

Minutes of Meeting  
Community Development Update  
July 13, 2015  
1:30 p.m.

The Kootenai County Board of Commissioners met to discuss Community Development updates. Chairman Stewart, Commissioner Green and Commissioner Eberlein were present. Also in attendance were Community Development Director David Callahan, Prosecuting Civil Attorney Pat Braden, Deputy Building Official Bob Ankersmit, Code Compliance Officer Sandra Forstrom and Deputy Clerk Kathryn Ford.

- A. **Call to Order:** Chairman Stewart called the meeting to order at 1:32 p.m.
- B. **Changes to the Agenda:** None.
- C. **Old Business:** There was no old business.

**New Business:**

1) **Complaints concerning the use of single family homes as vacation rental units.**

Mr. Callahan began by stating issues have arisen more frequently with living in a home and renting, renting for income or renting periodically. In Kootenai County it has been allowed to occur but problems begin when periodic lodging in a single family home creates a variation of problem themes in a neighborhood. It becomes problematic for neighborhoods becoming lodging atmospheres instead of neighborhoods, for example motel noise is different than a neighborhood. Commissioner Green added he could understand enforcement if there were HOA's. Mr. Callahan added most jurisdictions do not try to deal with these issues since it becomes an administrative nightmare with building code enforcement. There are different guidelines for fire and building safety of homes than for motels. His suggestion would be for Community Development to monitor issues to get a better understanding of what the problems are and return for discussion with the Board. Commissioner Eberlein stated this becomes enforcement and another layer of bureaucracy which cannot be done effectively. Chairman Stewart said he would not support enforcement since this is squelching commerce and we need to reduce restrictions and not restrain them. He added the County would become an HOA community. Chairman Stewart opened up public comment since the public in attendance wanted to speak regarding a vacation rental issue in their neighborhood. Hal Goldberg, Homeowner, addressed property rights, community and community wellness and presented a packet showing the area of concern. Commissioner Green said he would be interested to know how Panhandle Health District (PHD) would address drainfield overload due to occupancy since it is marketed for commercial property. Bob Ankersmit, Deputy Building Official, stated "as built" do not have occupancy codes and neither PHD or Kootenai County define bedrooms. Chairman Stewart added he had rentals on a lake and they tried to police themselves, however, he is sympathetic since there seems to be an occupancy problem with this rental. Jason Wheaton, Homeowner, stated he is a big neighborhood advocate and provided research of the site being marketed on-line. He added if the drainfield fails it will fail for four users. The neighborhood wants to work with the County on Conditional Use Permits (CUP) for rentals since a home rental has less control than a bed and breakfast. He is going to file a complaint so the neighborhood has documentation to begin protection. He believes residents need tools if there is abuse but no abuse there would be no action. Chairman Stewart added there are nuisance laws and Kootenai County cannot solve all the issues. Commissioner Green stated we cannot make someone come in to apply for a CUP but he has trouble turning his head, this needs to be addressed. Commissioner Eberlein directed staff to see if violations are involved.

2) **Reconsideration of consultant services for Hauser Area of City Impact.**

Mr. Callahan said Lisa Key is no longer working for David Evans and Associates. He would like to work with her to be onsite and complete the Hauser Area of City Impact project. Commissioner Eberlein said to check on the details of her services.

**D. Public Comment:** There were no public comments.

There being no further discussion of agenda items of public comment, Chairman Stewart adjourned the meeting at 2:40 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: \_\_\_\_\_  
Deputy Clerk

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David Stewart, Chairman