

BADERTSCHER, SHERRIE

From: MCLEOD, RENATA
Sent: Tuesday, November 1, 2022 10:58 AM
To: HOLM, SEAN; PATTERSON, HILARY
Cc: BADERTSCHER, SHERRIE
Subject: FW: trick or treat

fyi

From: Jan Marie <jan58marie@gmail.com>
Sent: Monday, October 31, 2022 5:40 PM
To: GOOKIN, DAN <dgookin@cdaid.org>; HAMMOND, JIM <jhammond@cdaid.org>; MILLER, KIKI <kmiller@cdaid.org>; WOOD, CHRISTIE <cwood@cdaid.org>; ENGLISH, DAN <denglish@cdaid.org>; MCLEOD, RENATA <RENATA@cdaid.org>; EVANS, AMY <aevans@cdaid.org>
Cc: impactlighting <impactlighting@roadrunner.com>; sarah grenfell <sarahhegdahl@icloud.com>
Subject: trick or treat

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Just an observation~ There are 4 EMPTY houses on our block that have no one home to hand out candy for Halloween! So Sad! BECAUSE THEY ARE VACATION RENTALS!

Just another tradition stripped because of STR's!!

With Kind Regards,

Jan Marie

BADERTSCHER, SHERRIE

From: carol sego <csego2004@yahoo.com>
Sent: Tuesday, November 1, 2022 8:10 PM
To: HAMMOND, JIM
Subject: STR Regulations
Attachments: City Council.docx

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Dear Mr. Mayor,

We wanted to share with you our letter to City Council Members regarding the current discussions and evaluation of regulations effecting Short Term Rentals in our city. Thank you in advance for your review and consideration of our concerns.

Sincerely,

James and Carol Segó

BADERTSCHER, SHERRIE

From: carol sego <csego2004@yahoo.com>
Sent: Tuesday, November 1, 2022 8:16 PM
To: PlanningDiv
Subject: Short Term Rental Regulations
Attachments: City Council.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom it May Concern:

Please find attached our letter to City Council Members regarding the current discussions and evaluations of regulations effecting short term rentals in the city. Thank you in advance for your review and consideration of our concerns as it relates to city planning.

Kind regards,

Carol and James Segο

Dear City Council Members:

We are Carol and James Segó writing to you as owners of a fully compliant STR, and members of the CDA – Vacation Rental Alliance, to express our concerns on the current topic of regulations under consideration by the City. We first came to CDA on a vacation 10 years ago, while living in Illinois. We fell in love with the gorgeous lake and surrounding mountains, the town and its people very quickly! We decided to move here 8 years ago, and bought a charming vintage home, built in 1917, in the Garden District. We love the downtown location with it being an easy walk to the lake, restaurants and more.

While living in the home over the past 8 years, we have invested a lot of time, hard work, and money into making improvements and remodeling this home to make our vision for it come to life. We love and take pride in this city and in our home. It is that love and pride that lead us to make the decision a couple of years ago to work towards offering our home to vacationers as a short-term rental. It took another year and a half of concentrated work doing more remodeling and upgrading, adding safety precautions, and preparing the home for guests.

We love Coeur d'Alene and want vacationers to have the best possible experience while visiting. Our rental offers things that can't be found in a hotel such as a charming front porch with a swing and other seating where guests can watch the neighborhood go by, indoor and outdoor dining tables with an outdoor grill built in beautiful stonework with lighting, and a fully stocked kitchen with equipment for making meals. We have games for kids and families to play, and comfortable outdoor furniture situated on a newly built deck under a big shade tree. We also have a hot tub in the fenced in backyard. Our guests have commented in their reviews how much they loved the outdoor spaces on the property, and the beauty of the home.

Our home first opened as an STR, with the appropriate license from the city, beginning in June of 2022. Every rental party so far has taken great care of our property, and have all left 5 star reviews. They have mentioned the beauty of the street, and that it was a safe neighborhood in a great location close to everything downtown. I have no doubt that each of our guests would say that our rental home, and others like it, enhance the integrity of our beautiful city! We invite you to view our listing and see what you think.

www.vrbo.com [Downtown 3 Story Home with Hot Tub! Easy walk to lake!](#)

Our rental property is a tri-level 3-bedroom home with a maximum occupancy of 6 people. The last thing we want to happen is to have renters who do not take care of the property or pose a problem in the neighborhood. We use several strategies to try to avoid bad renters. Those strategies include a minimum stay of 3 nights, pricing, vetting potential guests, and

requiring guests to sign our very detailed STR Agreement. Among other things, the contract explicitly states the following house rules: no parties or events, no pets, no smoking, illegal drugs or other substances, no fireworks or firearms, and must observe quiet hours from 10:00 p.m. until 8:00 a.m. We do not offer instant booking, so we have 24 hours to decide if a potential rental party is suitable for our property. We also require the renter to either put up a \$700 damage deposit or buy a low cost insurance policy, which can be bought for less than \$100. All of these measures combined means the people that want to come and party for a night or two are not interested in our property, and that's the way we want it.

We understand that the city has concerns about parking and congestion. When we were living in our city home full time, we parked our 2 cars on the street in front of the home. We haven't had any rental parties with more than one car. Many homes downtown do not have garages or driveways, and the homeowners park on the street. It is evident to everyone living in CDA that the population has grown significantly over the past 3 years. More residents has lead to more traffic and more cars being parked on city streets, particularly downtown, because it's such a popular area, for work, dining, and play. There are many concerned citizens who would like to know how you have made your assessment that the parking problems and congestion are a result of the number of STR's. Please explain how the fact finders determined which cars parked on city streets downtown or elsewhere belonged to STR guests, which cars belonged to hotel guests, and those vehicles that belonged to CDA residents who have come downtown to enjoy the area, or to work. It would be helpful if you presented the facts gathered that you used to reach your conclusions, so we could all understand the process used.

There was some discussion by Council members about requiring STR owners who operate in a residential neighborhood to reside on the premises for a certain number of days per year, thereby eliminating owners who do not live in CDA. On August 22, 2022, the United States Court of Appeals for the Fifth Circuit, in *Hingell-Stark v. City of New Orleans*, held that the residency requirement for STR violated the dormant commerce clause and was thereby unconstitutional. It was discriminatory against interstate commerce on its face. Likewise, *Zaatari v. City of Austin*, Appeal no. 03-17-00812-CV on 11/27/19 Third Court of Appeals invalidated the City of Austin's ban on short-term rentals by owners who do not claim a home as a homestead.

There was also some discussion about banning commercial business in a residential zone. In *Houston v. Wilson Mesa Ranch Homeowners Assoc. Inc.*, the Colorado Court of Appeals held that STR did not violate a covenant prohibiting commercial use of a unit. Renting is not considered "commercial use" of the unit. The Court also reviewed case law from other states reasoning that so long as property is used for living purposes it "does not cease being residential." Idaho law takes that view as well.

We believe that by identifying and eliminating the non-licensed STR's, imposing a 2 night minimum stay requirement, not issuing any STR business licenses for first time applicants until the number is more desirable, and by regulating a maximum occupancy number based

on the number of bedrooms in a unit, the City would be taking very effective and fair measures in moving towards its intended goals. Punishing licensed, compliant STR owners in order to make up for the lack of planning and monitoring in the past will create more problems and does not protect the rights of private property owners. Property ownership includes the right to gain income from the property. A lottery system would unjustly take away some property owners rights, by effectively banning them from utilizing their source of income, in direct conflict with **The Right to Earn a Living Act** (alec.org). Peg and David Schroeder, a North Carolina couple who own an STR found themselves in that exact situation after they were not selected in a lottery system designed to decide who could rent their properties. They filed a lawsuit challenging the City of Wilmington's Ordinance imposing a 2% cap on vacation-rental properties and requiring a 400-foot separation between vacation rentals. The N.C. Court of Appeals affirmed a lower-court ruling blocking Wilmington from using a registration scheme to limit ownership of short-term rental properties. **The Appellate Court's decision eliminates the registration, the need to obtain a permit to rent, the lottery, and the cap-end separation limitation.**

Property is the foundation of all rights, including the right to be free! Property ownership includes the right to gain income from property. The National Association of Realtor's policy proposals on Property Rights is often referenced and discussed and reads:

"Governments shall not arbitrarily infringe on the basic right of the individual to acquire, possess and freely transfer real property, and shall protect private property rights as referred to in the 5th and 14th Amendments of the United States Constitution."

These Amendments prohibit others from the "taking away" of these rights.

We sincerely thank you for the time, effort and consideration that you give to these important issues, and for listening to public comments regarding the same. We trust that the city will derive possible solutions aimed at reaching your goals without taking away private property owners rights, thereby optimizing the good for our city that comes from responsibly owned and operated STR properties.

Very truly yours,

James and Carol Sego
630-701-8801 (James)
segoja2000@yahoo.com (James)

csego2004@yahoo.com (Carol)

BADERTSCHER, SHERRIE

From: Stephanie Berl <smzberl@gmail.com>
Sent: Friday, November 4, 2022 1:22 PM
To: HAMMOND, JIM
Subject: Thank you

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor Hammond,

Thank you so much for having the workshop meeting for STR public comments on Monday October 22, 2022. We really appreciate your listening to our views and input. We are very thankful for your willingness to come up with the best solution.

Please consider allowing the original STR licensees to be grandfathered in. We realize the number of licenses has doubled in this past year since you started the commission to modify the present STR ordinance. We have been a licensee for two ½ years and have followed the rules. Please, please consider grandfathering us in. We realize grandfathering in was not even an option, but please let it back in and let the council decide. It wasn't even brought up as an option.

You could consider grandfathering all those who were licensed before you started to consider a change to the ordinance, or a cutoff with 2022.

Please consider taking off the manager on site as a requirement. This is not possible if you have a single family home that is your STR. You would have to be in the house with your guests or sleep in a tent on the property if you have a single family home STR. We do not have an ADU or room to build one on our lot. Our son is 8 blocks away and is our manager, and can be at our house in 3 minutes. Please consider other options.

Another thought on that line would be to require anyone using a management company to have it be one in CDA or a 30 miles radius of CDA so they can respond quickly as opposed to an out of the area management company.

Please consider taking off the 300 ft. rule or have it for completely new, never licensed licensees only from now on. We do not have a huge lot, nor do most homes in downtown CDA. 300 feet is huge. Maybe limit the number of STRs to two or three per block. Thank you.

Again we want to thank you for allowing public input on this serious matter for STRs owners like ourselves, who are having the rules changed midstream, and could end up being not allowed to get a license. Devastating as it could apply to some of us licensed STR owners and change our lives for the worst.

Thank you for your time and consideration. I have also enclosed some questions and ideas for your input. Thank you.

Sincerely yours,

**Lance and Stephanie Berl
507 S. 13th Street**

BADERTSCHER, SHERRIE

From: susan sindel <rapidresearch@live.com>
Sent: Tuesday, November 8, 2022 6:26 PM
To: HAMMOND, JIM; GOOKIN, DAN; MILLER, KIKI; WOOD, CHRISTIE; ENGLISH, DAN; MCEVERS, WOODY; EVANS, AMY
Subject: Short term vacation rentals...

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For the last 2 years, I sit in my front yard... I see 9 houses from that location... 6 of the 9 houses are now vacation rentals. All are within 300'. I came across this video today... that discusses who these buyers are... that turn into vacation rentals. I understand your concern for the 60% that are out of state investors. But, also... there is doom ahead for the local residents that borrowed and wanted to make the seemingly "fast money" that out of state investors are enjoying.

Attached is a link to the best video/interview into the outlook of the future for these/our area that I have found. Its about now.. post pandemic.. how things are settling and for our area STV rentals... not good. Everything has a way of what goes around/ comes around. There is not fast way for the "normal Joe" to make an easy buck. Please take time to play this video... here the likely progression for out community and chart your restrictions accordingly. You will be protecting the general pop from excessive taxation as well as the "little guy" from getting burnt.

<https://youtu.be/rpB3258i9OA>

Thanks for taking the time to review this:)

STR
11/9/22

City Council,

I just wanted to express my opinion on the STR plans for Coeur d' Alene. A lot of the information I'm using was presented on the 10-24-22 Workshop Minutes and the correspondence that the city has received.

Reading through the minutes Hillary Patterson noted that one of the reasons for amending the current code was a well-documented housing crisis, the lack of available for-rent and for-sale homes among others. One question that I had and can't find any information on is where the well-documented information is that limiting STR would fix this? Or that the STR's would change to low-cost long-term rentals? It seems that most of the homes that are used as STR would not turn into low-cost rentals, at best they would still be a very expensive LTR, if they were rented at all. If the residence was sold rather than used for a STR or LTR, the current market wouldn't help for a lower income family trying to buy in the area.

Senior Planner Sean Holm said there is no consideration of the concentration of STRs, compliance with advertisements (listing permit numbers), enforcement of violations, no 24/7 hotline available, and the lack of an inspection process. With 864 units identified in the city and 411 not permitted, it would make sense that the city would cite those owners. If you know they exist, and are not doing anything about them, you're essentially an accomplice in allowing for the problem to arise. It really sounded like the biggest concern is the city isn't getting its permitting fees of \$117,135 for this year. It really doesn't make any sense to apply more rules and restrictions if you currently are not enforcing the rules you have.

Mr. Patterson mentions needing to hire a company to identify all the STR, but Sean had already identified that there were 864 units identified. Of the \$117,135 not collected by unlicensed units how much of that would be spent on paying someone else for something you already know. Just address those not in compliance with the proper permits.

Of the people documented speaking at the workshop, along with more than half of the correspondence letters, the majority are in favor of how the rules are currently. Ms. McLeod stated that responding neighboring property owners were reaching out directly to the responsible party and not reporting directly to the City. Sounds like the neighbor notification of a STR is working. Where is the list of complaints from the neighboring property owners that warrant limiting the number or restricting people from using their property in the manner they wish?

If capping the total number of units is a way that the city wants to proceed, should those who have a valid permit be allowed to continue since they are following the rules and have paid the fees? Then through the sale of the property or not renewing the permits the city can begin to regulate the density of the units. To punish those who have followed the rules, and potentially open it up to those who haven't, doesn't reinforce a gratitude for the law-abiding citizen and can reward those who haven't followed the rules. \$117,135 could pay the salary and a lot of benefits for a full time STR administrator to perform the inspections and checking distances for new applicants.

One of the issues that I see with limiting the permits for 1 to 3 years or revoking someone from renewing is that those that have performed the proper steps to build a STR; **permits and fees paid**, furnish, safety equipment, lawn care, notices, etc. Property owners have a lot of money invested in STR

with the current rules allowing them to recoup their investment by renting out the unit. To tell them they can no longer continue could open the city up to lawsuits. The costs associated with the start up of a STR are not a small amount, you must furnish the whole house. Limiting the time that one can operate would really affect the viability of going this route if they can only operate for a few years. Then must sell the furniture at a way cheaper cost if they can't use it for a STR. Another proposal I have seen a few times is after 3 complaints pulling someone's license to operate. The complaints should be taken seriously, but to pull someone's license may be overreach. If Joe down the road knows that there is a STR within the buffer zone proposed, they would just need to complain enough to get that one revoked and then they could apply.

With the comments I have read that the city has provided most of the respondents agree with the current rules. If the city is acting for the people of the city, the majority of those that are taking the time to respond don't want more restrictions. At the very least those that have been following the rules should be allowed to continue and through attrition the newer restrictions and buffer zones could be implemented with new applicants. Grandfathering in those that are in good standing makes the most sense by rewarding those following the current rules. I'm not in favor of more rules and restrictions but if the city deems then necessary, it should not take it out on those that are following the rules the city put forth.

Matt Alexander.

SRR.

BADERTSCHER, SHERRIE

From: Terri Fjetland <terrifjet@gmail.com>
Sent: Friday, November 11, 2022 12:05 PM
To: ENGLISH, DAN; EVANS, AMY; GOOKIN, DAN; MCEVERS, WOODY; MILLER, KIKI; WOOD, CHRISTIE
Cc: HAMMOND, JIM; mdolan@cdapress.com; PlanningDiv
Subject: CDA Spending ~\$51,784.50 For STR Host Compliance

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Dear City Council Members,

After the approval of Council Members English, Evans and Wood on Nov 7th, we understand Council Members will vote on the spending of \$51,784.50 to Granicus, an out-of state, host compliance company to do the following:

- 1) Identify Non-Compliant Property Owners & Addresses to the City of CDA. **NO Violations To Be Issued At This Time**. Why not? Violations issued would cover the ~\$52,000 cost
- 2) Set up a 24/7 Hotline where complaints can go to the City of CDA
- 3) Continual compliance monitoring for the City of CDA

As the CDA Vacation Rental Alliance shared in the October 24th Public Hearing, permitted STR's are a statistically insignificant number of noise and disturbance complaints (14 out of 1122) and the city has no data to support their negative assertions against STRs. If there is a problem with unpermitted STRs creating significant threats to health, safety, and neighborhood integrity, then fines derived from Granicus' services should more than pay for the cost to hire them. Forcing permitted STRs to cover the cost of the city's failed past enforcement efforts is not justified and could potentially be a legal argument against the city in the future.

We propose the following:

- 1) Hire Granicus for 1 year, and replenish the general fund for the cost (~\$52k) with collection of fees related to enforcements that have been facilitated by Granicus' services
- 2) Keep the current STR ordinance as-is for the next permit cycle (March 2023-2024)
- 3) Start an STR Commission, **modeled after the CDA Parking Commission**, to help monitor and follow up on Granicus' findings, assist STR owners in best practices, provide education to the community on how to resolve

issues, help the unpermitted come into compliance with the permitting process and engage neighborhoods and community in partnerships to find common ground

4) Evaluate data at the end of 1 year. Are STRs causing meaningful harm to the health, safety, and integrity of our city? If not, CDA may not impose unreasonable limits on STRs per Idaho state law and our constitutional right to rent

Regards,

Terri (Compliant STR Owner)

STR.

BADERTSCHER, SHERRIE

From: GL investments <glinvestments23@gmail.com>
Sent: Friday, November 11, 2022 4:11 AM
To: GOOKIN, DAN; EVANS, AMY; WOOD, CHRISTIE; MILLER, KIKI; ENGLISH, DAN; MCEVERS, WOODY; HAMMOND, JIM; PlanningDiv
Cc: mdolan@cdapress.com
Subject: Short Term Rentals

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor, Council Members, and Planning Division Staff,

My husband and I own and operate a permitted, compliant, owner-occupied short term rental (STR) in Coeur d'Alene.

I have been following this topic over the past few months.

Rather than enact significant changes to the existing regulations, I support an approach that is based on verifiable data which does not punish law abiding, permitted STR's.

In response to the City's proposal to hire a third party to investigate this issue, I suggest the following:

- 1) Hire Granicus for 1 year, and refund taxpayers for the cost (~\$52k) with collection of fees related to enforcements that have been facilitated by Granicus' services.
- 2) Keep the current STR ordinance as-is for the next permit cycle (March 2023-2024)
- 3) Start an STR Commission, modeled after the CDA Parking Commission <https://www.cdavid.org/220> to help monitor and follow up on Granicus' findings, assist STR owners in best practices, provide education to the community on how to resolve issues, help the unpermitted come into compliance with the permitting process, engage neighborhoods and community in partnerships to find common ground, etc.
- 4) Evaluate data at the end of one year.
Are STRs causing meaningful harm to the health, safety, and integrity of our city? If not, CDA may not impose unreasonable limits on STRs per Idaho state law and our constitutional right to rent.

Thank you for your consideration.

Linda Theriault

BADERTSCHER, SHERRIE

From: Nancy Brown <cougfan72@gmail.com>
Sent: Tuesday, November 15, 2022 9:56 AM
To: PlanningDiv
Subject: STRS

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning,

I am a resident of the Village at Riverstone and have attended the past couple of meetings regarding STRs and the proposed code revisions. I realize that HOAs control their own rules and regulations according to the CCRs. Ours were written prior to full occupancy here and are understandably outdated regarding STRs. When we bought our condo in 2009 there may have been a handful (less than 10) of rental units and I believe most of those were for longer terms. It has only been during the past five years or so that the number of short term rentals has increased substantially. My understanding is that the number of STRs in Riverstone is a staggering 19%! They come with the same issues which have been discussed at the public meetings and are certainly a concern of the owner occupied units. We have no issue with long term renters (30 days or longer). A change in our CCRs is impossible at this point due to the fact that we would need 100% agreement to revise the current requirement of a minimum of 3 nights, etc. which the STR landlords will never agree to. Essentially during the peak tourist months, Riverstone has become an annex to the Hampton inn and Staybridge Suites since this policy of 3 night minimums is often violated as is the underground parking garage which is to be for residents only.

My request of the council would be to limit the number of permits issued in the city which in turn would hopefully reduce the number of STRs in Riverstone and other higher density neighborhoods. We are tired of the one or two night vagabonds who come and go here, compromising the security of the buildings and the quality of life which we so enjoyed prior to this noticeable increase in short term traffic.

I appreciate the willingness of the City Council to take on this rather daunting task and completely endorse the idea of hiring an outside company to monitor the number of STRS and those who must be held to account for failing to acquire an operational permit. I also endorse the idea of a cap on STRs, renewable annually, with perhaps a lottery to determine who is permitted to operate. The argument that these properties are the owners' sources of income which will be jeopardized with stricter codes is bogus. Turn the properties into longer term rentals and secure the income that way.

Thank you for addressing these challenges.

Sincerely,
Nancy Brown

STR

BADERTSCHER, SHERRIE

From: Jan Leaf <leafsinbox@gmail.com>
Sent: Tuesday, November 15, 2022 10:12 AM
To: HAMMOND, JIM; GOOKIN, DAN; ENGLISH, DAN; WOOD, CHRISTIE; EVANS, AMY; MILLER, KIKI; MCEVERS, WOODY
Subject: STRS committee and decisions

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Good morning,

Thanks for reading this and taking it to heart. I am an Idaho Native (Salmon, Idaho) and for the last 30 years my husband and I have lived in Kootenai County. We love this place and are proud to have raised our sons here. We are not rich people, we have not inherited money, we have no passive income, and have been good stewards for this county. We saved our money and bought a home right next door to us on Front Avenue in 2016. As we were deciding what to do with this home (short term or long term), the city decided that we needed a short term ordinance. I called every month to comply and waited a few months for the paperwork to be finalized so that we could get our permit to short term rent the home. We were one of the first to do so. Over the last 4 years, I have anonymously sent notes to owners that I did not see on the City STR website to say "if this is a vacation rental, get a permit as the city has been informed". This has worked every time and within a few weeks they have shown up on the website. I am not sure if it was just because they did not know it was needed or not but I got results.

We have a vested interest in Coeur d'Alene and have given back for 30 years. My husband, Craig taught 40 years and before retiring spent the last 27 years teaching / coaching and fund raising in the CDA School district. I have been selling real estate here for 18 years and received the honor of being Realtor of the Year for CDA and also Idaho's Residential Specialist of the Year. These honors are not because I make a lot of money or go to glamorous stuffy parties, but because I give back to the community in a few leadership roles of outreach committees.

We are concerned that your committee making the decisions are not including a liaison from the community that is against STRS and also a liaison from the community of STR owners. How can you get a good picture without bias without this inclusion? Neither of us got up and talked at the library and we do not think we need to get into a pissing match, but frankly I was surprised that you do not have a person at the sign up sheet checking names and addresses of those who want to speak. There is one opponent that does not use her full name in letters to you or to the editor and what she said about the home across from her (next door to my home) was not truthful as to the "amount of cars"... she also is a STR owner in her basement so not sure if she is just trying to accomplish.

As for the company that you are thinking of hiring... where is that money coming from? I was told that the city did not have the resources both monetarily or man power to follow up on the non permitted STRS. If that is the case, then are you raising the price for those of us who from day one have complied? What about a smaller guaranteed fee to the company and a percentage of fines received from those non-compliant STRS. (As a person who has worked on commission only, let me tell you that is a great motivator for succeeding)

As for the task at hand... Are we blaming STRS for our housing crisis? It sounded like it at the last meeting we attended. It is a supply and demand problem period. Believe me, I live it every single day 24/7. Do we need to make some changes? Yes. Do we need to punish those who are complying? No. Do we need all to have off street parking? No. How can we do that to just the STRS?... What about the LTRS? The house next to us (not our little bungalow) is a four bedroom home. The most we have seen is 3 cars and one boat, but mostly 2 cars. If this home is changed to a LTR then

rest assured there would be more than 2 cars for a four bedroom home. In fact, the one next to it is an owner occupied with renters and there are 6 cars and two boats (fortunately the boats are not in the backyard for the Winter.

I realize that this is a hard item to deal with and not one that has an easy solution, but can we just get done with the attitude (on both sides) that it's Us against You? These decisions should be made by representation of all sides. I believe that all of us are wanting what is best for the community as a whole.

Thanks for your consideration.

Jan Leaf
1215 E. Front Avenue
Coeur d'Alene, Idaho 83814
208 964-3447

STR

BADERTSCHER, SHERRIE

From: Jan Leaf <leafsinbox@gmail.com>
Sent: Tuesday, November 15, 2022 7:38 PM
To: HAMMOND, JIM; GOOKIN, DAN; ENGLISH, DAN; WOOD, CHRISTIE; EVANS, AMY; MILLER, KIKI; MCEVERS, WOODY
Subject: Re: STRS committee and decisions

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thanks again for allowing us to come to listen to your meeting and thoughts. Since I cannot rebut publicly, I just want to remind you that we do understand the need to help the indigent, bury the homeless and help the low income person who needs to have their kidney dialysis paid for. I will help with that all day long. My point this am and again this evening is this... I do not feel good about being charged more money because there are NON COMPLIANT PARTIES that are renting their STRS without permits. All new permits can be charged 100.00 more and / or get a fine of 500-1000 for not having a business (STR) without a permit. They are adults as they have to be in order to own a home and should know the rules of the city in which they are renting.

Thank you...

Jan Leaf
1215 E Front Ave, Coeur d'Alene, ID 83814
208 964-3447

On Tue, Nov 15, 2022 at 10:12 AM Jan Leaf <leafsinbox@gmail.com> wrote:

Good morning,

Thanks for reading this and taking it to heart. I am an Idaho Native (Salmon, Idaho) and for the last 30 years my husband and I have lived in Kootenai County. We love this place and are proud to have raised our sons here. We are not rich people, we have not inherited money, we have no passive income, and have been good stewards for this county. We saved our money and bought a home right next door to us on Front Avenue in 2016. As we were deciding what to do with this home (short term or long term), the city decided that we needed a short term ordinance. I called every month to comply and waited a few months for the paperwork to be finalized so that we could get our permit to short term rent the home. We were one of the first to do so. Over the last 4 years, I have anonymously sent notes to owners that I did not see on the City STR website to say "if this is a vacation rental, get a permit as the city has been informed". This has worked every time and within a few weeks they have shown up on the website. I am not sure if it was just because they did not know it was needed or not but I got results.

We have a vested interest in Coeur d'Alene and have given back for 30 years. My husband, Craig taught 40 years and before retiring spent the last 27 years teaching / coaching and fund raising in the CDA School district. I have been selling real estate here for 18 years and received the honor of being Realtor of the Year for CDA and also Idaho's Residential Specialist of the Year. These honors are not because I make a lot of money or go to glamorous stuffy parties, but because I give back to the community in a few leadership roles of outreach committees.

We are concerned that your committee making the decisions are not including a liaison from the community that is against STRS and also a liaison from the community of STR owners. How can you get a good picture without bias without this inclusion? Neither of us got up and talked at the library and we do not think we need to get into a pissing match, but frankly I was surprised that you do not have a person at the sign up sheet checking names and addresses of

those who want to speak. There is one opponent that does not use her full name in letters to you or to the editor and what she said about the home across from her (next door to my home) was not truthful as to the "amount of cars"... she also is a STR owner in her basement so not sure if she is just trying to accomplish.

As for the company that you are thinking of hiring... where is that money coming from? I was told that the city did not have the resources both monetarily or man power to follow up on the non permitted STRS. If that is the case, then are you raising the price for those of us who from day one have complied? What about a smaller guaranteed fee to the company and a percentage of fines received from those non-compliant STRS. (As a person who has worked on commission only, let me tell you that is a great motivator for succeeding)

As for the task at hand... Are we blaming STRS for our housing crisis? It sounded like it at the last meeting we attended. It is a supply and demand problem period. Believe me, I live it every single day 24/7. Do we need to make some changes? Yes. Do we need to punish those who are complying? No. Do we need all to have off street parking? No. How can we do that to just the STRS?... What about the LTRS? The house next to us (not our little bungalow) is a four bedroom home. The most we have seen is 3 cars and one boat, but mostly 2 cars. If this home is changed to a LTR then rest assured there would be more than 2 cars for a four bedroom home. In fact, the one next to it is an owner occupied with renters and there are 6 cars and two boats (fortunately the boats are not in the backyard for the Winter.

I realize that this is a hard item to deal with and not one that has an easy solution, but can we just get done with the attitude (on both sides) that it's Us against You? These decisions should be made by representation of all sides. I believe that all of us are wanting what is best for the community as a whole.

Thanks for your consideration.

Jan Leaf
1215 E. Front Avenue
Coeur d'Alene, Idaho 83814
208 964-3447

BADERTSCHER, SHERRIE

From: Karey Scholey <karey@sco-northwest.com>
Sent: Wednesday, November 16, 2022 5:42 PM
To: GOOKIN, DAN
Cc: PATTERSON, HILARY; MCLEOD, RENATA; HAMMOND, JIM; EVANS, AMY; MCEVERS, WOODY; MILLER, KIKI; WOOD, CHRISTIE; ENGLISH, DAN
Subject: RE: Comments regarding STR code changes

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Thank you for your response. I can see this point of view also and I probably agree with it more than you do. In contrast to my opinion and more in line with yours, if STRs are such a nuisance to the community, eliminating them would benefit everyone, would it not? That said, I don't think STRs are a nuisance to the community and particularly not anywhere near what they are being made out to be. I would therefore not support taxpayers on the whole footing the bill for any of this. It is not unreasonable to issue violations to violators and to use those funds to cover the cost of a third party company to locate these properties. But honestly, I care less about that issue than the hotline and how differently STRs are viewed and treated compared to other residential property uses. There is an unlevel set of behavioral rules for STRs than LTRs and simply targeting STRs isn't going to do much to preserve or better yet improve the integrity of our neighborhoods. As a long term rental owner also, I would love if the City had a hammer I could wield on my long-term tenants to get their junk out of the yard, and their torn-apart vehicle off the property etc., but they have more rights than I do. Drive around with the list of STR addresses and compare to long term rental properties. The difference is glaring.

Everyone's opinion is different on what neighborhood integrity means to them. Today in the realtor brown bagger meeting, an example was cited about how a neighbor couldn't ask an STR neighbor to bring in a package off their porch while they're away. It's not anyone's responsibility to bring in our neighbor's packages. We don't get to pick our neighbors, we just have to hope they're decent, tidy, respectful people and it's an added bonus if they'll be our friends and bring in our packages. I understand what she's saying, I really do, but I don't understand how this is a city issue if other matters of neighborhood integrity aren't equally important issues for the City. I maintain that I'd rather live next to any one of the STRs on my street than any one of the long term rentals on my street, and even many of the owner occupied homes on my street. I'll take a family on vacation (even if they get loud until well into the evening) next door to me, over an on-going dandelion infestation, broken down cars, or domestic issues that could continue for years. Property values are driven down more by neighboring long term rentals than by STRs... for a reason.

This whole STR topic is quite a fascinating one the more I try to examine it from every angle as I try to understand why some have such an upset stomach about STRs. Maybe it's because my neighborhood (5th St between Montana and Elm) has a number of long term rentals to contrast to STRs, that LTRs give me more of an upset stomach, where some of the more expensive neighborhoods like Fort Grounds and Sanders Beach have more affluent people in owner occupied properties to contrast primarily to STRs and less so to LTRs. Or maybe everyone is just used to LTRs???

Thanks again for the discussion, I really do appreciate the dialogue and the work you are all doing! And I understand the tough position you're in and appreciate your service.

Karey

From: GOOKIN, DAN <DGOOKIN@cdaid.org>
Sent: Wednesday, November 16, 2022 4:32 PM
To: Karey Scholey <karey@sco-northwest.com>
Cc: PATTERSON, HILARY <HPATTERSON@cdaid.org>; MCLEOD, RENATA <RENATA@cdaid.org>; HAMMOND, JIM

<JHAMMOND@cdaid.org>

Subject: Re: Comments regarding STR code changes

Karey,

I understand your concern about the legal STR owners shouldering the costs for locating the unlicensed locations. I believe it's to your benefit to do so.

Primarily, by eliminating those non-compliant STRs, you increase the desirability of your compliant STR. This city will effectively remove much of your competition. This effect is a direct benefit to you.

I can cite many examples where people who follow the rules pay more because a few don't. For example, we all pay for police, yet only a few require their services. The costs are borne by everyone, but the benefits are for everyone.

As this ordinance moves forward, opportunities will be available for public input and comment. If you like, you can suggest that the increased cost of enforcement be shouldered by all taxpayers in the city. This position would be politically unpopular as the STR owners benefit directly from their business. Therefore, they should shoulder the cost of enforcement that directly benefits them.

Best,
DAN

From: Karey Scholey <karey@sco-northwest.com>

Sent: Wednesday, November 16, 2022 4:13 PM

To: HAMMOND, JIM <jhammond@cdaid.org>; EVANS, AMY <aevans@cdaid.org>; MILLER, KIKI <kmillier@cdaid.org>; ENGLISH, DAN <denglish@cdaid.org>; GOOKIN, DAN <dgookin@cdaid.org>; WOOD, CHRISTIE <CWOOD@cdaid.org>; MCEVERS, WOODY <wmcevers@cdaid.org>

Subject: Comments regarding STR code changes

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November 16, 2022

Dear Mayor and Council Members,

I have been tracking the discussions and attending as many meetings as I can about the proposed code amendments that further vacation rental restrictions and now the data collection efforts and the 24/7 hotline for lodging complaints against vacation rentals. I appreciate the opportunities that the council has put forth for public comment and I remain hopeful that it will support a citizen-based STR commission so that problems can be resolved before looking at the "code book" to add more regulations that consume more time and resources of the city.

First, I support the city making efforts to identify the unpermitted STRs and issuing violations and fines to cover the cost of identifying these unpermitted STRs. I recognize that identifying these properties and their owners may be complicated and time consuming and that outsourcing this task is probably the best avenue. However, it is unfair that the cost of this work is proposed will be covered through increased STR permit fees. In essence, that means that the

cost will be borne by citizens who have followed the rules and permitted their vacation rentals. How does it make sense to penalize those following the rules to enforce the rules on the rulebreakers? I know that increasing permit fees is a simple way to collect, but is it the proper place to collect? Is it not reasonable to cover the cost of this effort by issuing violations on the NON-law-abiding? The City stated in a recent presentation that the permit fees are specifically in place to cover the cost of processing applications. Finding code violators is outside of this scope.

Secondly, I was surprised to learn that the City views vacation rentals as so significantly problematic to our community that there is a real need to hire a company for a 24/7 hotline for complaints, essentially another 911 and non-emergency police number... just for vacation rentals? While I'm sure it is not the City's intent, it has the appearances of creating a system to drum up nit-picky complaints to increase the complaint numbers specifically lodged against STRs in order to justify the code amendments proposed. Staff stated in a recent meeting that the complaints against STRs just aren't serious enough to warrant a call to the police, yet they are serious enough to warrant the cost of a 24/7 hotline? The reality is that there are calls to the police about STRs from time to time, and there are complaints filed through the City's STR complaint system from time to time but there just aren't that many.

We all know that long term rentals are far more problematic than Short Term Rentals. Just ask the police department. Obviously, every community has, and needs long term rentals but why the super high level of scrutinizing STRs over LTRs when LTRs are rarely maintained as well as STRs, generate more problems in neighborhoods, such as trash and junk on the property, noise, domestic disputes and police calls, parking issues, disabled vehicles and so on. Where is the hotline for this?

I would most certainly support a 24/7 hotline for all neighborhood complaints, not just STRs. This would not only preserve but improve the integrity of our neighborhoods much better than solely targeting STRs. At least a crappy neighbor in an STR is gone in a few days. I live near a dump of an owner-occupied home with tarps flapping in the wind and junk all over the yard, weed infested grass in the yard. The long-term rental down the street from me blocks the sidewalk constantly and has more vehicles than beds and driveway space. The vacation rentals on my street (there are at least four) are all quiet and well maintained. I just don't understand the bullseye that has been placed on STRs without at least considering how other residential uses more severely impact the integrity of our neighborhoods.

Lastly, the expense of targeting STRs with fire, life, safety inspections seems at odds with the reality of the typically well-maintained condition of vacation rentals, especially in contrast to so many poorly maintained long term rentals, seems like a huge cost with very little resulting benefit.

Thank you for taking the time to consider my thoughts and concerns.

Best Regards,

Karey Scholey

Local Resident, Business Owner, STR Owner, Registered Voter

BADERTSCHER, SHERRIE

From: Jeremy & Melissa Radford <cdavacationrentalalliance@gmail.com>
Sent: Monday, November 28, 2022 10:40 AM
To: HAMMOND, JIM; EVANS, AMY; WOOD, CHRISTIE; ENGLISH, DAN; MILLER, KIKI;
mdolan@cdapress.com; MCEVERS, WOODY
Subject: Granicus

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We are in 100% agreement with the city about working to get non-permitted STRs into compliance and ensuring problem properties are properly dealt with. However, the city has completely failed to enforce its own rules since the inception of the current ordinance in 2017, and now they plan to put the costs for their failures on the backs of law-abiding, permitted STR owners.

The proposed new rules do not focus on compliance for non-permitted STRs. Many of the proposed ordinance changes are illegal and defense of the recommendations is based on bias, whim, preferences, anecdotes, extrapolations, and guesses. None of these constitute the right to infringe on property rights. This city has pitted neighbor against neighbor throughout this conversation and I am chilled to the bone that there are people in our community, including the planning department and some on the City Council, that are eager to strip their neighbors of their property rights based on innuendo and nothing substantive at all.

I don't have a problem with the city hiring Granicus to find and inform illegal STRs on their responsibilities to the community. I do have a problem with a snitch hotline that singles out STRs and invites complaints. What if the city created a 24/7 snitch hotline for neighbors to complain about people named Phyllis (and they also expect each Phyllis to pay for this hotline)? Complaints would be 100% against Phyllis, so clearly that must prove that anyone named Phyllis is a problem in the city of Coeur d'Alene and we should create rules to infringe on the rights of every Phyllis in the city, right? This is just as absurd as what you are considering. STRs are legally subject to the same community behavior regulations (noise, trash, parking, etc.) as everyone else under the constitution and Idaho state law.

Why on earth should there be a snitch number for STRs and not long-term rentals or owner-occupied properties? The current system treats everyone equally. Call 911 for emergencies, use the non-emergency police line for anything else. Many cities have a number like 311 that is used for a city-wide complaint line. Any calls to that number will ultimately be forwarded to the appropriate department or division (e.g. streets, police, code enforcement, building maintenance etc.) The city hasn't followed up on STR complaints since the start of the current ordinance, so people who live near problem properties are rightly angry when their calls fall on deaf ears. Enforcement is the problem, and illegal new rules on those in compliance, and starting a snitch line targeting STRs is not going to solve any of the alleged problems the city has blamed on STRs.

One of our members described her view of the hotline this way: "The complaint data collected from the hotline really wouldn't have any merit without complaint data from all other residential uses, in order to have an understanding of the scale of complaints about STRs versus other property uses such as owner-occupied and long-term rentals. I think the 24/7 hotline is a clear and welcoming invitation by the City for complaints against STRs of any nitpicky nature, to beef up the complaint data against STRs alone so that the City can justify (or try to) placing additional restrictions on STRs. The whole tone of the realtor meeting today (brown bag lunch on 11/16/22 attended by city planning department and local realtors) was that complaints that people have about STRs aren't serious enough to justify a call to the police, and just don't get reported at all so the City doesn't

have data on just how huge of a problem STRs are. Clearly the police data doesn't support the idea that STRs are a huge problem. To the City, it isn't a matter of whether STRs are a problem or a nuisance, it is a matter of just how big of a nuisance they are. Total waste of money. Great if they want to hire a company to identify unpermitted STRs (costs of which should be covered by the fines against violators) but this hotline idea is ridiculous.”

Here's what another member had to say: “They have an STR hotline in Henderson, NV where I own another STR, and last time I spoke with the STR guy at the city of Henderson, they average 12 calls a month. For reference, the population of Henderson is 6 times the population of CDA. Sure sounds like a lot of wasted money to me.”

My last comment is that there are many reasons that STRs in the city may not be compliant with the permitting process that have nothing to do with being bad people or owners of problem properties. One reason that some may be unpermitted is that they either don't know about or are overwhelmed by the permitting process. Granicus can find the properties, the STR commission we have proposed could help educate the owners on the permit process and can also educate the community on where to go to have their concerns heard and managed, not the best way to snitch on and be angry with their neighbors. The best way to have their concerns heard and managed is for them to go directly to the homeowner or management company when there are issues. This clearly works, as evidenced by a grand total of 1% of noise and disturbance complaints to CDAPD in 2.5 years occurring at permitted STRs.

I beg you to stop this current trajectory in its tracks. Do a deep dive on the positive economic impact STRs have here in Coeur d'Alene; you will be astounded. Engage stakeholders as you move forward and stop letting the negative bias of the planning department push you on a dangerous path toward trampling on the rights of your neighbors.

We can do this right if we do it together.

Thank you!

Melissa Radford
CDA-Vacation Rental Alliance

<http://vrboadvocates.com/wp-content/uploads/2019/11/Expedia-Oxford-Infographic.pdf?fbclid=IwAR19e24furaACJ1VWpQwRWlLeknbGIUeWjWQ3A BRwSvzaQr9z67Ns5Cqxc&mibextid=Zxz2cZ>



Our goal as the CDA-Vacation Rental Alliance is helping our neighbors and the business owners in our community to receive a more accurate impression of the numerous positive impacts short-term rental properties have here in Coeur d'Alene. We do this through community outreach that focuses our message on a balance between safety, neighbor engagement, and benefit to both the city and property owners. We will endeavor to show that we are pursuing our American Dream to earn a living for our families in the way we love, and providing extraordinary hospitality to guests visiting our beautiful city. We trust the community of Coeur d'Alene, once

informed, to help safeguard our constitutionally protected right to rent in accordance with Idaho State law.

--

Jeremy & Melissa Radford
CDA-Vacation Rental Alliance



Our goal as the CDA-Vacation Rental Alliance is helping our neighbors and the business owners in our community to receive a more accurate impression of the numerous positive impacts short-term rental properties have here in Coeur d'Alene. We do this through community outreach that focuses our message on a balance between safety, neighbor engagement, and benefit to both the city and property owners. We will endeavor to show that we are pursuing our American Dream to earn a living for our families in the way we love, and providing extraordinary hospitality to guests visiting our beautiful city. We trust the community of Coeur d'Alene, once informed, to help safeguard our constitutionally protected right to rent in accordance with Idaho State law.

STR

BADERTSCHER, SHERRIE

From: susan sindel <rapidresearch@live.com>
Sent: Monday, November 28, 2022 9:44 PM
To: HAMMOND, JIM; MCEVERS, WOODY
Subject: Fw: vacation rentals management taking over residential neighborhoods...

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From: susan sindel <rapidresearch@live.com>
Sent: Monday, November 28, 2022 9:43 PM
To: GOOKIN, DAN <DGOOKIN@cdaid.org>
Subject: Re: vacation rentals management taking over residential neighborhoods...

The thing that concerns me most Dan... is that this SVR group has taken matters into its own hands, and will run with it as long as they can. There's a huge gap here between SVR's and city's response. I imagine, they can do whatever they want for the next 2 years... because that's how long the city will take to "think it over" Excuse my language, but the city's "decision" to use "light touch" for the last 4 years... they just rolled over, doing nothing to prevent this.. and they knew this was coming. IMO, it's just idiotic to cater to 20 or so SVR's and 4 restaraunt/bars to the detriment of 60+ owner occupied residential homes in this small condensed area.... Stupid, Stupid, Stupid... Flushing tax \$'s down the drain for 4 little bar/restaurants???? Where's the balance???? Where's the due diligence?

I'm going back to war again. The small amount they gain by this (SVR's and collaboration with the 4 bars) will cost them over 2 mil in tax revenue... especially, because of the decreased business taxation and the doubling of residential property owners. The press is going to have a field day over this small but significant model of downtown Coeur d' Alene. You remember... we've done before... we're about to do it again. Just facts, hard data, lots of photos and ZERO from city of CDA....

From: GOOKIN, DAN <DGOOKIN@cdaid.org>
Sent: Monday, November 28, 2022 9:26 PM
To: susan sindel <rapidresearch@live.com>
Subject: Re: vacation rentals management taking over residential neighborhoods...

I thought about the snow and STRs just today. Not only the sidewalks, but parking on the streets.

Someone had suggested we go to odd/even parking so that we can plow the narrow streets downtown. But who will tell the STR visitors? What about the owners who don't live here and don't know the rules? It can be a true mess, as you've discovered.

Best,
DAN

From: susan sindel <rapidresearch@live.com>

Sent: Monday, November 28, 2022 9:18 PM

To: ENGLISH, DAN <DENGLISH@cdaid.org>; GOOKIN, DAN <dgookin@cdaid.org>; HAMMOND, JIM <mayor@cdaid.org>; MILLER, KIKI <kmillier@cdaid.org>

Subject: Fw: vacation rentals management taking over residential neighborhoods...

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I would just like to add... You've got 50-75 residential homes in this area.. with an average taxable value of 6000k. The problem rotting out this area are 15-20 vacation rentals (part year) going to 4 small businesses (bars/restaurants) on 4th st. DO THE MATH,,, please! You are being taken advantage of.

From: susan sindel

Sent: Monday, November 28, 2022 9:06 PM

To: dgookin@cdaid.org <dgookin@cdaid.org>; MILLER, KIKI <kmillier@cdaid.org>; wmcevers@cdaid.org <wmcevers@cdaid.org>; ENGLISH, DAN <DENGLISH@cdaid.org>; mayor@cdaid.org <mayor@cdaid.org>

Subject: vacation rentals management taking over residential neighborhoods...

Here's a mind blower Dan. To "fit" how vacation rentals fit comfortably with residential housing. Snow... someone hired someone.... to clear sidewalks...independent, not city... So, I just walked the N,S,E,W of their sidewalk plowing. It coincides perfectly with the 9 of 12 houses that are now vacation rentals within a 350' radius of my location at 4th and Montana. All these new sidewalk plows stop at the alley that adjoins between 5th & 4th at the alley. Commercial job for sure with specific instructions by one company.

This is bullshit... even in the winter... we are now 100% just a gateway from short term vacation rentals to the bars/restaurants on 4th street. They are taking over because NO ONE from city is doing anything. This is a legacy we will remember forever and pass on unless something is done immediately. Come on you guys! We're getting eaten' alive by vacation rental companies. They're running right over city Right of Ways... Because they want the \$\$\$. Support your residents NOW!!!!

BADERTSCHER, SHERRIE

From: Barb Crumpacker <crummy1810@gmail.com>
Sent: Wednesday, November 30, 2022 12:51 PM
To: PATTERSON, HILARY
Subject: STR conditions

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Hey, Hilary, it occurs to me that snow shoveling requirement for renters needs to be included in a final decision by the partners.

Thanks for all your work moving this forward.
Barb Crumpacker