



## **CITY OF PALOS VERDES ESTATES RIGHT-OF-WAY**

### **FREQUENTLY ASKED QUESTIONS (FAQs)**

The City of Palos Verdes Estates is a unique community with 29% of land within the City limits designated as “Parklands.” Often indistinguishable from the Parklands are “rights-of-way” that includes “parkways,” paths, alleys, and roadways. The definition and allowed uses of “rights-of-way” can be confusing and thus, this is to answer frequently asked questions about what is permitted within the right-of-way and process for obtaining approval (encroachments or variances) to exceptional uses. Residents are encouraged to speak to City representatives if there are any questions and/or to receive guidance to address particular situations. More information can be obtained by email to [PublicWorks@pvestates.org](mailto:PublicWorks@pvestates.org) or calling the Public Works Department at (310) 378-0383. Right-of-way permits and staff assistance will be available Monday through Friday from 8:00 a.m. to 10:00 a.m.

#### **What is right-of-way?**

Right-of-way is property such as public easements or public property that are used for streets, alleys or other public purposes. Right-of-way includes but is not limited to hardscape (i.e. driveways/sidewalks/walkways), streets, curb/gutter, alleyways, or landscape adjacent to private property also known as the **Parkway**. Note the right-of-way is not just the paved portion in front of your property. It is the entire width from your private property line to the private property line across the street. In addition, right-of-way is often the pathways between homes from one street to another. (PVEMC - 12.04.010 (F))

#### **What is parkway?**

Parkway is the strip of property within the right-of-way between the private property line and the curb or street. It is the portion of the public right-of-way other than that reserved for vehicular travel or a sidewalk.” (PVEMC – 10.04.080)

Parkway may be utilized for public utilities, planting, pathways and other City approved improvements.

### **What is the size of the parkway?**

The size of the parkway varies throughout the City. For the specific width of a parkway adjacent to a particular address, please email or call the Public Works Department.

### **Is the pathway between two homes considered right-of-way?**

Most pathways between two homes from one street to another are located within right-of-way. In order to verify the classification of a particular pathway, please email or call the Public Works Department.

### **Who is responsible for maintaining the parkway?**

It is the responsibility of the property owner adjacent to the parkway in front of their home to maintain all shrubs, lawns, and groundcovers. This excludes the maintenance (trimming/removal) of City planted trees. The City trims trees in the parkway on a regular schedule. If you would like further information on the City's trimming schedule, please contact the City Forester at (310) 378-0383 or [trees@pvestates.org](mailto:trees@pvestates.org). All plants, shrubs, and groundcover planted in the parkway may not exceed 30 inches in height. Prior to planting in the parkway, please email or call the Public Works Department. (PVEMC - 12.16.060 & 12.24.070)

### **Can I park a vehicle in the right-of-way or in the parkway?**

No, all vehicles that are visible from the street are required to be parked on paved driveways or approved parking areas. Parking is not permitted in areas of the front and side yards that do not have concrete or asphalt and have not been previously approved as parking areas. (PVEMC 10.40.120)

Parking pads located in the parkway that have been installed prior to the adoption of Ordinance 230-1 (1965) have been granted grandfathered status but must remain in good condition.

Parking is allowed on all designated driveways as approved by the Building and Public Works Department and on paved street right-of-way where there are no posted restrictions or markings. (PVEMC – 10.40.030)

### **Can I construct a parking pad on parkway?**

In order to construct a parking pad on parkway, a resident must first obtain Planning Commission and City Council approval. To request approval, you will need to submit a "Miscellaneous Application" to the Planning Department.

Please click on the following link to view and print the application: <http://www.pvestates.org/Modules/ShowDocument.aspx?documentid=361>

If you have any questions regarding this process, please contact the Planning Department at (310) 378-0383 or email: [planning@pvestates.org](mailto:planning@pvestates.org).

### **What is allowed in the parkway?**

- Irrigation System for Plantings  
Please note, the City prohibits irrigation overspray or runoff onto public streets.  
(PVEMC: 18.50.090 (B))
- The planting of shrubs, plants, and groundcover that does not exceed 30 inches in height  
No hedges shall be planted in the parkway.  
(PVEMC: 12.16.060)

City approval is not required for these improvements.

### **Can I excavate/grade soil in the right-of-way/parkway?**

In order to excavate/grade soil in the right-of-way, approval must be given by the Public Works Department and an Excavation Permit must be obtained prior to commencing any such activity.  
(PVEMC – 12.12.020 & 12.24.070)

If you have any questions regarding the City’s permitting process, please email or call the Public Works Department.

### **Can I plant, trim, or remove a City tree in the parkway?**

Only with permission from the City. The planting of trees in the parkway is typically done by the City when requested by the adjacent property owner. Such a planting is at no charge to the resident. The trimming of trees is performed by City crews to remove dead or dangerous branches. If you would like to “lace” or shape a City tree, a no-fee permit is required and the work must be per City standards. The removal of a tree can only be done by the City or by a resident after obtaining permission from the Parklands Committee per the City’s Tree Management Policy. To be on the agenda for the Parklands Committee to consider a tree removal, an application form is necessary. The application can be obtained at <http://www.pvestates.org/Modules/ShowDocument.aspx?documentid=424> and/or please call the City Forester at (310) 378-0383 or email [trees@pvestates.org](mailto:trees@pvestates.org).

Please click on the following link to view the City’s Tree Management Policy:  
<http://www.pvestates.org/Modules/ShowDocument.aspx?documentid=423>

### **Can I place my trash cans in the parkway or pathway within the right-of-way?**

No, the City prohibits the placement of refuse containers adjacent to the street, on pathways, or on City Parkland, even on collection day. The ordinance requires that the containers be kept in a concealed trash area on the property where the City’s approved refuse hauler retrieves them and returns them after emptying. (PVEMC - 8.16.090(A))

## **What happens if there are structures in the right-of-way (including parkway or pathway)?**

Enforcement is performed as the City is made aware of non-permitted installations and blockages in the right-of-way including parkways and pathways. (PVEMC – 12.04.060) These types of non-permitted installations include but are not limited to:

- Walls, Fences, and any Above Ground Structures
- Lighting Installation of any kind
- Sidewalks/Walkways (parallel to the curb)
- Nonstandard Driveway/Apron
- Nonstandard Parking Pads, Curbs, and Hardscape

If you have any questions regarding what you can or cannot install in the right-of-way, please email or call the Public Works Department.

If you have concerns regarding non-permitted installations in the parkway or pathway, please call the Code Enforcement Officer at (310) 378-0383 or email: [jmendoza@pvestates.org](mailto:jmendoza@pvestates.org)

## **What types of structures are allowed in the parkway or pathway within the right-of-way?**

- Mail boxes that are installed per Public Work Standards are allowed in the parkway. A no fee permit is also required. Please click on the following link to view the City's Public Works Standards and no fee permit for mailbox installations: <http://www.pvestates.org/Modules/ShowDocument.aspx?documentid=395>
- Structures and mechanical equipment that are utilized by public utility companies, which have been installed and approved by the Public Works Department, are allowed in the parkway or pathway.
- Encroachments that have been approved by the Public Works Department. (PVEMC – 12.04.020)

## **What is an encroachment?**

“Encroachment” means privately owned improvements, facilities or structures, including without limitation any post, sign, pole, fence, deck, building, tree (unless permitted pursuant to PVEMC [12.16.030](#)), pipe, cable, drainage facility, septic system, or recreational facility, in the public right-of-way or on other public property, constructed and maintained by the property owner. (PVEMC: 12.04.010 (B))

Residents are not permitted to encroach onto City right-of-way with any type of improvement without a permit. (PVEMC – 12.04.020) A Public Works Encroachment Permit is required for any work performed in the right-of-way/parkway. One can be obtained through the Public Works Department at City Hall. Encroachment permits must be obtained in person during the Public Works Inspector's counter hours of 8 a.m. to 10 a.m. Monday – Friday. For directions to City

Hall, please call (310) 378-0383 or click on the following link:  
<http://www.pvestates.org/index.aspx?page=39>

### **Why do I need a Public Works Encroachment Permit?**

Because right-of-way is City property; certain improvements are not allowed without first obtaining City approval. These restrictions are necessary to provide adequate sight distance for vehicular traffic and to minimize hazardous conditions. A Public Works Encroachment Permit must be issued before construction in the right-of-way may begin.

### **What improvements in the right-of-way/parkway require a Public Works Encroachment Permit?**

- Standard Driveway/Apron
- Standard Walkways
- Curb and Gutter Construction/Repairs
- Curb Core Installation
- Any Type of Construction in the Public Street
- New/Replacement Mailboxes

### **What improvements in the right-of-way/parkway require Planning Commission and City Council approval as well as a Public Works Encroachment Permit?**

- Walls, Fences, and any above Ground Structures
- Lighting Installation of any kind
- Sidewalks/Walkways (parallel to the curb)
- Nonstandard Driveway/Apron
- Nonstandard Parking Pads, Curbs, and Hardscape

### **How much does a Public Works Encroachment Permit cost?**

It will vary based on the scope of the project. Please click on the following link to view the City's Public Works Permit Fees.

<http://www.pvestates.org/Modules/ShowDocument.aspx?documentid=307>

### **Where does the right-of-way/parkway begin and end?**

The attached diagram illustrates a typical street right-of-way and parkway layout in Palos Verdes Estates. For the specific width of a parkway adjacent to a particular address, please email or call the Public Works Department.