



Private Use of County Road Right of Way

(Guidelines for Fences, Landscaping, Signs, etc. Installed Alongside a County Road)

Right of Way permits will not be issued for fences, landscaping and other private use of County road right of way. Such use is allowed, without permit, to the extent that it does not conflict with the dedicated Public Use. Dedicated Public Use includes:

Public Transportation: Public transportation is the priority use of County Road Right of Ways. Public Transportation includes pedestrian access and non-motorized transportation, as well as vehicular traffic.

Public Utilities: Public Utilities have priority over private use.

Any and all private installations are considered temporary use, and may be removed at any time without compensation.

The County Engineer may, at any time, order the removal of any non-permanent structure (such as fences, landscaping or signs), without notice and without compensation to the owner.

Public Utility Franchise holders may, with permit, remove private installations without notice or compensation to owner.

Private installations should conform to the guidelines set forth, below.

Adequate setback:

- 10 ft. minimum setback, from the edge of the travelled way, should be observed to ensure non-interference with adequate sight distance for traffic entering and exiting nearby driveways.
- Fences, signs or other objects should be located outside of the maintained shoulder area – i.e. behind the ditch and/or areas routinely mowed.
- Existing or planned utility installations may affect adequate setback distance. Always utilize the ‘Call Before You Dig’ utility location service (Washington 811). Check with Public Works and/or utility companies for upcoming projects in the area.
- Sidewalks, foot paths, bike trails and other existing or planned non-motorized transportation facilities should be considered. Check with Public Works for upcoming projects in the area.
- Installations along curved sections of road may require increased setbacks to avoid blocking or reducing sight distance for traffic on or entering the County road.

Design considerations:

- The height, width and design of the proposed installation should be evaluated for potential interference with clear sight distance for persons traveling the roadway and/or entering and exiting nearby driveways.
- Installations along a curved section of road, or adjacent to driveway entrances, are particularly problematic for sight distance issues and should be evaluated by Public Works prior to installation.
- Maximum fence height allowed, without permit, is 8 ft. (SJCC 15.04.0700.6.a)

Plan Review

- Reviewing your plans with the office of the County Engineer (Public Works Department) is strongly recommended, prior to installing or making any improvements within the County Road Right of Way.
- County Engineer review can avert a conflict between private use and public use, which could lead to injury to others and/or loss of time, effort and money that you have invested in the project.