



KOOTENAI COUNTY

COMMUNITY DEVELOPMENT

BUILDING • CODE ENFORCEMENT • PLANNING

Effective Date: October 29, 2025

Type of Action Policy
 Information
 Other
 Interpretation

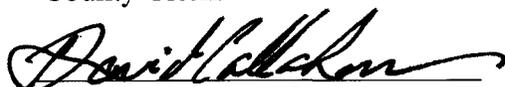
SUBJECT: CLARIFICATION OF SINGLE FAMILY DWELLING DESIGNATION FOR BUILDING PERMIT PROCESSING

Section R202 of the International Residential Code (IRC) contains the definition of “ Dwelling Unit” which must be used to determine compliance with Building Code requirements. Within that definition, the term “complete independent living facilities” provides an avenue of interpretation for the meaning of “independent.” This results in a subjective review of each application to determine what can be considered to be more than one dwelling unit within a structure, which could lead to inconsistent interpretations and an enforcement challenge. In addition, many of these designs are intended for family members, and with our aging society, more people must have family members live with them so they can aid in their care.

PURPOSE OF POLICY: To provide specific criteria for determination if a proposed primary structure with two kitchens and living areas is a single dwelling unit or a two-family dwelling for Building Permit processing resulting in a consistent methodology.

POLICY: The following criteria shall be used to determine if a proposed primary residential building with two distinct dwelling areas is to be considered as a single-family dwelling:

- The two dwelling areas must be physically attached by a shared wall, roof, or other structural element, as defined in Exhibit A. They must also share a single metered system for each type of utility infrastructure, inclusive of gas, propane, electricity, and HVAC.
- Occupancy of both dwelling areas shall be limited to the same “family,” as that term is defined in Section 8.9.202 of the Kootenai County Land Use and Development Code. Neither dwelling area may be used for rental purposes; whether short-term or long-term.
- The secondary dwelling area, containing a kitchen, sanitary facility, and sleeping room, shall be limited to one sleeping room (bedroom).
- The property owner shall submit a signed statement acknowledging and agreeing to these conditions. This statement will be recorded in the official land records maintained by the County Clerk.


David Callahan, AICP, Director

BOARD OF COUNTY COMMISSIONERS

Bruce Mattare, Chair

Leslie Duncan, Commissioner

Marc Eberlein, Commissioner

EXHIBIT A

Structural elements are any part of the building that resists loads and helps support or transfer forces safely to the ground.

Common Types of Structural Elements:

--Beams

Horizontal elements that carry loads from floors or roofs to vertical supports.
Resist bending forces.

--Columns

Vertical elements that transfer loads from above (like beams or slabs) down to foundations. Resist compression.

--Slabs

Flat, horizontal surfaces (links floors and ceilings). Spread out loads to beams or walls.

--Walls (Load-bearing walls)

Vertical elements that carry loads in addition to dividing space.
Resist vertical loads and sometimes lateral forces (wind, earthquakes).

--Trusses

Frameworks made of triangular units.
Efficient in spanning long distances using minimal material.

--Foundations

The base of a structure that transfers all building loads to the ground. Includes footings, piles, and slabs-on-grade.

--Bracing elements

Diagonal or other supports that provide lateral stability (against wind or seismic forces).

A shared wall is a wall that is common to two adjoining buildings or units.

A roof is the top covering of a building.