



PROJECT NAME: \_\_\_\_\_

# RIGHT-OF-WAY (ROW) PERMIT

## APPLICATION & CHECKLIST SUBMITTAL PACKET

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## GENERAL INFORMATION

- A ROW permit includes any type of work within the ROW such as boring, collecting bore samples, installation of sidewalks as a stand along project.
- This application is not for dry utilities, driveways, or public infrastructure such as water, wastewater or stormwater facilities.

## HELPFUL LINKS



- Development Services – [www.leandertx.gov/ds](http://www.leandertx.gov/ds). Includes links to the following:
  - Development Process – Applications, Submittal Schedule
  - Planning Department: Zoning, Subdivision, Site Development, Current Developments
  - Building Permits & Inspections: Building Permits, Impact Fees
  - Engineering Department
  - Maps & Guides – Comprehensive Plan, Transportation Plan, Development Guide, Transportation Criteria Manual, Drainage Criteria Manual
- Fire: [www.leandertx.gov/fire](http://www.leandertx.gov/fire)
- Parks: [www.leandertx.gov/parksrec](http://www.leandertx.gov/parksrec)
- Development Hub – Application Portal: [www.leandertx.gov/hubgo](http://www.leandertx.gov/hubgo)

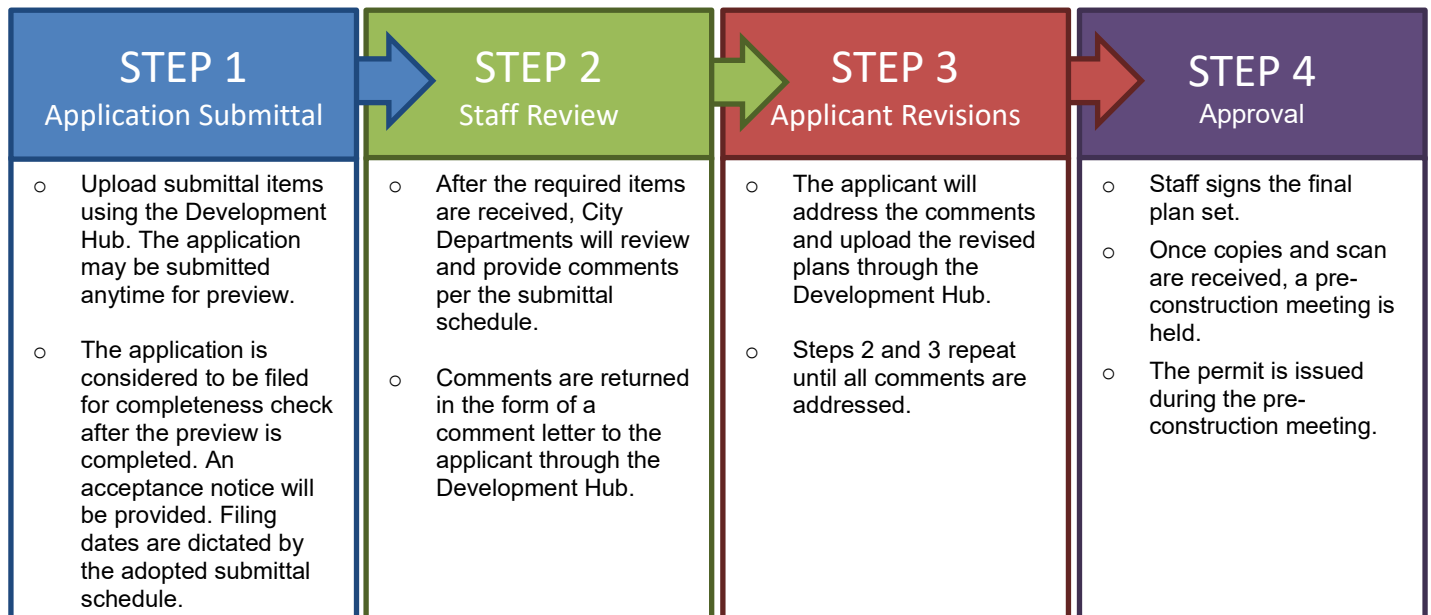
## CONTACT INFORMATION

Please contact the Development Services Department by emailing [planning@leandertx.gov](mailto:planning@leandertx.gov) with any questions regarding this application.

## INSTRUCTIONS

- Fill out the following application and checklist completely prior to submission.
- Current applications and City ordinances may be found on the City’s website (<http://www.leandertx.gov/ds>).
- Please refer to the “Submittal Schedule” for submittal deadlines. Applications may be submitted through the Development Hub at anytime for preview. Once all items are confirmed and accepted, the review process will start on the next available filing date as listed in the submittal schedule.
- This application only applies to testing and work in the ROW.
- Please complete an Open Records Request for specific plans that impact the work in the ROW, here is the link: <https://www.leandertx.gov/citysecretary/webform/open-records-request>

## PROCESS OVERVIEW – ALTERNATIVE PROCEDURE



## REQUIRED ITEMS FOR THE SUBMITTAL PACKAGE

REQUIRED ITEMS

PROVIDED

Check each box if you have complied with that item. This application/checklist is only a guide. All state and local ordinances and code requirements cannot be reflected on this application/checklist. If there are any questions regarding the regulations, the applicant shall consult source law.

1. Completed and Signed Application & Checklist with the owner's signatures.

2. Plans (11"X17") including the information in the checklist.

3. Letter of intent explain the request.

## PROJECT INFORMATION

Property Description: \_\_\_\_\_

Brief Summary of Work: \_\_\_\_\_

## APPLICANT INFORMATION

Project Agent: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Mobile: \_\_\_\_\_ Pager: \_\_\_\_\_

I hereby attest that I prepared this application/checklist and that all information shown hereon is correct and complete to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Date

## UPLOADED DOCUMENT REQUIREMENTS

1. All documents shall be in PDF format, using Arial font with a minimum resolution of 300 dpi. Additional items that are needed to support engineering studies may be submitted in their native format. (i.e. HEC Models, AutoCAD files etc)
2. All PDFs of plat documents shall be exports from AutoCAD and not scans of a printed document.
3. All PDFs shall be bookmarked.
4. All sheets must be facing the correct direction and pages shall be bookmarked with the title on each page.
5. Each upload shall include a descriptive name of the file including the associated number from the "Required Items" list on [page 3](#).  
Examples:
  - The application shall be identified as the application and include the creation date in MM.DD.YYYY format:
    1. Application 06.13.2022
  - The Dry Utility Plan shall be identified as the DU and include the creation date in MM.DD.YYYY format:
    2. Project Name DU 06.13.2022
  - Corrections shall include the version number in the title:
    2. Project Name DU V2 06.13.2022

## ROW PERMIT REVIEW PROCEDURE

1. Submit required items through the Development Hub. These documents may be submitted at any time for preview. If the application substantially fails to meet the minimal informational requirements, then it will not be accepted for review.

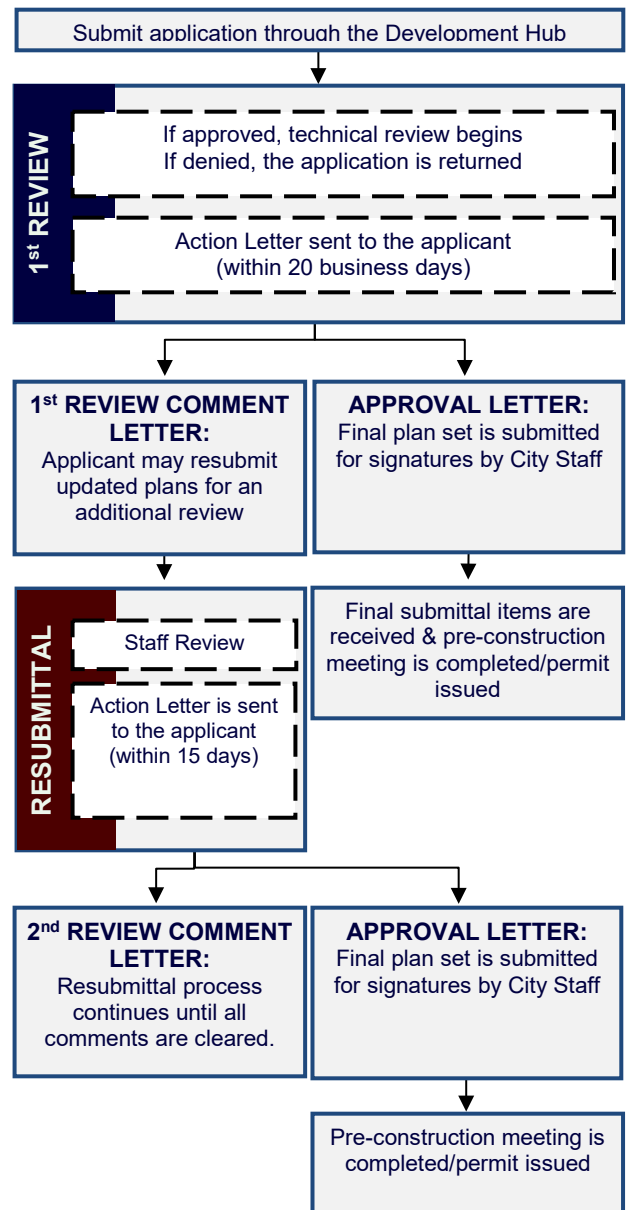
If the application is determined to be complete, then it will be distributed for technical and content review (see requirements on [page 3](#)).

2. A comment letter will be generated within 15 business days of the filing date and sent to the applicant. If the application is disapproved, then the letter will list the deficiencies with Code references.
3. The applicant will resubmit the corrected plan set for review. Submittals may be submitted at any time, but will be accepted for review based per the adopted Submittal Schedule. The resubmittal will be reviewed for completeness within 5 business days. A complete submittal shall include the following:

- a. Updated plans & supporting documents/materials
- b. Written response letter identifying how the comments were addressed

**If the items above are not provided, the re-submittal will be NOT be accepted.**

4. A comment letter will be generated within 10 business days of the filing date. If the application is disapproved, the letter will list the deficiencies with Code references.
5. This process repeats until all comments are cleared.
6. If the comment letter indicates that the applicant is eligible for a final submittal review, please upload the following items:
  - a. Updated plans & supporting documents/materials
  - b. Comment response letter identifying how the comments were addressed
7. If the application is approved, then the final plan set needs to be submitted and routed for signatures.
8. The City will sign the plans and return them to the applicant.
9. A permit will be issued during the pre-construction meeting and construction may start after the issuance of the permit and inspection of erosion controls.



## ROW PERMIT CHECKLIST

Please note that this checklist is intended to describe the general scope of site development permit applications. Additional information may be required to assure ordinance compliance. The owner/agent shall initial each line item confirming the requested information is included with this application. All ordinance references are to the Composite Zoning Ordinance unless otherwise specified.

### GENERAL:

- \_\_\_ 1. Each section heading represents a plan sheet associated with the submittal. The following sheets shall be included in the following order:
  - Cover Sheet
  - Notes Page
  - Erosion & Sedimentation Control Plan
  - Utility Plan
  - Road & Sidewalk Closure Plan
  - Standard Details
  - Landscape Plan
- \_\_\_ 2. All sheets shall be numbered in numeric order without letters (e.g. 1, 2, 3, etc.), not C-1, E-1, etc. These numbers shall be provided in the bottom right corner of every sheet and include the total number of sheets.
- \_\_\_ 3. A 2" tall by 3" wide box shall be provided in the bottom right corner of every sheet for an approval stamp and initials (please see layout example in the Cover Sheet section of the application).

### COVER SHEET

- \_\_\_ 1. Title block including the following in the top center of the page.
  - Project Name*
  - ROW Permit Plans
  - Project Number (This number will be assigned during the first review of the plan set)
- \_\_\_ 2. Location sketch below the title block.
- \_\_\_ 3. Project information located at the top left corner of the cover sheet including the following:
  - Property owner name, address, and phone number
  - Developer/Agent name, address, and phone number
  - Submittal date
- \_\_\_ 4. Index on the right side of the sheet name and number.
- \_\_\_ 5. Include the following signature block in the center on the bottom of the page.

APPROVED BY:

\_\_\_\_\_  
Robin M. Griffin, AICP, Executive Director of Development Services

\_\_\_\_\_  
Date

\_\_\_\_\_  
Emily Truman, P.E., CFM, City Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Joshua Davis, Fire Marshal

\_\_\_\_\_  
Date

- \_\_\_ 6. Revision block below the below including the following.

Revision #	Description	Approval

- \_\_\_ 7. Example cover sheet:

<b>Project Name</b>			
ROW Permit Plans			
<i>Project Number</i>			
Project Information	<div style="border: 1px solid black; width: 150px; height: 80px; margin: 0 auto;">           Location Sketch         </div>	Index	
Revision Block	Signature Block	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;">           Approval         </div>	<b>1 of 1</b>

## GENERAL NOTES:

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1. Insert the City of Leander General Notes. These notes may be found online at <https://www.leandertx.gov/engineering/page/general-notes>.

## EROSION & SEDIMENTATION CONTROLS:

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1. Proposed fill or other structure elevating techniques, levees, channel modifications and detention facilities is shown.
2. The location, size, and character of all temporary and permanent erosion and sediment control facilities with specifications detailing all on-site erosion control measures which will be established and maintained during all periods of development and construction are shown.
3. A plan for restoration for the mitigation of erosion in all areas disturbed during construction is provided.
4. Identify at least one construction entrance on the erosion and sediment control site plan.
5. Identify the locations of the erosion and sediment controls used on the site. Use standard symbols, specification numbers, and abbreviations as applicable. All items not related to the erosion/sediment control plan must be omitted from the legend and drawing.
6. Identify each phase of the erosion and sediment control plan implementation. Phase I should show the existing conditions with the initial controls. The subsequent phases should be shown in a manner that take into account a logical progression of work while controls are maintained to protect from offsite damage. The final phase should show all temporary controls removed and all permanent controls in place.
7. Provide the following note:  
***The City of Leander environmental inspector has the authority to add or modify erosion/sediment controls on site throughout the duration of the project.***

## UTILITY PLAN:

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1. Scale 1" = some number of feet divisible by 10 (not smaller than 1" = 60') and labeled on plan.
2. North arrow.
3. Boundary lines (drawn with heavy line) with metes and bounds description.
4. Property lines of adjacent properties showing (where applicable) the names of adjacent plats.
5. Provide the following notes:  
***All site utility lines are proposed to be located underground.***
6. Show all existing utilities and infrastructure.

## ROAD & SIDEWALK CLOSURE PLAN:

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1. Provide a road closure plan if a road closure is necessary during construction.
2. If an existing sidewalk is required to be closed during construction, provide an alternative plan.
3. Provide a sidewalk control plan to demonstrate alternative routes during construction if access to the sidewalk is disrupted.
4. If the project impacts existing school zones, they include any necessary signage and/or striping.

## TREE MITIGATION PLAN (This section is only required if trees are proposed for removal):

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1. Calculations of required and provided landscaping, including trees, shrubs and replacement tree calculations are provided as follows (show areas proposed to meet landscape area requirements as shaded on the landscape plan).
  - A 3:1 (inches planted to inches removed) replacement and at mitigation fee in the amount of \$300 per caliper inch removed for heritage trees 26 inches in caliper and larger.
    - Heritage tree (over 26 inches in caliper or larger) removal requests requires approval by the Planning and Zoning Commission and City Council. The public hearing fees and the following tree removal fees apply: \$250.00 per tree.
  - A 2:1 (inches planted to inches removed) replacement for significant trees 18 inches in caliper to 26 inches in caliper.
    - Significant tree (over 18 inches in caliper or larger) removal requests requires approval by the Planning and Zoning Commission. The public hearing fees and the following tree removal fees apply: \$250.00 for the first tree plus \$100.00 for each additional tree.
  - A 1:1 replacement if more than 50% of the caliper inches of significant trees between 8 and 18 inches caliper are proposed to be removed.
  - 50% of the required landscaped area and required plantings are shown to be installed between the front property line and the building(s).

- \_\_\_ 2. Existing significant trees of 8 inch caliper and larger (including species and size) located within the impact zone of proposed construction are shown and accurately located on the site plan.
- \_\_\_ 3. Significant trees to be removed are identified. A tree is considered to be removed if more than 50% of the critical root zone area is disturbed or covered with pavement, structures or other impervious surface. The radius of the critical root zone is calculated as the diameter of the tree trunk times 12.
- \_\_\_ 4. Replacement trees are a minimum 2-inch caliper. Any significant tree greater than two inches in diameter that is not required to be retained as described above may be utilized as a replacement tree or toward the required tree plantings if properly protected and in healthy condition.
- \_\_\_ 5. A minimum pervious area 3 feet in radius and not less than 50% of the calculated drip line area is provided around the trunks of all existing and proposed trees.
- \_\_\_ 6. All plantings are identified by name, quantity and container size and are included in the *Preferred Plant List* of the *Grow Green Guide*.
- \_\_\_ 7. The location of an automatic irrigation system is shown to be provided (unless low water use plantings are proposed or if the lot is less than one acre in size). (An irrigation permit is required.)
- \_\_\_ 8. Provide the following notes:

***The developer and subsequent owners of the landscaped property, or the manager or agent of the owner, shall be responsible for the maintenance of all landscape areas. Said areas shall be maintained so as to present a healthy, neat and orderly appearance at all times and shall be kept free of refuse and debris. All planted areas shall be provided with an automatic irrigation system and watered as necessary to ensure continuous healthy growth and development. Maintenance shall include the replacement of all dead plant material if that material was used to meet the requirements of the Landscape Ordinance.***

(In the event that an automatic irrigation system is not proposed, please modify the above note accordingly.)

***Tree caliper is the trunk diameter of a tree at four (4') feet above natural grade per the Composite Zoning Ordinance.***

Specifications are provided showing a minimum 6-inch topsoil depth will be provided in all landscaped areas and mulch will be provided around plantings. Provide the following note:

***All new landscapes (non-residential and residential) are required to have a minimum of six inches (6") of soil depth in areas planted with turfgrass. This six-inch (6") minimum soil depth will consist of 75 percent soil blended with 25 percent compost. The soil/compost blend shall be incorporated into the top two inches of the native soil. The six-inch (6") depth requirement does not apply to the area between the drip line and trunk of existing trees, shrub beds or wildscape areas. Areas with existing native vegetation that remain undisturbed shall be exempt from the soil depth provision; provided that native soil and vegetation in such area is fenced during construction and protected from disturbance and compaction during the construction process.***

***All disturbed areas and ROW will be re-vegetated by the developer.***

***All invasive species shall be removed from the property.***

***No more than 50% of the same species may be planted to meet the tree planting requirements.***

## **REQUIREMENTS FOR ISSUANCE OF ROW PERMIT**

- Submittal of one final set of plans for signatures. These plans will be returned to the applicant after they are approved and signed.
- To schedule a pre-construction meeting, the following items must be submitted:
  1. Two copies of the approved and signed plans.
  2. Approved SWPPP (if required)
- The Dry Utility Permit shall be issued during the pre-construction meeting.
- The site shall not be occupied until all final site inspections are approved and a certificate of completion (CC) is issued.
- An engineering concurrence letter and landscape concurrence letter will be required prior to the issuance of the certificate of completion.

## CONFLICT OF INTEREST DISCLOSURES

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Please submit at the time of submission of application and update disclosures within 7 business days after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

### ARTICLE 9.05, CITY CODE OF ORDINANCES – CODE OF ETHICS:

<http://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

#### ▪ Ethics Ordinance – Disclosure Statements

The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain relationships and conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the above link.

#### Sec. 9.05.007 Persons doing business with the city

##### (a) Persons seeking discretionary contracts.

- (1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.
- (2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.

##### (b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:

- (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
- (2) Any member of the board or city body;

has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

**Sec. 9.05.009(f)** Disclosure by persons appearing before a city body. Any person who appears before any city body who has had business dealings within the preceding 12-month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.