



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**March 11, 2025
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, Chris Schreiber, Bobby Wilhelm

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

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 February 27, 2025
- b. Zoning Recommendation Steckman Annexation File No. ANNX-24-9
- c. Zoning Recommendation Elfer's Annexation File No. ANNX-24-10
- d. Zoning Recommendation Briner Annexation File No. ANNX-24-7

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:

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**

**February 27, 2025
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, Chris Schreiber, Bobby Wilhelm

Present: Walton, Steffensen, Schlotthauer, Schreiber, Wilhelm

Excused: Carey, Kimball

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

Gabbert: It was recognized that Bobby Wilhelm and Ray Kimball were reappointed as Planning & Zoning Commissioners.

AMENDMENTS TO THE AGENDA

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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 02-11-2025

Motion: Commissioner Walton moves to approve the meeting minutes as presented.

Second by Commissioner Wilhelm

Vote:

Yes - Walton, Steffesne, Schlotthauer, Schreiber, Wilhelm

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.

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ACTION ITEMS:

None

4. PUBLIC HEARINGS

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ACTION ITEMS:

- a. Idaho Ranch Annexation File No. ANNX-24-8

Public Hearing Opened: 5:32 PM

Staff report

Jon Manley, Planning Manager: The applicant, Whipple Consulting Engineers, is requesting on behalf of Jacklin Land Company, LLLP, the property owner, to approve annexation of approximately 8.891-acres into the City of Post Falls with

a zoning request of Community Commercial Mixed (CCM). 4.81-acres is requested as part of the Idaho Ranch Annexation and the remaining approximately 4.08-acres is the adjacent railroad rights-of-way to the north. The project is located on the northern half of 7155 W. Prairie Avenue. Current land use is a vacant undeveloped lot formally part of a larger residential single-family use. **Surrounding land use:** Directly to the west of the subject site is CCM. South of the subject site, it is utilized as a single-family home within Kootenai County. Currently, the site is undeveloped, formally part of a larger residential single-family use. It's over the Rathdrum Prairie Aquifer. The water provider is Ross Point Water District and the wastewater will be provided by the City of Post Falls subject to the 12th Avenue Surcharge for sanitary sewer that supplements the development of sewer forcemains from the 12th Avenue Lift Station to the Water Reclamation Facility. It is adjacent to Fennecus Road, a Major Collector. No additional rights-of-way or easement dedications are required for Fennecus Road. The property sits adjacent to the Prairie Trail, a regional multi-modal facility. Pedestrian and bicycle connections from the site to the Prairie Trail would require review and approval by the City of Post Falls Parks Department at the time of future site development.

Rob Palus, City Engineer: There is a dry line sewer installed along the property's western boundary on Fennecus Road that terminates on the south side of Prairie Avenue. Currently, there is not a sewer line to connect to the subject site. There is approximately a half-mile of sewer that needs to be installed from Prairie Avenue to Hope Avenue, the future Meyer Alternative line to be installed by the developers either by Foxtail Development or this project. That dry line also has some limitations at the connection point at Hope Avenue depending on how it is developed. The City is collecting surcharges for the sanitary sewer, Meyer Alternative Sure Charge, the parcel would be subject to if it comes into the City of Post Falls.

Manley: The proposed annexation is located within the 41 North Focus Area. Development would provide pedestrian connectivity to all multi-use paths and trails, including Highway 41. Focus provisions for multifamily, commercial, and tech uses near higher-classified roadways: Goals and policies that may be relevant to this annexation request are: G.06 Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives. 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. P.26 Maintain and improve the continuity of sidewalks, trails and bicycle paths in Post Falls. The P.33 Annexation should help implement Post Falls' transportation plans, enabling the completion or preserving continuity of circulatory patterns for roads and pedestrian routes. P.69 Encourages new development to provide pedestrian access to nearby parks, trails and green spaces. There has been no identified "Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city" at this point in time.

Applicant:

Austin Fuller, Whipple Consulting Engineers, Inc: This is an annexation request for a portion of a parcel. There was a boundary line adjustment. It is one parcel that goes to Fennecus Road. The existing zoning is agriculture. Our proposal is CCM. To the north, the east, and the west of the site is CCM. Further to the south is R1, the Foxtail Subdivision. The Future Land Use Map of the subject property is Transitional. To the west it is commercial, to the northwest and to the south are business commercial. The proposed zoning district meets Criteria A: 1. The subject property is in the transitional future land use adjacent to commercially zoned properties. It's also in Focus Area 41 North. Fennecus Road is directly west of the property and Prairie Avenue is further to the south. 2. There is direct access to Prairie Trail. 3. It is outside any crash zones which coordinate with the 2018 Coeur d'Alene Airport Master Plan. 4. Fennecus Road is considered a backage road. The project is directly adjacent to that, so there is access to Prairie Avenue, which has access to Highway 41. 5. Fennecus Road is anticipated to exceed 4,000 vehicles per day. Criteria B meets: G.06 Maintain and improve Post Falls' transportation network. G.07 Plan for and establish types and quantities of land uses that support community needs and the sustainability of the City. P.14 Follow all annexation procedures established by Idaho State statutes and applicable City ordinance. P.24 Plan for and protect transportation corridors from encroachment, and preserve adequate rights-of-way for future corridors, including utilities. P.26 Maintain and improve the continuity of sidewalks, trails, and bicycle paths in Post Falls. P.33 Annexation should implement Post Falls' transportation plans, enabling the completion or preserving continuity of circulatory patterns for roads and pedestrian ways. Criteria C: There is no evidence identified of a "Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city" at this point in time.

Schreiber: Why just annex this piece?

Ray Kimball, Whipple Engineering: There is an existing farmhouse there that is in use. They want to use it as it is.

Schlotthauer: Why annex it when there are no services available?

Kimball: Our timeline is based on a coordinated timeline with Foxtail with regard to the sewer. This is just an

annexation.

Schlotthauer: Why CCM?

Kimball: The property to the north and to the west is CCM. It provides continuity and there are some advantages to CCM that are better for this property.

Testimony

In-Favor: Mark Hughes, Post Falls (not wishing to speak).

Neutral - None

In Opposition - None

Rebuttal: None

Public Hearing Closed: 6:00 PM.

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?

Schreiber: Yes, there is CCM on at least two sides of the property, and in the future there will probably be CCM down to Prairie Avenue.

2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive?

Steffensen: Policy 26, and Policy 45.

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?

Commissioners agree that none were identified.

Motion by Commissioner Wilhelm to recommend approval of Idaho Ranch Annexation File No. ANNX-24-8 and any recommendations the city brought forth as found in our deliberation and direct staff to prepare a zoning recommendation of CCM to be provided to the City Council.

Second by Commissioner Walton.

Vote:

Yes - Wilhelm, Schreiber, Schlotthauer, Steffensen, Walton

Moved

b. The Arc Subdivision File No. SUBD-24-10

Public Hearing Opened: 6:04 PM

Staff report

Jon Manley, Planning Manager: The owner is WYLD, LLC; The applicant is Scott McArthur, McArthur Engineering. The applicant is seeking approval to subdivide approximately 6.14-acres into 39 cottage/tiny home lots and three multifamily lots within the High Density Residential (R3) and Single-Family Residential (R1) zoning designations. Thea project is located north of I90 at the south end of Corbin Road. The surrounding zoning around the site is R1. Currently, it is used for a large lot of residential single-family use. It's over the Rathdrum Prairie Aquifer, water provider is East Greenacres Irrigation and the wastewater provider is the City of Post Falls. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan and the City has the capacity to provide service and is willing to serve the requested density. Corbin Road is a Local Residential Street south of Seltice Way. Seltice Way is a Principal Arterial. Traffic operations at the intersection of Seltice Way/Corbin Road indicate that with the development, the intersection meets or exceeds minimum standards. They're proposing a little over 14,000 square feet of open space for the cottage project. That's a little more than what's required. The project meets the proportionality for front and rear loaded garages per code. They will exceed the minimum requirement for open space fronting either a public or private street by about 6 percent. There is a will serve letter from East Greenacres Irrigation District, and the City has identified that there is capacity to serve this project for wastewater. The proposed streets are consistent with the transportation element of the comprehensive plan. There are no known soil issues on this site. The subdivision and proposed lots conform to the requirements of Title 17 and Title 18. The lots are greater than the minimum requirement for cottage development. The multifamily site will be reviewed as part of the Site Plan Review. Impact fees and cap fees will be

assessed and collected on individual building permits to assist in mitigating the off-site impacts on parks, public safety, streets, multi-modal, EMS and Fire. The agencies contacted had either no comment, were neutral, or would review during permitting.

Applicant:

Scott McArthur, McArthur Engineering: We are looking for a product to provide affordable housing. Homeownership is the goal of this project. The general layout of the subdivision plan has one existing home, 39 cottage/tiny homes, and 24 multifamily units. The existing home will be taken off of septic and connected to the city's sanitary sewer system. We are currently in the process of mass grading the property and making improvements to Corbin Road. We have submitted a set of infrastructure plans to the city for review. The clients had to eliminate all the organic material from the property and import a substantial amount of suitable structural material in order to extend the utilities to the site. We have an approved mass grading plan with the city and are currently working towards that. A rendering of the conceptual cottage homes will look like what was presented, illustrating how the proposed cottage homes meet the city's requirements for size, layout, development access, parking, etc. We have deed restrictions and common maintenance that are all stated in the subdivision request. The goal is to create a neighborhood, not an overpopulated area in the city of Post Falls. The amenities to serve the property include a gazebo, outdoor gym, walkway, and landscaping. Also presented was a rendering of the future multifamily/condo units. There are no objections to the conditions of approval and we meet the subdivision review criteria.

Testimony

In-Favor: - None

Neutral - None

In Opposition - None

Public Hearing Closed: 6:20 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 proposed subdivision.

Steffensen: There is a will serve letter from East Greenacres Irrigation in the staff report.

Schreiber: Significant off site has already been done that are needed for this development and are contributing to that neighborhood.

2. Definite provision has been made for a wastewater sewer system that is adequate in terms of quantity and quality for the proposed subdivision.

Schreiber: Same response, they're doing quite a bit of work on that. The city has a will serve letter for this project that there is capacity.

3. The proposed streets are consistent with the transportation element of the Comprehensive Plan.

Schreiber: It appears there will be an impact on traffic along Corbin Road and Terra Street. Testimony stated that the intersection of Corbin and Seltice Way was built to handle that.

Steffensen: They are making improvements to Corbin Road that will help with that.

4. Any areas of the proposed Subdivision subject to soil or topographical conditions presenting hazards have been identified.

The commissioners agreed there was no testimony in regards to topographical conditions presenting hazards.

5. The area proposed for the Subdivision is zoned for the proposed use and the use conforms to other requirements found in the Code.

Walton: It does conform to Title 17 and Title 18.

6. Adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying impact fees or other offsite improvements.

Schlotthauer: The developer is bearing substantial offsite improvement costs and will be paying impact fees and building fees.

Motion by Commissioner Walton to move to approve The Arc Subdivision File No. SUBD-24-10 finding that it meets the approval criteria in the Post Falls Municipal Code 17.12.060 H as outlined in our deliberations and subject to conditions 1 through 11 contained in the staff report and direct staff to prepare a written reasoned decision.

Second by Commissioner Wilhelm

Vote:

Yes - Walton, Steffensen, Schlotthauer, Schreiber, Wilhelm

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT

6:26 PM

Date: _____

Chair: _____

Attest: _____

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

Steckman Annexation File No. ANNEX-24-9

Planning and Zoning Commission Zoning Recommendation

A. INTRODUCTION:

APPLICANT: Merle Van Houten of Van Houten Consulting & Design, LLC

LOCATION: The property is located west of N. Spokane Street midway between W Grange Avenue and Prairie Avenue on the west side of Spokane Street.

REQUEST: Zoning recommendation of Medium Density Residential (R2) on approximately 6.7-acres, as depicted in Exhibit A-2.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Owners Authorization
5. S-1 Vicinity Map
6. S-2 Zoning Map
7. S-3 Future Land Use Map
8. PA-1 PFSD Comments
9. PA-2 KCFR Comments
10. PA-3 PFPD Comments
11. PA-4 YPL Comments
12. PA-5 DEQ Comments
13. PA-6 ITD Comments
14. PZ Staff Report
15. Testimony at the February 11, 2025, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the February 11, 2025, public hearing, and 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 City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Jon Manley, Planning Manager

Mr. Manley presented the staff report. He testified that the applicant was seeking a recommendation for an initial zoning designation of Medium Density Residential (R-2) on approximately 6.7 acres (including right-of-way) upon annexation into the City of Post Falls. He illustrated that the subject property is located west of N. Spokane Street midway between W Grange Avenue and Prairie Avenue on the west side of Spokane Street. The annexation would include the adjacent right-of-way and easements along Spokane Street. Mr. Manley testified that the current land use is a residential use in Kootenai County, that it is located over the Rathdrum Prairie Aquifer and that the water provider

is the East Greenacres Irrigation District, and the City of Post Falls would be the wastewater service provider having the capacity and ability to serve. This site is considered a county island surrounded by the city boundaries.

During the hearing, Mr. Manley provided that the surrounding zoning for the subject was Single Family Residential (R-1) with a golf course located across Spokane Street to the east. Mr. Manley also testified that the project is sited within the Low Density Residential future land use designation as well as being in the Central Prairie Focus Area embracing a variety of housing types and emphasizing pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities.

Mr. Manley also testified that goal six may be supported by policies twenty-four, twenty-six, and thirty-three. Goal seven may be supported by eight, nine, and fifteen. Additionally, there are other goals and policies listed in the staff report that may be appropriate for consideration by the Commission. Any existing septic systems will be required to be abandoned and remaining structures to be connected to the City's Water Reclamation system at the time of development. Mr. Manley also testified that there have been no demonstrable adverse impacts identified through comments received from the noticed agencies in response to the annexation and initial zoning request.

Merle Van Houten, Representative for Blackwell Homes, Applicant

Mr. Van Houten further testified about the project and the requested annexation and zoning recommendation for R2. Currently Tennessee Avenue terminates into the subject property. This provides an opportunity for the continuation of Tennessee Avenue to Spokane Street where it would provide a four-way intersection with Brookie. The adjacent Elfers Annexation would continue a public road out to Guy Street. Both annexations request together could provide improvements to both Spokane Street and Guy Street as being compatible with the Transportation Master Plan.

Mr. Van Houten testified that the requested R2 zoning designation allows the developer to provide affordable housing with limited density and limited impact through additional single-family residences without the need for the expansion of city services. The zoning designation allows them to keep prices beneath the median values and encourages home ownership without multi-family, twin homes or duplexes. He testified that the goal is to make the project similar to the adjacent single-family subdivisions but also encourage affordability. The property fills the need of additional housing opportunities without having to take additional traffic through an existing neighborhood, as it is already located adjacent to two public streets. He agreed that the applicant was willing to cap the density at 8 units an acre for single-family residences.

Public Testimony:

The hearing was opened for public testimony.

In-Favor: Maggie Lyons, Hayden, ID: She represents the organization developing Miracle on Britton and spoke about the issues with homeownership for local workers and builders willing to develop for that demographic.

Neutral - None

In Opposition - Marilyn Morlan, Post Falls, ID: Expressed concerns this development will cause too much traffic which was already an issue.

Rebuttal

Mr. Van Houten: Testified Tennessee Avenue will connect through to Spokane Street and the adjacent request for Elfer's Annexation would provide a through connection from Guy Street. He further clarified that Spokane Street is a major collector and the project complies with the City's Traffic Master Plan and the allowed densities described in the Land Use Master Plan.

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 criteria in City Code section 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 medium density residential (R-2) zone on approximately 6.7-acres upon the annexation into the city of Post Falls. The Future Land Use Map designates this area as low-density residential and it is located inside the Central Prairie Focus Area. R-2 is an implementing zone under the low-density residential designation and is consistent.

The commission finds that the proposed R-2 zone is consistent with the Future Land Use Map and aligns with the emphasis for a variety of housing types in the Central Prairie Focus Area.

C2. 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?

Based on the testimony provided and the staff report, the Commission finds the requested zoning to be consistent with the following goals and policies contained in the comprehensive plan:

Goal 6: Maintain and improve Post Falls' transportation network, on pace and in concert with need and plan objectives.

Upon annexation and development there are opportunities to improve transportation corridors for public safety for both pedestrians and vehicles.

Policy 9: Encourage annexation of County "islands" within the City, with priority given to areas:

- Surrounded by incorporated areas
- That have readily available service infrastructure and capacity
- That support increased development intensity near the urban core.

After deliberation the Commission finds that the site is currently in an island surrounded by the City, the City has sewer infrastructure adjacent and capacity to serve the project. East Greenacre Irrigation District would provide water. Capacity improvements have recently been made to Spokane Street. Future development of the property would extend Tennessee Avenue to Spokane Street and provide an additional connection for local traffic and improve emergency service access.

Policy 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.

This policy can be met through the requested R-2 zoning providing that there is more flexibility with housing product types.

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

This policy is supported through the requirement of these improvements upon development.

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 finds that political subdivisions were notified, and the city received no adverse written comments. No evidence of a demonstrable adverse impact upon the delivery of services by any other political subdivisions as provided, and as such, the Commission finds this criterion satisfied.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-24-9, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments, and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed unanimously. The Planning and Zoning Commission hereby recommends that the City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request for Medium Density Residential (R2) zoning on approximately 6.7-acres upon successful annexation of the property. The Commission recommends the following items to be included in an annexation agreement in addition to those identified in the staff report: 1) abandonment of septic at the time of development, 2) maximum density of eight dwelling units per acre and 3) detached single-family residences only.

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.

**Elfer's Annexation
File No. ANNX-24-10
Planning and Zoning Commission
Zoning Recommendation**

A. INTRODUCTION:

APPLICANT: Merle Van Houten of Van Houten Consulting & Design, LLC

LOCATION: The property is located property is located at 3556 N. Guy Road, southeast of the intersection of Fisher and Guy Road.

REQUEST: Zoning recommendation of Medium Density Residential (R2) on approximately 4.89-acres, (5.2 with rights-of-way).

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Owners Authorization
5. S-1 Vicinity Map
6. S-2 Zoning Map
7. S-3 Future Land Use Map
8. PA-1 PFSD Comments
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11. PA-4 YPL Comments
12. PA-5 DEQ Comments
13. PA-6 ITD Comments
14. PC-1 Beach Comment
15. PC-2 L. Gruhlke Comment
16. PC-3 M. Gruhlke Comment
17. PC-4 Norman Comment
18. PZ Staff Report
19. Testimony at the February 11, 2025, Planning and Zoning Commission ("Commission") hearing including:

Planning and Zoning Commission (hereinafter "Commission") heard the request at the February 11, 2025, public hearing, and 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 City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Jon Manley, Planning Manager

Mr. Manley presented the staff report. He testified that the applicant was seeking a recommendation for an initial zoning designation of Medium Density Residential (R-2) on approximately 4.89 acres (5.2 with rights-of-way) upon the annexation into the City of Post Falls. He illustrated that the subject property is located at 3556 N. Guy Road, southeast of the intersection of Fisher and Guy Road. The annexation would include the adjacent right-of-way and easements along Guy Road. Mr. Manley testified that the current land use is residential in Kootenai County, that it is located over the Rathdrum Prairie Aquifer and that the water provider is the East Greenacres Irrigation District, and the City of Post Falls would be the wastewater service provider having the capacity and ability to serve. This site is considered a county island.

During the hearing, Mr. Manley provided that the surrounding zoning for the subject was Single Family Residential (R-1) with a golf course located across Spokane Street to the east. Mr. Manley also testified that the project is sited within the Low Density Residential future land use designation as well as being in the Central Prairie Focus Area embracing a variety of housing types and emphasizing pedestrian friendliness and connecting neighborhoods to community trails and nearby amenities.

Mr. Manley testified that goal six may be supported by policies twenty-four, twenty-six, and thirty-three. Goal seven may be supported by policy numbers eight, nine, and fifteen. Additionally, there are other goals and policies listed in the staff report that may be appropriate for consideration by the Commission. Existing septic systems will be required to be abandoned and remaining structures to be connected to the City's Water Reclamation system at the time of development. Additionally, 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. The property is adjacent to Guy Road, classified as a local roadway and a connection could be provided through this property to the east connecting into Tennessee Avenue roadway, resulting in a possible connection to Spokane Street, if that property's pending annexation request was approved. With annexation additional rights-of-way and easement would be required along Guy Road. Finally, Mr. Manley testified that there were no demonstrable adverse impacts identified from comments received.

Merle Van Houten, Representative for Blackwell Homes, Applicant

Mr. Van Houten similarly testified about the property and the requested annexation and zoning recommendation for R2. This project fronts Guy Road to the west, to the north is Greenside Vistas and to the south is the Peregrine Place subdivision. Improvements would be made on the east side of Guy Road to provide connectivity to those subdivisions to the north and south. The owner's goals and objectives are to provide affordable housing, primary ownership, limited density, and limited impact. The Future Land Use Map encourages all types of single-family residential uses up to 8 dwellings per acre, and R2 is an implementing zone. The proposed project would be consistent with the Central Prairie Focus Area. The proposed density is 8.0 units per acre to help set a price point to allow more people to enter the homeownership market. The housing type is the same as Steckman Annexation, only single-family detached, 3 bedrooms, 2.0 - 2.50 bathrooms, 2-story, with an attached garage. There are smaller lots that front a private road and includes open space with larger lots along the north providing a good transition to the Greenside subdivision.

Mr. Van Houten testified that they have the ability to create additional single-family residences without the need for the expansion of city services which will provide opportunity for persons to both reside and work in Post Falls. The property fills the need of additional housing opportunities without having to take additional traffic through an existing neighborhood, as it is already located adjacent to two

public streets. He agreed that the applicant was willing to cap the density at 8 units an acre for single-family residences.

Public Testimony:

The hearing was opened for public testimony.

Testimony

In-Favor: - None

Neutral - Paul Graham, Post Falls: Mr. Graham testified as to his concerns of traffic congestion where Tennessee Avenue connects to Guy Road, and that he is opposed to duplexes/townhomes. He expressed concerns about the homes being rentals instead of primary ownership. There are "gorgeous trees" there that he doesn't want to see removed.

In Opposition - Laura Mahaffy, Post Falls (not wishing to speak).

Karen Olsen, Post Falls (not wishing to speak): Ms. Olsen opposed the R2 Zone request wanting to keep the area single-family.

Deb Thomas, Post Falls: Ms. Thomas testified against the R2 Zone stating that it should be designated as R1 detached single-family properties only.

Ren Ferglestad, Post Falls: Mr. Ferglestad testified that they bought land and built our house in a R1 zoned subdivision. He was against changing the zoning, stating that this is not the only area that could be developed as R2. He believed the same concept could be done elsewhere that is not yet zoned.

Travis Oslund Post Falls, ID: Mr. Oslund expressed concerns regarding parking on the street and the potential connectivity to Spokane Street, infrastructure before the development not being completed, and he preferred to keep the number of homes lower.

Shannon Celentano, Post Falls, ID: Ms. Celentano stated that the annexation and proposed zoning is in direct contrast to the surrounding zoning. Further, that it creates considerable concerns for traffic, safety, and home values.

Elwood Missamore, Post Falls, ID: Testified that the area was too congested with existing houses and traffic. Spokane Street is limited and the proposal would be unsafe for children with all the extra vehicles. Mr. Elwood testified that with smaller lot size, where will cars park?

Rebuttal

Van Houten: In response Mr. Van Houten testified that the applicant would have a public road connecting Guy Road to Tennessee Avenue and then up to Spokane Street through the adjacent property. There would be an approach on Spokane Street as a major collector in compliance with the City's Master Traffic Plan. If Greenside Vistas were developed under today's standards the existing cul-de-sacs would not be allowed, and there would have been continuity through and to the properties being discussed. The connection point to Spokane Street is necessary or all the traffic will end up on Tennessee Avenue and Guy Road. As to the concerns with density, Mr. Van Houten testified that the applicant was trying to meet the need for affordable housing that's below the median home value. By requesting density at 8.0 units per acre they are creating as much density to increase affordability without exceeding what the city has envisioned. Both this and the adjoining property to the east identified dedicated green space. Regarding parking, the applicant is entertaining a 2-car garage product. The applicant's desire is not to retain these lots as rental and would agree to a 8.0 unit per acre density cap and limit the property to single-family residences.

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 criteria in City Code section 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 medium density residential (R-2) zone on approximately 4.89-acres upon the annexation into the city of Post Falls. The Future Land Use Map designates this area as low density residential and inside the Central Prairie Focus Area.

The Commission has considered the staff report and testimony provided and finds that the proposed medium density residential R-2 zone is in accordance with the Future Land Use Map and Central Prairie Focus Area noting that the proposed smaller single family lots provide a blend as consistent. The Commission debated whether the existing roadways by themselves would support the proposed zoning if the adjacent property were not also annexed. The Commission also noted that the proposed R-2 zone was supportable only by limiting it to single family properties and with the density cap in place.

C2. 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?

Based on the testimony provided and the staff report, the Commission finds the requested zoning to be consistent with the following goals and policies contained in the comprehensive plan:

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 for single-family housing in an R-2 zone promotes diverse housing types to assist community needs and fosters the City's long-term sustainability by growing the local economy.

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

This site would be considered a compatible infill development area and within the exclusive tier of the Area City Impact. Having this approved to be incorporated into the city may help meeting this policy.

Policy 9: Encourage annexation of County "islands" within the city, with priority given to areas:

- Surrounded by incorporated areas
- That have readily available service infrastructure and capacity
- That support increased development intensity near the urban core.

After deliberation the Commission finds that the site is currently in an island surrounded by the city, the city has sewer infrastructure adjacent and capacity to serve the project. East Greenacre Irrigation District would provide water. Future development of the property would improve Guy

Road.

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

This policy is supported through requirement for dedication of the rights-of-way and easements adjoining the property as part of the requested annexation. The Commission debated that that with respect to the transportation corridors this property as a stand-alone project may not be supported as there currently exists no connectivity to the east.

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 finds that political subdivisions were notified, and the city received no adverse written comments. No evidence of a demonstrable adverse impact upon the delivery of services by any other political subdivisions as provided, and as such, the Commission finds this criterion satisfied.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-24-10, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments, and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed with a split vote. The Planning and Zoning Commission hereby recommends that the City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request for Medium Density Residential (R2) zoning on approximately 4.89-acres upon successful annexation of the property. The Commission recommends the following items to be included in an annexation agreement in addition to those identified in the staff report: 1) a maximum density of eight dwelling units per acre and 2) detached single-family residences only.

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.

Briner Annexation File No. ANNX-24-7

Planning and Zoning Commission Zoning Recommendation

A. INTRODUCTION:

APPLICANT: Dobler Engineering on behalf of Chris Briner

LOCATION: The property is located at the southwest corner of the W. Poleline Avenue and N. McGuire Road intersection.

REQUEST: Zoning recommendation of Single Family Residential (R1) on approximately 4.63-acres

B. RECORD CREATED:

1. A-1A Annexation Application
2. A-2 Narrative
3. A-3 Vicinity Map
4. A-4 Subdivision Plan
5. A-5 Authorization Letter
6. A-6 Will Serve Letter
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 DEQ Comments
15. PA-6 ITD Comments
16. PZ Staff Report
17. Testimony at the February 11, 2025, Planning and Zoning Commission ("Commission") hearing including:

The Planning and Zoning Commission (hereinafter "Commission") heard the request at the February 11, 2025, public hearing, and 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 City Code section 18.20.060. The purpose of the hearing was to afford the applicant and the public the opportunity to supply testimony and documentation to be taken by the Commission in their application of City Code 18.20.100 when making the Commission's recommendation on zoning to the City Council.

Jon Manley, Planning Manager

Mr. Manley presented the staff report. He testified that the applicant was seeking a recommendation for an initial zoning designation of Single Family Residential (R-1) on approximately 4.63-acres

(including right-of-way) upon the annexation into the City of Post Falls. He testified that the subject property is located at the southwest corner of the W. Poleline Avenue and N. McGuire Road intersection.

Mr. Manley testified that the current land use is as a residential lot in Kootenai County, that it is located over the Rathdrum Prairie Aquifer, that the water provider is the East Greenacres Irrigation District, and the City of Post Falls would be the wastewater service with both having the capacity and ability to serve. The zoning surrounding the subject site is predominately single-family large lot residential parcels within Kootenai County. East across N. McGuire Road is vacant land and to the northeast is a single-family subdivision.

The property is located adjacent to both Poleline Avenue and McGuire Road, which are both classified as arterial roadways. Additional rights-of-way and easement would be provided as a condition of annexation, with improvements provided upon development. The subject property is located within the "Transitional" classification under the Future Land Use map, meaning that zoning should be compatible with adjacent zones and uses. The subject site is within a commercial node and is located within the West Prairie Focus Area. The proposed R-1 zone would conform to the surrounding uses and could be consistent with the Future Land Use Map and the West Prairie Focus Area with mixed residential uses.

Mr. Manley testified that goal seven may be supported by policies numbers fifteen and thirty-three. Goal one may be supported by policy number two. Existing septic systems would be required to be abandoned and remaining structures to be connected to the City's Water Reclamation system at the time of development. Finally, Mr. Manley testified that there were no demonstrable adverse impacts identified from comments received.

Gordon Dobler, Applicant

Mr. Dobler testified about the property and the requested zoning recommendation for -R1 upon annexation. He testified that the R-1 zoning designation represents a gradual transition to the business commercial zone uses to the south and is compatible with the adjacent land uses. He testified that both adjacent roads (Poleline Avenue and McGuire Road) would receive additional dedicated right-of-way to be consistent with city standards, which would be improved at the time of development. Direct access to McGuire Road would be restricted or prohibited on the final plat. Existing septic will be removed, and the houses will be connected directly to sewer. East of McGuire Road and south of Midway are even smaller lots than what would be proposed. Regarding school capacity, the Urban Land Institute did a study that shows a typical single family generates only .6 children which would equate to approximately 10 new students. Upon development, McGuire Road and Poleline Avenue will be widened, and both will have multi-use paths. Mr. Dobler testified that R1 is compatible, it fits in with the neighborhood, and R-1 is an enabling zone for the land uses contemplated.

Public Testimony:

The hearing was opened for public testimony, none was received.

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 criteria in City Code section 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 Single Family Residential (R-1) on approximately 4.63-acres upon the annexation into the City of Post Falls. The Future Land Use Map designates this area as Transitional and inside the West Prairie Focus Area.

The Commission finds that the transitional area is an open-ended designation allowing for flexibility and that the proposed annexation area is located in a commercial node, but recognized that a commercial land use designation could be appropriate in that location but is not required. The Commission identified that transitional land use designation attempts to match adjacent areas and growth trends. At this location R1 is consistent with the lower density lower intensity uses east and what is likely to be higher intensity uses to the west near Pleasant View.

The Commission finds that the proposed R-1 zone is consistent with the Future Land Use map and West Prairie Focus Area.

C2. 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?

Based on the testimony provided and the staff report, the Commission finds the requested zoning to be consistent with the following goals and policies contained in the comprehensive plan:

Goal 7: Plan for and establish types and quantities of land uses in Post Falls supporting community prosperity and fiscal health.

The Commission finds that the proposal supports diverse types of land uses through single-family housing supporting community needs.

Policy 15: Ensure that adequate land is available for future housing needs, helping serve residents of all ages, incomes and abilities through provision of diverse housing types and price levels.

This policy can be met through the requested R-1 zoning providing for existing and future housing needs.

Policy 45: Guide annexation decisions by considering:

- Master plans for water, sewer, and transportation;
- Provision of necessary rights-of-way and easements.

This policy will be furthered through the annexation and right-of-way dedications associated with this property and meeting the transportation master plan as lowering traffic congestion and improving turn lanes.

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.

The requested zoning and annexation of this property furthers this policy in protecting the aquifer by removing septic systems.

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 finds that political subdivisions were notified, and the city received no adverse written comments. No evidence of a demonstrable adverse impact upon the delivery of services by any other political subdivisions as provided, and as such, the Commission finds this criterion satisfied.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

ANNX-24-7, INITIAL ZONING: Following the public hearing, the Planning and Zoning Commission considered all relevant evidence and comments, and a motion to recommend approval of the recommended zoning upon annexation was made, the motion passed unanimously. The Planning and Zoning Commission hereby recommends that the City Council approve the proposal, finding that it conforms to the general purpose of the comprehensive plan and meets the applicable approval criteria for the applicant's request for Single-Family Residential (R1) zoning on approximately 4.63-acres upon successful annexation of the property.

Date

Chairman

Attest

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