



Chattanooga Department of Transportation
Temporary Use of Right-of-Way - Application Instructions

Chattanooga City Code Sec. 32-44.

It shall be unlawful for any person to place an obstruction on or over any City right-of-way, property, or dedicated right-of-way on any recorded plat unless such person has obtained a temporary use permit from the City. Applications for such permits shall be made to the Transportation Department along with a non-refundable application fee of One Hundred Ten Dollars.

Department: Chattanooga Department of Transportation
 Development Resource Center (1250 Market Street, Suite 3030 Chattanooga, TN 37402)
 Contact: "MIKO" Mikus (smikus@chattanooga.gov or 423.643.6366)

Instructions

If applying to use an alley or unopened right-of-way, complete the Temporary Use of the Right-of-Way - Alley application. For all other uses of the right-of-way, complete the Temporary Use of the Right-of-Way - General application. Both applications are available on the CDOT website or by contacting CDOT to request a copy.

Return the appropriate application to CDOT with the following materials:

1. Original, signed form
2. \$110.00 processing fee
 - o Processing fee may be paid by check, money order, or credit card. Make any checks payable to the City of Chattanooga.
3. Confirmation of public notification (if required)
4. Map and/or site plan showing locations of the requested rights-of-way
5. All relevant design drawings that depict the locations of the proposed work. Please include dimensions and elevations detailing any objects and their sizes, as well as their proximity to other nearby features such as back of curb, tree wells, street lights, etc. The following table indicates frequently requested Temporary Uses and the materials typically needed to complete and expedite our department's review process:

TEMPORARY USE	SITE PLAN	ELEVATIONS	DETAILS	OTHER
Building Projections: Canopies, Signs, Balconies	■	■	■	
Sidewalk Cafe	■	■		
Landscape Enhancements, Irrigation Systems, or General Beautification	■			Proposed materials, specifications
Sculptures	■		■	
Banners	■		■	
Alleyways and Unopened Rights-of-Way: Improvements for Public Access	■			Site photos, other information

Note: New construction within the right-of-way, such as building footings, retaining walls, fire escapes, stormwater facilities, grease traps, or similar uses, are generally not appropriate features to include under a Temporary Use. Please contact CDOT prior to submitting application materials for those uses to determine if a Temporary Use or other permit is appropriate.

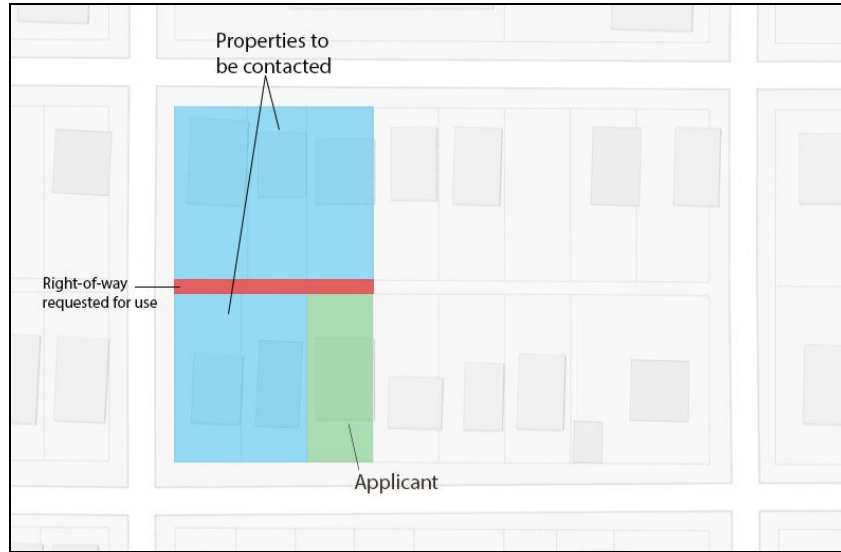
Processing of Temporary Use applications is typically completed within 6 weeks from the time the application is received by CDOT. If permit is approved, CDOT will provide applicant with the approved permit and all conditions that must be met.



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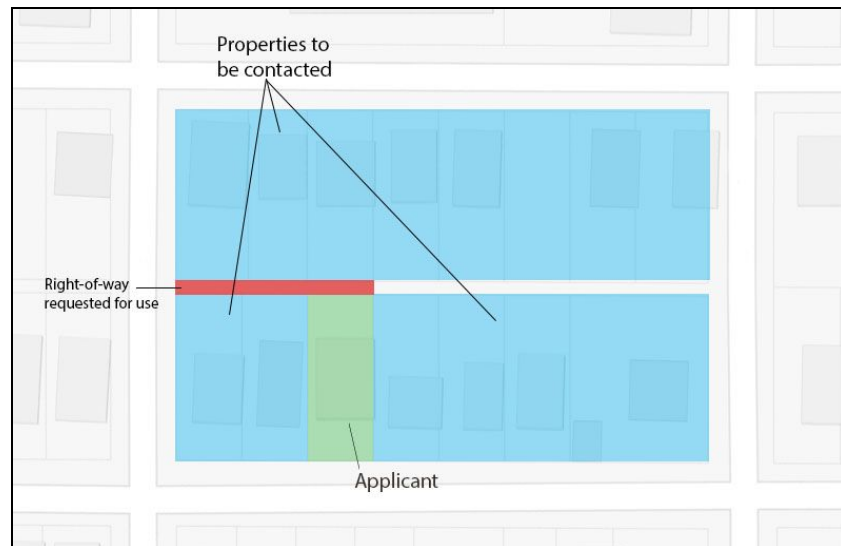
If completing the Temporary Use of the Right-of-Way - Alley application, notification of adjacent properties is required.

1. If requesting access to an alley or unopened right-of-way that will maintain public access to the right-of-way, applicant must contact all property owners or tenants of the properties adjacent to the right-of-way to be used. See page three of the Temporary Use of the Right-of-Way - Alley application.



Properties to be contacted, if public access will be maintained

2. Temporary use permits are generally not allowed for use or alterations of the right-of-way that will limit or prevent public access to the right-of-way. They may be considered if the applicant provides the written consent of property owners for all properties adjacent to the entire length of the right-of-way. Property owners must acknowledge that they approve of the request and have no present interest in the right-of-way.
 - o Please note: future conflicting interest from a neighboring property owner may be cause for revocation of the temporary use permit.



Property owners that must approve of use, if public access will not be maintained



Frequently Asked Questions

Q: Where can I obtain an application form?

A: An applicant can obtain an application form on the CDOT website or by contacting CDOT to request a copy.

Q: Who is the agent, applicant and property owner?

A: The applicant is the person submitting the paperwork for approval to CDOT and the property owner is the person that owns the property that will host the temporary use (i.e., building face that an awning or sign will attach). When the property owner is not applying for a permit directly, the property owner documents permission to the applicant ("agent") to apply for the permit. The applicant and agent are the same person when a permit is not submitted by a property owner. The applicant and property owner are the same person when the property owner submits a permit for temporary use.

Q: What is required for submission?

A: Generally, the applicant needs to communicate and describe the location of the right-of-way to be used and the proposed use (i.e. location of the temporary use and what are you doing). The applicant should include any special conditions (alley shared among neighbors, substantial changes in elevation, etc.) so the CDOT staff reviewing the application is familiar with the context of the public space.

Q: How will I know if my application is approved?

A: If approved, CDOT will contact the applicant in writing with the approved permit and all conditions required by the Department.

Q: I would like to improve an unopened alley or right-of-way for secondary access to my property. Is anything beyond a map, site plan and photos required?

A: Yes, adjacent properties must be notified. See page two of the Temporary Use of the Right of Way Instructions and page three of the Temporary Use of the Right-of-Way - Alley application.

Q: May I obtain a temporary use permit to utilize an unopened alley or right-of-way for primary access to my property?

A: This would not be an appropriate use of the temporary use permit. Temporary use permits may be granted to permit the improvement for public access of unopened alleys and rights-of-way for secondary access to properties, however primary access must be gained from a public or private roadway.

Q: May I obtain a temporary use permit for installing neighborhood or civic event banners?

A: Yes. Please refer to the CDOT banner policy. Banners shall be attached only to traffic signal poles or wooden utility poles with permission from the utility. Banners shall not be installed on street light poles.

Q: Can Temporary Use Permits be revoked? Is yes, how?

A: Yes, temporary use permits can be revoked if future conflicting interest in the right-of-way arises or conditions of the permit approval are not met. As stated on the application, the Temporary User shall vacate the property and temporary use upon thirty (30) days notice from the City to do so. The Temporary User shall restore the property to substantially the same condition that existed.

Other general information about CDOT and its policies and goals:

The Transportation Department aims to make efficient transportation viable for all commuters – cyclists, pedestrians, transit users and motorists while enhancing multi-use public spaces for all people.

City of Chattanooga Right-of-Way (ROW) and Abandonment Policy statement on Public ROW: ROW are a public resource and an integral element in shaping the community that allow access and serviceability and shape neighborhoods, commercial and industrial area. It is the intent of Chattanooga to retain ROW for public use.