of all adjacent properties at least ten days prior to the hearing which shall include the nature of the variance, and the date, time, and place of the hearing.

(3) At the hearing, any party may appear in person or by agent or attorney.

(4) The planning commission may grant a variance from any requirement of this section if the commission finds that:

a. There are engineering difficulties such that strict adherence to the requirements of this section would result in undue hardship to the applicant;

b. The proposed variance would not be detrimental to any adjoining or nearby property, or any public right-of-way; and

c. The proposed variance would, as nearly as practical, accomplish the intent and purpose of the requirements of this section.

(5) The planning commission shall issue a written decision effective on the date of issuance.

(i) An inspection shall be conducted after the completion of work in the following manner:

(1) The applicant shall notify the planning commission when the project is completed so that the planning commission or its designee may conduct a final inspection.

(2) Written inspection reports shall be made by the planning commission of the periodic inspections during construction of site development systems to ensure compliance with the approved site development plan. Written inspection reports shall include:

a. The date and location of the inspection;

b. Whether construction was in compliance with the approved site development plan;

c. Any variations from the approved construction specifications; and

d. Any violations that exist.

(3) The applicant shall be notified in writing if violations are observed. The written notification shall describe the nature of the violation and the required corrective action.

(j) If property is used, altered, or maintained in violation of this section, the City of Leesville may cause to be instituted any appropriate action or proceedings to prevent such unlawful construction or alteration or use of or other violations, to restrain, to enjoin, to correct or to prevent any such illegal act, conduct or use in or about such premises. In addition to the civil remedies, any person violating any provision this section shall be guilty of a misdemeanor, and upon conviction shall be fined an amount not to exceed \$200.00 or be imprisoned for not more than 30 days or both for each offense. Each day such violation continues shall constitute a separate offense. Any person violating any of the provisions of this section shall become liable to the city for any expense, loss, or damage incurred by the city by reason of such violation.

(Ord. 49/12, 12-10-12; Ord. No. 43/13, 12-23-13)

Editor's note— Ord. No. 49/12, adopted Dec. 10, 2012, did not specify manner of inclusion; hence, codification as § 74-4 was at the discretion of the editor.