



License Agreement Application Form

PLEASE NOTE:

- [Effective February 16, 2010 - License Agreements within the downtown Boise area for public structures, objects and uses on ACHD sidewalks will now be considered through the City of Boise per the Master License Agreement between the Ada County Highway District and the City of Boise. Please reference the attached map to determine the area this agreement applies to. If within this area please contact the Deputy City Clerk at 208-384-3710. Otherwise proceed with this application for all other requests.](#)
- [License Agreements will NOW be recorded. Please reference the "ACHD Legal Description Requirements" at the end of this application.](#)

(License Agreement is required when a party wants to make changes/improvements to Ada County Highway District Right of Way or Easement areas)

Development File Number:	
Subdivision Name:	Phase:
Subdivision Location:	
Developer/Applicant:	
Homeowners Association Name:	

A License Agreement cannot be issued until after Development Services has reviewed and approved the construction plans. Please refer to the *License Agreement Application Checklist* for a detailed list of what is required. The Applicant shall contact Construction Services at 387-6280 to obtain a construction permit and contact DigLine, Inc. at 342-1585 prior to any construction.

- Private Residential License Agreement** (a single homeowner living at a residence wishing to make changes/improvements to the right of way) includes a \$25.00 application fee.
- Development Related License Agreement** (When developer/ owner(s) wish to put in decorative features and non-road-related improvements to ACHD right-of-way and/or easements as associated with a subdivision with new roads and frontage improvements) includes a \$200 application fee **per phase**.
- Commercial Development License Agreement** includes a \$150.00 application fee. (When property owners wish to put in decorative features and/or non-road-related improvements within ACHD right-of-way and/or easements and there are improvements to the existing roadway).
- Commercial Rental License Agreement** to occupy for commercial purposes (parking, structures, sidewalk cafes, Etc.) Includes a \$200.00 application fee, with an annual fee of \$200.00 *plus* an annual fee of 10% of the assessed (Ada County Assessor Rolls) land value per square foot multiplied by the square footage of the commercial area. *Example: Annual fee = \$200.00 + (0.10) (\$25/SF) (120 SF) = \$400.00.* Additionally, sidewalk café licensees shall submit a copy of their insurance certificate, with ACHD to be named as additional insured, with minimum insurance coverage of \$1,000,000.00. **Commercial Advertising Signage will not be permitted within the public Right of Way.**
- Development Related License Agreement** for a private party to discharge into an ACHD storm drain system includes a \$300.00 application fee, with an annual \$500.00 fee.
- Commercial License Agreement to install a ground monitoring well** within ACHD Right of Way to monitor hazardous waste seepage into the water system includes a \$100.00 application fee, with an annual fee of \$300.00 per ground monitoring well site.
- License Agreement to install and use private utilities** includes a \$100.00 application fee, with an annual fee of \$3.00 per linear foot or \$300.00, whichever is greater. Applicant is required to maintain an active membership with Digline, Inc.

Fill in the requested information:

Licensee Name(s) (include husband & wife if applicable):
Mailing Address:
Phone Number:
Name to appear on Signature Line:
Title of person signing Agreement:

<i>Contact Information (Individual/Company processing the application, if different from the Licensee)</i>
Contact Name:
Company:
Email Address:
Contact Phone Number:

(1) Location of the public right of way and/or Ada County Highway District Easement requested for use (general vicinity drawing including adjacent streets and/or alleys, indicate the property and provide the **parcel number and/or street address**):

(2) Description of intended use of the public right of way and/or Ada County Highway District Easement (i.e. landscaping, signs, sidewalk café, fencing, fiber optic cable, etc. - be detailed). **For landscaping, see ACHD's Tree Planting Policy:**

(4) List type of **material(s)** being used (i.e. vinyl or cedar fencing; Basalite or concrete retaining wall; brick paver or concrete walkway, etc.) and **measurements**, as applicable (i.e. height of fence, retaining wall; linear feet of fence, wall; slope of berm (rise/run); etc.)

(6) If the License Agreement is to operate a **Sidewalk Café**, list the number of tables and chairs, and the exact dimension of the café area located within the public right of way (Applicant is to maintain a minimum 5-foot pedestrian pathway):

(7) If License Agreement is for a **Monument Sign**, include the dimensions of the sign. *Also include a picture or drawing of the proposed sign and sign base/post.*

(8) Other information the applicant may wish to provide:

PLEASE ALLOW 3 WEEKS PROCESSING TIME

PLEASE NOTE:

- All License Agreements must be signed by the Licensees, or their representatives, and by ACHD Right-of-Way Supervisor, **before** the Agreement is in effect or any construction may start.
- License Agreement applications are generally processed in the order they are received.
- There are separate guidelines for the placement of Real Estate and Political Signs on ACHD Right-of-Way. Please contact Construction Services for these guidelines at 208-387-6280.

License Agreement Checklist:

Description	Staff (√)
<ul style="list-style-type: none"> • Provide One (1) Copy of 11" X 17" Scalable Approved ACHD Civil Plans. 	
<ul style="list-style-type: none"> ➤ Legal Description: Metes and bounds for new subdivisions only. Not required for existing parcels. 	
<ul style="list-style-type: none"> ➤ Final Plat 	
<ul style="list-style-type: none"> ➤ Vicinity map showing the location of the subject property (If this is a phased development, show this phase in relation to previously approved phases) 	
<ul style="list-style-type: none"> ➤ Landscape plans must be an accurate representation of the ACHD approved Civil Plan (include curb, gutter, sidewalk and ped ramp configuration). ➤ Provide One (1) Full Size 24" X 36" Scalable Landscape Plan & ➤ Provide One (1) 11" X 17" Scalable Landscape Plan, to include the following: <ul style="list-style-type: none"> • Show ACHD approved Storm Drain System (include pipe, catch basins, sand and grease traps, man holes, outlets, infiltration areas) to insure proper landscape offset in these areas. • Show 40' Sight Triangle at all "T" intersections • Show Classification of trees • Identify species of all plantings & show method of planting: specific to classification of trees, foliage items. • Include the following note to the face of the landscape plan: <i>"Trees shall not be planted within the 10' clear zone of all ACHD Storm Drain pipe, structures, or facilities."</i> • If seepage beds are located within a common lot where irrigation lines will be installed, include the following note to the landscape plan: <i>"Seepage beds must be protected from any and all contamination during the construction and installation of the landscape irrigation system."</i> 	
<ul style="list-style-type: none"> ➤ Provide Detail for Decorative Concrete (If applicable) 	
<ul style="list-style-type: none"> ➤ Provide Pond Cross Section (if applicable – ACHD stamped and approved Civil Detail): <ul style="list-style-type: none"> • Must match ACHD approved Civil Plan • Trees planted on pond embankments must be located above the high water line. • Maintenance access approaches CANNOT be obstructed with trees or other vegetation. • Pond infiltration areas shall remain exposed filter sand. 	
<ul style="list-style-type: none"> ➤ Provide ACHD stamped and approved Pressure Irrigation Plan from Civil Drawings. 	
<ul style="list-style-type: none"> ➤ Copy of lead agency/city authority tree planting permit or work order 	

ACHD TREE PLANTING POLICY

License Agreement: New Subdivision and Commercial Developments

ACHD allows landscaping within the public right-of-way through a license agreement pursuant to Section 4003.2. of the ACHD Policy Manual. An applicant desiring to place landscaping, including the planting of trees, within the public right-of-way or ACHD easement shall submit an application for a license agreement to the Right-of-Way or Development Services Department for review and approval. Any variance from these policies must be requested in writing and submitted with the license agreement application for approval. In addition, the applicant must comply with requirements of the lead agency/city authority that may have additional planting requirements and/or permits for trees or other landscaping within the Public Right-of-Way. Exceptions for City adopted streetscape plans that conflict with these standards will be evaluated on a case-by-case basis.

Approved Tree Species

The Boise Tree Selection Guide is adopted as ACHD's list of approved and prohibited plant materials. For information about the tree selection guide, contact Boise City Parks & Recreation. Contact Information: 208-608-7700 or www.cityofboise.org/forestry

Placement of Trees

Offset:

1. Class I, II, and III trees shall be placed to provide a minimum five foot (5') offset from the edge of curb (when no sidewalk exists) and/or sidewalk when the sidewalk is attached. (See Figures 1 and 2.)
2. For detached sidewalk, center trees within planter strip.

Planter Widths:

1. Class II trees shall be allowed within planters with a minimum width of eight feet (8'). (See Figure 1.)
2. Class I and III trees shall be allowed in planters with a minimum width of ten feet (10'). (See Figure 2.)

Tree Spacing (See Figure 3.)

1. Class I recommended spacing is twenty to thirty feet (20'-30').
2. Class II recommended spacing is thirty to forty feet (30'-40').
3. Class III recommended spacing is forty to sixty feet (40'-60').
4. Longitudinal and circular islands shall conform to Tree Spacing Requirements.
5. Any deviation from this spacing requires approval from the lead agency/city authority.

Sight Distance / Sight triangle (See Figure 3.)

1. No trees are allowed within the forty foot (40') sight triangle (measured from the back of curb or edge of pavement if no curb and gutter). ACHD may consider, on a case by case basis, written variance to this restriction with condition that the Licensee shall provide an acceptable pruning management plan.
2. No vegetation or obstructions (i.e.: monuments, berms, structures, fencing) taller than three feet (3') at maturity are allowed within the sight triangle. ACHD may consider, on a case by case basis, written variance to this restriction with regards to fencing, with the condition that there are no or *limited* vertical elements to the fencing (i.e. barbed wire, horizontal cable fencing, etc.).
3. No trees are allowed within fifty feet (50') on the approach side of any stop controlled intersection.

Clearance Requirements

1. Only Class I trees may be planted under or within fifteen lateral feet (15') of any overhead power line.
2. There is a minimum of fourteen feet (14') vertical clearance from the gutter pan to the tree canopy.
3. There is a minimum of eight feet (8') vertical clearance from the sidewalk to the tree canopy.
4. Coniferous trees are not allowed within ACHD Right-of-Way or within islands.

Storm Drain Facility Requirements

1. Tree planting of any type shall be prohibited within ten feet (10') of any seepage bed or sand filter facility, structures, piping systems, fire hydrants, or utility boxes.
2. The trunk of tree must be offset a minimum of ten feet (10') from the edge of seepage beds.

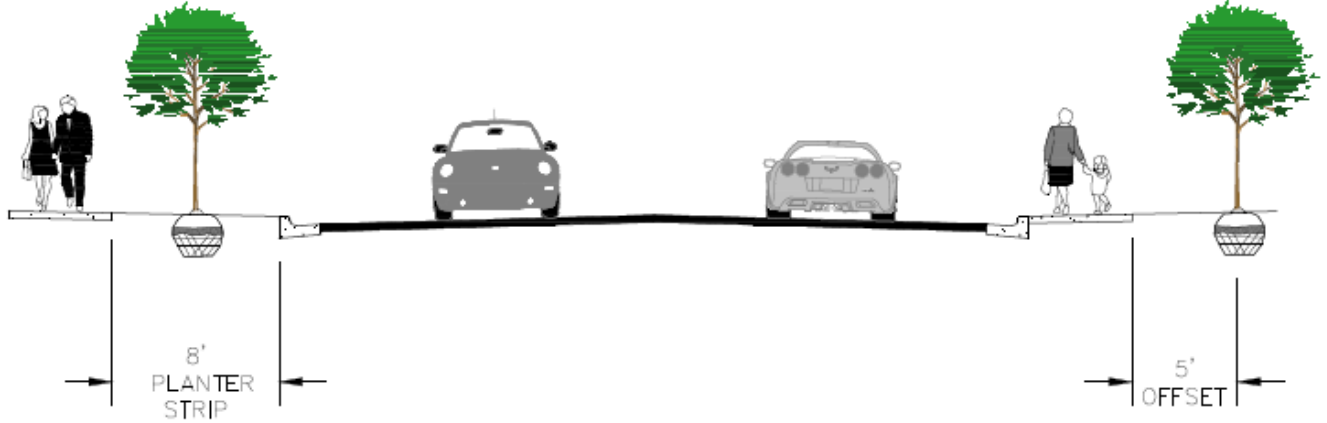


FIGURE 1: CLASS II TREE PLANTING DETAIL: 8' PLANTER STRIP

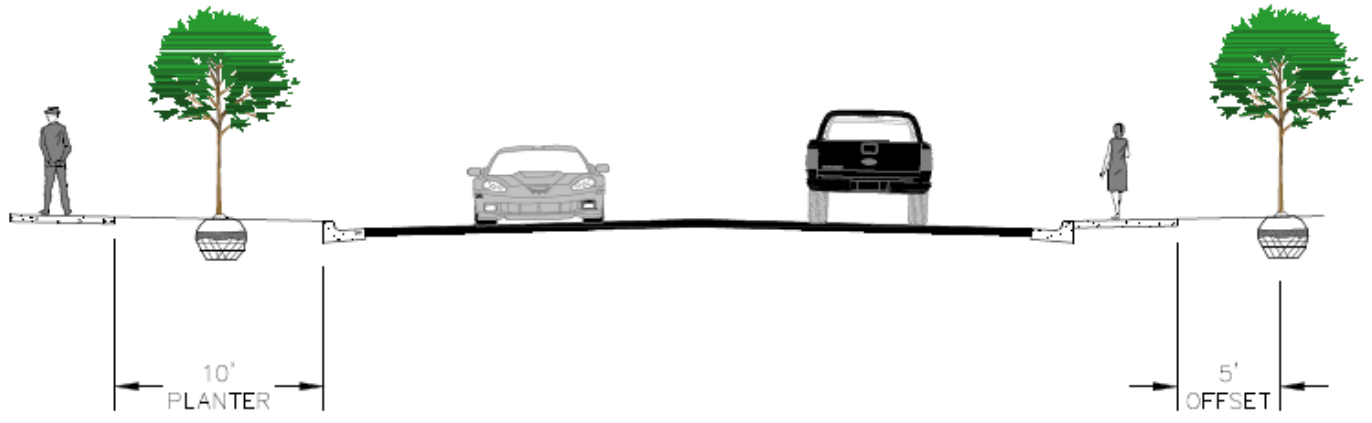
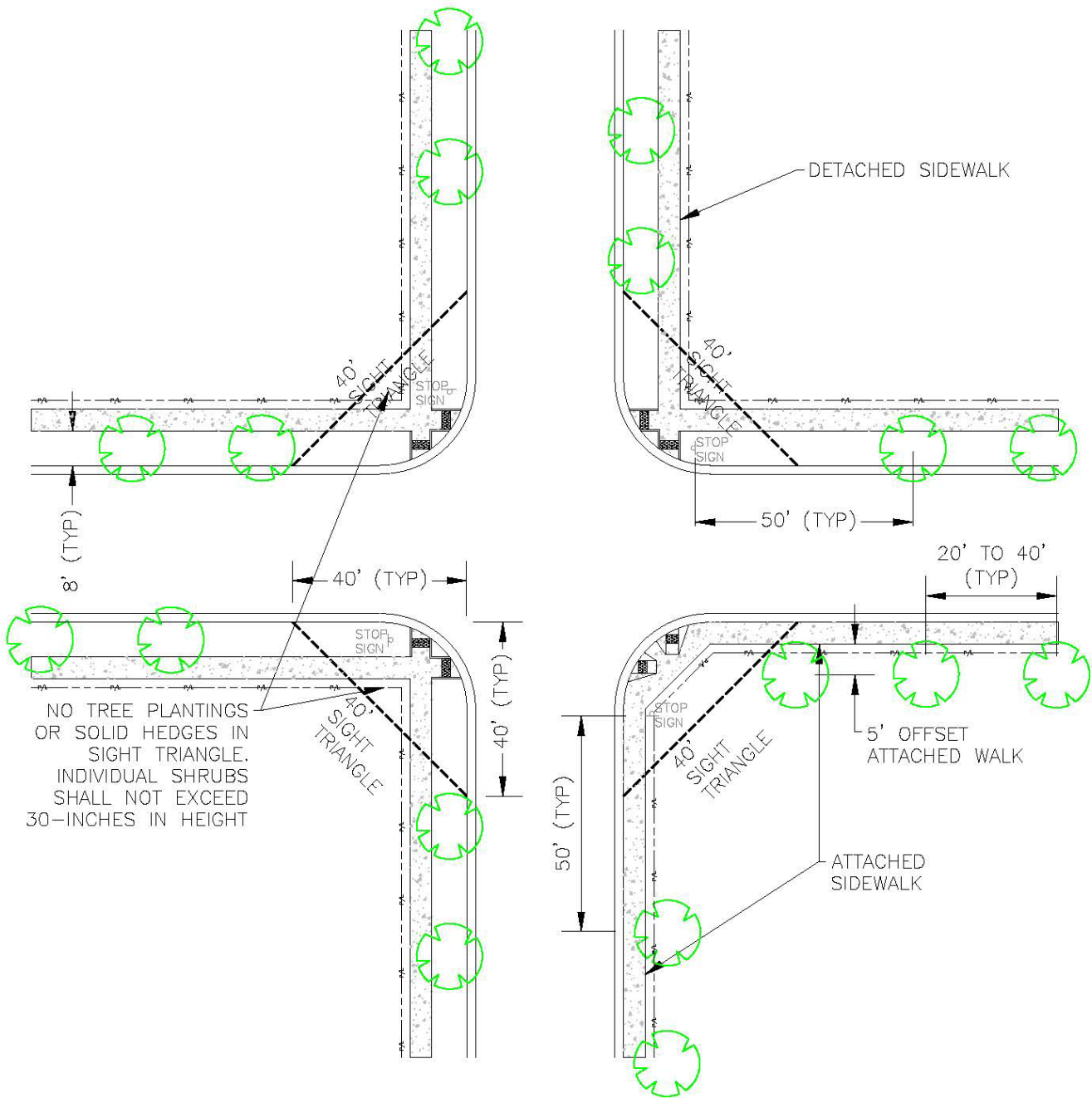


FIGURE 2: CLASS I AND III TREE PLANTING DETAIL



**FIGURE 3: TREE SPACING REQUIREMENTS
PLAN
N.T.S.**

NOTES:

1. ALMOST ALL STREETS HAVE RIGHTS-OF-WAY THAT EXTEND BACK OF THE CURB LINE. THIS AREA IS PUBLIC PROPERTY AND IS GENERALLY USED FOR UTILITIES, WALKS AND LANDSCAPING. THE WIDTH OF THIS RIGHT-OF-WAY VARIES.
2. MUNICIPAL ORDINANCE REQUIRES THAT ALL TREES ALONG STREETS BE PLANTED AND MAINTAINED TO MEET PUBLIC REQUIREMENTS.
3. TREE SPACING DIMENSIONS ARE MEASURED FROM THE CENTER OF TREE TRUNK.
4. HEDGES ARE NOT ALLOWED BETWEEN THE SIDEWALK AND CURB, AND MUST BE PLANTED AT LEAST 5- FEET BEHIND THE SIDEWALK.
5. NO TREES WITHIN 50- FEET OF STOP CONTROLLED INTERSECTIONS.



Overhead Entry Features

ACHD allows overhead entry features to be placed within and over the public right-of-way through a license agreement pursuant to Section 4003.2. of the ACHD Policy Manual. An applicant desiring to place an overhead structure within ACHD right-of-way or easement shall submit an application for a license agreement to the Right-of-Way or Development Services Department for review and approval. Any variance from these policies must be requested in writing and submitted with the license agreement application for approval.

Placement of Structure

1. Shall be a minimum of eighteen inches (18") from the top back of curb and face of sidewalk.
2. Shall be a minimum of seventeen feet (17') above the roadway surface.

Inspection and Submittal Requirements

1. Licensee shall provide to ACHD an M & O Manual that includes the following:
 - Inspection schedule to occur every 48 months.
 - Inspection process, as determined by a structural engineer.
 - Instructions for reporting the inspection results to ACHD.
 - Action plan, should a hazardous defect be discovered.

ACHD Legal Description Requirements

New Sub:

- Metes and Bounds Legal Description of current phase boundary

Existing Platted Lot:

- Provide copy of recorded Plat with Parcel Identified

Non-Platted Parcel:

- Provide Legal description included with your parcel title work (or)
Request title report for your address from a title company and provide to ACHD.