

# BOARDING HOUSE PACKET

Your application for a boarding house permit and boarding house license should include the following items.

- \_\_\_ Application Fees (\$100 for initial license)
- \_\_\_ Completed Boarding House Permit application
- \_\_\_ Completed Boarding House License application
- \_\_\_ Site plan, maximum size 11"x17" drawn to scale, which labels the following features:
  - \_\_\_ Abutting streets
  - \_\_\_ Property lines and dimensions
  - \_\_\_ Location of existing and proposed buildings
  - \_\_\_ Location of off street parking facilities
  - \_\_\_ Location of existing and proposed landscaped areas
  - \_\_\_ Location of trash collection facilities or area where roll-out carts will be placed on trash collection days
- \_\_\_ Floor plan, drawn to scale, labeling the following features
  - \_\_\_ Dimensions and uses for all rooms
  - \_\_\_ If the basement is used for living area, location of bedrooms and egress windows in each basement bedroom

Review time will take approximately 15 working days, but may vary according to workloads and staff availability.

## PLEASE NOTE:

Approval is not guaranteed and is based on whether the application meets the required standards. Staff does not have the authority to waive standards; all requests for variances must be made by application to the City Council.

Building inspections are required in order for this permit and license to be approved. If the inspector finds life and/or safety issues during the inspection, you may be required to take corrective actions and perform repairs to the building regardless of whether the permit and license are approved. Building upgrades could potentially add considerable cost to a boarding house conversion and could require additional permits and repairs be made by licensed contractors.

# BOARDING HOUSE LICENSE APPLICATION FORM

*Please answer all questions completely and write legibly.*

**Boarding House Address** \_\_\_\_\_

## OWNER OF PROPERTY:

NAME \_\_\_\_\_  
Last First M.I.

MAILING ADDRESS \_\_\_\_\_

City State Zip Phone

## MANAGER OF PROPERTY (MUST be a resident of the Greater Pocatello area):

NAME \_\_\_\_\_  
Last First M.I.

MAILING ADDRESS \_\_\_\_\_

City State Zip Phone Cell Phone or email

Number of dwelling units \_\_\_\_\_

Number of occupants per dwelling/unit: 1. \_\_\_\_\_ 2. \_\_\_\_\_

Number of bedrooms per unit \_\_\_\_\_

Type of Construction (*Please check one*):

\_\_\_\_\_ Single Unit      \_\_\_\_\_ Up/Down Duplex      \_\_\_\_\_ Side-by-Side Duplex

\*\*\*\*\*

\_\_\_\_\_ Attached is a site plan of the premises, drawn to scale, showing ingress and egress provisions for vehicles, site dimensions, landscaped areas, buildings, etc.

\_\_\_\_\_ Attached is a floor plan, drawn to scale, of the interior of the premises, showing room dimensions with all rooms clearly labeled as to use.

*Failure to complete any of the above information will delay processing of application.*

**PLEASE COMPLETE BOTH SIDES OF APPLICATION**

I HEREBY CERTIFY THAT THERE ARE NO MISREPRESENTATIONS, OMISSIONS, OR FALSIFICATIONS OF THE FOREGOING STATEMENTS OR ANSWERS. EACH AND ALL OF THE STATEMENTS ARE TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AM FAMILIAR WITH THE CITY OF POCATELLO ORDINANCES IN REFERENCE TO BOARDING HOUSES. I UNDERSTAND ANY FALSE STATEMENTS IN THIS APPLICATION, AND OR FAILURE TO COMPLY WITH ANY OF THE LICENSING REQUIREMENTS COULD BE GROUNDS FOR LICENSE DENIAL AND/OR REVOCATION.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Print your name \_\_\_\_\_

\*\*\*\*\*

*For City Use Only*

**DEPARTMENT APPROVALS:**

**PLANNING** \_\_\_\_\_ **DATE** \_\_\_\_\_

**BUILDING** \_\_\_\_\_ **DATE** \_\_\_\_\_

*EGRESS WINDOWS* \_\_\_\_\_

1. All Sleeping Rooms below the 4<sup>th</sup> story \_\_\_\_\_

a) Main floor 5.0 square feet \_\_\_\_\_

b) Subsequent floors 5.7 square feet \_\_\_\_\_

*SMOKE ALARMS* \_\_\_\_\_

2. One in each sleeping room \_\_\_\_\_

3. One outside of each separate sleeping area, in the immediate vicinity of the bedrooms \_\_\_\_\_

4. One on every habitable level \_\_\_\_\_

5. All alarms within dwelling units shall be interconnected \_\_\_\_\_

*CODE COMPLIANT EXIT* \_\_\_\_\_

*ADEQUATE HEATING FACILITY* \_\_\_\_\_

*ADEQUATE FACILITIES FOR SANITATION* \_\_\_\_\_

**SANITATION** \_\_\_\_\_ **DATE** \_\_\_\_\_

How many carts (or containers) are required for this location? \_\_\_\_\_

**POLICE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**LICENSING** \_\_\_\_\_ **DATE** \_\_\_\_\_

Date of application \_\_\_\_\_ Fee paid and receipt # \_\_\_\_\_

LICENSE # BL \_\_\_\_\_ Date issued \_\_\_\_\_



PLANNING & DEVELOPMENT SERVICES  
PO Box 4169, 911 North Seventh Avenue  
Pocatello, Idaho 83205  
(208)234-6161 FAX (208)234-6587

### BOARDING HOUSE PERMIT

Owner Name: \_\_\_\_\_  
Owner Address/Zip Code: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Property Address/Zip Code: \_\_\_\_\_ Phone #: \_\_\_\_\_

**Please answer each question regarding the subject property (Site plan & floor plans must also be attached)**

1. How many dwelling units are at the subject property?  1  2 (Note: more than 2 units not allowed)
2. How many tenants will live in each dwelling unit? Unit #1. \_\_\_\_\_ Unit #2. \_\_\_\_\_
3. How many off-street parking spaces will be provided? \_\_\_\_\_ How many off-street parking spaces will be provided per tenant? \_\_\_\_\_
4. Identify the square footage of landscaping that will be provided in the front yard. \_\_\_\_\_
5. Total square footage of building \_\_\_\_\_  
Total square footage of building per tenant \_\_\_\_\_
6. How many bedrooms are located in each dwelling unit? \_\_\_\_\_ List square footage of each bedroom \_\_\_\_\_
7. Will there be any lease arrangements for other than two (2) tenants per bedroom?  yes  no  
If yes, please describe proposed lease arrangements \_\_\_\_\_
8. Will a sign with contact information for the site manager be posted on the front of the building?  yes  no  
Please list information that will be posted on the sign \_\_\_\_\_
9. Are the dwelling unit(s) existing or proposed new construction?  existing  new  
Please note: If new construction is proposed, building permits, elevations and a description of building materials will be required so staff can verify that the proposed construction resembles a single-family or duplex structure and blends with the neighborhood.
10. Has the property been inspected for compliance with building and fire code requirements for congregate housing?  
 yes  no (Note: Code compliance & approval by City Building Official & Fire Marshall or designees are required)

In addition to the terms of the Zoning Ordinance, the City of Pocatello has additional licensing procedures which must be issued by the Licensing Enforcement Officer.

**I HAVE READ THE ZONING CODE EXCERPTS (ATTACHED) WHICH PERTAIN TO THE OPERATION OF A BOARDING HOUSE IN POCATELLO. I AGREE TO ADHERE TO EACH STANDARD. I CERTIFY THAT I HAVE ANSWERED THE ABOVE QUESTIONS FULLY AND TRUTHFULLY AND THAT I WILL INFORM THE CITY IMMEDIATELY OF ANY CHANGES TO THE INFORMATION I HAVE SUPPLIED ABOVE. I CERTIFY THAT I WILL OBTAIN AND MAINTAIN A BOARDING HOUSE LICENSE IN ADDITION TO THIS PERMIT.**

PRINT NAME: \_\_\_\_\_

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

**For Office Use Only:**

Zoning District \_\_\_\_\_

Site Plan Attached:  yes  no

Floor Plan Attached:  yes  no

**P&DS** Staff Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

Comments:

**Building** Official Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

Comments:

**Sanitation** Department Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

Comments:

**Licensing** Department Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

Comments:

**APPROVED**  **DENIED**

**If denied, state reasons why** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. The dwelling unit must be suitable for use for the home occupation without modifications except as specified hereafter. Remodeling or modification of any portion of the dwelling unit or accessory structure to be used in the course of the home occupation shall be prohibited if it would change the character, use, or occupancy classification of the dwelling as set forth in the currently adopted building code. Remodeling and modifications necessary to accommodate handicapped persons shall be allowed, provided applicable building permits have been issued.

5. No oversized vehicle as defined in Section 10.08.090, or any vehicle which by virtue of dimensions, gross vehicle weight or declared uses required by Idaho Code to display, or does display, commercial or apportioned registration plates, may be used or stored on-site or on-street in carrying out the home occupation.

6. No assets, inventory, or raw materials used in a home occupation shall be displayed or stored outdoors. No hazardous materials, as determined by the Pocatello Fire Department, may be stored at the site of the home occupation.

7. Hours of operation shall be limited to no earlier than 6:30 AM and no later than 9:00 PM. Outdoor activities of the home occupation, if any, shall not be permitted earlier than 8:00AM or later than 7:00PM.

8. Sales and services to patrons shall be arranged by appointment and scheduled so that no more than one patron vehicle is on the premises at any one time.

9. Delivery vehicles must meet all truck route regulations of the Pocatello Municipal Code.

C. Prohibited Uses. The following uses shall not be permitted as a home occupation: retail sales; auto repair; manufacturing; adult entertainment; and those of similar classification.

D. Enforcement. In addition to the other remedies contained within this Title, any violation of the terms of an approved Home Occupation Certificate shall result in revocation of the certificate.

#### END OF SECTION

17.06.500 Boarding House Permit--Standards And Requirements. A single-unit dwelling or a two-family dwelling as defined in Section 17.01.150 of this title may be used as a boarding house for two (2) households per unit provided a boarding house permit and a city license as provided in Chapter 5.68 of the Pocatello Municipal Code are obtained and maintained in good standing by the owner. The following regulations apply:

A. No more than two (2) households per dwelling unit shall be allowed. Boarding house occupancy shall not be allowed in triplex or other multi-plex buildings.

B. Boarding houses may be allowed outright in RMM and RH zoning districts and in commercial and mixed use zoning districts subject to conditions contained in Section

17.03.340 of this Title, provided that all conditions for boarding house permits/licensing can be met.

C. ~~Permittees must acquire a license prior to instituting such use and must maintain the license in good standing throughout the duration of use of the property as a boarding house. See Chapter 5.68 of the Pocatello Municipal Code for standards and requirements.~~

D. In addition to the occupancy limits prescribed by the international residential code, international building code, and uniform housing code as adopted by the city, occupancy of a boarding house shall be limited to the number of off-street parking spaces available. Provided, however, there must be a minimum of one off-street parking space per dwelling unit, regardless of occupancy category of the tenants. Applicants may request that up to half of the off-street parking space requirements be met by leasing or otherwise providing parking spaces on adjacent property. The city attorney shall determine if the lease or agreement provides adequate use of the necessary spaces. Applicants whose existing premises cannot meet parking space/tenant ratio requirements may receive limited relief from said requirements from city staff for one more tenant than the number of available off-street parking spaces. Applicants who desire any other relief from these parking/tenant ratio requirements may apply for a variance.

E. The site must have either a total of five hundred (500) square feet, or one hundred (100) square feet per bedroom, whichever is greater, of landscaping in the front yard.

F. A minimum of two hundred (200) square feet per person per dwelling unit and the minimum square footage requirements for sleeping quarters set by building and housing codes as adopted by the city shall apply.

G. The name, address, and phone number of a local (within the greater Pocatello area) site manager must be provided on the application and the phone number information must be posted in the form of a sign at least six inches by eight inches (6" x 8") and no greater than two (2) square feet in size located on the front of the building, along with the city license number. All such information must be kept current and maintained so as to be clearly legible. No separate sign permit or fee is required.

H. New construction should be designed and configured so as to resemble a single-unit dwelling or two-unit dwelling to blend with the other residential buildings in the area. Other conditions for site development may include, but are not limited to, restrictions on outside lighting, specifications for ingress and egress from parking lots; erection of sight obscuring fencing, and other measures to mitigate adverse effects on surrounding residents.

I. Conversion of an existing house or two-unit dwelling to a residential rental dwelling used as a boarding house for more than one household per dwelling unit shall be considered a change of use and provisions of the uniform or international building code as adopted by the city will be required. No permit may be issued until proof of compliance is provided.

**END OF SECTION**

## Chapter 5.68 BOARDING HOUSE LICENSES<sup>1</sup>

### 5.68.010: DEFINITIONS:

When used in this chapter, the following words shall have the meanings set out herein:

**BEDROOM:** Any room in a boarding house which is used for sleeping accommodations, regardless of the use for which the room may have been built or the designation it may have on any construction drawings.

**BOARDING HOUSE:** For definition of "boarding house", see section 17.01.150 of this code.

**GREATER POCATELLO AREA:** For definition of "greater Pocatello area", see section 17.01.150 of this code.

**RESIDENTIAL RENTAL DWELLING:** For definition of "residential rental dwelling", see section 17.01.150 of this code. (Ord. 2851 § 1, 2008)

### 5.68.020: LICENSE REQUIRED:

From and after the effective date hereof, no person may use any dwelling or construct any residential rental dwelling as a boarding house for more than one household per dwelling unit without having obtained a conditional use permit as provided in section 17.02.130 of this code and having obtained the three (3) year license required pursuant to provisions of this chapter. Persons utilizing their property as a boarding house on June 1, 2003, shall have a period of thirty (30) days thereafter during which they must apply for a permit and license to continue such use, and shall have until September 1, 2003, to obtain a license. Provided, however, if the site and structure are otherwise eligible for a permit, but weather conditions render completion of the site improvements by the September deadline impossible, staff may allow a time extension, which in no case may exceed ninety (90) days from September 1, 2003, to obtain the license or cease such use. Licenses granted hereunder shall be valid for three (3) years from the date of issue and renewal requests must be received no less than thirty (30) days prior to the expiration date. Renewal applications received less than said thirty (30) days shall be considered new applications and fees charged accordingly. A licensee must promptly report any change in information from that on the application and must also file an annual report form with the city. Failure to obtain and/or maintain a license if required hereunder shall be deemed a misdemeanor and the owner, or property manager if the owner is outside the jurisdiction, may be cited for such failure. (Ord. 2851 § 2, 2008)

### 5.68.030: APPLICATION AND FEE:

Applications for a boarding house license or renewal thereof shall be made by the owner of the property, on forms supplied by the city, and shall be accompanied by a one hundred dollar (\$100.00) initial license fee and proof of eligibility for a conditional use (boarding house) permit. Licenses shall be valid for three (3) years, unless sooner revoked. The applicant must furnish all requested information on the initial application and any changes must be submitted immediately to the city, in addition to the filing of an annual report form, as a condition of retaining the license. Licenses may be renewed every three (3) years upon payment of a fifty dollar (\$50.00) renewal fee, subject to inspection of the premises for compliance with applicable codes and verification of data. Beginning October 1, 2003, fees for licenses and renewals shall be set annually by resolution of the city council. Application information required shall include:

- A. Name, street address, mailing address, and telephone number of premises owner;
- B. Name, address, and telephone number of site manager (resident of greater Pocatello area);
- C. Premises address(es);
- D. Number of dwelling units;
- E. Number of bedrooms per unit;
- F. Number of tenants per bedroom;
- G. Type of construction (i.e., single unit, up/down duplex or side by side duplex);
- H. A site plan of the premises, drawn to scale, showing ingress and egress provisions for vehicles, site dimensions, landscaped areas, buildings, etc.;
- I. A floor plan, to scale, of the interior of the premises, showing room dimensions with all rooms clearly labeled as to use. (Ord. 2851 § 2, 2008; Ord. 2710 § 6, 2003)

**5.68.040: INSPECTIONS FOR APPROVAL; STANDARDS AND REQUIREMENTS:**

City staff shall be allowed entry and inspection for purposes of verifying that the site and structures meet conditions for approval. Additionally, city staff shall be allowed entry to the licensed premises, after reasonable notice to the occupants, to investigate a complaint regarding licensing conditions. Nothing herein shall be construed to place constraints on the conduct of police officers beyond standard regulations related to their law enforcement duties.

- A. The structure may not contain more than two (2) dwelling units (structures containing more than 2 dwelling units are classified as apartment buildings and regulated elsewhere in this title). Each dwelling unit may be occupied by no more than two (2) households.
- B. Continuing compliance with all permit conditions.
- C. Compliance with all applicable building/construction and safety codes, including egress requirements for all rooms used as bedrooms.
- D. A minimum of two hundred (200) square feet per person per dwelling unit and the minimum square footage requirements for sleeping quarters set by building and housing codes as adopted by the city.
- E. Maintenance of the premises in accordance with the city's property maintenance codes.
- F. Operation of the property in a manner which does not constitute a nuisance under subsection 8.12.020L of this code by virtue of frequent loud gatherings on site. It shall be deemed prima facie evidence of noncompliance if there is a record of calls for police assistance for loud gatherings, disorderly conduct, complaints of use or sale of illegal substances (alcohol or drugs) on the premises, or similar disruptions to the peace and safety of the area residents.
- G. The license number must be posted near the entrance to the premises in such a manner as to remain clearly legible for the license term.
- H. Compliance with the number and type of containers and number of collections per week for refuse removal as deemed necessary by the sanitation superintendent. The owner must keep the property free from unsightly accumulations of garbage whether piled in containers or on the property. Adequate provision must be made for placement on site of the required number and type of containers. (Ord. 2710 § 6, 2003)

**5.68.050: RIGHT TO INSPECT:**

The city shall have the right to conduct such on site inspections at reasonable hours and times to investigate complaints, after reasonable notice to the tenants, and at any time under emergency circumstances, to ensure continued compliance with all provisions of the license. (Ord. 2710 § 6, 2003)

**5.68.060: RESPONSIBILITY; ENFORCEMENT MEASURES; PENALTIES:**

The owner and local property manager shall be responsible for ensuring that all conditions and regulations related to the permit and license are met. In addition to revocation procedures provided below, misdemeanor citations may be issued for violations of any of the provisions of either the license or permit for boarding house uses to any owner residing within the sixth judicial district. If the owner lives outside of the jurisdiction, the local manager may be issued such a citation. (Ord. 2710 § 6, 2003)

**5.68.070: REVOCATION OF LICENSE:**

Failure to comply with any of the conditions set out herein, conditions established in the conditional use permit, or falsification of any items on the application form shall constitute grounds for revocation or nonrenewal of the license. Notice of such failure shall be provided to the licensee and a hearing set before the city council to consider termination or denial of renewal. The licensee shall be afforded opportunity to be heard at said hearing. The council's decision shall be final. A written copy of the decision shall be provided to the licensee within twenty one (21) days of the hearing. Any person whose license has been revoked or whose license renewal has been denied may reapply no sooner than six (6) months after the date of the notice of the revocation or denial. (Ord. 2851 § 2, 2008; Ord. 2710 § 6, 2003)

Footnote 1: See also section 17.06.500 of this code.