



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**August 13, 2024
5:30 PM**

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

REGULAR MEETING – 5:30 PM

**CALL TO ORDER
5:32 PM**

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Present: Walton, Steffensen, Schlotthauer, Hampe, Carey

Excused: Kimball, Wilhelm

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

None

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

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 July 9, 2024 Planning & Zoning meeting

**Motion by Hampe to accept the Consent Calendar as presented
Second by Walton**

Vote: Hampe - Yes, Schlotthauer- Yes, Steffensen- Yes, Walton- Yes, Carey- Yes
MOVED

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.

None

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:

- a. North Place East 2024 Reasoned Decision File No. SUBD-23-7

Chris Gabbert, Deputy City Attorney: The public hearing was held June 11, 2024, for the Reasoned Decision for the North Place East subdivision. Accompanying the draft Reasoned Decision is a memo from Field Herrington, Legal Services Director, and myself to the Planning and Zoning Commission. There was discussion during the deliberation about a condition restricting the multifamily development on parcel seven. After further discussion with legal counsel, we recommend that we not include that condition in the final approval of the Reasoned Decision at this time. In reviewing the original agreement, we feel it would be a violation of what the city has already agreed to with the developer. Approving with that condition would likely be immediately appealed to council and likely reversed. It's my recommendation, and what is before you today, is the approval of the draft Reasoned Decision without that condition attached.

Schlotthauer: It was a compromise with the residents in the area based on agreements made during the sales of the neighboring parcels. We asked the developer if he'd be open to that condition and he nodded his head yes.

Gabbert: I don't know if the developer was entirely in favor of imposing a condition contrary to what he'd already agreed to in this type of public hearing. Subsequent conversations with them revealed that they disagreed with that approach. We received some correspondence from the developer that states "I'm not in favor of this condition, I'd like to stick with my original agreement. Thank you."

Steffensen: This is the agreement from 2021?

Gabbert: Yes, the original Development Agreement executed by the City Council and binding that to the property. I recommend that the city sticks to the previous agreement.

Motion by Carey to Approve as included in tonight's packet.

Second by Hampe.

VOTE: Schlotthauer – No, Walton – Yes, Carey – Yes, Hampe – Yes, Steffensen – Yes

MOVED

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. Anytime Archery File No. SUP-24-5

Public Hearing Opened: 5:45 PM

Staff Report

Ethan Porter, Associate Planner presenting: Kevin Bunce has requested, on behalf of Douglass Properties the owner, approval for a Special Use Permit to have an indoor archery range in the Community Commercial Services (CCS) zone. This use is requested for Lots 2 and 3 of Block 1 within the Expo at Post Falls 9th Addition, which is on approximately 8.68-acres. The project is located on the southside of W. Expo Parkway between N. Beck Road and W. Jacklin Road. It is approximately 560 feet southwest from the intersection of W. Jacklin Road and W. Expo Parkway **Surrounding Land Uses:** Adjacent to the east is a storage facility business currently being developed. Located adjacent to the south, it includes Interstate 90 rights-of-way. Directly west of the subject site is the Amelia Apartments phase II, which is currently being constructed. W. Expo Parkway right-of-way is located directly north with Woodbridge South Subdivision across the roadway. Currently, each lot has a developed site and an existing large building. It's over the Rathdrum Prairie Aquifer. The City of Post Falls is already servicing the site with water and sewer. The proposed requested special use is not anticipated to have an impact that would adversely impact the adjoining transportation systems. Expo Parkway is a major collector roadway, and it has required capacity to serve the requested use.

Surrounding Zoning Districts: East and west of the subject site is Community Commercial Services (CCS) zoning. North and south of the proposal are made up of road right-of-way. Comprehensive goals and alignment with comprehensive policies were discussed, including goal 7 and policies 58 and 86. Mr. Porter presented the six criteria the Planning and Zoning Commission may attach to the approval for a Special Use Permit. 1) Minimizing adverse impact on other development. 2) Controlling the sequence and timing of development. 3) Controlling the duration of development. 4) Assuring that development is maintained properly. 5) Controlling the location and setbacks of development. 6) Requiring more restrictive standards than those generally required in the zoning ordinance.

Schlotthauer: How many parcels is this?

Porter: Two, lot 2 and 3 of block 1 of the Expo 9th. The intent is to utilize one of the buildings. They included both lots in their application for possible expansion.

Applicant Chris Schreiber: I'm here tonight speaking on behalf of Kevin and Lisa Bunce who are present. The proposal conforms with the purpose and intent of the CCS zone. Indoor archery is specifically listed as an allowable use with a special use permit. This use would have less of a negative impact than most of the allowable uses under the CCS zone. This would offer the community a new opportunity for a healthy, physical, family-oriented activity year-round. Indoor archery has one of the lowest injury rates. It is compatible with the neighborhood and provides a buffer. Our use is a light intensity use for those buildings. Addressing community concerns regarding use, this is one of the lowest intensity uses with one of the lowest potential negative impacts on the community in the CCS zone because the facility is fully contained all indoor. It generates little to no noise, no odors, no Hazmat concerns, no commercial truck traffic, operates during normal business hours, and there's no production of unusual or atypical light pollution. An indoor facility like this has the greatest potential for a positive impact on the community that will attract business from the outside area in addition to local business. It complies with the vision statement in the comp plan, addressing six of the eight factors including educational opportunities, balanced and beneficial growth, healthy economy, youth programs and family-oriented events and services. This supports the 14 goals of the comp plan, specifically addressing six; 1) supporting a balanced and resilient economy, 2) maintain and improve high quality, affordable, and efficient

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community services, 3) maintain and improve small town's charm and beauty, 4) establish land use pattern, 5) provide and support parks and 6) recreational opportunities on pace with our growth. The public concerns that were received addressed parking and congestion. The 24-hour component refers to 24-hour member access to the facility. There will be one or two lanes open 24 hours a day, not the entire facility. The facility will be staffed with about 5 employees for about 5 to 10 customers during normal business hours, which is far fewer than a facility of this size normally houses. Regarding events, typically a major event will be around 100 people. That includes contestants and participants, to be held on the weekends when adjacent businesses will be closed. This will generate little if any commercial type of truck traffic.

Carey: This will be all indoors.

Schreiber: Yes

Carey: And it will be 7 days a week, 24 hours a day?

Schreiber: The pro shop will be normal retail hours comparable to Cabela's. The 24-hour a-day portion is for members only with card access for one or two lanes of archery with a separate entrance. This will be about a 20,000 sq. ft. facility, about half of one of the two existing buildings. We put both lots on the request because we are still in the final negotiations on the lease, and we aren't sure exactly which building we will be in.

Testimony:

In Favor: None Neutral: None

In Opposition: William Fletcher, Post Falls (not wishing to speak): Opposed due to traffic issues. On Expo Parkway with the apartments there, parking on the street is out of hand and cars are traveling at high speeds. There will not be parking spots for 200 cars.

Rebuttal:

Schreiber: There's marked parking along Expo Parkway and the backside is paved but not marked. With the available land there, we could have parking for between 750 and 1,200 cars.

Steffensen: How often will you have an event where there might be 100 – 200 cars?

Schreiber: A couple of times of year for something that big.

Kevin Bunce, Owner: I believe there are over 120 designated parking spots on both of those buildings. We're anticipating about 100 participants at most of our events and most participants will be multiple people in one car. For events on the weekend, the other businesses will be closed and there will be parking available.

Public Hearing Closed 6:16 PM

Schlotthauer: Was Woodbridge part of the original Expo development?

Jon Manley, Planning Manager: Originally it was all industrial as a job creation type of center.

Afterward, Woodridge said they needed additional single family and multifamily rooftops to promote the commercial of that area. It was meant to be a job center for job creation, much like Riverbend to the south. Due to price points and the market, changes were made to the plan to what you see out there now.

Schlotthauer: It isn't a situation where some commercial snuck in next to residential, it was a commercial area that some residential was developed in?

Manley: Yes. There have been some zone changes for a period that went from industrial to commercial and some public notices to create that commercial zoning.

Review Criteria:

A.

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

Carey: It is allowed in that zone with a special use permit, and it's adding recreation to the area.

Chris Gabbert, Deputy City Attorney: The applicant noted the purpose of the district is to support some retail services and community types of uses.

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, ordinance, and regulations of the city and the state.

Gabbert: Commissioners pointed out that it is allowed as a special use permit and there was no testimony of any other violations or anything else impeding the development.

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 would be compatible. It's indoor recreation and one of the lesser uses that are allowed.

Hampe: It provides a buffer between high density and industrial.

Steffensen: The applicant spoke about health, safety, and how safe archery is opposed to other sports. It will add some value to the residents of the city and the county.

Gabbert: There was testimony about compatibility being fully contained, no odors, no noise or commercial truck traffic normally found in industrial or intensive commercial use.

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

Steffensen: It helps with growth for businesses in the city, supporting land pattern uses, and provides a buffer between the high density and industrial zones.

Carey: It helps with filling a building that's not currently being used.

Gabbert: The staff report indicates policy 58, providing a range of recreational opportunities and park facilities for Post Falls residents.

Schlotthauer: Goal 1 is one of the biggest points about the resilience in Post Falls. We don't need an empty building, putting a business in there seems like a compatible use.

Steffensen: A product like this will be used.

Motion by Hampe to Approve Anytime Archery File No. SUP-24-5 finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations and direct staff to prepare a written Reasoned Decision.

Second by Walton.

VOTE: Schlotthauer – Yes, Carey – Yes, Walton – Yes, Hampe – Yes, Steffensen - Yes

MOTION MOVED

b. Shawver Autobody File Nos. ZC-24-3 & SUP-24-6

Public Hearing Opened: 6:25 PM

Staff Report

Ethan Porter, Associate Planner presenting: Tracy Christopherson, the applicant and property owner, has requested approval to rezone approximately 1.44-acres from Heavy Industrial (HI) zoning to Community Commercial Services (CCS) zoning district and to obtain a Special Use Permit to utilize a paint shop inside their business. **Project Location:** The property is generally located on the northside of E. Seltice Way between N. Potlach Road and N. Spencer Street. Currently, it is a commercial autobody business, over the Rathdrum Prairie Aquifer, and Post Falls provides water and wastewater. **Surrounding Land Uses:** Located along the north side of the subject property is Interstate 90 rights-of-way and on the southern side there is E. Seltice Way rights-of-way. Land uses directly west of the subject site include a fabrication business and east is a building and supply business. The majority of the uses along this E. Seltice Way stretch include commercial businesses. The future land use is designated as commercial in the Seltice East Focus Area (SEFA) implementing the zoning districts of CCM, LC, CCS, SC4, SC5. Seltice East seeks incentives to promote infill development within this area and opportunities to beautify the Seltice Corridor. Comprehensive goals and

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policies were discussed, including goals 1 and 7 and policies 2 and 86. This is an existing business on a legacy zoning heavy industrial they're proposing CCS. They want to retain the business and utilize it as it is. Future development and additions to this lot would trigger this zone change. The automotive use would be more in conformance with the CCS zoning than heavy industrial. We look at these policies and goals to maintain and utilize the existing business on this property with a better zoning classification.

Schlotthauer: This was triggered because they applied for a building permit to add on, and they couldn't do that under the current zoning?

Porter: Correct. Industrial zoning is legacy zoning, and you can't add to non-conforming. The zone change would be more in conformance. DEQ did comment on the Special use Permit to update air quality permit to reflect changes in operation.

Steffensen: Is that a condition the commission would have to add?

Porter: It would be advised to add that condition because DEQ did comment on it. The applicant can speak to that. Moving into the Special Use Permit, the request is for approval to utilize a paint shop inside the business. Within the CCS zone that use would be categorized as a special use permit needed. Comprehensive goal 7 and policy 86 were discussed.

Applicant Tracy Christopherson: I'm the owner of Shawver Autobody. We have been in business for 10 years, I employ 14 people, and I am active in the community. CCS is consistent with the future land use. We won't have an impact on the community as we are already established and nothing will change with traffic in the community. Everything around us operates during the same hours as we do. We are just trying to be compliant.

Hampe: Did you have any correspondence with DEQ?

Christopherson: I have not been notified by DEQ. In 2019, we installed a new painting booth. We were permitted and DEQ properly registered us. The new building is for a parts room, not a painting booth.

Testimony: None

In Favor: None

Neutral: None

In Opposition: None

Public Hearing Closed 6:40 PM

Zone Change Review Criteria:

Gabbert: Regarding the comments from DEQ, I don't see a specific recommendation to include that as a condition of the approval of the special use permit. We don't condition our approval on compliance with other agencies. That would be addressed by the applicant directly with DEQ.

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?

Steffensen: They are in a Legacy Zone and CCS fits with everything else around it.

Manley: Commercial is the future land use designation, CCS is one of the implementing zones that's noted in that future land designation. Industrial is not one of the options.

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?

Schlotthauer: Yes, especially policy 86, retaining existing businesses.

Gabbert: There's supportive testimony for goal 1 and policy 2.

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?

Hampe: They are not going to have any additional services, and they have been there 10 years.

Steffensen: They've been painting since 2020. They will be using the same water and sewer.

Gabbert: DEQ did have that comment that their permits would need to be updated if they are impacted under the adapa rules.

Schlotthauer: I would note that it is unfortunate that the company must go through this for their addition of building. The staff has done a good job walking them through the process.

Motion by Hampe to recommend Approval Shawver Autobody Zone Change File No. ZC-24-1 finding that the requested zoning meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations and direct staff to prepare a zoning recommendation to be provided to the City Council.

Second by Schlotthauer.

VOTE: Carey – Yes, Schlotthauer– Yes, Walton– Yes, Steffensen– Yes, Hampe - Yes

MOVED

Special Use Permit Review Criteria:

Gabbert: This action would be provisional to the zone change.

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

Steffensen: This type of business is allowed as a special use permit in the CCS zone.

Gabbert: It is situated adjacent to several other types of CCS businesses.

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 regulation of the city and the state.

Gabbert: There was testimony to and acknowledgment by the commission that it is an allowed use as a special use in the CCS zone.

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.

Commissioners agree that this is very compatible, it is an existence business as a body shop for 10 years and painting for 4 in accordance with all the rules and regulations.

Hampe: They are not making any changes that would impact the health, safety, and welfare of the public.

Gabbert: There has been no testimony or evidence to the contrary.

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

Gabbert: That was covered in the decision portion for the zone change recommendations. The same goals are supportive.

Motion by Carey to move to Approve Special Use Permit File No. SUP-24-6 finding that it meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations subject to condition one contained in the staff report and direct staff to prepare a written Reasoned Decision.

Second by Schlotthauer.

VOTE: Carey – Yes, Schlotthauer – Yes, Walton – Yes, Steffensen – Yes, Hampe - Yes

MOVED

- c. Mongeau Meadows Annexation & 1st Addition Subdivision File Nos. ANNX-24-3 & SUBD-24-2

Public Hearing Opened: 6:50

Staff Report

Jon Manley, Planning Manager: Ray Kimball, with Whipple Engineering is requesting, on behalf of Wild Horse Investments, the property owner, approval to annex and subdivide approximately 5.8-acres into a total of 21 lots within the City of Post Falls with a zoning request of Single Family Residential (R-1). Project Location: The property is generally located south of E. 16th Ave. between N. Idaho St. and N. Syringa St (south of the intersection of N. Quail Run Blvd. and E. 16th Ave.). Surrounding Land Uses: Located to the north is an older subdivision in the City of Post Falls. To the east, is a recent annexation and subdivision of Mongeau Meadows. Adjacent to the west and south are large lots of single family uses in the county. Land Use & Site: Currently a large lot, single family, it's over the Rathdrum Prairie Aquifer and the City of Post Falls would provide the water and wastewater. Traffic: 16th Avenue is a Major Collector. Additional rights-of-way and easements would need to be provided as part of the annexation. Upon the development of the site, frontage improvements will be required to be completed. This allows for continuity of pedestrian pathways along E. 16th Avenue. There is nothing in the staff report that showed there would be any conflict or complications from a traffic perspective. The Future Land Use designation is low density residential; this encompasses all types of single-family residential uses up to eight dwelling units per acre. Comprehensive compatibility goals and policies were discussed, including goals 7 and 12 and policies 24, 26, and 1.

Schlotthauer: How have we promoted and incentivized infill development?

Manley: It has not been through financial incentivization, it's been done through policy and the future land use map. Along the east side is a medium density designation. Through the adoption of the comprehensive plan, it was identified that there are some obstacles in obtaining sewer. There are some long routes in the area we would have to get before contemplating higher densities on that portion and pulling sewer. The areas to the west could tie into that and other single-family development being complimentary to the pre-existing single-family lots in the county as well as the other pre-existing R1 lots that are in the city. Moving on to the subdivision request. There are 21 single-family residential (R1) lots. The plans include extension of Healy Avenue connecting south to the Mongeau Meadows subdivision and frontage improvements to E. 16th Avenue. Water and wastewater is to be provided by the City of Post Falls. The staff report indicates there is capacity to provide service to the subdivision as proposed, and it is in conformance with the City's Water Reclamation Master Plan. The proposed streets are consistent with the transportation element of the comprehensive plan. There are no known soil or topographical conditions which have been identified as presenting hazards. Subdivision approval is contingent on annexation approval from the City Council. The subdivision and proposed lots conform to the requirements of Title 17 and Title 18. Impact and cap fees will be collected on individual building permits to assist in mitigating the off-site impacts on parks, public safety, streets, and waste reclamation facilities.

Applicant Ray Kimball: I am representing the owner, Wild Horse Investments, LLC. As mentioned, this is low density residential, R1 is the typical implementing zone for low density residential. We are adding on to Mongeau Meadows first phase moving west. Regarding the zoning compatibility, it is infill, the land use pattern, street classification, traffic patterns, existing and future land uses are all compatible, it's surrounded by residential uses and is nearly ½ mile away from any commercial zoning. The property is shown as residential on the Future Land Use Map, which is consistent with the R1

zoning request. The 21 lots are a little larger than the lots in the first phase due to the geometry of this lot being a little wider. We are providing for cross connectivity; we have a fire egress that is currently paved and will be maintained out to 16th Avenue as the emergency egress to meet the fire code. It meets all the dimensional requirements of the proposed R1 zone. Provisions have been made to supply adequate water and sewer connections to the city. The City has indicated it has adequate capacity to service the proposed project. ROW will be dedicated to 16th Avenue to City standards and provisions has been made to adequately provide connectivity to adjacent properties. We are not aware of any hazards or topographical conditions that are incompatible with the proposed use.

Testimony:

In

Favor: Wade Jacklin, Coeur d'Alene, ID (not wishing to speak): Excellent location for an infill neighborhood.

Neutral: None

In Opposition: None

Public Hearing Closed 7:10 PM

Annexation 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?

Commissioners agree that it shows land use as R1.

Gabbert: Testimony supported that it was near identically to the other existing R1 zones. There was testimony that the focus area supporting the center island is promoting infill development. The consensus is that the R1 zone is an appropriate recommendation.

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?

Carey: The plan is to fill the infill and bring it into the city.

Steffensen: Fill in the infill and continue the connectivity of multiple services that the city can offer regarding traffic patterns and infrastructure.

Gabbert: There was testimony that single-family housing provides a role in the diverse housing types under goal 7 and allows the city to encourage the right-of-way and make improvements in those areas on 16th as well.

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?

Steffensen: Testimony indicates nothing has been identified.

Carey: All city services are available.

Motion by Hampe to recommend approval of Mongeau Meadows annexation File No. ANNX-24-3 finding that the requested zoning meets the approval criteria in the Post Falls Municipal Code as outlined in our deliberations and direct staff to prepare a zoning recommendation to be provided to the City Council of R1.

Second by Schlotthauer

VOTE: Carey – Yes, Schlotthauer – Yes, Walton – Yes, Steffensen – Yes, Hampe – Yes

MOVED

Subdivision Review Criteria:

1. 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.

Hampe: The city has stated there is adequate water and sewer.

Steffensen: Staff report and applicant stated the city can provide these services.

Gabbert: That satisfies criteria 1 and 2.

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

Steffensen: Yes, the city has worked with the developer to create connectivity between existing developments there and planning for future developments.

Gabbert: Testimony indicated there was no adverse impact.

3. 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.

Steffensen: No known conditions. The applicant stated that if something does come up, they will deal with it at the time.

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

Steffensen: Pending approval of it, that area is R1. This fits perfectly there as a county pocket and infill for R1.

5. 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.

Steffensen: Impact fees will be collected at the time of development for parks, public safety, and streets.

Motion by Carey to Approve Mongeau Meadows First Edition Subdivision File No. SUBD-24-2 finding that it meets approval criteria in the Post Falls Municipal Code as outlined in our deliberations subject to conditions one through eleven contained in the staff report and direct staff to prepare a written Reasoned Decision.

Second by Hampe.

**Vote: Carrie – Yes, Schlotthauer – Yes, Walton – Yes, Steffensen – Yes, Hampe – Yes
Moved**

5. ADMINISTRATIVE / STAFF REPORTS

a. Deferred Impact Fees for Attainable and Affordable Housing

Bob Seale, Director: This is an informational update regarding steps we are trying to take to encourage affordable housing to be constructed within the city. This will go to the City Council September 3, 2024. It deals

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with changes to the language in Chapter 19 to 1.) define attainable housing and 2.) when and how we collect impact fees on projects for attainable housing. The impact fee for Attainable Housing Projects must be paid and collected prior to the issuance of a certificate of occupancy for the structure verses at the time of the building permit issuance. Attainable housing criteria is:

For Ownership: Homes restricted to be affordable to persons making 120%, or less, of the Area Median Income (AMI) for Kootenai County.

For Rental: Projects where at least 25% of the units are restricted to be affordable to persons making 80%, or less, of the AMI for Kootenai County.

Carey: Is this a reduction in Impact Fees?

Seale: There is no reduction, it is a delay in collection to help the builders with the upfront costs to enable more construction of attainable housing.

Schlotthauer: This looks like a small step in the right direction. What do you mean by restricted? Seale: Deed restricted. A property is purchased and is restricted to being 120% of the AMI or less, and when the property changes hands it will also be restricted to being 120% or less of the AMI as well. The equity will not be market driven.

6. COMMISSION COMMENT

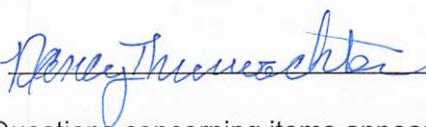
None

7. ADJOURNMENT

7:26 P.M.

Date: 9/10/24

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