

# Right-of-Way Occupancy Permit

A Right-of-Way Occupancy (ROCC) Permit, previously referred to as a Street Occupancy Permit (SOP), is a provision of Tacoma Municipal Code (TMC) 9.08 Street Occupancies. It is a permit that allows for private use of the public right-of-way.

## RIGHT-OF-WAY (ROW)

Public right-of-way includes the traveled portion of the public streets and alleys, as well as the border area, which includes, but is not limited to, any sidewalks, planting strips, traffic circles, or medians. The location of the property line and the edge of the ROW vary from street to street and often times are not related to the placement of the sidewalk.

The City's DART map can be used to determine the general location of property lines:

<http://tacomapermits.org/projects/maps>

If a survey is submitted as part of the ROCC Permit request, the City will defer to the property line as shown on the survey.

## PERMIT TYPES

### RESIDENTIAL

**Located in the Right of Way adjacent to a single family residence or duplex.**

Includes structures such as fences, retaining walls, and lateral utility connections, and **garden activities** like planting vegetation, installation of hardscape landscaping elements (e.g. pavers, raised beds) that conform to the Public Works Design Manual in the right-of-way.

### COMMERCIAL

**Located in the Right of Way adjacent to a triplex, multi-family unit, or commercial building.**

Includes commercial structures such as fences, retaining walls, and lateral utility connections, and can also allow for long term temporary uses to extend past the 90 day RUSE permit duration limitation.

### SIDEWALK CAFÉS

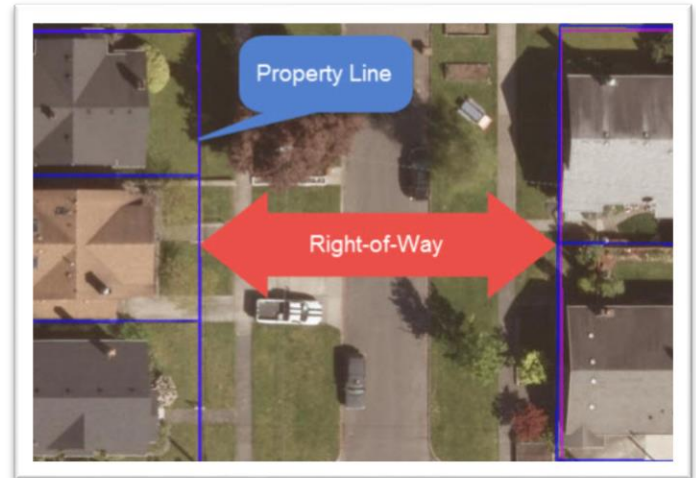
See *Sidewalk Café Tip Sheet*: [Temporary](#) or [Permanent](#)

### GROUNDWATER MONITORING WELLS

**Wells designed to monitor subsurface water.**

### AMENDMENTS

Amendments are processed as new permit submittals. Any change of scope or permit area is subject to review.



## ADDITIONAL CONSIDERATIONS

### RELEASE

Since the ROCC Permit process includes a recorded Notice on Title, a release of the ROCC Permit is needed to clear the title when the permit is no longer relevant to the site (i.e. improvement has been removed).

- The release must be requested by applicant
- A site inspection is required
- An additional recording fee required
  - Normally subtracted from *Use fee* prior to prorated refund.
  - Required if no *Use fee* was charged.

### ASSIGNMENT

Any change of ownership would require an assignment document recorded with the county confirming the new owners accept the previous contractual terms.

- Certificate of Insurance would be required
- Signed and Notarized Assignment document required
- Recording fee required

### FEES

For a permit fee estimate, use our [Fee Estimator](#).

Pierce County recording fees are updated annually and posted on the Pierce County website:

<http://www.piercecountywa.org/2243/Recording-Excise-and-Map-Fees>

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## SITE PLAN & DRAWING REQUIREMENT

### Site plan

- Label plan with address and/or parcel number
- Label all parcel lines and corners in bold black
- Draw to scale (1"=20' is typical)
- Include north arrow
- Describe the location, use, and square footage of the area(s) to be occupied
- Label distance between proposed and existing structures
- Label required setbacks from property lines for proposed structures
- Include significant grade changes and known wetlands
- Include driveways, parking, and other paved/graveled areas.

### Drawings

- Provide a clear representation of the projected external appearance of the finished project.
- Provide material specifications, where applicable.
- Label with proposed dimensions.
- Provide any additional information requested by plan reviewer

## CERTIFICATE OF TITLE

Provide Proof of Ownership (deed, title report) and property owners authorization in the following circumstances:

- Premises If the Pierce County Auditors website does not show the current owner information.
- For a subsurface use of the right-of-way, such as an an areaway, fuel opening, sidewalk elevator or door.

## INSURANCE REQUIREMENT

A Certificate of Insurance (COI) will be required prior to completion of the permit review process. It is not a requirement with the initial submittal of the ROCC application, but providing it with the initial submittal of the application may help expedite the review process.

## RESIDENTIAL (SINGLE FAMILY / DUPLEX)

Applicant shall provide proof of homeowner's liability insurance of a limit not less than \$500,000.00.

Occupancy permits require an annual review of the insurance to confirm the coverage and limits are active and meet the requirements. Renewal and termination notices can be sent directly from the insurance provider to the following address:

**City of Tacoma**  
**Planning and Development Services**  
**747 Market Street, Room 345**  
**Tacoma, WA 98402**

## COMMERCIAL

The insurance policy shall:

- Name the City of Tacoma as an additional insured, written as: *City of Tacoma, Planning and Development Services, 747 Market Street, Room 345, Tacoma, WA 98402*
- Apply as primary insurance, regardless of any insurance that the City may carry;
- Include a "cross-liability" (severability of interest) clause; and
- Include limits of protection of not less than \$500,000.00 combined single limit, bodily injury and property damage. It is to be understood and agreed that the obligation to permittee to hold harmless the City from claims for damages arising out of the operations related to the permit shall not be limited to the amount of insurance provided by the permittee. The commercial required limits are \$1 million each occurrence, \$2 million aggregate.
- The insurance policy shall further contain a clause obligating the company issuing the same to give notice to the City of Tacoma 30 days before the cancellation of said policy.
- Permit number must be included in the description of the Certificate of Insurance (*example: ROCC17-XXXX*).



*Note: This Tip Sheet does not substitute for codes and regulations.*

*The applicant is responsible for compliance with all codes and regulations, whether or not described in this document.*

**More information: City of Tacoma, Planning and Development Services | [www.tacomapermits.org](http://www.tacomapermits.org) (253) 591-5030**

To request this information in an alternative format or a reasonable accommodation, please call 253-591-5030 (voice).

TTY or STS users please dial 711 to connect to Washington Relay Services.