



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**May 14, 2024
5:30 PM**

Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854

REGULAR MEETING – 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Nancy Hampe, Bobby Wilhelm

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:
ACTION ITEM**

- a. National Underground America Day

AMENDMENTS TO THE AGENDA

Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

Commission members are requested to declare if there is a conflict of interest, real or potential, pertaining to items on the agenda.

1. CONSENT CALENDAR

The consent calendar includes items which require formal Commission action, but which are typically routine or not of great controversy. Individual Commission members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Commission agenda packet regarding these items and any contingencies are part of the approval.

ACTION ITEMS:

- a. Meeting Minutes 04/09/2024
- b. Kruger Annexation Zoning Recommendation File No. ANNX-23-5
- c. Northshore Subdivision Reasoned Decision File No. SUBD-23-3
- d. Legion Park SUP & SUBD Reasoned Decision SUP-23-4 & SUBD-23-6

- e. Pleasant View Apartments Reasoned Decision SUP-24-1
- f. 1170 Mullan Reasoned Decision SUP-24-2

2. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, by subsequent appointment. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring action must be placed on the agenda of an upcoming meeting. As such, the Commission cannot take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

3. UNFINISHED / OLD BUSINESS

This section of the agenda is to continue consideration of items that have been previously discussed by the Planning and Zoning Commission.

ACTION ITEMS:

4. PUBLIC HEARINGS

There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

ACTION ITEMS:

- a. MVBC Annexation File No ANNX-23-6
- b. Title 18 & 18A File No TA-24-1
- c. Tiny Homes File No TA-23-2

5. ADMINISTRATIVE / STAFF REPORTS

6. COMMISSION COMMENT

7. ADJOURNMENT

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 Spokane Street or call 208-773-8708.

The City Hall building is handicapped accessible. If any person needs special equipment to accommodate

their disability, please notify the City Media Center at least 24 hours in advance of the meeting date. The Media Center telephone number is 208-457-3341.

Chair: James Steffensen Vice Chair: Ray Kimball
Members: Vicky Jo Carey, Nancy Hampe, Ross Schlotthauer, Bobby Wilhelm, Kibbee Walton



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**April 9, 2024
5:30 PM**

Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854

REGULAR MEETING – 5:30 PM

**CALL TO ORDER
5:30 pm**

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Vicky Jo Carey, Kibbee Walton, Ray Kimball, James Steffensen, Ross Schlotthauer, Nancy Hampe, Bobby Wilhelm

Present: Hampe, Wilhelm, Steffensen, Carey, Walton

Excused: Kimball, Schlotthauer

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:
ACTION ITEM**

- a. National Unicorn Day
- b. National Former Prisoner of War Recognition Day
- c. National Winston Churchill Day

AMENDMENTS TO THE AGENDA

Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

Commission members are requested to declare if there is a conflict of interest, real or potential, pertaining to items on the agenda.

None

1. CONSENT CALENDAR

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calendar in order that it be discussed in greater detail. Explanatory information is included in the Commission agenda packet regarding these items and any contingencies are part of the approval.

ACTION ITEMS:

- a. Meeting Minutes 03/12/2024
- b. Our Next Venture File No ZC-23-4 Zoning Recommendation

Motion by Planning and Zoning Commissioner Hampe to accept the Consent Calendar as presented.

Second: Walton

Vote: Carey - Yes, Walton - Yes, Steffensen - Yes, Hampe - Yes, Wilhelm - Yes

MOTION CARRIED

2. CITIZEN ISSUES

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None

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This section of the agenda is to continue consideration of items that have been previously discussed by the Planning and Zoning Commission.

ACTION ITEMS:

None

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ACTION ITEMS:

- a. Pleasant View Apartments SUP File No SUP-24-1

• Public Hearing Opened: 5:33 pm

Staff Report

Anna Staal, Planner 1, Presenting: Ray Kimball of Whipple Consulting Engineers is

requesting, on behalf of Eucon Corporation, approval for a Special Use Permit in the Community Commercial Services (CCS) Zone to allow for 80 multi-family units with a Density Bonus to be developed on 3.97 acres. The project is located just north of the W. Seltice Way and N. Pleasant View Road intersection. The nearby land uses consist of vacant parcels to the north and the west. To the east are multiple commercial businesses, and commercial and residential businesses to the southwest and the southeast. The property is currently a vacant lot zoned Community Commercial Services (CCS). Immediately to the west, east, and south are zoned CCS. To the north is industrial zoned land. The project has four buildings, including some community amenities in the back and parking in the front. There is access to the parking lot from N. Pleasant View Road and shared access with the property to the south that is currently in review for development. Water is provided by Post Falls Water District and wastewater is provided by the City of Post Falls.

Wilhelm: How many times a day does the train go through there? You do have in the comments about putting a barrier fence up to the railroad.

Robert Palus, Assistant City Engineer: The Union Pacific Railroad will not release to us the exact number of times or how many trains go through in a day. With our past discussions with them it is somewhere around a dozen times a day a train goes through on those tracks, and that is a 40 miles per hour track.

Steffensen: There's going to possibly be an O'Reilly's at Seltice Way and Pleasant View?

Staal: The site plan is currently in review.

Steffensen: What is to the east of the subject site by Boulder Court?

Staal: Storage units, Boulder Court has multiple small businesses, some are construction businesses.

Ray Kimball, Whipple consulting Engineers: We have 80 units, the additional amenities increase the maximum density by 20%, allowing for 86 dwelling units on this site. Parking is set up for the highest parking standard Post Falls has, two per unit. This was done intentionally because Pleasant View does not have on street parking. The requirement is 164, this has 166 parking stalls. A lot of the businesses that are backing up to this site are small commercial businesses. This proposed development will expand the Pedestrian Network in the area, a class one ten-foot-wide pathway from the railroad tracks to Seltice Way which connects with the pathway Network that goes all the way to the Centennial Trail. The proposal will provide housing near businesses for the people who work in those businesses, and it allows easy access to I-90 for those with longer commutes. The proposal meets all the requirements.

Testimony:

In Favor: None

Neutral: None

Opposition:

Bob Flowers, 3914 E Maplewood Ave: We have enough apartments in this town. Putting apartments next to railroad tracks is insane. There's been a lot of interest in putting businesses down in that area. We're more than well stocked and the amount of land that's already zoned for apartment complexes that haven't been built yet is quite a few. My last point is special use permits, it just means somebody's wanting to put something where it shouldn't be. If it was meant to be there it would have been zoned that way. Thank you.

Howard Burns, Rocky Point Court: There was no discussion here on all the apartments that have already been approved, built, or under construction at Beck Road. We don't need more apartments here, we already have enough on Beck Road, enough on Highway 41 approved or are ready to be approved. Just give us a nice commercial project backing up to the little

businesses that are there. Thank you.

Rebuttal, Kimball: Our clients have about 4 to 7,000 apartment units. That's my source on vacancy rates. We've met all the requirements for approval.

Carey: Concerning the railroad track in the back, you said there's a buffer fence. Do you know yet what kind of fence?

Kimball: Typically, we'll do a six-foot fence. It makes a lot of sense to put a fence there. There's a condition of approval in there for a fence.

Carey: Something that's at least sturdy enough that the kids aren't going to push it right over.

Kimball: We purposely shifted the building to the south, put the parking to the north to try to keep everyone away from that for that reason.

Manley: With a special use permit you can add conditions above and beyond what the code normally would require.

Public Hearing Closed: 6:09 pm

Review Criteria:

A. Whether the implementation of the special use would/would not conform to the purposes of the applicable zoning district.

Hampe: It is allowed with special use, the only difference here is the density is higher than what is allowed. However, they are proposing extra amenities to make up for that.

B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.

Christopher Gabbert, Deputy City Attorney: This is somewhat covered by the answer to review criteria number one.

Steffensen: The zoning classification is allowed by a special use permit.

C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

Hampe: I think we all have a concern with the railroad and the fence installed.

Gabbert: Under this category the commission can express their concern as to the compatibility of the use of the site for high density residential with the surrounding uses which would include the railroad.

Carey: A block wall or something that will deter kids running over there.

Steffensen: I don't necessarily agree that the land uses in the vicinity match with this because everything is commercial around it. You have industrial to the north part, and it seems like there's commercial all around and then apartments in the middle. So, while technically it is allowed, I do have concerns with the land use being compatible with the surrounding areas.

D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

Steffensen: With some of these it meets goal one, but goal seven is the quality of land uses. It's in the middle of a bunch of commercial. Goal ten you will have green spaces and amenities that the people will be able to use. Goal fifteen, it's a great improvement to be able to get all the sewer and infrastructure farther north for those improvements which will help the city down the road. I can see pros and cons with this criterion.

Gabbert: The applicant specifically pointed out policy seven about the affordable or attainable housing policy which is also one that would support the application if the commission were to find that to be credible.

Wilhelm: I'm a relator, every single week somebody asks me if I have a rental. With the price of housing everybody has to live with three or four people in a house. Who starting out in life can afford a \$450,000.00 home?

Carey: I move that we re-open the public hearing.

Re-Open Public Hearing: 6:21 pm

Kimball: The owner would be fine with some sort of masonry block or concrete panel fence in that location.

Testimony:

In Favor: None

Neutral: Mike Peler: Having some experience with it when there's a street that you cannot put a fence across to block it, when you put up a solid wall like that it becomes a hiding place for kids to sit in there. Now you have a train coming, hundreds of tons 40 mph and those kids are now inside of that area where somebody can't see them and say get out of there. A lot of times your chain link fence is better for kids to be seen and told to get out of there. Thank you.

Devon Mechum: I have five kids, if there's a fence there regardless of what kind of fence it is, they're not going to try to get through it or get around it, but they do like to watch trains. Thank you.

Opposition: None

Rebuttal

Kimball: In that location the railroad is a little bit higher than the site, so any sort of a barrier, whatever it ends up being, will be a physical barrier to keep someone from crossing or getting into the railroad right of way but the kids will still be able to sit on the lawn and count the cars.

Closed: 6:25

Motion by Planning and Zoning Commissioner Carey to approve Pleasant View Apartments Special Use Permit File No SUP-24-1 finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberation subject to conditions one and two, with the addition on condition two being that the fence barrier on the northern boundary of the property be either block wall or concrete panel.

Second by Planning and Zoning Commissioner Walton

Vote: Carey - Yes, Walton - Yes, Steffensen - No, Hampe - No, Wilhelm - Yes

MOTION IS APPROVED

b. Northshore Subdivision and PUD Amendment File No SUBD-23-3

Public Hearing Opened: 6:27 pm

Jon Manley, Planning Manager: The applicant, Austin Fuller, Whipple Consulting Engineering, on behalf of the owner, Spokane River Northshore, LLC, has requested to subdivide approximately 10 acres into 22 lots. This project area has previously been approved as the "The Northshore District Subdivision and PUD" File No's: SUBD-0001-2021/PUD-0001-2021, which allows for up to 47 lots on the 10 acres. This request would amend the previously approved PUD by removing the PUD and the project would be replaced with a 22-lot subdivision on 10 acres as proposed per the Preliminary Plat. The property is located approximately 1200 feet east of Greensferry Road, south of Timber Lane and E. Ponderosa Boulevard Intersection. Water service for the project will be provided by the City of Post Falls. The City has adequate capacity to provide service for the project as proposed. Existing facilities on Ponderosa Blvd have sufficient pressure and available fire flow to meet the projected needs. Proposed improvements would not reduce service below applicable standards. Adequate provisions have been made for a public sewage system and the existing municipal system can accommodate the proposed sewer flows. The subdivision and proposed layout accommodate connectivity and will not have a negative impact on the local transportation system. The roadways shall dedicate rights of way and easements and be constructed to the roadway standards as outlined within the City Transportation Master Plan.

Steffensen: On the previous proposal, the reason it was created like that is because there's a ravine in there and a lot of slopping?

Manley: Yes.

Steffensen: Am I correct to say that there's going to be a lot of grading done to even out things as much as possible to allow those roads to go in? Maybe not so much for the houses that are right on the beach, but those streets are going in where those slopes would have been.

Manley: Yes. Regrading that site with a different terrain as the outcome versus the other one went with the terrain.

Steffensen: The street within the development basically just dead ends up to somebody's backyard?

Manley: Yes. They have the appropriate fire turnarounds along the end, and those roads dead end to the lots that are to the east.

Hampe: What's the difference in number of lots?

Manley: 47 on the previous plan, 22 on this plan.

Todd Whipple, Whipple Consulting Engineering: I'm in for Austin Fuller, this is a unique subdivision. It's unusual for us to start with a project that was highly contested, there was a lot of opposition. The owners re-evaluated what might be the best thing for this location. We decided we were not going to use the existing contours and create a much more riverine environment than what was there before. What was there before did not fit the neighborhood. All the lots except the lots along Ponderosa are to be daylight, the site will be graded for that. On the plans there's a brake line in each one of the long lots off of Ponderosa, those are 10 footsteps. Houses will have garages on the upper road and a daylight basement.

We didn't want to release the PUD until we got the new 22 lot PUD approved. The lots have flat entry garages, 75/85-foot-wide lots, and a daylight step out to the back. The middle lots have essentially a flat backyard with about a 10 to one down to the next street. The river lots have a little steeper fall once you get past the building pad. We have a park amenity with a little parking area and a 10-foot asphalt path that'll come down around our pond. We dedicate over 100 foot of frontage open space for amenities for the people who will live there. The people that live on top can drive a golf cart down, it will be a 78% slope and possibly a bathroom down there. We have this internal public facility for everybody within the subdivision to enjoy the river, the selling point on this property. We believe this project meets all the requirements for approval, we think it's a good addition to the City of Post Falls.

Testimony:

In Favor:

Howard Burns - Not wishing to speak: Far superior to the prior proposal.

Mike Pelissero, 518 S Shore Pines Road - I'm the president of the homeowner's association, 47 people opposed the prior proposal. On behalf of myself and the Shore Pines Homeowners most of the people in our association do not oppose the new proposal. We appreciate seeing that it's going to be something that's going to conform to our neighborhood and how it should look. Some people were asking about the trees that will be cut down. Can they haul everything off rather than burning it so we're not getting smoked out.

Whipple: If you want to add a condition that we won't be doing any slash burning, and all the logs will be hauled off, we are fine with that.

Neutral: None

Opposition: None

Public Hearing Closed At 6:48 pm

Review Criteria:

1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the typed of subdivision proposed.

Hampe: It will be supplied by the City of Post Falls both sewer and water.

Carey: Both sewer and water said that it's adequate.

Gabbert: You addressed criteria number two for sewer as well.

3. Proposed streets are consistent with the transportation element of the comprehensive plan.

Steffensen: For this lot it's the best you can do. You can't connect to the other but the streets in there will be wide enough, zoned enough, and accessible fire conditions so it meets all those criteria.

Hampe: You'll just have internal private roads and there's just one access out onto Ponderosa which keeps it clean.

Gabbert: It's a gated community as well.

4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified that the proposed uses of these areas are compatible with such conditions.

Carey: Staff identified the erosion and what needed to be taken care of to be able to build on the property.

Gabbert: The staff addressed the geotechnical reports and the proposed retaining walls.

5. The area proposed for subdivision is zoned for the proposed uses and the uses conforms to other requirements found in this code.

Walton: There's R1 all around it.

6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

Hampe: There will be impact fees.

Motion by Planning and Zoning Commissioner Hampe - I move to approve Northshore Subdivision and PUD Amendment File No SUBD-23-3 finding that it meets the approval criteria in Post Falls Municipal Code as outlined in our deliberations subject to conditions 1 through 11 adding a 12th condition which would be to haul all the logs off and not burn on site. Also like to clarify that we will be removing the existing PUD and direct staff to prepare a written reason decision.

Second by Planning and Zoning Commissioner Wilhelm

Vote: Wilhelm - Yes, Carey - Yes, Walton - Yes, Steffensen - Yes, Hampe - Yes

MOTION CARRIED

c. 1170 Mullan Ave File No SUP-24-2

Public Hearing Opened at 6:55 pm

Anna Staal, Planner 1 Presenting: Lake City Engineering is requesting, on behalf of the owner, NISHB Land Holdings LLC, a Special Use Permit in the Community Commercial Services (CCS) Zone to allow for 24 multi-family units to be developed on 1.49 acres in a CCS zone. The site is a vacant lot located approximately 290 feet west of the N. Shetland Street and E. Mullan Avenue intersection, along the south side of E. Mullan Avenue. There are vacant lots to the east and south of the site, single-family residential homes to the north, and medical facilities and commercial buildings to the south, west, and southwest. The zoning to the south, east, and west is CCS, north is R1 and R2, LC to the northeast. The water provider is Post Falls Water District and wastewater is provided by the City of Post Falls. Both have the capacity and capability to handle the required use. The project demonstrates adequate parking, more open space than required, two amenities for multi-families to meet Post Falls code requirements. The site is in the Seltice East focus area which prioritizes improving pedestrian connectivity and promoting infill development. This is an infill development, and the parcel would connect that pedestrian connectivity network.

Hampe: There would be one ingress/egress off Mullan Avenue?

Staal: Yes.

Drew Dittman, Lake City Engineering, Applicant: I am here tonight representing NISHB Land Holdings, it's a group of 12-13 doctors that owned the North Idaho Specialty Hospital. The site plan shows that there are two buildings, it looks like four, but the buildings are connected by a staircase in the middle. Two 12-unit buildings, 24 units total on about 1.50-acre property. There's an abundance of open space, there is a BBQ pit with a gazebo and a dog run in the back. The units have a garage under the units. This is workforce housing; the doctors are trying to create housing for their nurses and their staff because there is such a huge need for it. Regarding rental vacancy rates in Post Falls, according to [Rate.com](#) the vacancy rate in Post Falls is 0.5 %, on [Pointtohomes.com](#) it's 3.2% vacancy, and US Census Bureau says the state of Idaho has a 5% vacancy rate in the state of Idaho, so there is a need.

Wilhelm: Since that medical group owns it, are they trying to put together housing for their support staff?

Dittman: That was their goal, they own several properties in this area, and they do see the need to provide housing for the nurses and staff that work in their facilities.

Chad Oakland: I have partnered with these doctors; they own 9 acres to the north of where the new surgery center is being built. There are preliminary plans to build a medical subdivision across Mullan Avenue to the north side. We wanted to get some housing in place first and have a project where people can walk to work, grocery store, bank, and coffee. They've sold the hospital but kept the land through that sale.

Testimony:

In Favor: None

Neutral: None

Opposition:

Christine Vanderment, 810 N Terran Ct: The biggest concern is the heavy traffic we have now. The Greensferry overpass was to alleviate a lot of this which it did not and now we're going to put in 24 units. Is the entrance going to be both on Mullan and the opposite side to get into the 24 units? If it's just on the Mullan side, it will be a big problem. The other concern is its commercial health care business now. The future use map shows my residence becomes business commercial. It changed. Are our residences on Shannon and Terran Court going to become business commercial? What's our future? Thank you.

Bob Flowers, 3914 e Maplewood Ave: The city's had to address the traffic issue multiple times. In front of Walmart, they finally had to put up concrete barriers to direct traffic on where they could turn and where they couldn't. Your special use permit criteria number three is whether it will or will not comply with the health, safety, and welfare of the public. This development with one way in and one way out is not complying with anybody's safety. Of all the worst places to put it on one of the busiest streets in our entire town. Thank you.

Howard Burns, 502 S Rocky Point Court: The whole idea behind a special uses permit is does it fit? It may be allowed but does it fit. That whole section from Greensferry down to Idaho Street is a business complex. I don't see why it needs apartments. Beyond that, the folks that are presenting you this project don't make any statements to you that they own the other three lots around it. Why did they ignore that? Are they going to say you approved the apartments here, you have to approve them on the other three lots that are adjacent to this? It should be planned together and show how you can get access to them off the side street or off Poulston. I think that it should stay business, there's plenty of other places for apartments, but certainly the other three lots that are owned by the applicant should be part of this discussion.

Dittman: Traffic was brought up multiple times, I just want to read an excerpt in the staff report about traffic. "The proposed special use is not anticipated to produce impact that would adversely.

impact the adjoining transportation systems. Mullan Avenue is a minor arterial, the current roadway network has capacity." I think that's been adequately addressed. There are numerous allowed commercial uses that we could develop that would have a more substantial impact on traffic than 24 units of multi-family. Density was another thing that was brought up. We're proposing 24 units on 1.49 - 1.50 acres that's about 16 units an acre, we're not proposing increased or bonus density.

Public Hearing Closed At 7:24 pm**Review Criteria:**

A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.

B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.

Steffensen: The land use table says it is allowable.

Gabbert: So, we do have an underlying zone of CCS and it is an allowed use with a special use permit that satisfies those first two criteria.

C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal.

Wilhelm: If they built a medical building there, they'll have more traffic than what's purposed right now. The issue of coming out onto Mullan, it would be nice if you can only go one way.

Hampe: I think the point of it is its workforce, These are people that are going to be working right there and are going to walk or ride their bikes to work.

Steffensen: I would like to see some sort of office building there. With that being said, it's been well documented that there's more trips in and out of offices. If it is going to be workforce, they are going to walk and that has been a huge topic within the city and the county.

D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

Carey: Part of our goals is that it's within walking distance to everything around it, the store, medical, bus stations, and everything like that.

Steffensen: If it is truly workforce housing, there's a lot of other commercial stuff that you can definitely walk to so that is good.

Hampe: It does extend the walkways.

Steffensen: That's been brought up with us and City Council the incomplete sidewalks and walkability for certain areas.

Motion by Planning and Zoning Commissioner Wilhelm - I move to approve 1170 Mullan Avenue File No SUP-24-2 finding that it meets the approval criteria and Post Falls Municipal Code as outlined in our deliberation subject to conditions on page number eight number one site access points will be required to conform with city access management requirements contained in the staff report and direct staff to prepare a written reason decision.

Second by Planning and Zoning Commissioner Hampe

Vote: Steffensen - Yes, Walton - Yes, Wilhelm - Yes, Hampe - Yes, Carey - Yes,

MOTION CARRIED

d. Legion Park Special Use Permit and Subdivision File Nos SUP-23-4 & SUBD-23-6

Public Hearing Opened: 7:30 pm

Ethan Porter, Associate Planner: Merle Van Houten of Van Houten Consulting and Design, LLC has requested on behalf of Benjamin Steckman, Blackwell Homes, LLC, property owner, approval for a special use permit and subdivision in the single-family (R-1) zone to allow for one

(1) existing single-family home and eight (8) cottage homes on approximately 1.06 acres. The Special Use Permit request is to allow for eight cottage homes to be developed within the Single-family (R1) zoning district. The Subdivision requests to subdivide 1.06-acres into nine lots to include eight cottage homes and one existing single-family home. It's on the northeast corner of Legion Road and Syringa Street, just south of the Poleline roundabout. Single-Family Residential (R-1) surrounds the property on all sides except the northern adjacent property, which is in Kootenai County jurisdiction. Cottage homes require a minimum of 2400 square feet lot size. The smallest lot size that's proposed for the cottage homes is just over 2600 square feet. The green space meets the required minimum standards for a subdivision for cottage homes. The water provider is Ross Point Water District and wastewater is provided by the City of Post Falls, the existing facilities are in place, and they have the capacity and capability to handle the requested use.

Carey: There was a letter in here from Ross Point Water District with additional requirements.

Robert Palus, Assistant City Engineer: The letter that was received from Ross Point Water is a typical letter, it doesn't call out anything which is unusual as part of the development process. It does say that they have water available, and they would be required to annex into their water district if necessary. To get water from Ross Point Water, who is the purveyor, they would need to annex into Ross Point Water district. Ross Point Water does have a 12-inch main that runs along the front of this property on Syringa Street. The city's engineering department does coordinate with Ross Point Water, and they would not be allowed to proceed to construction until such time as Ross Point Water signs off on the plans and approves the water portion of it.

Wilhelm: Cottage homes are 800 to 1400 square feet, so it would be just starter homes.

Porter: I'll let the applicant talk on how they want to market that or what they are looking at for development. Ultimately that would be the idea, having the standards in place to help for some of those starter homes.

Steffensen: This went through City Council last month as an R1. Is the reason it came through as an R1 was to keep the big house there and the idea was to do cottage homes there with a special use permit as opposed to having to grandfather the house in?

Porter: The single-family home would not be allowed in R3 zone. R1 with the special use permit was the avenue they wanted to go. To preserve that single-family home.

Merle Van Houten of Van Houten Consulting and Design, LLC: Each home will have two stories, three bedrooms, 2 bathrooms, and a single car garage with off street parking. We will be required to construct the frontage improvements to Legion Road and Syringa Street. This development is walking distance to city parks and schools, it's an ideal piece of infill development. We were annexed last month and we're here tonight for a special use permit and to subdivide with nine residential lots with green space. Our development of this property will include dedication of rights-of-way to comply with the transportation plan. We have to widen Legion and Syringa to the full width, add curb, swell, sidewalk, street trees, and provide pedestrian connectivity. Cottage home purpose is to provide for changing demographics, retirees looking to downsize and young families moving from that apartment to their first home. Mr. Kimball's statistics tonight was interesting, he was talking about somebody looking to get into that \$425,000 home would have a mortgage payment of \$2,800.00 a month. Whereas somebody paying for that 1300 square foot apartment would be paying \$1,900.00 a month. I'll show you tonight a 1300 square foot house that probably puts that \$1,900.00 a month payment within reach, so it gives them something more than just an apartment building to achieve. Encourages creation of centrally located green space which promotes neighborhood interaction and safety. Encourages infill development, and ensures residents a high-quality environment with permanence, stability, and access to green space. Those are the terms in the cottage home code. All the homes will have the same components and no two homes are substantially similar

to each other from the exterior. The eight cottage homes consist of four front loaded, two side loaded, and two rear loaded configurations. Chaffee Street will provide connectivity up to the north end and anticipated future development. As part of the cottage home code we are required to provide two off-street parking spots for each house, that would be the garage and the driveway. We're also required to provide off-street parking for the eight lots proposed, which is provided adjacent to the green space. We have sidewalks connecting on one side, and as mentioned earlier road frontage improvements to Legion and Syringa to include curb, swell, street trees, and sidewalk. Existing utilities are readily available to the site as well as dry utilities. This is ideal for infill development. The applicable zoning district is R1 and cottage homes are allowed as special use permit, we're not requesting any deviation. We feel this has become a good test vehicle for the cottage home standard and a good use of the health, safety, and welfare development. It doesn't burden our current traffic or utility systems. This provides community where people can live and work in the same area, it provides for that housing niche that is needed. There are no environmental issues, its typical Rathdrum Prairie development, and the proposed use conforms to other requirements found in this code. The developer is aware that there will be a development agreement, construction improvement agreement, and impact fees and are willing to comply with that.

Steffensen: You have the house, detached garage, and a building/trailer out back.

Van Houten: Only the house will be saved, because of the right-of-way the garage has to go.

Steffensen: The fence that's on Legion, is that going to have to be taken down or shortened?

Van Houten: That will be talked down as well.

Testimony:

In Favor: None

Neutral: Howard Burns, 502 Rocky Point Court: I'm neutral on this. My whole thought process behind the cottage homes is affordability. I think what would be nice would be to somehow first make some effort to offer these homes early on to the fireman and policeman who don't live in the community to give them a shot at them. Secondly, to try somehow to keep investors from buying these and turning them into rentals. I'd love to see them owned by the people that live in them. The city should be investigating, if you're going to have cottage homes, how can we make them owner occupied so Blackstone doesn't buy them all and rent them out.

Van Houten: I appreciate those comments. It does provide a product that is achievable to people who don't have one. I think that this is a great opportunity to see what the cottage home can do. I think that trying it out here with eight units on an acre is probably a better test method than ten/twenty acres or something like that. It seems like it's a real nice piece of infill development where we can create some achievable housing and test out this new section of the code.

Opposition: None

Public Hearing Closed: 8:11 pm

Gabbert: Let's go through all the criteria and have two motions. Start with the special use and then follow up with the subdivision approval. Some of the criteria will overlap.

Review Criteria:

A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.

B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.

Carey: This is a use allowed under the special use permit for this zoning.

C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

Carey: It will be compatible. It's single-family around it, and up from it is commercial/business,

and it is detached homes.

Steffensen: It's a smaller product it's still single-family homes that serves a different purpose that the city does need to attract attainable starter home or empty neater homes.

D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

Steffensen: We've talked about infill. There's two lots to the north that are still county but everything else is R1 around that area. It is needed in the type of environment where rates and home prices are, at it's a little bit more attainable to get into home ownership.

Subdivision Review Criteria:

Gabbert: The first one and dub tailing with the second one is definite provisions for water supply and adequate public sewage.

Carey: We have Ross Point for water and Post Falls for sewer.

Steffensen: The water mains are on Syringa and Legion so easy to connect to.

3. Proposed streets are consistent with the transportation element of the comprehensive plan.

Carey: There are no traffic issues, Syringa is a minor collector, so it'll hold any traffic that comes from there.

Steffensen: The new street that's going in there will be available for future connectivity going north when those areas are annexed in.

4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.

Gabbert: No adverse finding on this.

5. The area for the proposed subdivision is zoned for the proposed use and the use conforms to all the requirements in the code.

Gabbert: This is an allowed use as a special use permit.

6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

Carey: Impact fees will be paid.

Motion for SUP-23-4 by Planning and Zoning Commissioner Hampe: I move to approve Legion Park Special Use Permit File No SUP-23-4 finding that it meets the approval criteria in Post Falls Municipal Code as outlined in our deliberations and subject to conditions one through ten as contained in the staff report and direct staff to prepare a written reasoned decision.

Second for SUP-23-4 by Planning and Zoning Commissioner Carey

Vote on SUP-23-4: Hampe - Yes, Carey - Yes, Wilhelm - Yes, Steffensen - Yes, Walton - Yes

Motion for SUBD-23-6 by Planning and Zoning Commissioner Carey: I move to approve Legion Park Subdivision File No SUBD-23-6 finding that it meets the approval criteria in Post Falls Municipal Code as outlined in our deliberations and subject to conditions one through ten and direct staff to prepare a written reasoned decision.

Second for SUBD-23-6 by Planning and Zoning Commissioner Walton

Vote on SUBD-23-6: Hampe - Yes, Carey - Yes, Wilhelm - Yes, Steffensen - Yes, Walton - Yes,

MOTIONS CARRIED

5. ADMINISTRATIVE / STAFF REPORTS

6. COMMISSION COMMENT

None

7. ADJOURNMENT

8:21 p.m.

Date: _____

Chair: _____

Attest: _____

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 Spokane Street or call 208-773-8708.

The City Hall building is handicapped accessible. If any person needs special equipment to accommodate their disability, please notify the City Media Center at least 24 hours in advance of the meeting date. The Media Center telephone number is 208-457-3341.

Chair: James Steffensen Vice Chair: Ray Kimball

Members: Vicky Jo Carey, Nancy Hampe, Ross Schlotthauer, Bobby Wilhelm, Kibbee Walton

Kruger Annexation File No. ANNX-23-5

Planning and Zoning Commission Zoning Recommendation

A. INTRODUCTION:

APPLICANT: Verdis on behalf of Daniel and Beverly Kruger (Per Exhibit A-1)

LOCATION: The southwest corner of W. Echo Drive and N. McGuire Road

REQUEST: Zoning recommendation of Community Commercial Services (CCS) on the southern 2.49 acres and High-Density Multi-Family Residential (R3) on the northern 2-acre portion, as outlined in Exhibit A-2.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Authorization Letter
5. A-5 Title Report
6. A-6 Radius Report
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 YPL Comments
11. PA-2 PFHD Comments
12. PA-3 DEQ Comments
13. PA-4 PFSD Comments
14. P&Z Staff Report
15. Testimony at the public hearing on March 12, 2024, including:

Planning and Zoning Commission (hereinafter “Commission”) heard the request at the March 12, 2024, public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The public hearing was properly noticed and conducted per the requirements of Idaho Code Sections 67-6511 and 67-6509, and Post Falls Municipal Code (PFMC) § 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to the Planning and Zoning Commission in their application of PFMC §§ 18.16.010 and 18.20.100 when making the Commission’s recommendation on zoning to the City Council.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report. He testified that the applicant was seeking a split zoning designation of Community Commercial Services (CCS) on the south 2.49 acres of an approximately 4.49-acre parent parcel. The remaining northern 2 acres is requested as a High-Density Multi-Family Residential (R-3) zoning designation. The requested zoning recommendations accompany the applicant's annexation request to the city. The total annexation request would be 6.869 acres, which includes adjacent right of way along the west side of McGuire and along a northern portion of Seltice Way.

The subject site is located on the southwest corner of the intersection of W. Echo Drive and N. McGuire Road. The property's current land use is large lot residential in Kootenai County. The property did not have any distinct natural features of note, water would be provided by East Green Acres Irrigation District and the City of Post Falls would provide wastewater services.

Mr. Porter testified that the surrounding areas to the north and west were comprised of unannexed Kootenai County parcels and the adjacent parcel to the south was improved with a storage business also located in the County. To the east, across McGuire Road is industrial zoning and some commercial and industrial businesses, and further north was some residential zoning of single and multi-family housing. Further south on Seltice was additional commercial zoning.

During Mr. Porter's testimony at the hearing, he discussed the first review criteria for annexation and the proposed zoning district. He noted that the proposal should be consistent with the future land use map and focus area on the comprehensive plan. The future land use classification for the property is High Density Residential which encompasses all types of residential uses that would be greater than 12.5 but less than 25 dwelling units per acre. It also supports other land uses such as nursing care facilities, parks, and public facilities. Implementing zoning districts for the classification include R-3 and the focus area. The future land use designation concentrates higher densities along higher rated roadways and then transitions to lower densities away from those centers.

Mr. Porter also highlighted the West Prairie Focus Area, which guides development of future actions for the area including envisioning missed residential with higher densities near commercial corridors and arterials and seeking opportunities to develop off corridor commercial.

Mr. Porter reviewed the goals and policies for review criteria two, which included analyzing whether the proposed zoning district was consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan as relevant to the area under consideration.

The second criteria consider whether the proposed zoning district is consistent with the goals and policies in the Comprehensive Plan relevant to this area. Mr. Porter testified that goals one and seven to possibly be relevant and applicable goals. He testified that policies one,

two, eight, twenty, twenty-four and twenty-six may be appropriate for consideration by the Commission.

Mr. Porter also testified that the proposed annexation included the additional right-of-way along McGuire Road down to and on a portion of Seltice Way which provided an opportunity for the city to ensure future connections and expansions are available. The connection would be consistent with the comprehensive plan encouraging annexation of county islands.

The third criteria considers demonstrable adverse impacts to the delivery of public services. No adverse comments from the public service agencies notified. Post Falls Highway District submitted comments similar to those included in the staff report requesting the annexation of the additional rights-of-way and meeting city encroachment standards.

Staff responded to questions from the Commission as to access stating that access for the commercial piece to the south would likely be off of McGuire, while the northern piece would most likely be two accesses, one north and one east dependent upon how the property were developed. Staff responded to questions about future road development on Echo Drive and anticipated future traffic volumes on McGuire Road.

Staff responded to questions from the Commission that in an R3 zoning designation one could be allowed between 12.5 to 25 dwelling units per acre, but the actual site development would need to account for necessary parking lowering the feasible potential number of units to maybe 18 units maximum without density bonuses. Staff also responded with an approximate number of trips per day would be generated from the size of such a development.

Applicant's Presentation **Stephanie Blalack, Verdis**

Ms. Blalack testified as to the property size and the requested zoning designations. The applicant is requesting a provision in an annexation agreement for the continued use of the existing business on the southern CCS-requested zoning portion, until such time as the site can come into compliance with the city standards. The existing on-site business is an asphalt concrete flatwork business. The annexation by the City would support a small business that wishes to expand but can no longer operate in the County.

Ms. Blalack testified that this property is one of five parcels identified as high-density residential under the future land map and given its proximity to Seltice Way the site is complimentary for a blend of both commercial and residential. Further that it will be advancing the goals of the West Prairie Focus area by placing multi-family in an area with access to arterials and collector streets.

Ms. Blalack also testified as to the dedication of the additional right-of-way in the annexation request. She testified that the request would provide diverse housing types and price levels and through development of the site and commercial uses, pedestrian connectivity will be enhanced through required frontage improvements and is consistent with the applicable goals and policies and doesn't pose an adverse impact on public services.

Ms. Blalack clarified to Commission questions that the southern portion of the property was improved and occupied with a residence on which the owners reside and operate the existing business and will continue to do so in the requested CCS zoning designation if annexation is approved. The Commission clarified that in the CCS zone it would be permissible to construct a mixed-use development with a business on the ground floor and potential residences above, thereby adding more residences to the area. Ms. Blalack responded that the applicants have no desire to do that, but instead continue to reside there and operate the business in the CCS.

Public Testimony:

The Commission opened the hearing for public testimony.

Everly Kruger was in favor of the application but did not wish to speak.

Donna May Roberts was in opposition but did not wish to speak.

Nancy Foster was in opposition but did not wish to speak.

Debbie Voca testified in opposition to the application, stating that she did not believe the proposal would benefit the area because of its continued rural nature. Ms. Voca testified that there are properties still raising cattle and neighbors appreciate the peaceful nature of the rural lifestyle and current lack of traffic. Ms. Voca also believed that apartments of multi-family would diminish the neighboring property values. Ms. Voca testified that for development purposes, she believes R1 would be better in consideration of keeping some rural areas in Post Falls. Ms. Voca also stated that there are already plenty of apartments in the area and homes would be a better fit and enhance the area. She testified that residents stay longer in homes than in apartments and that the costs of an apartment are so high, they may as well try and get a home.

Applicant's Rebuttal

Stephanie Blalack, Verdis

Ms. Blalack responded by reiterating that there are only five parcels identified in the future land use map with the designation of high density residential indicating that the City envisions this area as becoming high density residential.

Staff responded to questions from the Commission for a condition on the annexation on the continued use of the commercial business with the residential use. The matter would be included in an annexation agreement.

Deliberations: After the public hearing was complete the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria in City Code sections 18.16.010 and 18.20.100.

C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:

C1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?

The applicant has requested initial zoning of High-Density Multi-Family Residential (R-3) and Community Commercial Services (CCS) upon annexation into the city of Post Falls. The Future Land Use Map designates this area as High Density Residential, and it is inside the West Prairie Focus Area. R-3 is an implementing zone and the property is adjacent to commercial uses supporting the requested CCS portion. The West Prairie Focus Area concentrates higher uses on higher classification roadways with mixed residential uses further out from the commercial corridors.

The Commission finds based on the testimony and the staff report, that the applicable focus area supports the requested zoning destinations and finds that the R-3 and CCS is consistent with the Future Land Use Map and aligns with the High-Density Residential uses in the West Prairie Focus Area.

C2. Amendments to the zoning map should be in accordance with the goals and policies found in the Post Falls Comprehensive Plan.

Based on the testimony provided and the staff report, the Commission finds the requested zone change being consistent with the following goals and policies contained in the comprehensive plan:

Goals:

Goal 1: Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.

The Commission finds that the proposal helps build economic diversity by capitalizing on access to neighboring job centers as well as developing a strong diverse base within city limits. This proposal supports strategies that build and sustain a diverse, economic base, trains existing quality of life assets and helps keep Post Falls prosperous.

Policies:

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Impact Fees are paid at the time of permit issuance to aid in mitigating impacts and maintain/enhance community levels of service.

- Foster the long-term fiscal health of the community;

Additional commercial and multi-family uses support long-term fiscal health of the city and provide further commercial services within the city.

- Maintain and enhance resident quality of life;

Future development may provide additional commercial uses and pedestrian connectivity through frontage improvements.

- Promote compatible, well-designed development;

Development will be required to meet City design standards through the Site Plan Review process.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

Transportation impacts, and sewer and water capacity are reviewed by City staff. Any predicted inadequacies identified are addressed and/or have a plan on how to be brought into compliance with the relevant master plans. No inadequacies were found by staff about the revised zoning request.

Policy 2: Apply or revise zoning designations with careful consideration of factors including:

- Future land use mapping;

See first review criteria 1.

- Compatibility with surrounding land uses;

The proposed commercial development pattern would not be incompatible with the surrounding uses and provide a gradual transition from commercial to eventual lower density residential through higher density residential areas.

- Infrastructure and service plans;

Sanitary Sewer for the location is currently located adjacent to the eastern subject property line. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The City's Water Reclamation System has the capacity to supply service and the City is willing to serve to the property at the requested density. Existing capacity is not a guarantee of future service. The property is not subject to

any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges. East Greeneacres Irrigation District would service water.

- Existing and future traffic patterns;

The property is adjacent to McGuire Road, a classified Minor Arterial roadway and Echo Drive, a classified local roadway. Existing rights-of-way do not meet the city's minimum standards and additional rights-of-way would be required at the time of annexation.

Policy 8: Encourage compatible infill developments and redevelopment of vacant land and under-utilized properties within City limits.

The proposed site is currently underdeveloped and under-utilized and within the exclusive tier of the Area of City Impact. Incorporating the site into the city will incentivize development within the area, as part of a larger County Island.

Policy 20: Consider location of multi-family development in areas that:

- Have access to arterial and collector streets;

The proposed development is situated near McGuire road as a minor arterial.

- Help buffer higher and lower intensity development patterns;

The proposed development would buffer the lower intensity development patterns north of the property by the higher density uses to the south being commercial.

- Abut compatible existing uses;

The proposed development is not far from existing multifamily uses and is commercial adjacent.

- Are part of projects involving mixed use or master planned areas;

The proposed site will include a mix of commercial and residential uses.

C3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city?

The Commission has determined that the political subdivisions were notified, and the city received no written comments in opposition. There is no evidence of any demonstrable adverse impact on the delivery of services by any other political subdivisions. As such, the Commission finds that this criterion has been satisfied. Additionally, the offered dedication

of the rights-of-way ill alleviate and assist the provision of public services.

D. RECOMMENDATION OF THE COMMISSION:

Kruger Annexation Initial Zoning, File No. ANNX-23-5: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence, testimony, and comments. The Commission deliberated and despite some discussion regarding the compatibility of the project in that location, a motion to recommend approval of the recommended zoning was made, and the motion carried. The Planning and Zoning Commission hereby recommends that City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for applicant's request for Community Commercial Services (CCS) and a High-Density Multi-Family Residential (R-3) zoning.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

Northshore District Subdivision & PUD Amendment File No. SUBD-23-3

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPLICANT: Austin Fuller, Whipple Consulting Engineering

LOCATION: Approximately 1200 feet east of Greensferry Road, south of the intersection at S. Timber Lane and E. Ponderosa Boulevard.

REQUEST: Subdivide approximately 10 acres into 22 lots. This project area has previously been approved as the "The Northshore District Subdivision and PUD" File No's: SUBD-0001-2021/PUD-0001-2021, which allows for up to 47 lots on the 10 acres. This request would amend the previously approved PUD by removing the PUD and the project would be replaced with a 22-lot subdivision on 10 acres as proposed per the Preliminary Plat (Exhibit A-4) and as requested in the narrative (Exhibit A-2).

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Northshore Construction Plans
4. A-4 Preliminary Plat
5. A-5 Site Disturbance Plans
6. A-6 Northshore Firm
7. A-7 Northshore SD Report
8. A-8 Owner Authorization
9. A-9 Title Report
10. A-10 Radius Report
11. A-11 Radius Map
12. S-1 Vicinity Map
13. S-2 Zoning Map
14. S-3 Future Land Use Map
15. PA-1 KCFR Comments
16. PA-2 PFSD Comments
17. PA-3 PFPD Comments
18. PA-4 YPL Comments
19. PA-5 PFHD Comments
20. PA-6 DEQ Comments
21. PC-1 Magnuson/Rashoodi Comments
22. P&Z Staff Report
23. Testimony at the April 9, 2024, Planning and Zoning public hearing:

The Planning and Zoning Commission (hereinafter "Commission") heard the request at the April 9, 2024, public hearing, the meeting was in-person and live-streamed on the city of Post Falls YouTube Channel. The request was for the Commission to review the request to subdivide 10 acres into 22 single family lots within the Single-Family Residential (R-1) zoning designation. The request is

evaluated under the standards of PFMC § 17.12.060.

Jon Manley, Planning Manager

Mr. Manley presented the staff report. The subdivision site, located about a quarter-mile east of the intersection of Greensferry and Ponderosa Boulevard, is zoned for single-family residential use and is currently a large undeveloped lot. The city of Post Falls would provide water and wastewater services. The proposed subdivision plan shows larger lots than the previous plan and includes a road network redesign, better aligning with existing traffic demands and neighborhood layouts. Larger lots towards the south would have river access.

Regarding the subdivision review criteria Mr. Manley testified that: 1) Water supply and sewage systems are confirmed adequate by the city of Post Falls, 2) the street layout aligns with the city's transportation element, 3) the site is free from significant soil or topographical hazards, although some re-grading is necessary, 4) any construction plans must include a mass grading and storm water pollution prevention plan, 5) the subdivision conforms to zoning requirements for single-family residences, negating the need for a PUD; and 6) impact fees will be charged to cover the new development's fair share of regional infrastructure costs.

Todd Whipple, Applicant

Mr. Whipple of Whipple Consulting Engineers presented the proposed revised subdivision addressing the initial strong opposition to a previous project on the site. After reconsidering community concerns, the revised plan aims to better integrate into the neighborhood and environment, especially given its proximity to the river. This plan involves mass grading to create a riverine setting rather than maintaining existing land contours, resulting in larger lot sizes and daylight basements for homes.

The new design will feature garages at street level with direct access and homes with daylight basements stepping down toward the river, enhancing aesthetic and practical aspects of the properties. In addition to the home layouts, the proposal includes significant open space with amenities like a park and possibly a restroom facility near the river, accessible by a path.

Whipple emphasized the project's compliance with necessary criteria for approval and noted that efforts were made to secure support from previously opposed community members, resulting in letters of support. He concluded by asking for the commissioners' approval, stressing that the subdivision would be a valuable addition to the city of Post Falls.

The hearing was opened for public comment.

Mike Pelissero

Mr. Pelissero testified that he on behalf of most of the residents of the adjacent HOA at Shore Pines Subdivision are no longer opposed to the project and appreciate that the revised subdivision will more closely align with the existing look and design of the neighbors. They would request that timber be removed from the site for disposal rather than on-site slash piles. Mr. Whipple agreed to that as a condition of the approval, as needed.

No other public comment was received.

Deliberations: After the public hearing was complete, the hearing was closed and the Commission progressed to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") § 17.12.060.

C. SUBDIVISION REVIEW CRITERIA: (Post Falls Municipal Code Title 17.12.060, Subsection H):

No subdivision shall receive approval unless findings and conclusions are made that:

- C1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.**

The Commission determines that the city of Post Falls has adequate capacity and is willing to provide service to the subdivision as proposed.

- C2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.**

The Commission determines that the city of Post Falls has adequate capacity and is willing to provide service to the subdivision as proposed.

- C3. Proposed streets are consistent with the transportation element of the comprehensive plan.**

The Commission determines that the subdivision and proposed layout are consistent with the city's Transportation Master Plan by providing wide enough streets and turnarounds to meet accessibility requirements for emergency responders. The internal private streets are residential and have a single access point onto Ponderosa Drive.

- C4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.**

The Commission determines that no testimony or evidence was presented that identified any soil or topographical conditions that would prevent or hinder the development of the property. Additionally, the application included a mass grading plan flatter than the maximum slope allowed and a water pollution prevention plan will need to be submitted with construction plans.

- C5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.**

The Commission determines that this subdivision and proposed lots conform to the requirements for Single-Family Residential (R-1) zoning.

- C6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.**

The Commission determines that impact fees will be assessed on individual building permits at the time of issuance to mitigate the off-site impacts to parks, public safety, and streets.

- C7. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:**

Based on the proposal's proximity to the river, the applicant has submitted a plan for erosion and sediment control and development will need to be in compliance with the flood damage prevention standards contained in PPMC 15.44.140 as detailed in the Staff Report.

The Commission decides that the requested subdivision can meet the city's standards. However, certain conditions will need to be completed to meet the criteria. Those conditions, 1-12 listed below, when imposed, will ensure that the six criteria found in PPMC 17.12.060.H are met. Based

upon the presentations made to the Commission at a properly noticed public hearing, the record compiled in this matter, the applicant must meet the following conditions:

1. Corrections and additions, if any, to the subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. The proposed subdivision must be completed in a single phase.
3. A Master Development Agreement shall be prepared by staff, reviewed, and approved by the City Council, and signed by the parties prior to commencement of any construction.
4. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. Final construction plans of the streets and utilities shall be reviewed and approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.
5. Except where an exception is granted, all streetlights, roadways and City owned utilities shall be designed and constructed in accordance with City standards; private roadways are allowed; streetlights shall be installed in conformance with City Standards and Ravine Drive shall be at least 30-feet wide, measured face of curb to face of curb.
6. A private association shall be responsible for maintenance of community common areas, and all open space tracts and associated improvements and amenities within such; including snow removal from sidewalks and the irrigation and maintenance of swales and right-of-way landscaping along Ponderosa Boulevard.
7. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction of homes. The Urban Forester shall be notified prior to planting.
8. Direct residential access to Ponderosa Blvd. shall be restricted on the face of the plat.
9. All stormwater swales within any tract, receiving stormwater from public rights-of-way, shall include the appropriate easement to the city of Post Falls allowing for treatment, storage, and disposal of storm water.
10. An easement to the city of Post Falls shall be provided over the extent of the internal private roadways and emergency access, to allow for construction, operation and maintenance of the proposed sanitary sewer and water facilities.
11. The engineered design of all retaining walls shall be submitted for review and approval with a building permit issued prior to the commencement of any mass grading on the site.
12. Trees and timber shall be removed from the site during construction for off-site disposal instead of on-site burning to mitigate against smoke pollution to the neighboring communities.

C8. Removal of existing PUD:

The Commission finds that upon approval of this amended subdivision, removal of the existing PUD (PUD-0001-2021) is appropriate.

D. ACTIONS THAT THE APPLICANT CAN TAKE TO GAIN APPROVAL.

Not applicable.

E. CONCLUSION

SUBD-23-3: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Commission that the request, North Shore Subdivision, SUBD-23-3 meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with the conditions contained herein.

Approved by the Planning and Zoning Commission on _____

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

Legion Park Special Use Permit and Subdivision File No. SUP-23-4 & SUBD-23-6

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPLICANT: Merle Van Houten, Van Houten Consulting and Design, LLC

LOCATION: South of E. Poleline Avenue on the northeast corner of E. Legion Rd. and N. Syringa St.

REQUEST: A Special Use Permit and Subdivision to permit cottage homes in accordance with the Cottage Home Residential Performance Standards (PFMC 18.24.032) and to subdivide approximately 1.06 acres into nine (9) lots.

B. RECORD CREATED:

1. A-1A SUP Application
2. A-1B Subdivision Application
3. A-2 Narrative.
4. A-3 Preliminary Plan
5. A-4 Owner Authorization
6. A-5 Title Report
7. A-6 Radius Report
8. A-7 Will Serve
9. S-1 Vicinity Map
10. S-2 Zoning Map
11. S-3 Future Land Use Map
12. PA-1 PFSD Comments
13. PA-2 KCFR Comments
14. PA-3 PFPD Comments
15. PA-4 YPL Comments
16. PA-5 PFHD Comments
17. PA-6 DEQ Comments
18. P&Z Staff Report
19. Testimony at the April 9, 2024 Planning and Zoning Public Hearing:

The public hearing was noticed correctly and conducted under the requirements of Idaho Code §§ 67-6512 and 67-6509 and PFMC § 18.20.60. The purposes of the hearing was to allow the Applicant and the public to provide testimony and documentation to the Planning and Zoning Commission ("Commission") in their application of § 18.20.070B and 17.12.060(H).

Ethan Porter, Associate Planner

Ethan Porter presented the proposal for a special use permit and subdivision application for Legion Park. The property owner, Benjamin Steckman of Blackwell Homes LLC, is represented by Merle Van Houten. The proposal includes developing eight cottage homes within an R1 single-family zoning district on a 1.06-acre plot, which also houses one existing single-family home. The proposed site is located at the northeast corner of Legion Road and Syringa Street and was previously considered for

annexation. The area is predominantly surrounded by single-family residential properties. The preliminary plan, detailed in Exhibit A3 of the staff report, shows nine lots, with lots two through nine designated for the cottage homes and lot one maintaining the existing single-family home.

Mr. Porter explained that the proposed subdivision adheres to the R-1 zoning requirements and the special use permit requested will allow the placement of the cottage homes, which are smaller in size but are permissible under the city code. It allows for a denser, but compatible development. The development is supported by existing infrastructure with water to be provided by Ross Point and wastewater services by the city. The proposed streets align with the city's comprehensive plan. The connectivity and access points are designed to accommodate potential future developments in the area and integrate with the city's transportation framework.

Mr. Porter emphasized that this project is the first to proceed under the cottage homes framework and offered an alternative housing type that supports both infill development and increases housing densities while still maintaining compatibility with the surrounding single-family homes. Mr. Porter also testified that the development aligns with several goals of the city's comprehensive plan, emphasizing diversified housing types and promoting infill development. By introducing cottage homes, the project supports a resilient local economy, and promote diversity in housing, reflecting the plan's vision for growth and development.

Merle Van Houten of Van Houten Consulting and Design LLC, Applicant

Mr. Van Houten presented the Applicant's request for the subdivision approval and special use permit for cottage home standards. He testified that the proposal would retain the existing house and add eight cottage homes structured around a central green space in line with the cottage home approval standards. The proposal will include the construction of a private internal roadway connecting to Legion Road. He testified that the proposal met sizing standards and each home is designed with two stories, three bedrooms, two bathrooms and a single-car garage, intended to meet the needs of young families or retirees. Mr. Van Houten testified that the proposal includes frontage improvements to both Legion and Syringa and highlighted the project's proximity to parks and schools as support for the complimentary residential purpose of the proposal.

Mr. Van Houten also emphasized that the proposal adheres to the underlying R-1 zoning requirements and the cottage home use is permissible through the special use approval process. Additionally, the proposal aligns with the city's transportation plans and adequate provisions for water and wastewater are available. Finally, he testified that the proposal promotes infill development and provides diverse housing which supports the city's demographic trends and economic resilience.

The hearing was opened for public comment.

Howard Burns, Neutral

Mr. Burns stated that he would like to see such properties restricted to owner occupied units only.

Deliberations: After the public hearing was complete the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") § 18.20.070 B and 17.12.060(H).

C. SPECIAL USE PERMIT REVIEW CRITERIA:

C1. Will Implementation of the special use conform to the purposes of the applicable zoning district?

Based on the testimony supplied and the staff report, the Commission finds that the proposed cottage

homes use is allowed with a Special Use Permit as per PPMC 18.24.032(B) in the R-1 zoning district. The Commission finds that the proposed residential conforms to the purposes of the R-1 zone and finds the testimony of Mr. Porter and the Applicant persuasive that the zoning supports the proposed use as it is associated and compatible with the other residential uses.

C2. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.

Based on the analysis of PPMC 18.24.032, it has been established that the proposed cottage home residential use is compatible and allowed as a special use in the zone and that the applicant has met all the relevant laws and no testimony to the contrary was presented. Therefore, the Commission finds that the approval criterion has been met.

C3. Whether the proposed use will be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

The Commission, having reviewed the Special Use Permit application in light of this Criterion, finds that the testimony and evidence provided that the proposed use as cottage homes when viewed against the surrounding land uses and zoning designations does not negatively affect the health, safety, and welfare of the public. There was no testimony to the contrary. The Commission finds that the proposal does not create adverse impacts to the existing transportation systems or public services.

As such, the Commission finds that the proposed use will be compatible with the health, safety, and welfare of the public and with land uses within the vicinity.

C4. Whether the proposed use will comply with the goals and policies found within the comprehensive plan.

The Commission finds that the proposal meets the following goals and policies of the Comprehensive Plan:

Goal 1: *Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

This proposal helps build economic diversity by promoting new and different products in housing inventory which sustains a diverse, balanced economic base, retains existing quality of life assets, and helps keep Post Falls prosperous. The future homes attract prospective employees for business and provide community prosperity and fiscal health.

Goal 7: *Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.*

The proposal supports an allocation of diverse land use types to support the community needs and fosters the City's long-term sustainability by growing the local economy by providing diverse housing options in the vicinity of the adjacent commercial areas.

Policy 8: *Encourage compatible infill development and redevelopment of vacant and underutilized properties within City limits.*

The proposal supports the redevelopment of an underutilized infill parcel recently annexed into the city with a new type of housing providing an alternative to traditional multi-family apartments within a community setting.

- D. SUBDIVISION REVIEW CRITERIA** (Post Falls Municipal Code Title 17.12.060, Subsection H):
No subdivision shall receive approval unless findings and conclusions are made that:

- D1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.**

The Commission finds that the Ross Point Water District has determined it has adequate capacity and is willing to provide service to the subdivision as proposed.

- D2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.**

The Commission determines that the city of Post Falls has adequate capacity and is willing to provide service to the subdivision as proposed.

- D3. Proposed streets are consistent with the transportation element of the comprehensive plan.**

The Commission determines that the subdivision and proposed layout are consistent with the city's Transportation Master Plan. The internal private street is residential, will be maintained by a homeowner's association and will have a single access point onto Legion Road.

- D4. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.**

The Commission determines that no testimony or evidence was presented that identified any soil or topographical conditions that would prevent or hinder the development of the property.

- D5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.**

The Commission determines that this subdivision and proposed lots conform to the requirements for Single-Family Residential (R-1) zoning.

- D6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.**

The Commission determines that impact fees will be assessed on individual building permits at the time of issuance to mitigate the off-site impacts to parks, public safety, and streets.

- E. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:**

The Commission decides that the requested subdivision can meet the city's standards. However, certain conditions will need to be completed to meet the criteria. Those conditions, 1-10 listed below, when imposed, will ensure that the six criteria found in PFMC 17.12.060.H are met. Based upon the presentations made to the Commission at a properly noticed public hearing, the record compiled in this matter, the applicant must meet the following conditions:

1. Corrections and additions, if any, to the subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. A Master Development Agreement shall be prepared by staff, reviewed, and approved by the City Council, and signed by the parties prior to commencement of any construction.
3. The proposed subdivision must be completed in a single phase.
4. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. Final construction plans of the streets and utilities shall be reviewed and approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.
6. Except where an exception is granted, all streetlights, roadways and City owned utilities shall be designed and constructed in accordance with City standards. The application did not request any exceptions from City Code or Design Standards.
7. Direct access to or from residential lots to Syringa Street shall be prohibited on the face of the plat.
8. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction of homes. The Urban Forester shall be notified prior to planting.
9. A Homeowners Association (HOA) shall be formed to maintain the private roadway (Chafee Street).
10. The existing home shall connect to the City's sewer system, pay appropriate capacity fees and have the existing septic system abandoned, on compliance with Panhandle Health requirements.

F. CONCLUSION

SUP-23-4: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Commission that the request, Legion Park, SUP-23-4, meets the approval criteria of Post Falls Municipal Code, and the Idaho Local Land Use Planning Act, and is hereby approved with the conditions contained herein.

SUBD-23-6: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Commission that the request, Legion Park, SUBD-23-3 meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with the conditions contained herein.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

Pleasant View Apartments Special Use Permit File No. SUP-24-1

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPLICANT: Raymond Kimball, Whipple Consulting Engineers

LOCATION: Generally located near the northeast corner of Seltice Way and Pleasant View Road.

REQUEST: A Special Use Permit in the Community Commercial Services (CCS) Zone to allow for 80 multi-family units to be developed on 3.97 acre

B. RECORD CREATED:

1. A-1 Application.
2. A-2 Narrative.
3. A-3 Conceptual Plan
4. A-4 Vicinity Map
5. A-7 Owners Authorization
6. A-8 Open Space Calculation
7. S-1 Vicinity Map
8. S-2 Zoning Map
9. S-3 Future Land Use Map
10. PA-1 PFSD Comments
11. PA-2 KCFR Comments
12. PA-3 PFPD Comments
13. PA-4 YPL Comments
14. PA-5 PFHD Comments
15. PA-6 DEQ Comments
16. P&Z Staff Report
17. Testimony at the April 9, 2024, Planning and Zoning public hearing:

The public hearing was noticed correctly and conducted under the requirements of Idaho Code §§ 67-6512 and 67-6509, and Post Falls Municipal Code (PFMC) § 18.20.060. The purpose of the hearing was to allow the Applicant and the public to provide testimony and documentation to the Planning and Zoning Commission in application of PFMC § 18.20.070B.

Anna Staal, Planner 1

Ms. Staal presented the staff report and testified that the applicant, Eucon Corp., is requesting approval for a Special Use Permit to allow for 80 multi-family units to be developed on 3.97 acres in the Community Commercial Services Zone. They explained that the property, which is currently vacant is located on the northeast corner of the W. Seltice Way and N. Pleasant View Road intersection and is bounded on the north by railroad right-of-way.

The nearby land uses are vacant to the north and west and to the east are commercial businesses and storage, with some commercial and residential to the south. North of the property is zoned

industrial. The southern portion of the property is slated for a separate commercial development of an auto parts store.

Ms. Staal explained that the proposed multi-family use is an allowed use in the CCS zoning district with a Special Use Permit at the densities allowed for an R3 zone. Based on the size of the property that would equate to 72 units. However the requested 80 units would be allowed with a density bonus calculation requiring the applicant to provide two additional amenities above the two already required. The applicant proposes four amenities satisfying the density request. Ms. Staal noted that the land use table and regulations provide for a mix of multi-family and commercial uses, the railroad provides a buffer from industrial uses and the adjacent roadways have capacity to support the proposal. Ms. Staal noted Goals 1, 7, 10 and 15 and several policies of the Comprehensive Plan which could support the application.

Ray Kimball, Whipple Consulting, Applicant

Mr. Kimball testified as to the number of proposed units, the amenities and density allowances and that the proposal exceeds the required minimum parking standards as a result of the orientation of the development. Additionally that the proposal will expand the pedestrian network with improvements and will provide housing near businesses and in close proximity to I-90 for ease of transportation.

The hearing was opened for public comment.

Bob Flowers, Opposed

Mr. Flowers testified that there are enough apartments already and disagreed with the location of apartments next to railroad tracks. He also stated that special use permits shouldn't be granted as a standard practice.

Howard Burns, Opposed

Mr. Burns testified that there was no acknowledgement of the current inventory of apartments in the area and that the property should be developed as commercial.

Rebuttal Ray Kimball, Whipple Consulting, Applicant

Mr. Kimball responded with information on the apartment vacancy rates and inventory. He also responded to Commission questions on what types of fencing and buffering is proposed between the property and the railroad.

Deliberations: After the public hearing was complete the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") § 18.20.070 B.

The Commission discussed the feasibility of constructing a concrete barrier instead of the proposed fencing on the northern boundary and wished to solicit additional testimony from the applicant on this issue.

The hearing was re-opened for public comment.

Ray Kimball, Whipple Consulting, Applicant

Mr. Kimball responded that the applicant would be agreeable to constructing a stone wall or concrete panel fence in that location instead of the proposed chain link fence as a barrier to the adjacent

railroad corridor.

Mike Peler, Neutral

Mr. Peler raised concerns with visibility issues associated with constructing a solid barrier in that location.

Devon Mechum, Neutral

Mr. Mechum testified that kids will get around a fence if motivated and that watching the trains is enjoyable to kids.

Ray Kimball, Whipple Consulting, Rebuttal

Mr. Kimball testified that in that location the railroad corridor is elevated to the development and a concrete wall will not be sight obstructing to the passing trains, but instead act as a physical barrier.

Continued Deliberations: After the public hearing was re-closed, the Commission continued its deliberations.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Will Implementation of the special use conform to the purposes of the applicable zoning district?

Based on the testimony supplied and the staff report, the Commission finds that the proposed multi-family residential use is allowed with a Special Use Permit as per PFMC Table 18.20.030 in the CCS zoning district. The Commission finds that the proposed residential conforms to the purposes of the CCS zone by providing for a wide variety of uses including mixed commercial and multi-family uses to serve local and regional residents and that such use will not compromise other present uses.

C2. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.

Based on the analysis of the land use table in PFMC Title 18.20.030, it has been established that the proposed multi-family residential use is compatible and allowed as a special use in the zone and that the applicant has met all the relevant laws and no testimony to the contrary was presented. Therefore, the Commission finds that the approval criterion has been met.

C3. Whether the proposed use will be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

The Commission, having reviewed the Special Use Permit application in light of this Criterion, finds as follows:

Permitted Use and Zoning Compatibility: According to PFMC Land Use Table 18.20.030, multi-family residential are permitted in the CCS zone. The ability to obtain a Special Use Permit for this project indicates compatibility with between multi-family and commercial uses.

Landscape Buffer Requirements: The proposal includes a physical barrier between the railroad to the north. While the residential uses adjacent to the railroad corridor are not ideal, adverse impacts to safety and accessibility can be alleviated and reduced by the construction of a more robust, sight-obstructing barrier such as concrete, as opposed to the proposed chain link fence. This stipulation aids in creating a better transition between different property

types and promotes separation between the uses.

Transportation Impact: The proposed development is not expected to negatively impact the existing transportation systems and would create less impacts than a commercial development.

Water Reclamation and Domestic Water Services: The site will be connected to the City's domestic water service and reclamation, which are adequately equipped to support the proposed use.

Compatibility with Residential Land Use: The surrounding area primarily comprises commercial land uses, however the proposed multifamily development is not incompatible with such uses as contemplated in the CCS zone for mixed uses.

Public Testimony and Opposition: Notwithstanding the concerns raised in public testimony regarding need for additional apartments and the suitability of the property for multi-family residential uses the Commission finds these concerns speculative and not substantiated with concrete evidence. Further that concerns with the adjacent railroad corridor are mitigated by the requirement of concrete fencing providing buffering. The Commission acknowledges these concerns but based on the evidence and planning considerations presented, finds the proposed development does not pose a significant risk to public health, safety, and welfare of the public or with existing land uses in the vicinity.

As such, the Commission finds that the proposed multi-family development as a special use in the CCS zone meets this Criterion, aligning with the objectives of ensuring compatibility with the health, safety, and welfare of the public and with existing land uses within the vicinity.

C4. Whether the proposed use will comply with the goals and policies found within the comprehensive plan.

The Commission finds that the proposal meets the following goals and policies of the Comprehensive Plan:

Goal 1: *Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

This proposal helps build economic diversity by capitalizing on access to neighboring job centers as well as developing a strong business base within City limits. This proposal builds workforce housing and sustains a diverse, balanced economic base, retains existing quality of life assets, and helps keep Post Falls prosperous.

Goal 7: *Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.*

The proposal supports an allocation of diverse land use types to support the community needs and fosters the City's long-term sustainability by growing the local economy by providing housing options in the vicinity of the adjacent commercial areas.

Policy 20: *Consider location of multi-family development in areas that:*

Have access to arterial and collector streets:

This site is adjacent to arterial roadways.

Help buffer higher and lower intensity development patterns:

The Commission finds that this criterion is inapplicable to the request.

Abut compatible land uses:

The Commission incorporates and references its analysis under Section C1, herein.

Are parts of projects involving mixed uses or master planned areas.

The Commission finds that this criterion is inapplicable to the request.

D. ACTIONS THAT THE APPLICANT CAN TAKE TO GAIN APPROVAL.

Not applicable.

E. CONCLUSION

SUP-24-1: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the conditions below, it is the conclusion of the Commission that the requested Special Use Permit, meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved subject to the applicant complying with the conditions contained in the Staff Report as amended by the following:

1. That the fence barrier on the northern boundary required by Condition No. 2 in the Staff Report be either block wall or concrete paneling.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

1170 Mullan Avenue Special Use Permit

File No. SUP-24-2

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPLICANT: Lake City Engineering for NISHB Land Holdings, LLC

LOCATION: Approximately 290-feet west of the N. Shetland Street and E. Mullan Avenue intersection, along the south side of E. Mullan Avenue

REQUEST: A Special Use Permit in the Community Commercial Services (CCS) Zone to allow for 24 multi-family units to be developed on 1.49 acres. Exhibit A-3.

B. RECORD CREATED:

1. A-1 Application.
2. A-2 Narrative.
3. A-3 Conceptual Plan
4. A-4 Vicinity Map
5. A-7 Owner Authorization
6. S-1 Vicinity Map
7. S-2 Zoning Map
8. S-3 Future Land Use Map
9. PA-1 PFSD Comments
10. PA-2 KCFR Comments
11. PA-3 PFPD Comments
12. PA-4 YPL Comments
13. PA-5 PFHD Comments
14. PA-6 DEQ Comments
15. P&Z Staff Report
16. Testimony at the April 9, 2024 Planning and Zoning public hearing:

The public hearing was noticed correctly and conducted under the requirements of Idaho Code §§ 67-6512 and 67-6509, and Post Falls Municipal Code (PFMC) §18.20.060. The purpose of the hearing was to allow the Applicant and the public to provide testimony and documentation to be taken by the Planning and Zoning Commission ("Commission") in their application of PFMC § 18.20.070 B.

Anna Staal, Planner 1

Ms. Staal presented the staff report and testified that the applicant, Lake City Engineering, is requesting approval for a Special Use Permit to allow for 24 multi-family units to be developed on 1.49 acres in the CCS Zone. They explained that property is located approximately 290-feet west of the N. Shetland Street and E. Mullan Avenue intersection, along the south side of E. Mullan Avenue.

The nearby land uses adjacent to the west of this area are assisted living properties. Adjacent to the southwest of this property is a medical business and adjacent to the south is a vacant lot. To the east of this property is a vacant lot. North of E. Mullan Avenue are

residential properties.

Ms. Staal explained that the properties adjacent to the south, west, and east are located within the CCS zoning district. Across E. Mullan Avenue to the north, those properties are within the Medium Density Residential (R2) and Single Family Residential (R1) zoning districts. The proposed multi-family is an allowed use in the CCS zoning district with a Special Use Permit per PPMC Land Use Table 18.20.030. The development is supported by existing infrastructure with water and wastewater services provided by the city. Ms. Staal testified that the absence of a buffer requirement in the code between multi-family and commercial land uses indicates that such land uses may be compatible. Additionally, the proposal meets the city's parking and open space requirements. The accessibility of this project site to E. Mullan Avenue – a minor arterial – offers good connectivity for potential residents. Ms. Staal noted Goals 1, 7, and 10 and several policies of the Comprehensive Plan which could support the application.

Drew Dittman, Lake City Engineering, Applicant

Mr. Dittman testified as to the number of proposed units, the amenities and density allowances and that the proposal provides much needed workforce housing. Additionally, that the proposal will expand the pedestrian network with improvements and will provide workforce housing near businesses, specifically the medical offices in the area as intended by the owners as doctors trying to create housing for their nurses and staff.

The hearing was opened for public comment.

Christine Vanderment, Opposed

Ms. Vanderment testified that heavy traffic is an issue on Mullan and the addition of 24 units will only contribute to the issue.

Bob Flowers, Opposed

Mr. Flowers testified that the city has already had to address the heavy traffic on Mullan Ave. and the addition of the multi-family units would not comply with the health, safety, and welfare of the public.

Howard Burns, Opposed

Mr. Burns testified that the proposal does not fit at that location because of the business nature of the area. Also, the owners' plans for their adjacent lots should be presented at this time as part of the discussion for access and connectivity issues.

Rebuttal Drew Dittman, Applicant

Mr. Dittman responded noting that the staff report addressing traffic recognized that the proposed special use is not anticipated to adversely impact the adjoining transportation systems. Further, that development as an allowed commercial use would create greater traffic impacts than the proposal and that the proposal is beneath the permitted density calculations for multi-family.

Deliberations: After the public hearing was complete the hearing was closed, and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PPMC") § 18.20.070 B.

The Commission discussed the impact on traffic noting that other allowable development would likely create more traffic than the proposed 24 multi-family units. Additionally, the location is within walking distance to many daily needs, services, and transit, which may enhance these residents' quality of life. The site's proximity to commercial businesses provides potential for employment and/or entertainment opportunities within walking distance as well.

C. EVALUATION OF APPROVAL CRITERIA:

C1. Will Implementation of the special use conform to the purposes of the applicable zoning district?

Based on the testimony supplied and the staff report, the Commission finds that the proposed multi-family residential use is allowed with a Special Use Permit as per PFMC Table 18.20.030 in the CCS zoning district. The Commission finds that the proposed residential use conforms to the purposes of the CCS zone by providing for a wide variety of uses including mixed commercial and multi-family uses to create more pedestrian-oriented corridors and that such residential uses will not compromise other present uses.

C2. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.

Based on the analysis of the land use table in PFMC Title 18.20.030, it has been established that the proposed multi-family residential use is compatible and allowed as a special use in the zone and that the applicant has met all the relevant laws and no testimony to the contrary was presented. Therefore, the Commission finds that the approval criterion has been met.

C3. Whether the proposed use will be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

The Commission, having reviewed the Special Use Permit application in light of this Criterion, finds as follows:

Permitted Use and Zoning Compatibility: According to PFMC Land Use Table 18.20.030, multi-family residential are permitted in the CCS zone. The ability to obtain a Special Use Permit for this project indicates compatibility with between multi-family and commercial uses.

Landscape Buffer Requirements: Not required as the adjoining uses are compatible uses.

Transportation Impact: The proposed development is not expected to negatively impact the existing transportation systems. Although public testimony was received concerning the proposed increases in traffic to Mullan Avenue, such testimony was not as impactful as contrary testimony showing that Mullan will accommodate such increases and those impacts would be less than those imposed if the site were developed as commercial.

Water Reclamation and Domestic Water Services: The site will be connected to the City's domestic water service and reclamation, which are adequately equipped to support the proposed use.

Compatibility with Residential Land Use: The surrounding area comprises both commercial and residential land uses, however the proposed multifamily development is not incompatible with such uses as contemplated in the CCS zone for mixed uses.

Public Testimony and Opposition: Notwithstanding the concerns raised in public testimony regarding traffic impacts the Commission finds these concerns outweighed with concrete evidence that the transportation systems are adequate to permit the multi-family use requested. The Commission acknowledges these concerns but based on the evidence and planning considerations presented, finds the proposed development does not pose a significant risk to public health, safety, and welfare of the public or with existing land uses in the vicinity.

As such, the Commission finds that the proposed multi-family development as a special use in the CCS zone meets this Criterion, aligning with the objectives of ensuring compatibility with the health, safety, and welfare of the public and with existing land uses within the vicinity.

C4. Whether the proposed use will comply with the goals and policies found within the comprehensive plan.

The Commission finds that the proposal meets the following goals and policies of the Comprehensive Plan:

Goal 1: *Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.*

This proposal helps build economic diversity by capitalizing on access to neighboring job centers as well as developing a strong business base within City limits. This proposal builds workforce housing and sustains a diverse, balanced economic base, retains existing quality of life assets, and helps keep Post Falls prosperous.

Goal 7: *Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.*

The proposal supports an allocation of diverse land use types to support the community needs and fosters the City's long-term sustainability by growing the local economy by providing housing options in the vicinity of the adjacent commercial areas.

Policy 1: *Support land use patterns that:*

Maintain or enhance community levels of service:

This proposal, through the assessment of impact fees and improvements, will assist in maintaining, enhancing, and mitigating the impact to community levels of service.

Foster the long-term health of the community:

This proposal helps foster the creation of diverse housing within a reasonable distance to service, retail and office uses to create sustainable living communities. The broader commercial sectors within the city benefit by having healthy and diverse communities as it offers employees a place to live, work and play. The cooperation between the commercial and residential uses increases the value and aids in contributing to the long-term fiscal health of the community.

Maintain and enhance resident quality of life:

This proposal assists in maintaining and enhancing opportunities for a work, live, play, environment, promoting residential opportunities with nearby amenities within walking distances and increasing quality of life for the residents of Post Falls.

Promote compatible, well-designed development:

This proposal promotes a well-designed development pattern by locating residential opportunities to the nearby existing single-family residents and adjacent medical businesses which are complimentary to providing housing opportunities to those nearby businesses.

Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

This proposal advances and promotes development and improvements consistent with the comprehensive plan as well as the transportation, sewer and water master plans as noted.

D. ACTIONS THAT THE APPLICANT CAN TAKE TO GAIN APPROVAL.

Not applicable.

E. CONCLUSION

SUP-24-2: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the conditions below, it is the conclusion of the Commission that the requested Special Use Permit, meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved subject to the applicant complying with the conditions contained in the Staff Report as amended by the following:

1. Site Access points will be required to conform with City Access Management requirements.

Date

Chairman

Attest

NOTICE OF RIGHTS:

Any affected person aggrieved by a final decision of the Planning and Zoning Commission may submit a written notice of appeal along with the required fees in accordance with the City's adopted fee schedule, to the City Clerk for appeal to the Post Falls City Council within fourteen (14) days of the date of the written decision, pursuant to Post Falls City Code 18.20.60.E

The final decision of the Planning and Zoning Commission is not a final decision for purposes of judicial review until the City Council has issued a final decision on appeal and the party seeking judicial review has requested reconsideration of that final decision as provided by Idaho Code 67-6535(2)(b), pursuant to Post Falls City Code 18.20.60.E.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section 67-6535 must first seek reconsideration of the final decision within fourteen (14) days of such decision. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section 67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code Section 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

**CITY OF POST FALLS
STAFF REPORT**

DATE: MAY 8, 2024

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: ETHAN PORTER, ASSOCIATE PLANNER • eporter@postfalls.gov • 208-457-3353

SUBJECT: FINAL STAFF REPORT FOR THE MAY 14, 2024, P&Z COMMISSION MEETING
MVBC ANNEXATION ANNX-23-6

INTRODUCTION:

Stonehenge is requesting, on behalf of Mountain View Bible Church Inc, the property owners, approval to annex approximately 3.6-acres among two parcels, including rights-of-way, into the City of Post Falls with a zoning request of Limited Commercial (LC) (Exhibit A-2: Narrative). The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning as part of the annexation proposal per the Zone Change approval criteria contained in Post Falls Municipal Code Section 18.20.100. Following the public hearing, **the Planning Commission will forward its recommendation on zoning to City Council** for review and final action pertaining to the annexation. The approval criteria for establishing zoning are:

1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?
2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration?
3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city?

PROJECT INFORMATION:

Project Name / File Number: MVBC Annexation File No. ANNX-23-6

Owner(s): Mountain View Bible Church Inc., 3974 N Chase Rd, Post Falls, ID 83854

Applicant: Stonehenge, 1859 N Lakewood Drive Suite 102, Coeur d'Alene, ID 83814

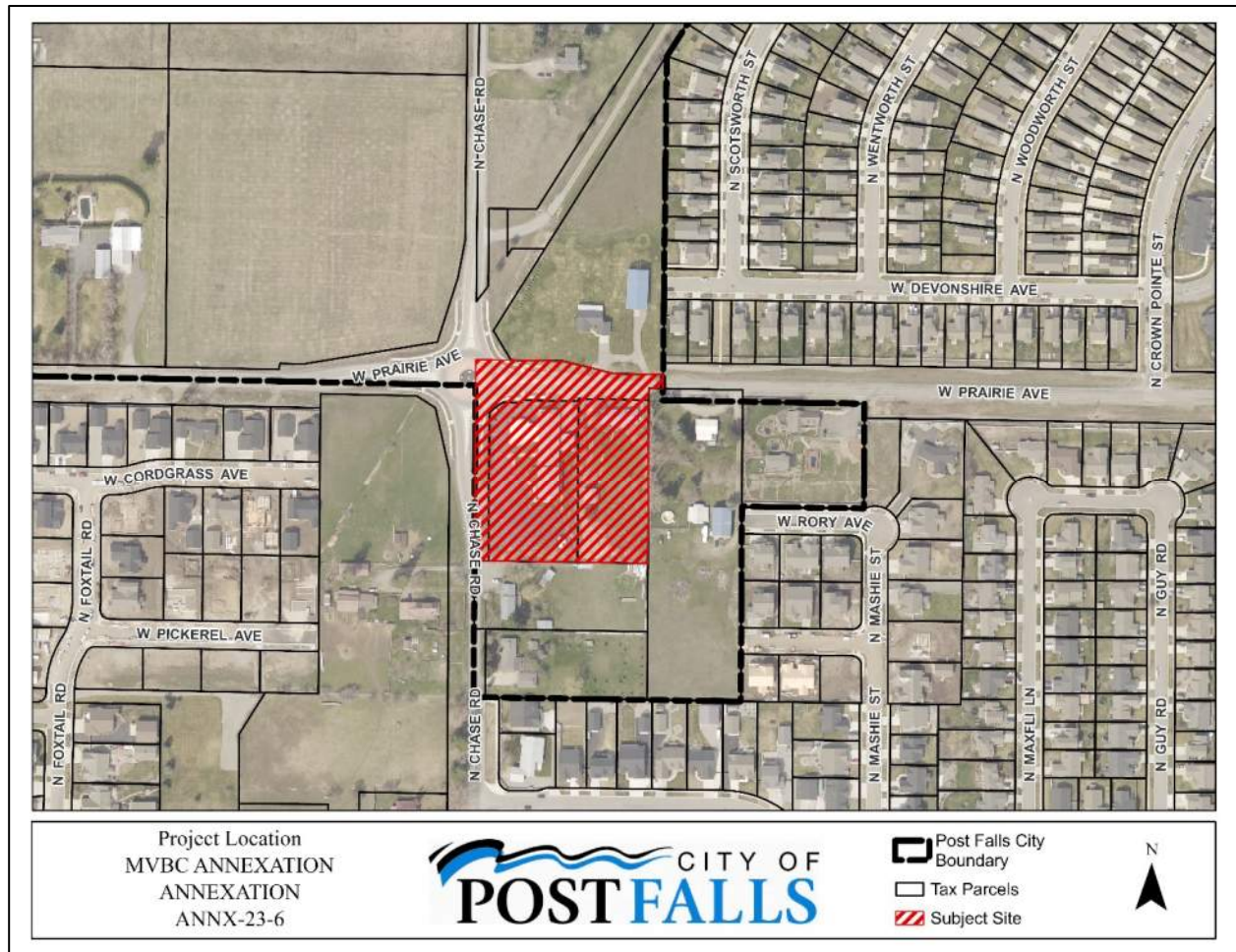
Project Description: Annex approximately 3.6-acres among two parcels, including rights-of-way, into the City of Post Falls with a zoning request of Limited Commercial (LC).

Project Location: The property is located on the southeast corner of N. Chase Rd. and W. Prairie Ave.

AREA CONTEXT (proposed site hatched red below):

Surrounding Land Uses: Located to the north of the subject site is W. Prairie Avenue rights-of-way and west is N. Chase Rd. rights-of-way. To the south and the east there are large lot residential homes in Kootenai County.

Area Context Vicinity Map:



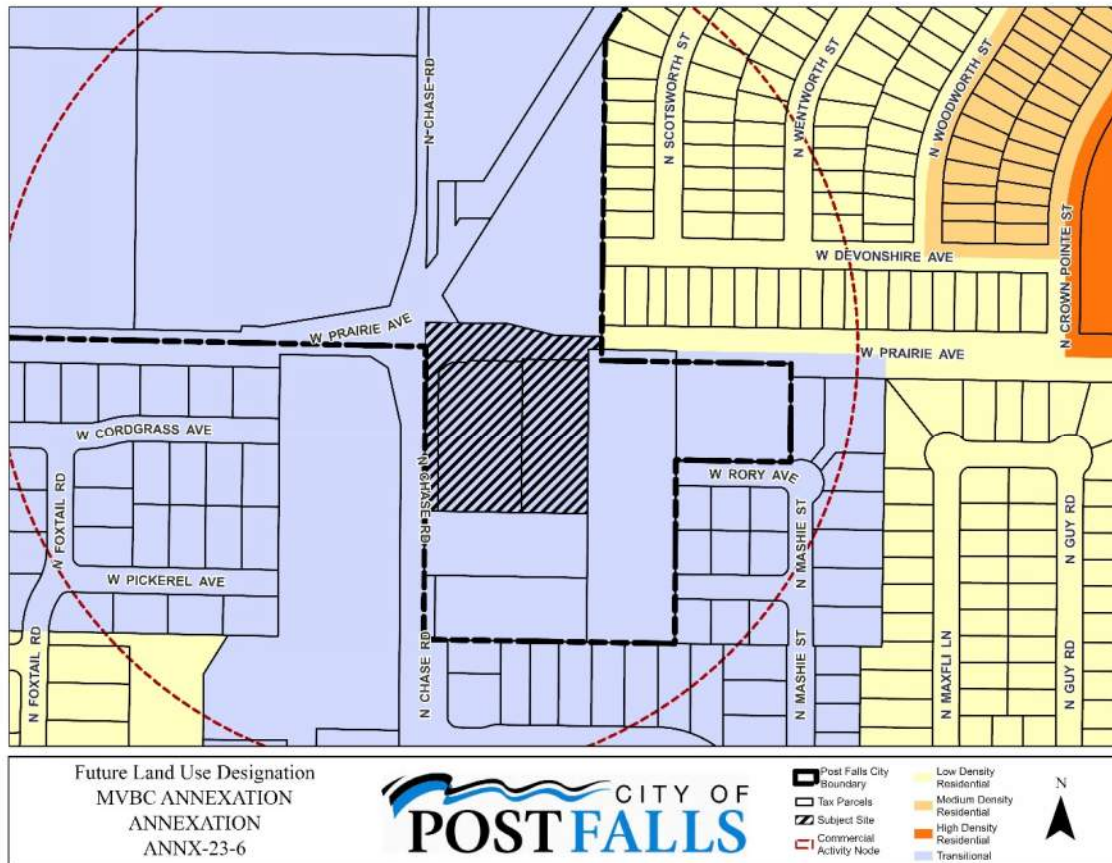
EVALUATION OF ZONING APPROVAL CRITERIA:

The following section provides the staff analysis pertaining to the Annexation Application and the establishment of zoning. The zone change review criteria set forth within the Post Falls Municipal Code sections 18.20.100 are cited within the following staff analysis in **BOLD**. This review criteria provides the framework for decision making for the Planning Commission and City Council.

ZONE CHANGE REVIEW CRITERIA

1. Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?

The Future Land Use Map classifies this property with the land use designation of **Transitional**. This designation is assigned to lands suitable for growth. The timing for growth is undetermined, but guidance can be located within the associated Focused Area.



The subject site is located within the **Central Prairie Focus Area**. To date, development trends in the Central Prairie area have been focused on addressing single-family housing needs. But with land values increasing, new projects are more likely to integrate higher density housing with community amenities to broaden their appeal to buyers. Future growth should embrace a variety of housing types and land uses, maintain quality standards, and provide even greater emphasis on pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities. Prairie Avenue's role as a major east/west connecting corridor may spur interest in commercial use development.

The following items affirm or guide development of key policies for this area, or suggest future action items for the Central Prairie context area:

- Focus multi-family along Prairie Avenue;
- Focus commercial development along Prairie Avenue and near identified commercial nodes;
- Support provisions for a variety of housing types and densities;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

Staff Comment: The proposed Limited Commercial (LC) zone request is consistent with the Future Land Use Map and does align with above within the Central Prairie Focus Area for commercial zoning. The Church use is allowed outright within the LC zoning district 18.20.030.

- 2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration;** Goals and Policies (listed by policy number) that may be relevant to this annexation request are shown below, followed by staff comments.

The following goals may or may not assist with this zone change request.

Goal 1: Grow and sustain a balanced, resilient economy for Post Falls, providing community prosperity and fiscal health.

In seeking long-term prosperity, residents understand the need to build economic diversity – capitalizing on access to neighboring job centers as well as developing a strong business base within City limits. This plan supports strategies that build and sustain a diverse, balanced economic base, retain existing quality of life assets, and help keep Post Falls prosperous.

Goal 7: Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability.

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. Consequently, the Comprehensive Plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives. The subject site being within a commercial node retains the future use of commercial and its permitted uses through the proposed LC zoning district.

Goal 12: Maintain the City of Post Falls' long-term fiscal health.

Services that cities provide cannot be sustained without fiscal balance and accountability. This goal serves to anchor the City of Post Falls' obligation to sustain its fiscal health – achieved through the gathering of income in responsible, equitable ways, and through decisions, investments and actions that provide rate-payers with efficient, effective services now and in the future.

The following policies may or may not assist with this zone change request.

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service;

Staff Comment: Impact Fees are paid at the time of permit issuance to assist in mitigating impacts and maintain/enhance community levels of service.

- Foster the long-term fiscal health of the community;

Staff Comment: Additional uses may help further long-term fiscal health of the City by being incorporated into the City and proving revenue from taxes to help facilitate needs for the current and future residents within the City.

- Maintain and enhance resident quality of life;

Staff Comment: Future businesses and amenities that are accessible within Post Falls may help enhance the quality of life for those within the City.

- Promote compatible, well-designed development;

Staff Comment: Development will be required to meet City design standards during development and/or subdivision.

- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: Transportation impacts, and sewer and water capacity are reviewed by City staff. Any anticipated inadequacies identified are addressed and/or have a plan on how to be brought into compliance with the relevant agreements and city processes through the public hearing process and land use action proposals.

Policy 2: Apply or revise zoning designations with careful consideration of factors including:

- Future land use mapping;

Staff Comment: This is addressed by the first review criteria 1.

- Compatibility with surrounding land uses;

Staff Comment: The proposed development pattern to expand the church site would not be incompatible with the surrounding uses along N. Chase Rd. or W. Prairie Ave., as they are single-family residential. Religious institutions in residential zoning is allowed to be permitted through special use permit per the City's Land Use Table (PFMC 18.20.030).

- Infrastructure and service plans;

Staff Comment: Sanitary Sewer is not currently available to the site. The site is scheduled to be serviced by the future Fisher Lift Station replacement and Fisher Gravity Main Extension, both City projects under current review for prioritization of construction timing in the new few years. The Fisher Gravity Main Extension project may require temporary and/or permanent easements over portions of the subject property. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The City's Water Reclamation System will have the capacity to provide service and the City would be willing to serve the property at the requested density upon completion of needed system improvements associated with the Fisher Lift Station and Fisher Gravity Main Extension. Existing capacity is not a guarantee of future service.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

Connection to the City's Sewer System would be required upon completion of the identified Fisher Lift Station improvements and before any development of the site which would necessitate Site Plan Review. At the time of connection, the property owners would be responsible for all costs of extending sanitary sewer from the public rights-of-way to the building, including capitalization fees, and abandonment of the existing septic system(s) in conformance with Panhandle Health requirements.

Water service for the site is provided by the East Green Acres Irrigation District.

- Existing and future traffic patterns;

Staff Comment: The property is adjacent to Prairie Avenue, a classified Principal Arterial roadway and Chase Road, a classified Minor Arterial Roadway. The City anticipates a future expansion of the Prairie/Chase Roundabout into a multi-lane

facility. A concept layout of the multi-lane Roundabout is reflected on the applicants' submittals and conforms with the concept layout that was prepared for the City with the City's recent design and construction of the Prairie/Spokane Roundabout. Dedications or rights-of-way and easements would be required at the time of annexation and in conformance to adopted City Design Standards:

Prairie Avenue – Principal Arterial (Critical Arterial Corridor): Rights-of-way will be required at time of annexation and include a 15-foot sidewalk, drainage, and utility easement. Limits of the dedicated rights-of-way and easement shall be in conformance with the limits shown in the Mountain View Bible Church Site Concept (Exhibit A-3). Access to Prairie Avenue will be restricted to right-in / right-out only.

Chase Road – Minor Arterial: Rights-of-way will be required at time of annexation and include a 15-foot sidewalk, drainage, and utility easement. Limits of the dedicated rights-of-way and easement shall be in conformance with the limits shown in the Mountain View Bible Church Site Concept (Exhibit A-3).

Site access to/from Prairie Avenue is limited due to Prairie Avenue being identified as Critical Arterial Corridors by the KMPO and the property's proximity to the Prairie/Chase Roundabout.

Goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The response to this is embedded within the analysis within this section.

Policy 8: Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.

Staff Comment: The property owner is looking to redevelop the site for the church's needs. Approval to be incorporated into the City of Post Falls may help incentivize development along W. Prairie Ave. and/or south along N. Chase Rd. to help with the City's tax base.

Policy 14: Follow all annexation procedures established by Idaho State Statutes and applicable City ordinances.

Staff Comment: Idaho State Statutes and City ordinances associated with annexations have been followed.

Policy 24: Plan for and protect transportation corridors from encroachment and preserve adequate rights-of-way for future corridors including utility facilities.

Staff Comment: Additional rights-of-way along W. Prairie Ave. and N. Chase Rd. including a 15-foot Sidewalk, Drainage and Utility easement is required to be dedicated along the adjoining roadways as part of the annexation agreement (as shown on Exhibit A-3). Annexation shall include all rights-of-way adjoining the site and currently within the County (As shown on Exhibit A-3 Vicinity Map). Future improvements at the time of site development will need to include consideration of

the KMPO Critical Arterials Corridor Policy that affects access.

Policy 26: Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.

Staff Comment: Upon development through subdivision or site plan review frontage improvements will need to be completed. This allows for continuity of pedestrian pathways and better connection within the roundabout at the intersection of N. Chase Rd. and W. Prairie Ave.

Policy 33: Annexation should help implement Post Falls' transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian ways.

Staff Comment: Adjacent roadways will be examined for improvement upon site plan review or land action that would require frontage improvements. Missing pedestrian facilities along Prairie Avenue and Chase Road, would be required at the time of site development.

Policy 45: Guide annexation decisions guided by and considering:

- Master plans for water, sewer, transportation, parks, schools and emergency services;

Staff Comment: Sanitary Sewer is not currently available to the site. The site is scheduled to be serviced by the future Fisher Lift Station replacement and Fisher Gravity Main Extension, both City projects under current review for prioritization of construction timing in the next few years. The Fisher Gravity Main Extension project may require temporary and/or permanent easements over the subject property. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The City's Water Reclamation System will have the capacity to provide service and the City would be willing to serve the property at the requested density upon completion of needed system improvements associated with the Fisher Lift Station and Fisher Gravity Main Extension. Existing capacity is not a guarantee of future service.

The property is not subject to any Local Improvement Districts (LID's), Subsequent User Agreements or Sewer Surcharges.

Connection to the City's Sewer System would be required upon completion of the identified Fisher Lift Station improvements and before any development of the site which would necessitate Site Plan Review. At the time of connection, the property owners would be responsible for all costs of extending sanitary sewer from the public rights-of-way to the building, including capitalization fees, and abandonment of the existing septic system(s) in conformance with Panhandle Health requirements.

- Provision of necessary rights-of-way and easements;

Staff Comment: Dedication of additional rights-of-way and associated easements have been described previously with Policy 2.

- Studies that evaluate environmental and public service factors;

Staff Comment: No known environmental studies have been conducted however Panhandle Health District and the Department of Environmental Quality have been notified of this request and have been given the chance to comment on the request.

- Timing that supports orderly development and/or coordinated extension of public services;

Staff Comment: Site expansion would require the completion of City Planned improvements to the Fisher Lift Station and the Fisher Gravity Main Extension to Prairie Avenue.

- Comprehensive plan goals and policies.

Staff Comment: The response to this is embedded within the analysis within this section.

Policy 72: Support and participate in efforts to protect the high quality of water from the Rathdrum Prairie Aquifer, which provides the existing and future municipal water supply.

Staff Comment: All development associated with this proposal will be connected to municipal wastewater systems and will not utilize a septic system. Stormwater management will be reviewed through subdivision and site plan review process.

3. Does the proposed zoning district create a Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city.

Staff Comment: There have been no identified “Demonstrable Adverse Impacts upon the delivery of services by any political subdivision providing public services within the city.” at this point in time.

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality (DEQ)	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO
Yellowstone Pipeline Co.	TransCanada GTN	TDS

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

PA-1 Post Falls School District – Remains neutral

PA-2 Kootenai County Fire & Rescue – Comment during permitting process

PA-3 Yellowstone Pipeline – No comments

PA-4 Post Falls Police Department – Remains neutral

PA-5 Department of Environmental Quality – No comments

PA-6 Post Falls Highway District – No comments

PA-7 Panhandle Health District – No comments (City requires connection upon development)

PUBLIC PROCESS: Notice of the proposed annexation was sent to appropriate jurisdictions on April 23, 2024, and notice was mailed to property owners within 300 feet of the proposed project on April 19, 2024. Notice has been published in the Coeur d'Alene Press on April 23, 2024. The property posting was posted May 3, 2024, on the subject site.

ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT:

1. Prior to commencement of development of the property, the Owners shall grant to the City or to a municipal water purveyor designated by the City all water rights associated with the land being annexed, but may continue the use of the water for agricultural purposes from the well located on site, if any, until such time that the annexed area is fully developed, at which time Owners shall discontinue the use of any well serving the property and the use of the water for agricultural purposes.
2. Dedication of Rights-of-way and easements along Pleasant View Road
 - a. As shown on Exhibit (X-XX)
 - b. A 15-foot sidewalk, drainage, and utility easement is required.
3. Dedication of Rights-of-way and easements along Seltice Way
 - a. As shown on Exhibit (X-XX)
 - b. A 15-foot sidewalk, drainage and utility easement is required
4. Access to Prairie Avenue will be restricted to right-in / right-out
5. Property is subject to the KMPO Critical Access Corridor Policy

MOTION OPTIONS: The Planning and Zoning Commission must provide a recommendation of zoning to City Council along with an evaluation of how the proposed development does/does not meet the required evaluation criteria for the requested annexation. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a date certain.

ATTACHMENTS:

Applicant Exhibits:

Exhibit A-1	Annexation Application
Exhibit A-2	Narrative
Exhibit A-3	Vicinity Map
Exhibit A-4	Authorization Letter

Staff Exhibits:

Exhibit S-1	Vicinity Map
Exhibit S-2	Zoning Map
Exhibit S-3	Future Land Use Map

Testimony:

Exhibit PA-1	PFSD Comments
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Exhibit PA-2	KCFR Comments
Exhibit PA-3	YPL Comments
Exhibit PA-4	PFPD Comments
Exhibit PA-5	DEQ Comments
Exhibit PA-6	PFHD Comments
Exhibit PA-7	PHD Comments
Exhibit PC-1	Liesenfeld Comments

Application Information

Did an Annexation Pre-app take place?	Applicant Type
Yes	Other
Description of Project/Reason for Request	
Annexation and Zoning Request	
Existing Zoning	Adjacent Zoning
AG	Ag, Residential
Current Land Use	Adjacent Land Use
Church	Residential
Proposed Zone	
Limited Commercial	

Owner Information

Name	Company
Zechariah Kemper	Mountain View Bible Church
Phone	Email
2088164310	zekemper@gmail.com
Address	City, State, Zip Code
3974 N Chase St	Post Falls, ID 83854

Application Certification

The applicant (or representative) must be present at the public hearing to represent this proposal or the application will not be heard. The applicant will be responsible for costs to re-notice the public hearing.

true

Exhibit A-1

I (We) the undersigned do hereby make application for the land use action contemplated herein on the property described in this application and do certify that the information contained in the application and any attachments or exhibits herewith are accurate to the best of my (our) knowledge. I (We) further acknowledge that any misrepresentation of the information contained in this application may be grounds for rejection of the application or revocation of a decision rendered. I (We) understand that the Administrator may decline this application if required information is deficient and/or the application fee has not been submitted. I (We) acknowledge that City staff may, in the performance of their functions, take photographs and/or videos of the property under consideration as deemed necessary, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application. I (We) hereby certify that I am (we are) the owner or contract buyer of the property upon which the land use action is to be located, or that I (we) have been vested with the authority to act as agent for the owner or contact buyer.

true

MOUNTAIN VIEW BIBLE CHURCH

ANNEXATION AND ZONING REQUEST

Post Falls, ID |

KEY HIGHLIGHTS:	2
LOCATION AND DIRECTION	4
REGULATORY AREAS AND PLANNING	4
AREA OF CITY IMPACT (ACI)/CITY LIMITS DESIGNATION	4
ZONING DISTRICT	4
COMPREHENSIVE PLAN	5
ENVIRONMENTAL FACTORS	7
PUBLIC SERVICES AND FACILITIES	7
SCHOOLS.....	7
EMERGENCY SERVICES	7
INFRASTRUCTURE	7
POTABLE WATER AND FIREFLOW	7
SANITARY SEWER.....	8
TRANSPORTATION.....	8
COMPREHENSIVE PLAN GOALS AND POLICIES	9
SUMMARY	11

Exhibit A-2

Key Highlights:

This annexation:

Is immediately adjacent to the City of Post Falls

Incorporates a near-island of land into the City

Consistent with the City's future plans, proposes Limited Commercial Zoning within a mapped Commercial Activity Node

Proposes expansion of ecumenical offerings that currently serve the residents of the surrounding area; with a specific goal of serving the residents of Post Falls

Is located at the southeast corner of N Chase Road and W Prairie Avenue, minor and principal arterial road systems capable of carrying current and anticipated traffic volumes, does not impact local roads

Will be serviced by City utilities extended by the owner

Will pay capitalization and impact fees to mitigate specific infrastructure impacts

PROPERTY INFORMATION AND PROPOSAL

This is a proposed annexation of two properties assigned parcel numbers 51N05W-27-3210 and 51N05W-27-3195; AINs #138301 and 142476. The tax parcels are described as 1.49 and 1.21 acres.

The properties are located in the northwest quarter of Section 27, Township 51 North, Range 05 West, Boise Meridian, Kootenai County, Idaho.

Mountain View Bible Church is currently located on the westernmost of the two properties as depicted in the aerial image at right. The church mission statement refers to their location in Post Falls and their desire to serve the Post Falls community. In fact, most of the church members live in the surrounding neighborhoods within one mile of the church.

Mountain View Bible Church is growing, both in membership as well as in the variety of services provided. Mountain View Bible Church offers several services to the Post Falls community including parenting and marriage classes, a support group (for the families of those battling addictions), Biblical counseling, transformational teaching, and a kids club. These offers are not just on Sunday, but all through the week. As the church grows, it is facing challenges with the interior space of the building and the ability to accommodate the wide range of services that the church offers the membership. Given this, an addition is planned to the east side of the existing building, extending into the property to the east, also owned by the church. This expansion is depicted at lower right.

As can be seen in the photo at the upper right, the church is also constrained in expansion due to the limited onsite parking. Additionally, expansion is limited by the capacity of the existing onsite septic tank and drainfield. Expanding this on-site treatment capacity is difficult given that the property is located over the Rathdrum Prairie Aquifer, where strict discharge limits come into play.

All of these items, when taken together; the limits of the building, parking, and sanitary septic, are leading Mountain View Bible Church to the need for the City services that annexation will allow.



Aerial view of properties



Phase 1 and 2 Expansion Plans

Annexation is also a natural progression given that the Church is such an essential partner in the Post Falls community.

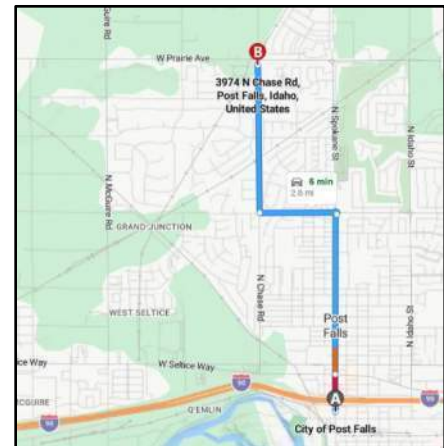
Mountain View Bible Church is a still a relatively small church with limited tithes and donations. Given this, the church would like to propose an annexation and development agreement that allows for the phasing of on-site improvements relative to utility and frontage improvements. This agreement will allow the church to dedicate right-of-way and easements at the time of annexation while retaining the onsite parking on the west side and south sides of the building. The first phase of development will be to expand the existing parking to the east, with abandonment of the west side parking and construction of frontage improvements to be done at the time of the second phase building expansion. Connection to the City's sewer system is proposed to be at the time of the second phase building expansion as well.

LOCATION AND DIRECTION

The property is located at 3974 N Chase Street, Post Falls, Idaho 83854. South of West Prairie Avenue and on the east side of N Chase Road.

Directions:

1. Right on North Frederick Street
2. Right on East 4th Avenue
3. Right on North Spokane Street
4. At the traffic circle, take the 3rd exit onto West Poleline Avenue
5. Right on N Chase Road
6. Arrive at N Chase Road



Google Street Maps

REGULATORY AREAS AND PLANNING

Area of City Impact (ACI)/City Limits Designation

This property is located within the Exclusive Area of City Impact for Post Falls and is surrounded by incorporated properties to the west and nearby to the south and the east.

Zoning District

Existing: The zoning is Agriculture pursuant to Kootenai County's General Description 8.2.101: "The Agricultural Zone is a zoning district in which the land has been found to be suitable for uses related to farming, agriculture, forestry, silviculture, aquaculture, and other similar uses."

Proposed: The proposed zoning is Limited Commercial (LC), and its purpose is outlined as follows:

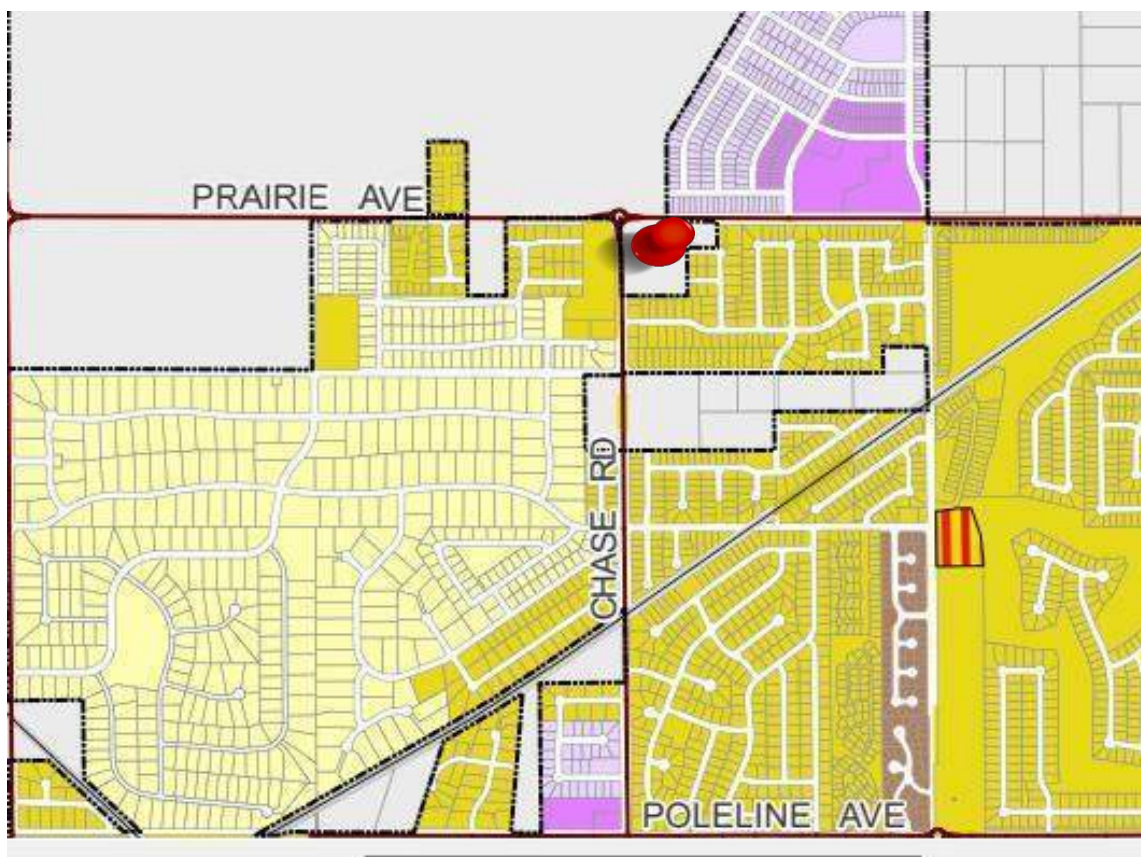
The LC Zone permits neighborhood compatible commercial retail and service uses of modest scale in areas not conveniently served by existing or proposed commercially designated lands. This zoning district is compatible with residential lands that would accommodate medium density residential land uses.



KC Earth ACI Map

Residential uses may be allowed at densities permitted by the Medium Density Residential (R2) Zone by special use permit. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, "Official Bulk And Placement Regulations Table", of this title." Religious institutions are permitted outright in the LC Zone District.

The subject properties are bounded by R1 Zoning to the west, south, and east, with SC4 zoning to the north, all within the City of Post Falls.



City Zoning Map

Comprehensive Plan

The property is located in the Central Prairie area of Post Falls. The Central Prairie is described as follows:

"To date, development trends in the Central Prairie area have been focused on addressing single-family housing needs. But with land values increasing, new projects are more likely to integrate higher density housing with community amenities to broaden their appeal to buyers. Future growth should embrace a variety of housing types and land uses, maintain quality standards, and provide even greater emphasis on pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities. Prairie Avenue's role as a major east/west connecting corridor may spur interest in commercial use development.

The following items affirm or guide development of key policies for this area, or suggest future action items for the Central Prairie focus area:

- Focus multi-family along Prairie Avenue;
- Focus commercial development along Prairie Avenue and near identified commercial nodes;
- Support provisions for a variety of housing types and densities;
- Focus provisions for commercial uses along arterial/collector streets where traffic volume exceeds 4,000 vehicles per day.

This proposed annexation property would be suitable for limited commercial purposes per the guidelines outlined above.



Post Falls 2020 Comprehensive Plan Map

According to the Future Land Use Map in the City of Post Fall's latest Comprehensive Plan, this property is in a Commercial Activity Node, which makes the property an ideal candidate for annexation with the CCS Zoning.



Post Falls 2020 Comprehensive Plan Future Land Use Map

Environmental Factors

The properties slope to the east, with no known special areas, flood hazards, or any other known hazards impacting the property.

Public Services and Facilities

Schools

The subject property is located within the Post Falls School District #273. A new school site of approximately 66 acres was part of the previous annexation directly to the west of the subject property. It is anticipated that this school, once constructed, will serve this property and the surrounding area.

Emergency Services

The City of Post Falls police station is located at 1717 E Polston Avenue and is approximately four miles from the subject property.

The annexation area is within the jurisdiction of the Kootenai Fire and Rescue District. The nearest fire station (Kootenai Fire and Rescue Station 2) is located at 4320 W Seltice and is approximately 10 miles from the subject site.

Impacts to emergency services can be examined in further detail during the development review process as required by City Code.

INFRASTRUCTURE

Potable Water and Fireflow

Existing: The property falls within the East Greenacres Irrigation District.

Proposed: Upon building expansion the owner will work with the City of Post Falls and the East Greenacres Irrigation District to address any requirements related to potable and fire water supply. Any

needed improvements will be designed and installed in accordance with the East Green Acres Irrigation District standards and the requirements of the Idaho Department of Environmental Quality (IDEQ). It is the owner's understanding that there currently is sufficient capacity to serve the subject property. Connection and capitalization fees will be paid at the time of future development to offset any impacts to the water system.

Sanitary Sewer

Existing: There is no existing public sewer infrastructure serving this property. There is an existing subsurface sewage system onsite.



City of Post Falls 2019 Wastewater Collection System Master Plan

Proposed: As depicted above, the City of Post Falls has included this area in the recently updated Sewer Master Plan. Although an exact timeline has not been established, the City has communicated their intention to extend a sewer main below W Prairie Avenue and N Chase Road. The owner understands that the ability to expand the building is dependent on the availability of the sewer infrastructure. New sewer infrastructure will be designed and built in accordance with City of Post Falls and IDEQ standards. Connection and capitalization fees will be paid at the time of future development to offset any impacts to the sewer system.

Transportation

Existing: The property has frontage on W Prairie Avenue, which is classified as a Principal Arterial; and N Chase Road, which is classified as a Major Collector.



Post Falls 2020 Comprehensive Plan Road Classification Map

Proposed: During the Pre-Annexation meetings with City Staff, the owner was informed that dedication of land and easements necessary for expansion of the adjacent rights-of-ways and transportation infrastructure of Prairie Avenue and N Chase Road may be necessary. The owner is amenable to this but is requesting the existing parking be allowed to remain and frontage improvements deferred until construction of the building addition. Impact fees paid will at the time of future development to offset any impacts to the transportation system.

Prairie Avenue is classified as a Critical Area Corridor by the Kootenai Metropolitan Planning Organization (KMPO). Access to the roadway will be required to conform to the access standards contained within the KMPO Critical Arterial Corridor Policy. The proximity of the annexed property to SH53, Interstate 90, and Seltice Way, and location on a Critical Arterial Corridor, allows for convenient access to the property with little to no impact on local access roads and established residential land uses. With the use of the property planned to continue as a church, and the expansion primarily being for facility improvements as well as efficiency, the impact on the existing transportation system is expected to be nominal.

Comprehensive Plan Goals and Policies

The City of Post Falls 2021 Comprehensive Plan is the guiding document for all land use development decisions. It is important that land use decisions meet, or exceed, the Goals and Policies as outlined in the Comprehensive Plan. Criteria which support the goals and policies of the Plan are laid out within the City's Municipal Code.

The project proponent believes that the following Goals and Policies as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification:

Focus Area: *Central Prairie "Focus commercial development along Prairie Avenue and near identified commercial nodes."*

The proposed annexation is consistent with the recommendations related to the commercial node of Chase Road, Prairie Avenue, and the Central Prairie focus area including the following:

Goal G-02: *"Maintain and improve the provision of high-quality, affordable and efficient community services in Post Falls."*

Mountain View Bible Church offers several services to the Post Falls community including parenting and marriage classes, a support group (for the families of those battling addictions), Biblical counseling, and moral/transformational teaching. The church encourages an outward focus of its parishioners to consider what is best for those outside the community. Mountain View Bible Church seeks to foster healthy relationships among people in the community, which enhances personal and societal health. The church also offers several community children's programs, community meeting space for groups, and makes its facilities available as voting/polling stations.

Goal G-03: *"Maintain and improve Post Falls' small-town scale, charm and aesthetic beauty."*

From a land use standpoint, annexation of the property would allow Mountain View Bible Church to accommodate its growth needs in its current location allowing it to continue providing the neighborhood with convenient access to religious and community services.

Goal G-06: *"Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives."*

From a transportation standpoint, the annexation would involve allocation of right of way to Prairie Avenue and Chase Roads, consistent with the City of Post Falls Transportation plan and goals.

Goal G-07: *"Plan for and establish types and quantities of land uses in Post Falls supporting community needs and the City's long-term sustainability."*

Annexation as LC Zone maintains diversity of land use while providing community services to the surrounding residential neighborhoods including religious services and meeting spaces for use by groups, both enhancing the quality of the small-town scale and reducing the transportation impacts for residents seeking to access services.

Goal G-08: *"Protect and maintain Post Falls' natural resources including clean air, soils, river, aquifer, minimizing light and noise pollution citywide."*

Annexation of the property would afford Mountain View Bible Church to eventually abandon the existing septic system and connect to the sewage collection system, when available, thus reducing impacts to the aquifer. The anticipated site improvements would improve stormwater collection and treatment as well as bring parking lot lighting into compliance with city code. Noise pollution from the facility is minimal and would not be anticipated to change since the use would remain the same.

Goal G-11: *"Sustain and expand Post Falls' arts, cultural and civic environment."*

Annexation affords Mountain View Bible Church the opportunity to accommodate its growth needs in its existing location and maintain the presence of a valuable social organization in its current location, providing positive benefits to the neighborhood.

Policy-01: *Land Use Patterns*

The annexation maintains the existing land use pattern and services provided by Mountain View Bible Church to the neighborhood that affords opportunity for future improvements to the site such as landscaping and property line buffers that will enhance the character of the community.

Policy-02: *Application of Zoning Regulations*

The proposed "Limited Commercial" zoning classification is consistent with the location of the property at the intersection of N Chase Road and W Prairie Avenue.

Policy-03: *Encourage development patterns that provide suitably scaled, daily needs services within walking distance of residential areas, allowing a measure of independence for those who cannot or choose not to drive.*

The location of Mountain View Bible Church provides religious and community services within walking distance of adjacent neighborhoods.

Policy-09: *Encourage annexation of County “islands” within the City...*

Mountain View Bible Church is located adjacent to existing incorporated areas and at the rate of development could be expected to become an island within the city limits in the near future.

Policy-24: *Plan for and protect transportation corridors from encroachment, and preserve adequate rights-of-way.*

Policy-26: *Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls.*

Policy-33: *Annexation should help implement Post Falls’ transportation plans, enabling completion or preserving continuity of circulatory patterns for roads and pedestrian way.*

With respect to Policies 24, 26, and 33 the annexation would include allocation of right of way to support transportation plans associated with the intersection of N Chase Road and W Prairie Avenue as well as utility easements along the frontage. Allocation of right of way mentioned above also affords opportunity for future frontage improvements to include pedestrian/bicycle paths along N Chase Road and W Prairie Avenue.

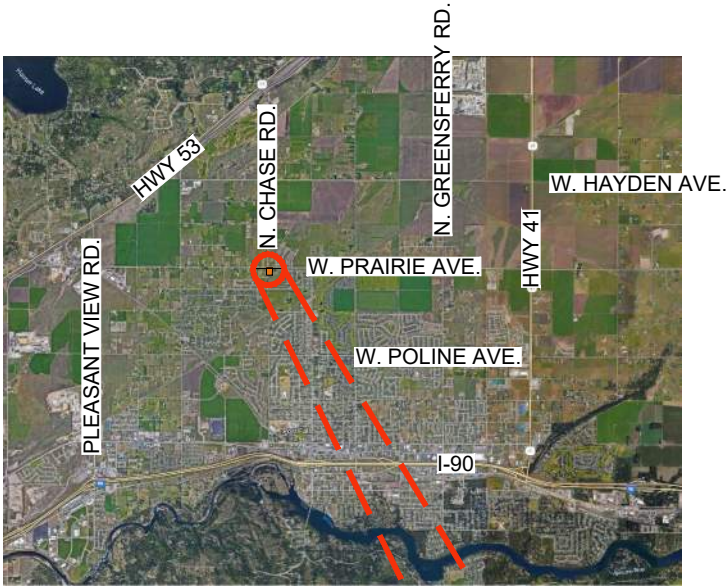
Summary

The proposed annexation of the subject properties into the City of Post Falls is in alignment with the goals and policies of the City, of negligible impact to city services, and mutually beneficial to Mountain View Bible Church, it’s members and the community.

Respectfully,



Connie Krueger, AICP



SITE INFORMATION

ADDRESS : 3974 N. CHASE RD., POST FALLS, ID 83854

PARCEL ID : 51N05W-27-3210

PROPERTY SIZE : CURRENTLY 2 LOTS APPROXIMATELY 2.69 ACRES COMBINED
PROPERTY LINES SUBJECT TO CHANGER PER ANNEXATION NEGOTIATIONS

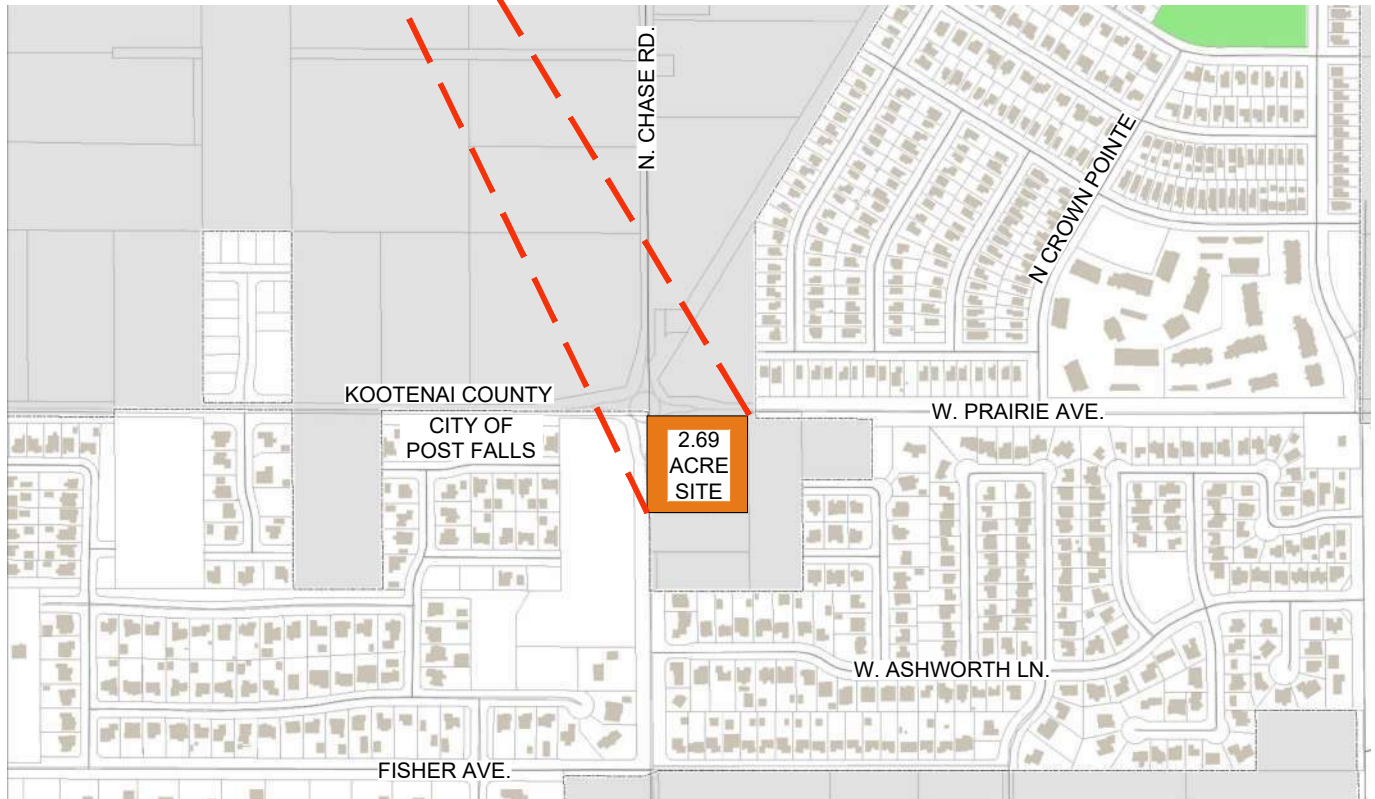
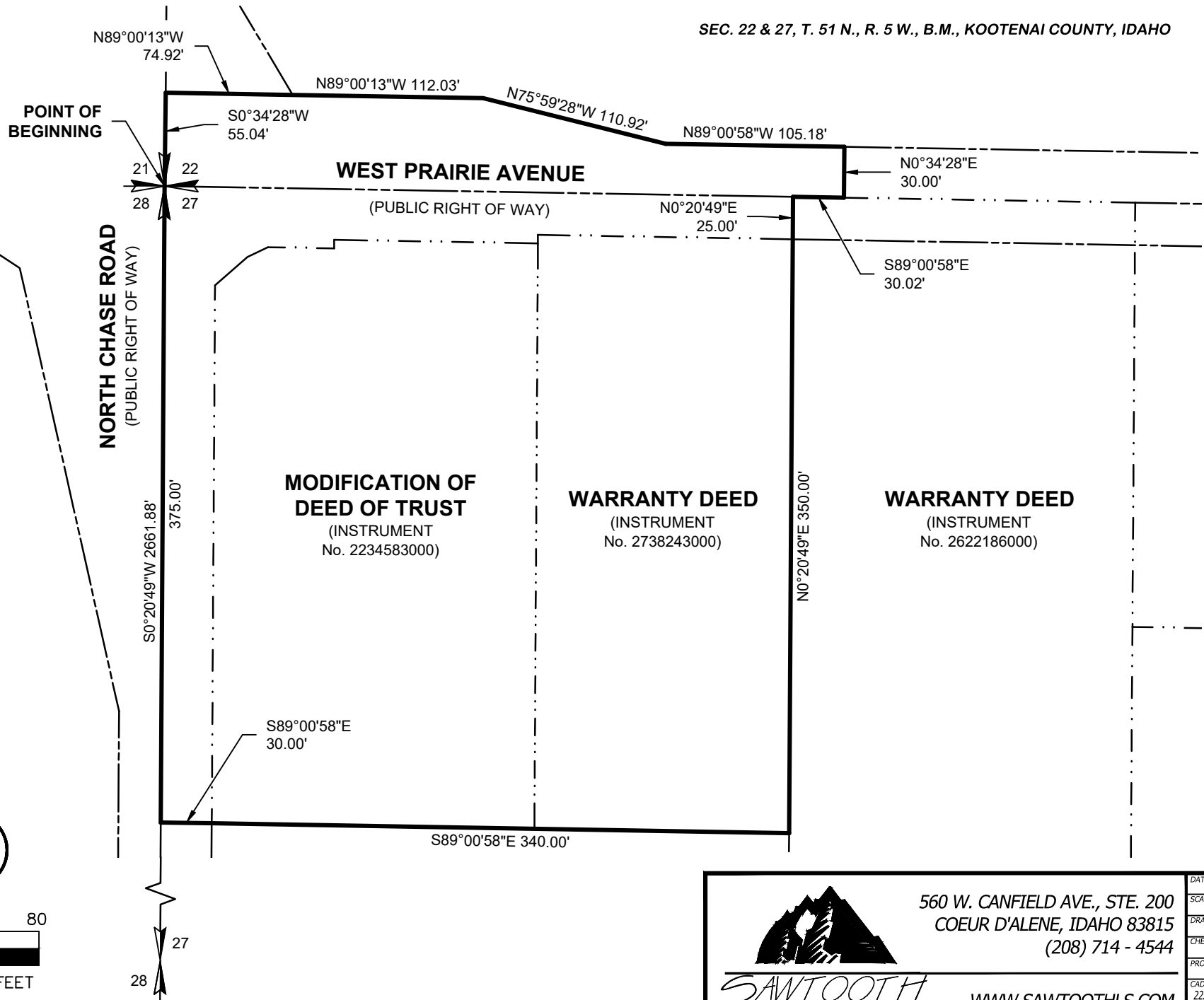


Exhibit A-3

SEC. 22 & 27, T. 51 N., R. 5 W., B.M., KOOTENAI COUNTY, IDAHO



560 W. CANFIELD AVE., STE. 200
COEUR D'ALENE, IDAHO 83815
(208) 714 - 4544

SAWTOOTH
Land Surveying, LLC

WWW.SAWTOOTHLS.COM

DATE:	1/26/2024
SCALE:	AS SHOWN
DRAWN:	CMA
CHECKED:	CMA
PROJ. NO.:	222028
CAD FILE:	222028-BIBLE CHURCH-EXHIBIT2
SHT	1 OF 1

Subject: Statement of Ownership, Ability to Make Applications, and Authorization of Representative

Date: 10/26/2023

To: City of Post Falls

Mountain View Bible Church owns two properties located at the southeast corner of Chase Road and Prairie Avenue; these are identified in the records of Kootenai County as AINs: 138301 and 142476. These properties are currently addressed as 3974 N Chase Road and 12698 W Prairie Avenue.

I am authorized on behalf of Mountain View Bible Church to consent to annexation, land use, subdivision, and development applications and to grant authorization to representatives to act regarding matters concerning the administration and processing of application(s) for these properties. I understand there are no guarantees of approval of the application(s). My assigned representative is:

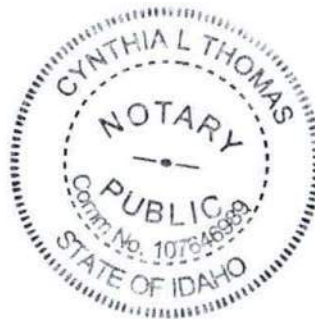
STONEHENGE DEVELOPMENT AND GOVERNMENT
1859 N LAKEWOOD DR SUITE 102
COEUR D'ALENE, ID 83814


Zechariah Kemper, Pastor

ACKNOWLEDGEMENT

STATE OF Idaho) s.s.

COUNTY OF Kootenai) s.s.



THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON THIS 26th DAY OF 2023, BY ZECHARIAH KEMPER.

NOTARY PUBLIC: Cynthia L. Thomas

RESIDING AT: Coeur d'Alene

MY COMMISSION EXPIRES ON: 6-7-28

Exhibit A-4

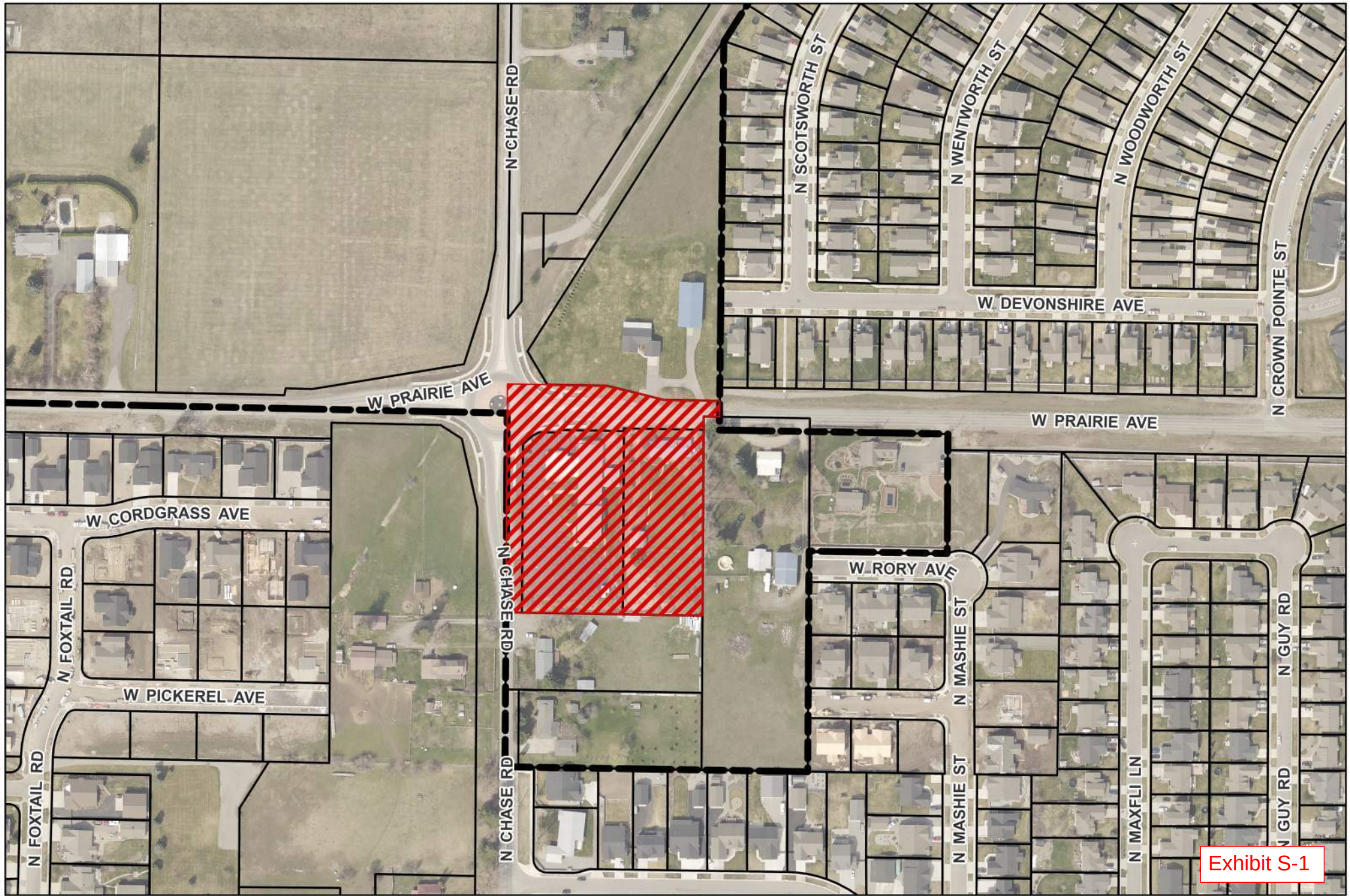


Exhibit S-1

Project Location
MVBC ANNEXATION
ANNX-23-6



-  Post Falls City Boundary
-  Tax Parcels
-  Subject Site



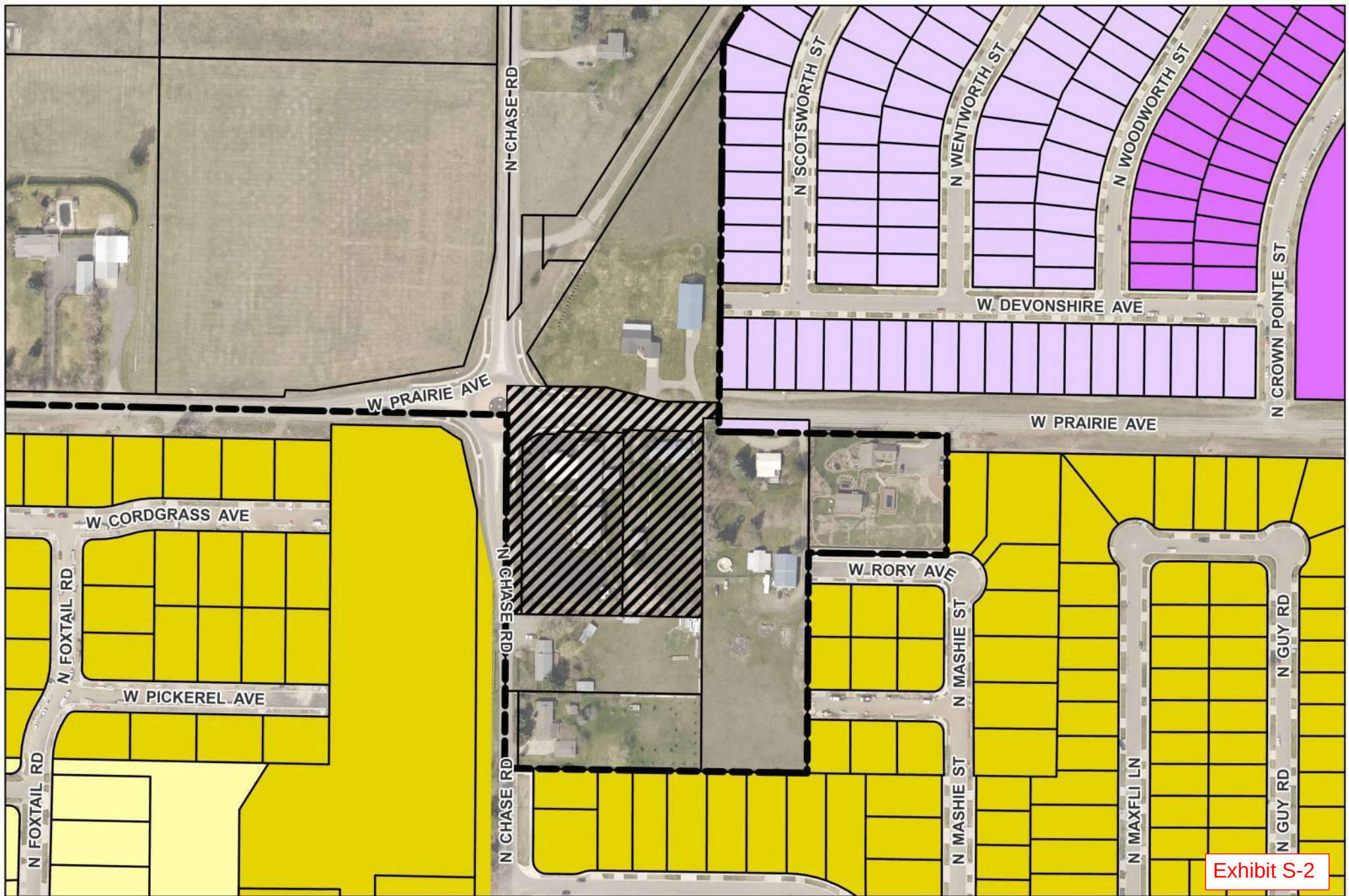


Exhibit S-2

Zoning Map
MVBC ANNEXATION
ANNEXATION
ANNX-23-6



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- R-1-S
- R-1
- SC3
- SC4



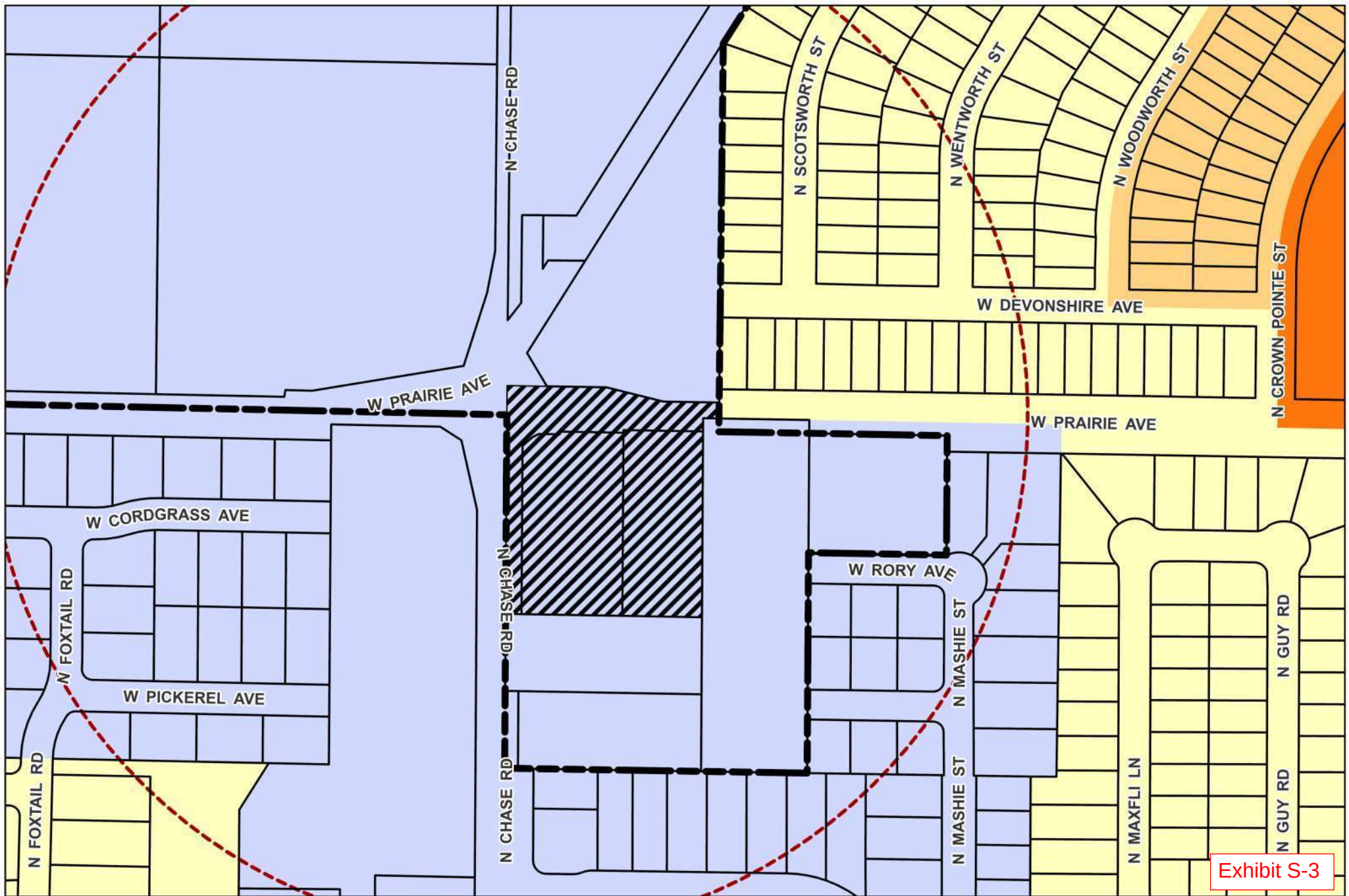


Exhibit S-3

Future Land Use Designation
MVBC ANNEXATION
ANNEXATION
ANNX-23-6



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- Commercial Activity Node

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Transitional





POST FALLS

SCHOOL DISTRICT #273

DISTRICT OFFICE
P.O. Box 40
Post Falls, ID 83877
PHONE 208-773-1658
FAX 208-773-3218
www.pfsd.com

September 8, 2023

Robert Seale
Community Development Director
City of Post Falls
408 Spokane Street
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

School	2023-2024 Enrollment	Building Capacity
Greensferry Elementary	400	525
Mullan Trail Elementary	341	500
Ponderosa Elementry	440	570
Prairie View Elementary	328	525
Seltice Elementary	410	560
Treaty Rock Elementary	432	525
West Ridge Elementary	415	525
Post Falls Middle School	765	920
River City Middle School	597	750

Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.

Exhibit PA-1

Post Falls High School	1645	1800
New Vision High School	144	225

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,



Dena Naccarato
Superintendent

Cc: Post Falls School District Board of Trustees
Shelly Enderud, City Administrator

Kootenai County Fire & Rescue

Fire Marshal's Office

5271 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

January 18, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

RE: Notice to Jurisdiction Response

Nancy,

Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

"Kootenai County Fire & Rescue (KCFR) participates in partnership with the City of Post Falls throughout the review and permitting process to include but not limited to the following: City annexations, zoning issues, comprehensive plan development, subdivision development, site plan approval and building construction code compliance. KCFR reserves all fire code related comments for that process."

Respectfully,



Jeryl Archer II
Kootenai County Fire & Rescue
Division Chief
Fire Marshal

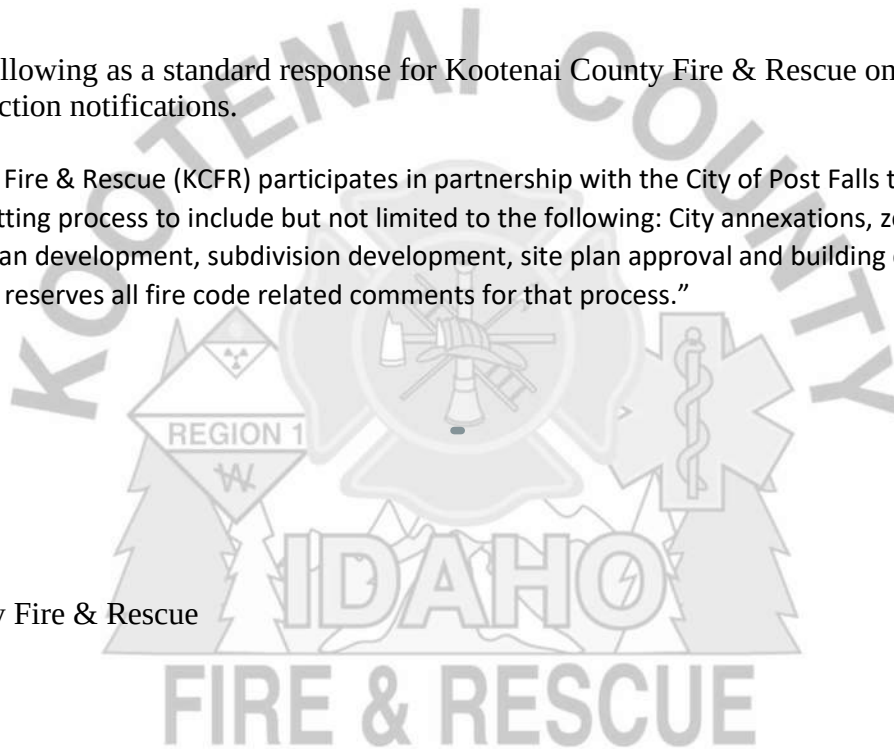


Exhibit PA-2

Nancy Thurwachter

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Tuesday, April 23, 2024 1:14 PM
To: Nancy Thurwachter
Subject: FW: Notice to Jurisdictions Mountain View Bible Church Annexation File No ANNX-23-6
Attachments: Exhibit PH-2_NTJ_PZ.pdf

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Nancy,

Based on the location, there is no impact to the YPL ROW and we do not have any questions/comments.

Sincerely,

Chad M. Polak
Agent, Real Estate Services
O: (+1) 303.376.4363 | M: (+1) 720.245.4683
3960 East 56th Avenue | Commerce City, CO 80022
Phillips 66

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Tuesday, April 23, 2024 9:36 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Brenda Marshall <brenda.marshall@williams.com>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carriann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Polak, Chad M <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Tess Reasor <tess@connectkootenai.org>; Tom Kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>
Cc: Anna Staal <astaal@postfalls.gov>; Bill Melvin <bmelvin@postfalls.gov>; Christopher Gabbert

Exhibit PA-3



1717 E Polston Ave. ♦ Post Falls, ID 83854 ♦ Phone (208) 773-3517 ♦ Fax (208) 773-3200

April 25th, 2024

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

Re: Mountain View Bible Church Annexation File No ANNX-23-6

The Police Department has reviewed the above listed annexation/zone change request and will remain Neutral on this project. Please accept this letter as the Police Department's response to this request for both Planning and Zoning as well as City Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. Brantl".

Mark J. Brantl
Captain
Post Falls Police Department

Exhibit PA-4

Nancy Thurwachter

From: Kristie May <Kristie.May@deq.idaho.gov>
Sent: Friday, April 26, 2024 9:55 AM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions Mountain View Bible Church Annexation File No ANNX-23-6

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Tuesday, April 23, 2024 8:36 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Brenda Marshall <brenda.marshall@williams.com>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler

Exhibit PA-5

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Monday, April 29, 2024 2:13 PM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions Mountain View Bible Church Annexation File No ANN-23-6

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,
The PFHD has no comment as this annexation & zoning request is consistent with the City of Post Falls comprehensive plan.

Regards,
Jonie

Jonie Anderson
Post Falls Highway District
208.765.3717
contactus@postfallshd.com



From: contactus@postfallshd.com <contactus@postfallshd.com> On Behalf Of Nancy Thurwachter
Sent: Tuesday, April 23, 2024 8:36 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Brenda Marshall <brenda.marshall@williams.com>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sanders <lynn.sanders@aec.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler

Exhibit PA-6

Nancy Thurwachter

From: Ryan Johnsen <rjohnsen@phd1.idaho.gov>
Sent: Tuesday, April 30, 2024 3:34 PM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions Mountain View Bible Church Annexation File No ANNX-23-6

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

PHD found this septic permit for this parcel number: <http://www2.phd1.idaho.gov/septic2007/att/2007-03-27/9901-230ac-0015-089-93-28-77381.pdf>

The septic system is sized for 225 seating and no additional to that. If this parcel will annex into the city and connect to sewer then PHD has no comment. Looking at this septic permit though it appears this subsurface sewage disposal system and parcel are at a maximum size and flows cannot be increased while using a subsurface sewage disposal system.



Public Health
Prevent. Promote. Protect.

Panhandle Health District

Ryan Johnsen | Sewage Program Coordinator, EHS
35 Wildcat Way, Suite A, Kellogg, ID 83837
P: 208-415-5209
W: Panhandlehealthdistrict.org

IMPORTANT: The information contained in this email may be privileged, confidential or otherwise protected from disclosure. All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals. If you received this email in error, please reply to the sender that you received this information in error. Also, please delete this email after replying to the sender.

From: EHApplications <EHApplications@phd1.idaho.gov>
Sent: Tuesday, April 23, 2024 9:00 AM
To: Ryan Johnsen <rjohnsen@phd1.idaho.gov>
Subject: FW: Notice to Jurisdictions Mountain View Bible Church Annexation File No ANNX-23-6

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Tuesday, April 23, 2024 8:36 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Brenda Marshall <brenda.marshall@williams.com>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; dena.naccarato@sd273.com; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price

Exhibit PA-7

Nancy Thurwachter

From: Jan Liesenfeld <jils4gvn1313@gmail.com>
Sent: Friday, April 26, 2024 11:48 AM
To: Public Hearing Notice

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Regarding the proposed annexation of Mountain View Bible Church into the City of Post Falls, I am for it.
I live north across Prairie Ave from the church.
I would like to see the annexation go forward.
Jan Liesenfeld

Exhibit PC-1

CITY OF POST FALLS STAFF REPORT

DATE: MAY 8, 2024

TO: POST FALLS PLANNING & ZONING COMMISSION

FROM: ETHAN PORTER, ASSOCIATE PLANNER, 208-457-3353, eporter@postfalls.gov

SUBJECT: STAFF REPORT FOR THE MAY 14, 2024, P&Z MEETING
TITLE 18 TINY HOME ORDINANCE TEXT AMENDMENT

FILE NUMBER/NAME: TA-23-2 / TITLE 18 TINY HOME ORDINANCE

APPLICANT: City of Post Falls Planning Division

REQUESTED ACTION: The Planning Division is seeking to amend Title 18 to accomplish the following:

- Establish performance standards for Tiny Home residential developments
- Update definitions

PROPOSED CHANGES: Exhibit S-1 (Draft Ordinance) details the code sections that are being requested to be modified. The following is an overview of the proposed changes:

CHANGE #1: Adopt 18.24.034 TINY HOME RESIDENTIAL PERFORMANCE STANDARDS

Purpose 1: To provide a form of smaller single family residential units, diversifying a housing choice and provide housing that is attainable and attractive to expand opportunities for home ownership.

Purpose 2: To offer another option for middle missing housing communities while promoting open space, safety, and the interaction of the residence.

Purpose 3: Set standards for Tiny Home developments while creating a clearer path in permitting.

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)
Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality (DEQ)	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO

Yellowstone Pipeline Co.	TransCanada GTN	TDS
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OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

PA-1 Post Falls School District – Remains neutral

PA-2 Kootenai County Fire & Rescue – Comment during permitting process

PA-3 Post Falls Highway District – Remains neutral

PA-4 Panhandle Health District – Size septic systems only based on bedroom count for each dwelling
(separate dwellings are counted individually)

PA-5 Department of Environmental Quality – No comments

MOTION OPTIONS: The Planning Commission must provide a recommendation pertaining to the requested amendment to City Council, of which at a later date, an additional Public Hearing will be heard by City Council. Should the Commission need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a later date certain. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a later date certain.

ATTACHMENTS:Staff Submittals:

Exhibit S-1 Title 18 Tiny Homes Ordinance

Testimony:

Exhibit PA-1 PFSD Comments

Exhibit PA-2 KCFR Comments

Exhibit PA-3 PFHD Comments

Exhibit PA-4 PHD Comments

Exhibit PA-5 DEQ Comments

ORDINANCE NO. [Category]

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR AMENDMENT TO MUNICIPAL CODE SECTION 18.12.010 DEFINITIONS; PROVIDING FOR A NEW CODE SECTION 18.24.034 TITLED TINY HOME RESIDENTIAL PERFORMANCE STANDARDS; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW

WHEREAS, *after public hearing on the hereinafter provided, and after recommendation by the Planning and Zoning Commission*, it is deemed by the Mayor and City Council to be in the best interests of the citizens of the City of Post Falls that the following be adopted.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Post Falls as follows:

SECTION 1. That Post Falls Municipal Code Section 18.12.010 is amended to add the following definitions in appropriate alphabetical order:

Green Roof: A green roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Tiny Home: Any detached residential structure (pre-manufactured or stick built) with a total living area, excluding any attached garage, of less than eight hundred (800) square feet.

SECTION 2. That a new Section 18.24.034, entitled TINY HOME RESIDENTIAL PERFORMANCE STANDARDS is added to the Post Falls Municipal Code as follows:

18.24.034: TINY HOME RESIDENTIAL PERFORMANCE STANDARDS:

A. Purpose: The purpose of this section is to: to provide housing types that are responsive to changing household demographics (e.g., retirees, small families, and young professionals); to expand opportunities for home ownership; to encourage creation of functional usable *Green Space*

in residential communities; to promote neighborhood interaction and safety through design; to encourage opportunities for infill development; and ensure that residents of such housing enjoy a high-quality environment, with permanence, stability, and access to *Green Space*.

B. Applicability: *Tiny Home* residential development is permitted in the R-2, R-3, LC and RM zoning districts. *Tiny Home* residential development is also allowed in those areas in the CCM zoning district where the approved development agreement for the property authorizes multi-family residential uses. *Tiny Homes* may also be approved with a Special Use Permit in the CCS and R-1 zoning districts.

C. General Development Standards:

1. Attached Garages:

- a. Garages on *Front Loaded Tiny Homes* and *Side Loaded Tiny Homes* cannot exceed three hundred and sixty (336) square feet in size.
- b. Garages on *Rear Loaded Tiny Homes* cannot exceed five hundred (500) square feet in size.

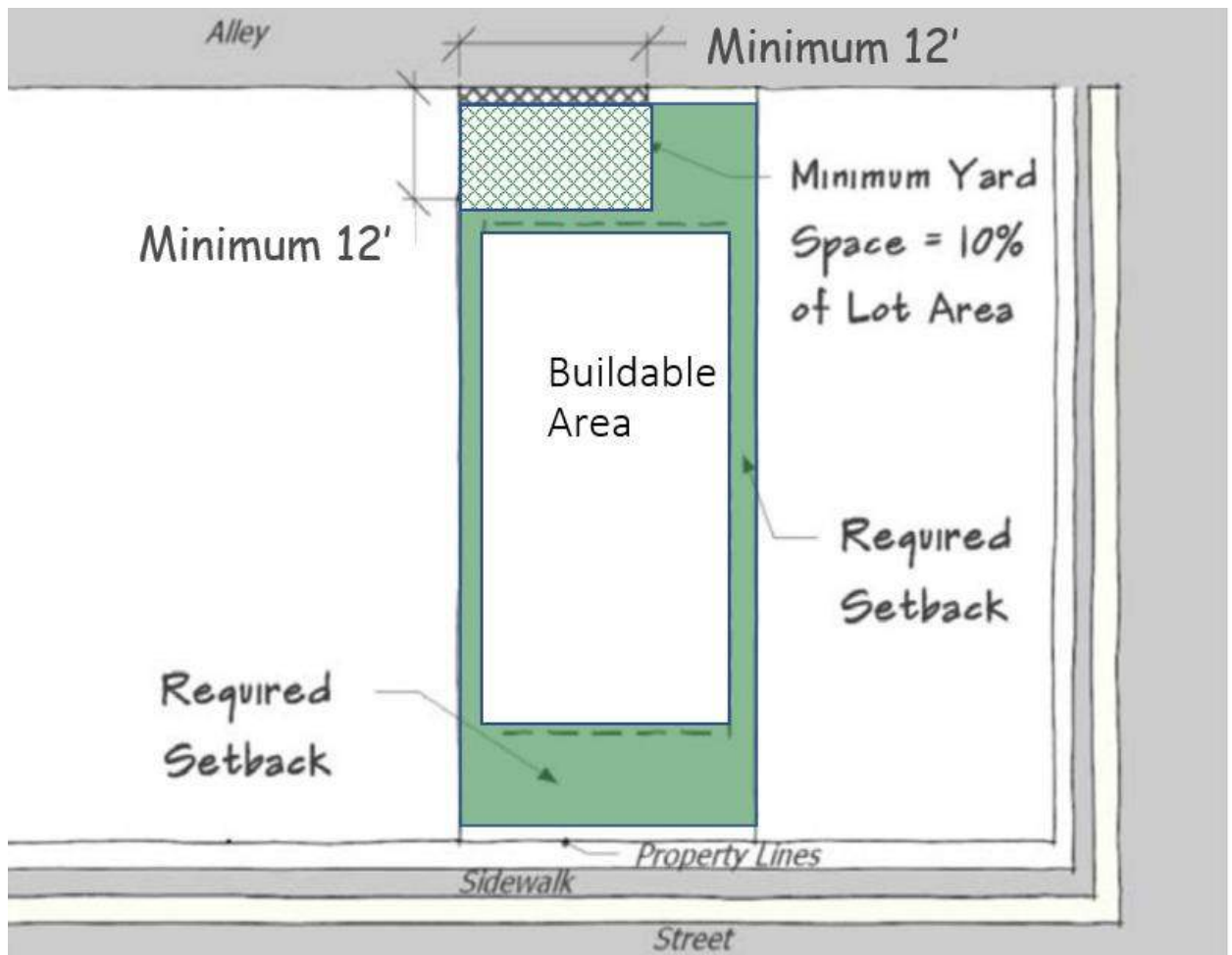
2. Architectural Design:

- a. Each *Tiny Home* must have a front porch with a minimum depth of six (6) feet. The porch must also meet the following requirements:
 - i. *Front Loaded Tiny Homes* must have a porch no less than fifty square feet (50) square feet in size.
 - ii. *Side Loaded* and *Rear Loaded Tiny Homes* must have a porch no less than eighty (80) square feet in size.
- b. Attached garages for *Front Loaded Tiny Homes* cannot exceed sixty-six (66%) of the width of the structure.
- c. *Accessory Structures* must match the architectural style of the *Tiny Home* and meet separation requirements contained in the adopted building code.
- d. Each *Tiny Home* must have a minimum of two (2) of the following building elements, features, or treatments incorporated into the front façade and street facing façade.
 - i. Windows with visible trim and mullions or recessed windows;
 - ii. Dormers/false dormers;

- iii. Bay windows;
 - iv. Gables detailing;
 - v. Architectural detailing on pillars, posts, or railings;
 - vi. Stonework or masonry;
 - vii. Minimum sixteen inch (16”) offset in building face or roof;
 - viii. Detailed door (multi-panel or glass insert) or window adjacent to front door (sidelite);
 - ix. Variation in roof or building colors and materials, on *Tiny Homes*, including but not limited to, brick, stone, or other masonry accents;
 - x. Any other building elements, treatments, features approved by the *Zoning Administrator* that provide for variety and visual interest.
- e. *Tiny Homes* containing vinyl siding cannot be within 10 feet of another structure with vinyl siding.

3. Green Space:

- a. Green Space: *Tiny Home* developments must provide five-hundred and fifty square feet (550) square feet of common *Green Space* for each *Tiny Home*. For *Tiny Homes* placed on individual *Lots*, the amount of common *Green Space* may be reduced to three-hundred and twenty-five (325) square feet. Each common *Green Space* must provide at least one pet waste clean-up station.
- b. When *Tiny Homes* are placed on individual *Lots*, each lot must provide a contiguous and usable *Yard*. This area cannot include structures, driveways, parking, or be included within common *Green Space*. Additionally, the *Yard* must:
 - i. Be located in the rear or side yard and not be within the required front yard setback;
 - ii. Be equal to at least 10% of the parcel area; and
 - iii. Have no dimension less than 12 feet or less than 10 feet for parcels smaller than 2,400 sq ft.



- c. Within common *Green Spaces* one (1) class II or III *Tree*, as outlined in the “Post Falls Tree Standards Manual,” for each seven thousand five hundred (7,500) square feet of *Green Space* is required. The species must be approved by the *Urban Forester*.
- d. Structures providing indoor recreational space (excluding office/managerial areas), with a minimum area of at least 350 square feet, with no dimension being less than 17 feet and having a floor to ceiling height of at least ten (10) feet, may be included as part of the common *Green Space* if they provide the residents any of the following activities:
 - i. Game equipment
 - ii. Work-out equipment
 - iii. Sport court facilities
 - iv. Swimming Pools

- v. Greenhouses
 - vi. Wood shop
 - vii. Or other designated project or game equipment approved by the Zoning Administrator
4. Fences: Fences are not allowed within common *Green Space* areas, unless approved by the *Zoning Administrator* to secure or enclose an amenity within the *Green Space* that creates a safety, security, or usability concern. Examples of where exemptions may be considered include; dog parks, tennis/pickleball courts, community gardens, *Swimming Pools*, etc.
5. Parking:
- a. Each *Tiny Home Dwelling Unit* must provide at least two (2) parking spaces for each *Tiny Home Unit* that meets the requirements of Section 18.24.020. For *Tiny Home* development projects up to 50% of the required parking spaces may consist of on-street parking. On-street parking spaces on a public street are community spaces and may not be assigned to a designated *Tiny Home*.
 - b. An additional .25 parking spaces must be provided in a *Parking Cluster* for each *Tiny Home* within a development of eight (8) or more units.
- D. Tiny Home Single-Family Performance Standards: Single-Family *Tiny Home* development must also meet the following standards:
- 1. Minimum *Lot* area: two thousand (2,000) square feet. Corner lots shall not be narrower than twenty-five (25') feet.
 - 2. Site Design and Orientation:
 - a. Up to 50% of the vehicular access to *Tiny Homes* in a development can be *Front Loaded*. *Tiny Homes* with a detached garage placed behind the home are not considered *Front Loaded* for the purposes of this section.
 - b. *Tiny Homes* are encouraged to front *Green Space*.
 - c. Each *Tiny Home* must have a pedestrian path constructed of concrete or asphalt between the sidewalk and the building entry. When no sidewalk is present, then a connection must be made to the edge of private street or public right-of-way.

- d. *Tiny Home* developments with eight (8) or more *Tiny Homes* must have fifty percent (50%) of the common *Green Space* centrally located. Common *Green Space* must front a public or private street and have twenty percent (20%) of the perimeter of the *Green Space* fronting the public or private street.
 - i. Common *Green Space* must be in a separate tract or tracts and be owned and maintained by a homeowner's association (HOA). The homeowner's association's covenants must include the perpetual maintenance of all common areas, including common *Green Space* and preclude the conversion of such common areas to any other *Use*. Alternatively, the *Zoning Administrator* may approve an alternative guarantee of maintenance and limitation to *Green Space* use upon a determination that the alternative provides an equivalent guarantee that the *Green Space* will be adequately maintained.

3. Setbacks and Height Limitations:

- a. Front: Sixteen feet (16') to the *Principal Plane* and garages must comply with the Official Bulk and Placement Regulations Table in section 18.20.040 of this ordinance.
 - i. If no easement exists along the front property line, then the front setback may be reduced up to five feet (5').
 - ii. For *Front Loaded Tiny Homes*, garages must not project beyond the front porch. Additionally, the front entryway must be visible and generally parallel to the public or private street.
- b. Side: Each side yard must have a setback of at least three (3') feet and both side yards must total at least ten (10') feet.
- c. Rear:
 - i. *Front Loaded Tiny Homes*: Twelve (12') feet.
 - ii. *Rear Loaded Tiny Homes*: Twenty (20') feet.
- d. Flanking Street: Ten (10') feet; and
- e. Height: Twenty-Five (25') feet.

4. Accessory Structures: *Accessory Structures* cannot exceed the height of the primary structure and not exceed one story. Additionally. The sum of all permitted *Accessory*

Structures cannot exceed seven-hundred and twenty (720) square feet with no single accessory structure greater than five hundred (500) square feet.

5. Green Infrastructure Design Standards:

- a. Where a minimum of twenty-five percent (25%) of the *Lots* contain green infrastructure amenities contained in this section, common *Green Space* requirements may be reduced by fifty (50) square feet for each *Dwelling Unit*.
 - i. Solar collection system used to capture solar energy, convert it to electrical or thermal power and supply electrical or thermal power primarily for on-site use via roof mounted solar arrays or modules, or solar related equipment which is intended to primarily reduce on-site consumption of utility power or fuels.
 - ii. Water harvesting barrels or downspouts.
 - iii. *Green roofs*.
 - iv. EV Charging Stations.
- b. When at least 75% of the common *Green Space* utilizes *Xeriscaping* meeting the requirements of Section 18.24.080(E) the common *Green Space* requirements may be reduced by fifty (50) square feet for each *Dwelling Unit*.

6. Fences: Fences on individual *Lots* must comply with 18.24.020 (K).

E. Tiny Home Multi-Family Performance Standards: Multi-family development of three (3) or more *Tiny Homes* on a single *Lot* must utilize the site plan review process in Section 18.20.130 of this Title, and must also conform to the following standards:

1. Separation: All *Tiny Homes* must meet the separation requirements in the adopted building code without the use of additional fire rated materials.
2. Site Size, Design and Orientation:
 - a. Must be on a site no larger than 5.0 acres.
 - b. Vehicular access to the *Tiny Home* must be from the rear or side, unless approved through a Special Use Permit.
 - c. *Tiny Homes* are encouraged to front *Green Space*.

- d. Each *Tiny Home* must have a pedestrian path constructed of concrete or asphalt between the sidewalk and the building entry. If no sidewalk is present, then a connection must be made to the edge of private street or public right-of-way.
3. Setbacks and Height Limitations: The following setbacks from exterior property lines of the multi-family development are as follows:
 - a. Front: Twenty feet (20');
 - b. Side: Ten feet (10');
 - c. Rear: Ten feet (10');
 - d. Flanking Street: Twenty feet (20'); and
 - e. Height: Twenty-five feet (25').
4. Green Space: The required *Green Space* must comply with the requirements of Section 18.24.030 D.7. of this Title but do not qualify for density bonuses.
5. Green Infrastructure Design Standards: Where green infrastructure amenities are provided and selected from the following list, common *Green Space* requirements may be reduced by fifty (50) square feet per *Tiny Homes*.
 - a. Electrical vehicle (EV) charging stations at a minimum of one (1) station per twenty-five (25) *Tiny Homes*.
 - b. Solar collection system used to capture solar energy, convert it to electrical or thermal power and supply electrical or thermal power primarily for on-site use via roof mounted solar arrays or modules, or solar related equipment which is intended to primarily reduce on-site consumption of utility power or fuels.
 - c. Apply *Xeriscaping* on at least 50% of the open space meeting the requirements of Section 18.24.080(E) located in community or Green Space areas.
6. Access, Driveways, Parking, and Garages: The *Zoning Administrator* may consider consolidated parking structures under the site plan review process.
7. Refuse: All outside storage areas and solid waste storage areas must meet the requirements of Post Falls Municipal Code Section 18.24.040(C). Adequate access must be provided for collection of solid waste. The *Zoning Administrator* may approve alternative methods

of screening if the proposed screening is at least as effective at screening the storage areas from view as the requirements of this section.

SECTION 4. All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 6. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Post Falls, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Post Falls at a regular session of the City Council on _____, 2024.

APPROVED, ADOPTED and SIGNED this day of , 2024.

Ronald G. Jacobson, Mayor

ATTEST:

Shannon Howard, City Clerk

SUMMARY OF POST FALLS ORDINANCE NO. [Category]

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR AMENDMENT TO MUNICIPAL CODE SECTION 18.12.010 DEFINITIONS; PROVIDING FOR A NEW CODE SECTION 18.24.034 TITLED TINY HOME RESIDENTIAL PERFORMANCE STANDARDS; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. [Category], which [DESCRIPTION]; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of this summary. The full text of Ordinance No. [Category] is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the City Clerk. Dated this ____ day of May, 2024.

/s/

Shannon Howard, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Field K. Herrington, the legal advisor for the City of Post Falls, I have examined the attached summary of Ordinance No. [Category], which [DESCRIPTION], and find it to be a true and complete summary of said ordinance and provides adequate notice of the contents to the public.

Dated this day of , 2024.

Field K. Herrington, City Attorney



POST FALLS

SCHOOL DISTRICT #273

DISTRICT OFFICE
P.O. Box 40
Post Falls, ID 83877
PHONE 208-773-1658
FAX 208-773-3218
www.pfsd.com

September 8, 2023

Robert Seale
Community Development Director
City of Post Falls
408 Spokane Street
Post Falls, ID 83854

Dear Bob,

The purpose of this letter is to restate the status and position of the Post Falls School District regarding growth within the city and school district boundaries. The Post Falls School District will continue to remain neutral regarding proposed developments and will provide additional or modified comments in a timely manner when deemed necessary.

The district has a responsibility through State statute to provide an appropriate education for every student ages 6 through 21 who attend our schools. It is also the district's responsibility to provide an adequate educational program, organizational structure, and facilities.

Though there are pros and cons for new development growth, the district will continue to provide a quality education. The district appreciates the working relationship we have with the City of Post Falls.

With the anticipated growth in future years, the district requests assistance from the Planning Department to acquire school building sites in any large proposed residential developments and support financial mitigation for smaller developments.

The enrollment status and capacity of each school for the 2023-2024 school year are listed below.

The district will review the current long-range facility plan this fall. A copy of the current plan is included with this letter.

School	2023-2024 Enrollment	Building Capacity
Greensferry Elementary	400	525
Mullan Trail Elementary	341	500
Ponderosa Elementry	440	570
Prairie View Elementary	328	525
Seltice Elementary	410	560
Treaty Rock Elementary	432	525
West Ridge Elementary	415	525
Post Falls Middle School	765	920
River City Middle School	597	750

Our school community will develop relationships, skills, and knowledge to become responsible citizens who think critically to solve problems.

Exhibit PA-1

Post Falls High School	1645	1800
New Vision High School	144	225

The school district looks forward to continuing the good working relationship we have with the City of Post Falls. Thank you for your support of the Post Falls School District.

Sincerely,



Dena Naccarato
Superintendent

Cc: Post Falls School District Board of Trustees
Shelly Enderud, City Administrator

Nancy Thurwachter

From: Jeryl Archer <jarcher@kootenaifire.com>
Sent: Wednesday, September 20, 2023 3:04 PM
To: Nancy Thurwachter
Cc: Dan Ryan; Mike Bass; Michelle Lewis
Subject: RE: Notice To Jurisdiction - Tiny Home Ordinance File No. TA-23-2

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom it may Concern.

Kootenai County Fire & Rescue supports diversity in housing, this often provides a more affordable product with lower maintenance concerns. However, many of these developments are often being proposed with private streets. Private streets are a tool utilized by the developer and the City to increase the density of a development. While KCFR is not opposed to higher density we are opposed to the increased use of private streets. Private streets are proven to experience parking issues and accessibility issues for emergency response vehicles.

Respectfully,

"Service First"



Jeryl Archer
Division Chief of Prevention
Fire Marshal
5271 E Seltice Way
Post Falls ID 83854
phone: 208.777.8500
email: jarcher@kootenaifire.com
Kootenai Fire Website

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Wednesday, September 20, 2023 11:43 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <dryan@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jarcher@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price

Exhibit PA-2

<John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Michael Lindsey <MLindsey@hbkengineering.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>

Cc: Bill Melvin <bmelvin@postfalls.gov>; David Fair <dfair@postfalls.gov>; Ethan Porter <eporter@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; James Steffensen <James.steffensen@yahoo.com>; Jason Faulkner <jfaulkner@postfalls.gov>; Jennifer Poindexter <jpoindexter@postfalls.gov>; John Beacham <jbeacham@postfalls.gov>; Jonathon Manley <jmanley@postfalls.gov>; Justin Miller <jmiller@postfalls.gov>; Kelly Russell <krussell@postfalls.gov>; Kevin Ward <gatheredfamilyrestaurant@gmail.com>; Kibbee Walton <kibbee@artisanportrait.com>; Media Center <mediacenter@postfalls.gov>; Naomi Tierney <ntierney@postfalls.gov>; Preston Hill <prestonh@postfalls.gov>; Ray Kimball <rkimball@whipplece.com>; Rob Palus <rpalus@postfalls.gov>; Robert Seale <rseale@postfalls.gov>; Ross Schlotthauer <ross@burlyproducts.com>; Shannon Howard <showard@postfalls.gov>; Shelly Enderud <senderud@postfalls.gov>; Stephanie Herman <sherman@postfalls.gov>; Tisha Gallop <tgallp@postfalls.gov>; Vicky Jo Carey <vjcarey@aol.com>; Wade Meyer <wmeyer@postfalls.gov>; Warren Wilson <wwilson@postfalls.gov>

Subject: Notice To Jurisdiction - Tiny Home Ordinance File No. TA-23-2

Good morning,

Please find attached the Notice to Jurisdictions for the Tiny Home Ordinance that is scheduled for the Planning and Zoning meeting on October 10, 2023. The draft staff report will be on the city's website shortly.

Thank you,

Nancy Thurwachter

Planning Administrative Specialist

408 N. Spokane Street

Post Falls, ID 83854

(208) 457-3338



The City of Post Falls has changed our domain to POSTFALLS.GOV. Please adjust your contacts/links.

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Think Before You Click: This email originated from outside the organization.

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Monday, April 22, 2024 9:51 AM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions Tiny Home Ordinance File No TA-23-2

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The PFHD remains neutral regarding this ordinance change.

Jonie Anderson
Post Falls Highway District
208.765.3717
contactus@postfallshd.com



From: contactus@postfallshd.com <contactus@postfallshd.com> **On Behalf Of** Nancy Thurwachter
Sent: Friday, April 19, 2024 9:29 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aeacom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>
Cc: Anna Staal <astaal@postfalls.gov>; Bill Melvin <bmelvin@postfalls.gov>; Christopher Gabbert <cggabbert@postfalls.gov>; Dave Fair <dfair@postfalls.gov>; Ethan Porter <eporter@postfalls.gov>; Field Herrington

Nancy Thurwachter

From: Ryan Johnsen <rjohnsen@phd1.idaho.gov>
Sent: Thursday, April 25, 2024 11:09 AM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions Tiny Home Ordinance File No TA-23-2

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The only comment PHD has for this proposal is that we size septic systems only based on bedroom counts for each dwelling (separate dwellings are counted individually). Otherwise PHD has no comment on the proposal.

Thanks!



Public Health
Prevent. Promote. Protect.

Panhandle Health District

Ryan Johnsen | Sewage Program Coordinator, EHS
35 Wildcat Way, Suite A, Kellogg, ID 83837
P: 208-415-5209
W: [Panhandlehealthdistrict.org](https://panhandlehealthdistrict.org)

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From: Tara Bright <tbright@phd1.idaho.gov>
Sent: Friday, April 19, 2024 9:36 AM
To: Ryan Johnsen <rjohnsen@phd1.idaho.gov>
Subject: FW: Notice to Jurisdictions Tiny Home Ordinance File No TA-23-2



Public Health
Prevent. Promote. Protect.

Panhandle Health District

Tara Bright | Office Services Supervisor
8500 N. Atlas Rd., Hayden ID 83835
P: 208-415-5220
E: ehapplications@phd1.idaho.gov
W: [Panhandlehealthdistrict.org](https://panhandlehealthdistrict.org)

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Exhibit PA-4

Nancy Thurwachter

From: Kristie May <Kristie.May@deq.idaho.gov>
Sent: Friday, April 26, 2024 9:56 AM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions Tiny Home Ordinance File No TA-23-2

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the proposed ordinance listed above.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Friday, April 19, 2024 9:29 AM
To: Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Avista <c01_Real_Estate@avistacorp.com>; Avista <cdaconst@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <Christine.Harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <Jordan.T.Wirth@usps.gov>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Owens, Dylan <Dylan.Owens@tdstelecom.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; Ron Wilson

Exhibit PA-5