



ENGINEERING DEPARTMENT
PO Box 4169, 911 North Seventh Avenue
Pocatello, Idaho 83205
(208) 234-6225

Application #: _____

APPLICATION FOR RIGHT-OF-WAY USE LICENSE AGREEMENT – PARKLETS

Application Fee: _____

Date: _____

Owner Name: _____ Phone #: _____

Owner Address: _____ City: _____ State: _____ ZIP: _____

Property Address: _____ Zip: _____

Please answer each question regarding the subject property. Proof of ownership or documentation from the owner allowing this right-of-way use request must be attached.

1. What is reason for the request for right-of-way use? _____

2. Provide a copy of scaled legible plans showing all pertinent information (minimum size 8.5"x11") relating to the right-of-way use request.

3. Legal description of the property. Also, attach a deed or some other proof of ownership. _____

I certify that I have answered the above questions fully and truthfully and that I am the owner of this property (or have provided documentation from the owner allowing this request). I further certify that all dwelling units meet fire and safety codes.

PRINT NAME: _____

SIGNATURE: _____

PRINT EMAIL: _____

DATE: _____

For Office Use Only:

Planning and Zoning Dept. Staff Approval Denial Staff Initials: _____ Comments: _____

Street Dept. Staff Approval Denial Staff Initials: _____ Comments: _____

Traffic Dept. Staff Approval Denial Staff Initials: _____ Comments: _____

Engineering Dept. Staff Approval Denial Staff Initials: _____ Comments: _____

Return to Engineering Department. APPROVED DENIED Staff Initials: _____

Legal Department to Draft Right-Of-Way Use License Agreement for signatures.

Copies to: Applicant, Application File, Planning, and Engineering. Original final agreement to be copied to City Clerk.

Outdoor Seating / Parklet Checklist

Step 1. Right of Way Use License

Application Checklist
<input type="checkbox"/> Completed ROW Use Application
<input type="checkbox"/> Permit Application Fee – A non-refundable fee of seventy-five dollars (\$75.00) is due to the City of Pocatello at the time of application submittal.
<input type="checkbox"/> Site Plan - 2 copies of scaled legible plans showing all pertinent information (minimum size 8.5"x11") relating to the right of way use request. The plan should show all existing features as well as the exact location of the proposed encroachment items with square footage, abutting properties and streets labeled. The site plan should also include the following: ADA access around and through the use, dimensions of the use and travel lanes, maintenance plan, and drainage plans.
<input type="checkbox"/> Picture – Relevant photos of where encroachment item will be located.
<input type="checkbox"/> Elevation - 2 copies of a scaled elevation of the use including the height of the structure and any protrusions.
<input type="checkbox"/> Proof of Liability Insurance - The Grantee shall provide public liability insurance coverage and naming the City as an additional insured in the amount of Idaho Tort Liability Limits (currently \$500,000.00) to indemnify the City from any claims which might arise out of the Grantee's use of the right-of-way. Proof of such coverage must be provided annually; failure to do so will result in termination of this license. Grantee agrees to hold the City harmless from any and all claims or damages arising from the use of the right-of-way. The insurance provider must be licensed to do business in the State of Idaho.
<input type="checkbox"/> Right-of-Way Use License Agreement – The City Legal Department to draft the Right-of-Way Use license agreement for signatures upon approval.
<p>Design/Use considerations:</p> <ul style="list-style-type: none"> - ADA - Must maintain a minimum of 3' in a straight path of travel and 4' if around an obstacle. - Fire clearance of 3' around all fire apparatuses. - No portion of the structure may encroach into the vehicle travel-way. - Umbrellas or shade structures must maintain a minimum of seven feet (7') of clearance to the surface below. - If the structure is within a parking space it must not exceed 7' in width and maintain for drainage adjacent to the curb. The Parklet shall be enclosed providing a barrier from vehicle traffic. - Any structure within a parking space shall include reflective material on the edge and a parking stop a minimum of 4' from both edges adjacent to a parking space. - The use may not extend beyond the frontage of the property for which the use is granted. - The perimeter shall be clearly defined (chalk paint, fence, rope, etc.) <ul style="list-style-type: none"> - Patrons consuming alcohol need to be seated at a table. - Establishments that do not possess a state issued restaurant endorsement, need to have the outside parameter posted with 21 and older signs. - The agreement must be renewed annually and runs with the licensee. - Maintenance plan.

Step 2: Approved footprint modification to Beer and Wine License Application with State of Idaho

Requirements
<input type="checkbox"/> Contact State of Idaho Alcohol Beverage Control Bureau Idaho State Police Alcohol Beverage Control Bureau 700 S. Stratford Dr. Ste 115 Meridian, ID 83642 Phone (208) 884-7060 Fax (208) 884-7096 Email: abc@isp.idaho.gov
<input type="checkbox"/> Temporary - If temporary, does not require an amendment, but will require approval from the State.
<input type="checkbox"/> Permanent - If permanent, an amendment is required.