



## Minor Encroachment Applicant Guidance Department of Mobility and Infrastructure 2024

### At a Glance

The Department of Mobility and Infrastructure (DOMI) defines a **Minor Encroachment** as a type of obstruction that is minor in nature, posing little long-term physical impact on the public space and which can be removed with relative ease. Minor encroachments are often desirable or convenient, but not necessary or required for the use and enjoyment of private property. They will be considered for permit by the City where such encroachment does not interfere with the public's safety, convenience, use, or enjoyment of the public right-of-way. They may also be referred to as furnishing permits.

Minor Encroachments include but are not limited to, planters, benches, bike racks, overhead projecting awnings without footers, overhead projecting signs, building or mechanical equipment that project over the right-of-way (ROW), and most fences.

- A Minor Encroachment Plan is required and issued by DOMI. The Encroachment Plan grants permission to the Property Owner or Representative to construct, maintain and use at their own cost and expense a proposed obstruction in the public right-of-way. All Encroachments must adhere to the department's guidelines, unless the applicant requests and receives an exception from DOMI.
- The application process for a Minor Encroachment Plan requires an inspection and review process but does not include City Council action.
- Please see the sections below for special provisions regarding repair or replacement of **existing Minor Encroachments in-kind, outdoor dining and retail platforms, and bike racks.**
- **Where and when to apply:** Applicants should apply for Minor Encroachment permits online through OneStopPGH at least **four to six (4-6) weeks** in advance of the date the Minor Encroachment Plan is needed.

### Required Documents

- A site plan prepared by a licensed professional that shows the location, existing property lines, extent of work within the right-of-way, and all fixtures installed in the ROW (utility poles, street signs, fire hydrants, steps, etc.)
- Property Owners' Certificate of Insurance – listing the City of Pittsburgh as an additional insured in the amounts listed:
  - Public Liability 100,000.00 - \$ 300,000.00
  - Property Damage \$ 50,000.00

### Optional Documents (The DOMI reviewer may require these or additional documents at their discretion dependent on the type and extent of the proposed encroachment)

- A Right-of-Way Improvement Plan.
- Letter from Public Art & Civic Design Commission with notice of approval.
- A letter to the Director of DOMI requesting an exception. Must provide clear justification for why the City's Encroachment specifications and standards cannot be met as well as a proposal for

how all detrimental impacts of the proposed Minor Encroachment will be mitigated. DOMI may require additional supporting documentation.

- Approval from applicable utility companies. Contact DOMI ([domipermits@pittsburghpa.gov](mailto:domipermits@pittsburghpa.gov)) for the most up to date utility list.

### **Information Needed for OneStop Application**

- Applicant name and contact information; Property Owners name (if different from applicant);
- Encroachment location address. If the location does not have an address, a parcel ID can be used.
- In the Description of work section include the following
  - The purpose and type of the obstruction (explaining justification for utilizing the ROW)
  - Exact location of placement; (*ex: On frontage of the building, side of building, over the sidewalk, etc.*)
  - Zoning Plan number if applicable; (*ZDR#*)
- Professional site plan should include dimensions of the proposed encroachment to include the length, width, and height (*if applicable*) of the encroachment and measurements of how far the proposed encroachment will extend into the right-of-way;
- If there is a street tree in the area of work, an additional review by the Forestry Division of the Department of Public Works is required.

### **Fees (*Fees due at time of application submission*)**

- Minor Encroachment Fee:
  - \$250.00
- Record Only Fee: (*for repair or replacement of existing encroachments*)
  - \$200
- Bike Rack Fee:
  - \$25
- Ramps approved as part of the One Step Program, which follow the process contained in 416.11 are exempt from fees.

### **Application/Review Process**

- The applicant must apply via OneStop. Applicants will be notified if the online application is incomplete. Please allow approximately two (2) weeks for this review. DOMI reserves the right to follow up with the applicant to request additional information if needed;
- Encroachments require review by DOMI staff as well as final approval from the Senior ROW Manager. In reviewing the Plan, DOMI may direct design or construction changes to ensure that the Encroachment limits or mitigates – to the extent practicable – any detrimental impacts on the public right-of-way.
- Depending on the scope of the development project, DOMI may conduct an Encroachment Review as part of the site plan review on the zoning application or the ROW Improvement Plan. In these cases, the Encroachment Plan application will be held until the ROW Improvement Plan is approved.
- Encroachments that do not comply with the specifications must request an exception and may require an **additional** two (2) to four (4) weeks for review.

## **Expiration and Extension**

Encroachment Plans do not expire; however, a current insurance policy must be maintained and submitted annually for all types of encroachment plans.

## **Minor Encroachments – Special Provisions**

### **Repair or Replace Existing Encroachments In-kind**

The Department of Mobility and Infrastructure defines existing encroachments as those that are being replaced and/or repaired in-kind. Existing encroachments will not require Council action nor the same level of review by DOMI that is required for new encroachment applications.

***DOMI staff reserves the right to deny the application request as an existing Encroachment and may require a new application.***

- When applying for an existing encroachment please check the “For Record Only” box found on the work scope section.
- Applications must pass staff review to confirm that the scope of work does not constitute a new encroachment or Major encroachment.

### **Bike Racks**

The Department of Mobility and Infrastructure requires a Minor Encroachment Plan for all new and existing bike racks, as outlined in the Pittsburgh Code, *Title Four: Public Places and Property, Article I: Public Rights-of-Way, Chapter 416: Obstructions.*

- All bicycle racks must comply with the standards set forth in the City of Pittsburgh Bicycle Parking Guidelines. Guidelines are provided here: [https://apps.pittsburghpa.gov/redtail/images/12397\\_Bicycle\\_Parking\\_Guidelines.pdf](https://apps.pittsburghpa.gov/redtail/images/12397_Bicycle_Parking_Guidelines.pdf)
- A minimum of five (5) feet of open unobstructed sidewalk must be maintained for pedestrian traffic and must remain available when bicycles are attached to the bicycle rack.
- Multiple bicycle racks may be approved on a single application so long as all rack locations have been submitted.
- If additional bicycle racks are added at a later date, a new permit application identifying their location must be completed.
- Application Fee: (due at the time of submission) \$25.00
- Plan Fee: (due at the time of issuance) \$25.00 per bike rack

### **Outdoor Dining Platforms**

The Department of Mobility and Infrastructure requires a Minor Encroachment Plan for semi-permanent structures such as platforms, barriers, or drainage structures proposed as part of Outdoor Dining and Retail Activity governed by Pittsburgh’s Code of Ordinances §418.01.

- All platforms, barriers, or related structures must comply with the standards set forth in the City of Pittsburgh Outdoor Dining and Retail Guidelines. Guidelines are provided here: [https://apps.pittsburghpa.gov/redtail/images/20085\\_Guidance\\_-\\_ODR\\_-\\_3.0.pdf](https://apps.pittsburghpa.gov/redtail/images/20085_Guidance_-_ODR_-_3.0.pdf)
- Multiple platforms may be approved on a single application so long as all platform locations have been submitted and all are located on the same city block.

- If additional platforms or related structures are added at a later date, a new permit application identifying their location must be completed.
- Required documents include:
  - A site plan prepared by a professional (civil engineer, architect, urban designer, etc) that shows the location, existing property lines, extent of work within the right-of-way, and all fixtures installed in the ROW (utility poles, street signs, fire hydrants, steps, etc.)
  - Property Owners' Certificate of Insurance – listing the City of Pittsburgh as an additional insured
  - Manufacturers specifications for platforms, barriers, and other related infrastructure
  - Letters or emails from utility companies stating approval