

POLICY FOR EXCEPTION FROM, OR ALTERNATIVE TO, THE REQUIREMENTS OF
COUNTY TRENCH REPAIR CONSTRUCTION STANDARDS

- A. APPLICABILITY: THIS PROCESS SHALL ONLY BE AVAILABLE FOR COUNTY-ISSUED ENCROACHMENT PERMITS FOR THE RESTORATION OF PERMITTED EXCAVATIONS WITHIN COUNTY HIGHWAYS, PUBLIC ROADS, OR OTHER RIGHTS-OF-WAY. THIS PROCESS SHALL NOT BE AVAILABLE AS TO ANY OTHER COUNTY CONSTRUCTION STANDARD.
- B. COMPLIANCE: AN ENCROACHMENT PERMIT SHALL NOT BE ISSUED UNTIL THE APPLICABLE CONSTRUCTION STANDARD HAS BEEN MET OR WILL BE MET AS A CONDITION OF SUCH ISSUANCE OR GRANT OF APPROVAL, OR UNLESS THE PROJECT IS RELIEVED OF THE REQUIREMENT OR AN ALTERNATE METHOD FOR MEETING THE REQUIREMENT IS APPROVED IN ACCORDANCE WITH THIS POLICY.
- C. APPLICATION: AN APPLICANT SEEKING EXCEPTION FROM OR ALTERNATIVE TO A SPECIFIC REQUIREMENT OF THE CONSTRUCTION STANDARD SHALL SUBMIT A WRITTEN REQUEST FOR EXCEPTION TO THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (TPW) (SEE PARAGRAPH D). SUCH REQUEST SHALL CLEARLY SET FORTH THE GROUNDS UPON WHICH THE APPLICANT FINDS THAT THE EXCEPTION OR ALTERNATIVE IS JUSTIFIED, WITH SUPPORTING DETAIL OR OTHER INFORMATION DEEMED NECESSARY BY COUNTY. EXCEPTIONS OR ALTERNATIVES MUST BE APPROVED PRIOR TO THE ISSUANCE OF AN ENCROACHMENT PERMIT.
- 4. THAT THE EXCEPTION WILL NOT RESULT IN SIGNIFICANT ADVERSE PAVEMENT IMPACTS COMPARED TO THE STRICT APPLICATION OF THE STANDARD;
- 5. THAT THE GRANTING OF THE EXCEPTION WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND GENERAL WELFARE OR INJURIOUS TO OTHER PROPERTY IN THE VICINITY OF THE ENCROACHMENT; AND
- 6. THAT THE REQUESTED EXCEPTION AND THE PROPOSED EXCAVATION REPAIR DESIGN ARE OTHERWISE REASONABLE.
- F. NOTWITHSTANDING ANY OF THE FOREGOING, NEITHER THIS POLICY NOR ANYTHING HEREIN SHALL LIMIT OR OTHERWISE AFFECT THE ABILITY AND DISCRETION OF THE DIRECTOR OF TPW, AS ROAD COMMISSIONER, TO REQUIRE, WITH REGARD TO ANY ENCROACHMENT, TERMS AND CONDITIONS NECESSARY FOR THE PROTECTION OF THE COUNTY HIGHWAYS, PUBLIC ROADS, OR OTHER RIGHTS-OF-WAY, OR ANY PORTION THEREOF, UNDER APPLICABLE LAWS, INCLUDING CALIFORNIA STREETS AND HIGHWAYS CODE SECTION 1462 AND SONOMA COUNTY MUNICIPAL CODE SECTION 15-9.

EXCLUSIONS: EXCEPTIONS OR ALTERNATIVES WILL NOT BE CONSIDERED FOR EXCAVATIONS IN THE FOLLOWING:

- 1. COUNTY-CLASSIFIED ARTERIAL AND COLLECTOR ROADS;
- 2. ANY ROAD HAVING A SURFACE TREATMENT THAT IS LESS THAN FIVE (5) YEARS OLD;
- 3. SEGMENTS OF ROADS AND STREETS HAVING AN ENGINEERED STRUCTURAL SECTION AND A PAVEMENT CONDITION INDEX (PCI) GREATER THAN 25.
- D. PROCESSING: APPLICATIONS FOR EXCEPTION OR ALTERNATIVE SHALL BE SUBMITTED TO THE TPW PRIOR TO SUBMITTAL OF PLANS TO THE ENCROACHMENT SECTION AT PERMIT SONOMA (PRMD). APPLICATIONS MAY BE SUBJECT TO PAYMENT OF APPLICABLE FEES. THE AUTHORITY TO APPROVE, APPROVE WITH CONDITIONS OR DENY THE APPLICATION SHALL BE AT THE DISCRETION OF THE DIRECTOR OF TPW (OR DESIGNEE), WHOSE DECISION SHALL BE FINAL.
- E. FINDINGS FOR APPROVAL: NO EXCEPTION OR ALTERNATIVE MAY BE APPROVED UNLESS THE FOLLOWING ARE DETERMINED TO THE SATISFACTION OF THE DIRECTOR OF TPW:
 - 1. THAT THE STRICT APPLICATION OF THE STANDARD WILL, DUE TO SPECIAL CIRCUMSTANCES OR CONDITIONS, CREATE AN UNDUE HARDSHIP OR WOULD BE OTHERWISE EXCESSIVE;
 - 2. THAT THE PROPOSED PAVEMENT REPAIR IS SUITABLE FOR THE PRESERVATION OF THE ADJACENT PAVEMENT;
 - 3. THAT, IF AN ALTERNATIVE IS PROPOSED, THE DESIGN, MATERIAL, METHOD OR WORK PROPOSED IS, FOR THE PURPOSE INTENDED, EQUIVALENT OR SUPERIOR TO THE STANDARD;

COUNTY OF SONOMA DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS		
EXCEPTION TO STANDARD DETAILS		
DATE: NOV 2018 REV.	SCALE: NONE	DRAWING NO. 219E