District 4 Right-of-Way (ROW) Permits Frequently Asked Questions

- **When do I need a ROW Permit from ITD?**
  - Any individual, business, or other entity planning to add, modify, change use, relocate, maintain, or remove an encroachment on the state highway or use highway right-of-way for any purpose other than normal travel, shall obtain a permit to use state highway right-of-way. Encroachment permits approved by the Department are required for private and public approaches (driveways and streets), utilities and other miscellaneous encroachments.

- **Are there permit application fees?**
  - Yes, Per IDAPA 39.03.42.700.02(a):
    - Approaches:
      
      | Land Use Category                                | Permit Application Fee |
      |--------------------------------------------------|------------------------|
      | Residential, < 100 units (includes farm and field approaches) | $50                    |
      | Residential, ≥ 100 units                         | $100                   |
      | Retail, < 35,000 sq. ft.                         | $50                    |
      | Retail, ≥ 35,000 sq. ft.                         | $100                   |
      | Office, < 50,000 sq. ft.                        | $50                    |
      | Office, ≥ 50,000 sq. ft.                        | $100                   |
      | Industrial, < 70,000 sq. ft.                    | $50                    |
      | Industrial, ≥ 70,000 sq. ft.                    | $100                   |
      | Lodging, < 100 rooms                            | $50                    |
      | Lodging, ≥ 100 rooms                            | $100                   |
      | School (K-12)                                   | $100                   |

* Encroachments other than approaches: fifty dollars ($50)

**Subject to change. Other miscellaneous cost or other fees may be determined by the Department may apply per IDAPA 39.03.42.700.03.

- **How long does it take to get a permit?**
  - Permit applications are processed as they are received. Please allow for a minimum of 30-60 days (subject to change).

- **How long are permits valid for?**
  - 1 Year
    - Per IDAPA 39.03.42.201: (01) If work does not begin immediately, the permittee shall notify ITD or local highway agency five working days prior to commencing such work. (03) All
What documents do I need to include with a permit application?

- Non-refundable application fee (please confirm the applicable amount with ITD).
- A copy of the latest deed of record which identifies proper owner and legal description of property abutting the State Highway Right-of-Way (ROW).
  *Note. If ownership of the property changes during the permit process, a new form must be submitted with the new ownership documentation.*
- Photographs of the proposed driveway location, including one looking along the highway from the proposed location (digital photographs are acceptable).
- Plans or drawings
- If applicable, a Traffic Impact Study (TIS)
- For full details, please refer to the corresponding application form, IDAHO, or the Department website. [https://itd.idaho.gov/d4](https://itd.idaho.gov/d4)

What are some of the reasons for disapproval for a permit?

- Void Application – Once application is submitted, if the permitting process is not completed within one year because of inactivity on the applicant’s part, the application shall be considered void (IDAPA 39.03.42.12).
- Denial of Application – Applications for encroachments not allowed shall be verbally denied. If the applicant insists on proceeding with the application, the non-refundable fee shall be accepted, and a permit denial issued by certified letter. Upon receipt of the denial letter, the applicant can appeal the Department’s action.

What are other resources available to me?

- Sign & Right-of-Way Construction Permits
- Idaho 511
- 811 “Call Before You Dig”
- IDAPA Website
- Idaho Parcels

Can’t find an answer to your question(s) or special circumstances?

- Check out the District 4 Website: [https://itd.idaho.gov/d4](https://itd.idaho.gov/d4)
- Non-Permit related? Check out Idaho Transportation Department Website: [https://itd.idaho.gov/](https://itd.idaho.gov/)
- Permit Coordinator: (208) 886-7839