

# Right-Of-Way Permits & Traffic Control Plans

## Quick Reference Guide



COMMUNITY  
DEVELOPMENT

**Right-of-way (ROW)** is defined as “land that is owned by the public for transportation and utility facilities.”

**Easement** is defined as “a right of usage of real property granted by an owner to the public or to specific persons, firms, or corporations”. Public utility, storm or access easements are easements that grant a public facility or franchise utility the ability to install, work and maintain their facilities within private property.

### Applicability and Standards

A right-of-way (ROW) permit is required when any work or pedestrian, bike, or vehicular traffic control is proposed in the ROW or a public easement.

**ROW permits** will be reviewed per City of Bend Standards and Specifications, the [Bend Code](#), and the [Bend Development Code](#).

**Traffic Control Plans** will be reviewed per [Manual Uniform Traffic Control Devices \(MUTCD\) for Streets and Highways – Oregon Supplement to the 2009 Edition](#) and [Oregon Temporary Traffic Control Handbook \(OTTCH\) For Operations 3 Days and Less](#).

The ROW Permit Tier (Tier 1, 2, or 3) and Traffic Control Plan Level (Level 1, 2, or 3) will be determined based on the proposal. The following sections provide guidelines for anticipated level of review, however the City may increase or decrease the level of review at any time during permit review depending on the scope of the proposal or changes to the proposal.

Franchise utilities are capable of maintaining their facilities on private property within easements (outside public access or utility easement and ROW) without a ROW permit.

### Tier 1 ROW Permit - Low Impacts

Tier 1 ROW permits are issued when work is proposed in the landscape strip or an unimproved area. Street cuts, curb cuts, and/or pavement restoration will NOT be permitted under a Tier 1 ROW permit. A Tier 1 ROW Permit shall not affect City infrastructure.

A Tier 1 ROW Permit will be required when any of the following, but not limited to the following, are proposed:

- Utility installations within the landscape strip or an unimproved (unpaved) area that is not within a public easement;
- Sidewalk installations; and
- Driveway installations.

A ROW permit is required for all sidewalks and driveway aprons within the right of way or within a public access easement – required to ensure conformance to accessibility requirements.

### Tier 2 ROW Permit - Medium Impacts

Tier 2 ROW permits are issued when work is proposed in improved (paved) areas. Street cuts, curb cuts and pavement restoration are anticipated and will be permitted under a Tier 2 ROW Permit. A Tier 2 ROW Permit is anticipated to affect City infrastructure. Most work under a Tier 2 ROW permit can be accomplished without engineered design, with the exception of curb ramps and alley improvements. Engineering design can be

requested by the City depending on the complexity of the improvement. A Tier 2 ROW Permit shall be associated with one tax lot.

A Tier 2 ROW Permit will be required when any of the following, but not limited to the following, are proposed:

- Utility installations (2 – inches or less for water or dry utilizes and six inches or less for sewer) located or partially located within an improved (paved) area within the ROW or within a public easement;
- Street cuts and pavement restoration;
- Curb ramp installation;
- Driveways or alley approaches;
- Street or alley paving that does not propose curbs or stormwater;
- Abandonment of public infrastructure;
- Installation of water services (2 – inches and less) and sewer services; and,
- Boring or other trenchless technology less than one city block or 350 feet whichever is less (will require boring profile).

### **Tier 3 Infrastructure Permit - High Impacts**

Tier 3 Infrastructure permits are issued for complex projects that propose public infrastructure to be accepted and maintained by the City of Bend.

A Tier 3 Infrastructure Permit will be required when any the following, but not limited to the following, are proposed:

- Public infrastructure that will require a Public Facility Infrastructure Agreement (PFIA);
- Franchise utility installations in excess of 350 feet, require more than 3 utility crossings, and infrastructure that is greater than two inches in diameter;
- Public sewer or water main installation (any length) and associated apparatuses (manholes, valves, hydrants, etc.);
- Installation of water/fire sprinkler services over 3-inches;
- Storm infrastructure (i.e., catch basins, sedimentation manholes, drywells, storm pipe, etc.);
- Fire vault installation in ROW or within public easement; and,
- Directional drilling, boring, or other trenchless technologies that require the following but are not limited to:
  - Greater than 350 feet in length;
  - Cross 3 or more utilities (City and Franchise);
  - Cross under bridges or canals;
  - Cross under high pressure gas mains or other utilities of high consequence;
  - Cross under railroad tracks;
  - Cross under rivers or streams; and/or,
  - Require more permit review and inspections than provided in a standard Tier Two permit.

### **Traffic Control Plans**

A Traffic Control Plan (TCP) is required with any proposal that affects vehicle, bike, and/or pedestrian traffic. A TCP is required for special events that are proposed within the ROW and/or that affect traffic. The three levels of traffic control review are as follows:

- **Level 1 TCP** anticipates low impacts to the City system and is typically proposed on a Local roadway;
- **Level 2 TCP** anticipates medium impacts to the City system and is typically proposed on a Collector or Arterial roadway;and,
- **Level 3 TCP** anticipates high impacts to the City system and requires a stamped, engineered plan.

## Required Review Process

### Tier 1 and 2 Permits

- 1) Go to the Online Permit Center Portal, click Engineering & Agreements and select the ROW application type.
- 2) Upload site plan and traffic control plan (if necessary) and complete review process;  
Site Plan requirements:
  - Address(es), parcel numbers, property lines, easements, and streets within the work area and within 150' of work area
  - Scale, north arrow, and legend
  - Location of existing infrastructure (i.e., curbs, driveways, sidewalks, curb ramps, water and sewer mains and laterals, meters, valves, vaults, hydrants, manholes, franchise utilities, power poles, etc.)
  - Location of structures or landscaping within the work area (dwellings, sheds, retaining walls, fences, trees, etc.)
  - Proposed improvements or street cuts
  - Limits of pavement restoration for streets or other infrastructure (i.e., curbs, driveways, etc.)
  - Dimensions showing separation, clearance, length, width, etc. for existing and proposed infrastructure
  - Roadway widths, depths, and centerlines
  - Staging areas
  - Drainage areas
  - Reference applicable City Standard Drawings
  - Contour lines if over 20% slope
  - Erosion control measures (if required)
- 3) Pay permit fees;
- 4) City issues permit and ROW packet with inspection information; and,
- 5) Schedule and complete inspections.

### Tier 3 (Infrastructure) Permits

- 1) Go to the Online Permit Center Portal, click Engineering & Agreements, then select the Infrastructure application type.
- 2) Upload plans. Begin review process;  
Site Plan requirements:
  - Infrastructure plans shall be designed by an engineer and submitted per requirements in the City of Bend Standards and Specifications
- 3) Pay initial permit review fees (based on sheet count);
- 4) Complete review process;
- 5) Pay final fees (inspection fees, document preparation fees, recording fees, etc.);
- 6) Complete required paperwork (easements, PFIA, etc.);
- 7) City will schedule and host a Pre-Construction Meeting;
- 8) City issues Notice to Proceed, permit, and ROW packet with inspection information;
- 9) Schedule and complete inspections;
- 10) City Inspector sign-off;
- 11) Provide 1-year warranty bond and performance bond (if applicable); and,
- 12) City Inspector 1-year warranty sign-off. Fix punchlist items from inspector review and receive warranty bond upon approval.

### Traffic Control Plans (TCP) for Special Events:

If the TCP is for a new special event, it shall be submitted 90 days in advance. If the TCP is for a repeat special event, it shall be submitted 30 days in advance.

- 1) Go to the Online Permit Center Portal, click Engineering & Agreements, then select the Right of Way Application type.
- 2) Coordinate separately with the Licensing Division ([licensing@bendoregon.gov](mailto:licensing@bendoregon.gov)) for Special Event Permit requirements, if applicable.
- 3) Upload traffic control plan and complete review process.

TCP requirements:

- Address(es), parcel numbers, property lines, easements, and streets within the work area and within 150' of work area
  - Overall route and area affected by TCP
  - Scale, north arrow, and legend
  - Street names and widths
  - Location of existing traffic control (i.e., speed limit signs, stop signs, road striping, etc.)
  - Location of traffic signals and description of any proposed modifications (bagging lights, changing to flashing red, etc.)
  - Location of traffic control devices and channelization devices (cones, barricades, advanced warning signs, PCMS boards, etc.)
  - Pedestrian, bicycle, and vehicle detour routes
  - Sidewalk closures
  - Buffering distances
  - Parking areas and parking restrictions
  - Revised traffic lane dimensions
  - Schedule of traffic control devices
  - Location of certified flaggers and/or volunteers/marshals
  - Dates and times the TCP will be implemented (if known)
- 4) Pay permit fees.
  - 5) City issues permit and ROW packet.

For more information, contact Private Development Engineering Department at [engineering@bendoregon.gov](mailto:engineering@bendoregon.gov) or 541-388-5580 ext. 4.