



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**May 13, 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 April 8, 2025
- b. The Arc Subdivision Reasoned Decision SUBD-24-10

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

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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, Chris Schreiber, Ross Schlotthauer, Bobby Wilhelm, Kibbee Walton



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**April 8, 2025
5:30 PM**

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

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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: Carey, Walton, Steffensen, Wilhelm, Schlotthauer, Schrieber

Excused: Kimball

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

None

AMENDMENTS TO THE AGENDA

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ACTION ITEMS:

- a. Meeting Minutes March 11, 2025
- b. Idaho Ranch Annexation Zoning Recommendation File No. ANN-24-8

**Motion by Planning and Zoning Commissioner Carey to accept the Consent Calendar as presented.
Second by Planning and Zoning Commissioner Walton
Carey - Yes, Walton - Yes, Steffensen - Yes, Wilhelm - Yes, Schlotthauer - Yes, Schrieber - Yes
Moved**

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ACTION ITEMS:

- a. Lingar Annexation File No. ANNX-24-11

Public Hearing Opened: 5:32 PM.

Staff Report

Jon Manley, Planning Manager: The owner is Mickey Lingar and the applicant's representative is Jeramie Terzulli of Olson Engineering, who is present tonight. They are requesting a recommendation from the City Council for Medium Density Residential R2 zoning on approximately 4.54-acres as part of the annexation request. The project is located west of the intersection of W. Midway Avenue and N. McGuire Road. Currently, it is a large-lot single-family use. It is over the Rathdrum Prairie Aquifer. Surrounding land uses include medium-density residential town homes, single-family homes, multifamily units, a church, and some industrial and commercial zoning—particularly along Seltice Way. The water provider is East Greenacres Irrigation District, and the wastewater provider is the City of Post Falls. The city has the capacity to provide service and is willing to serve the property at the requested density. The existing septic systems will be required to be abandoned and the remaining structures to be connected to the City's Water Reclamation system at the time of development. Transportation access includes Midway Avenue (a minor collector) and McGuire Road (a minor arterial), and right-of-way and easement dedication along Midway Avenue would be required as part of annexation. The future land use designation for the area is Transitional, indicating expected changes in land

use patterns due to increased urban pressure. The surrounding area includes a mix of residential and non-residential uses, with existing city planning documents recognizing the need for transitional land uses and medium-density housing to support long-term urban sustainability. The proposal aligns with several goals and policies of the city's comprehensive plan, such as encouraging diverse housing options and planning for transportation improvements through annexation. Medium-density zoning (R2) was described as critical for enabling "missing middle" housing types like town-homes, cottages, and duplexes. No significant adverse impacts or environmental concerns were identified. Comments received from public agencies and citizens were minimal and non-objectionable. Roadway improvements would occur during subsequent subdivision construction phases, not at the time of annexation approval. The recommendation for zoning will proceed to the City Council for final consideration.

Robert Palus, City Engineer: There is utility availability, water service exists along Midway Avenue and sewer service is available at the southeast corner of the site. Service extensions would be coordinated with the city, taking into account sewer basin constraints.

Applicant:

Jeramie Terzulli, Olson Engineering: I'm the land use consultant for North Idaho REI team. I'm presenting a request for annexation and rezoning of an approximately 4.54-acre parcel with an R-2 (Medium Density Residential) designation. The project is in alignment with the City's Comprehensive Plan, particularly the Future Land Use Map and the principles of the West Prairie focus area. The parcel, situated just west of McGuire Road and adjacent to a railroad line, is currently bordered by a mix of medium-density residential, commercial, and industrial uses. Due to its transitional nature and proximity to existing infrastructure, medium-density housing is the most suitable use. High-end residential development is unlikely in such proximity to a railroad corridor, further supporting the appropriateness of R-2 zoning. Key criteria for evaluating the rezoning request is: 1) Consistency with the Comprehensive Plan and Future Land Use Map. 2) Compatibility with adjacent land uses. 3) Minimal impact on service delivery, as confirmed by city staff and other agencies. This aligns with city policies promoting housing diversity, efficient infrastructure use, and walkable communities. The proposed development is within walking distance of schools, parks, churches, and local amenities, supporting goals related to sustainability and affordability, particularly for first-time homebuyers and downsizing seniors.

Testimony

In-Favor: - None

Neutral - None

In Opposition - Debbie Vocca, Post Falls, ID: Ms. Vocca is a nearby resident. She spoke in opposition, expressing concerns about losing the rural character of the area. She emphasized that the area remains quiet with limited development, and noted that most homes are on larger lots, many with animals. She feared that R2 zoning would bring more congestion, reduce property values, and favor developer profits over community values. She also raised concerns about a strain on services and odors from a nearby water treatment plant, and questioned the need for R2 when the adjacent lot is zoned R1.

Rebuttal

Jeramie Terzulli: A group of local real estate agents is requesting R2 zoning and annexation of a currently uninhabitable property adjacent to city limits. Their goal is to develop 25 single-family detached homes with slightly smaller lots than R1 zoning allows, making the project more financially feasible. They've completed a preliminary layout with an engineer and partnered with a builder, but have held off on a full subdivision application due to the risk of annexation denial. The property is well-located near key transportation corridors and residential areas, making it ideal for starter homes. They now officially own the property and are open to negotiating density restrictions with the city council.

Public Hearing Closed: 6:02 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: The proposed annexation and R2 zoning request align with the city's comprehensive plan and the transitional land use designation outlined for the West Prairie District. This area encourages a mix of residential and commercial uses, with higher densities near transportation corridors, which supports the developers' plan to build 25 single-family detached homes on slightly smaller lots.

Wilhelm: The property is currently in severe disrepair and previously uninhabitable and lies adjacent to other R2 zones and near railroad tracks, making it a suitable site for moderately dense residential development.
Steffensen: The benefit of homeownership over rental apartments in this location is preferred and R2 zoning would be consistent with existing nearby uses and would improve a long-neglected area. While the transitional designation is somewhat open-ended, the proposal appears to satisfy the intent of the plan by encouraging responsible redevelopment in a growing part of the city.

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?

Steffensen: The proposal leverages existing city infrastructure, such as water and sewer lines located along Midway Avenue, directly supporting Goal 15 of the comprehensive plan. There was some upkeep recently on the wastewater plant that should alleviate the odor. Any application and annex that could improve the sidewalks, roads, and right-of-ways is beneficial for the city to continue that connectivity to the surrounding neighborhoods.

Wilhelm: Also Goal 7: supporting community needs for affordable housing.

Schreiber: I have some concerns about mismatches in road widths and sidewalk alignment during phased infrastructure improvements along Midway, although I consider these manageable and typical of evolving development corridors.

3. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of any services?

The commissioners agreed that none were identified.

Motion by Commissioner Carey to recommend approval of Lingar Annexation File No. ANNX-24-11 finding that the requested zoning meets the approval criteria in Post Falls Municipal Code as outlined in our deliberation and direct staff to prepare a zoning recommendation of R2 to be provided to the City Council.

Second by Commissioner

Vote: Wilhelm

**Carey - Yes, Walton - Yes, Steffensen - Yes, Wilhelm - Yes, Schlotthauer - Yes, Schreiber - Yes
Moved**

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT

6:09 PM

Date: _____

Chair: _____

Attest: _____

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

The Arc Subdivision File No. SUBD-24-10

Planning and Zoning Commission Reasoned Decision

A. INTRODUCTION:

APPLICANT: McArthur Engineering

OWNER: WYLD LLC

LOCATION: North of Interstate 90 and east of the southernmost end of N. Corbin Road, as well as south of the Terra Street terminus.

REQUEST: To subdivide approximately 6.14-acres into 39 cottage/tiny home lots and three multi-family lots within the High Density Residential (R3) and Single-Family Residential (R1) zoning designation.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative.
3. A-3 Vicinity Map
4. A-4 Preliminary Plat
5. A-5 Will Serve Letter
6. A-6 Owners Authorization
7. A-7 Open Space and Typical Lot Layout
8. S-1 Vicinity Map
9. S-2 Zoning Map
10. S-3 Future Land Use Map
11. PA-1 PFSD Comments
12. PA-2 KCFR Comments
13. PA-3 PFPD Comments
14. PA-4 YPL Comments
15. PA-5 DEQ Comments
16. P&Z Staff Report
17. Testimony at the February 27, 2025, Planning and Zoning public hearing:

The Planning and Zoning Commission (hereinafter "Commission") heard the request at the February 27, 2025, public hearing, the meeting was in-person and live-streamed on the City of Post Falls YouTube Channel. The request was for the Commission to review the request to subdivide 6.14-acres into 39 cottage/tiny home lots and three multi-family lots within the High Density Residential (R3) and Single-Family Residential (R1) zoning designation.

Jon Manley, Planning Manager

Mr. Manley presented the staff report and testified that the applicant, Scott McArthur on behalf of WYLD, LLC, is requesting 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.

Mr. Manley testified that the property is located north of Interstate 90 and east of the southernmost end of N. Corbin Road and south of the Terra Street terminus. The zoning includes both High Density Residential and Single-Family Residential and the surrounding area is also zoned R1. Mr. Manley further testified that the site is currently utilized as a large residential lot located over the Rathdrum Prairie Aquifer, with utilities to be provided by East Greenacres Irrigation and the City of Post Falls. The city has confirmed it can support the proposed density and will serve the development.

Mr. Manley testified that the proposed street layout aligns with the city's transportation element and the site was free from significant soil or topographical hazards. The subdivision proposal conforms to zoning requirements for High Density Residential (R3) and Single-Family Residences R1. Mr. Manley testified that Corbin Road is classified as a local residential street and Seltice Way as a principal arterial. Traffic studies indicate the development will not negatively affect the Corbin Road-Seltice Way intersection, and improvements are planned for Corbin Road. The proposal includes over 14,000 square feet of open space, which exceeds the city's requirement. The project also meets proportional garage and lot size requirements and complies with Titles 17 and 18 of the city code. Individual lots are above the minimum size for cottage development, and the multifamily units will be reviewed later under a separate site plan. Fees for parks, safety, streets, and emergency services will be collected with each building permit to offset off-site impacts.

Scott McArthur, McArthur Engineering, Applicant

Mr. McArthur presented on behalf of the applicant, echoing many of Mr. Manley's points stating that the goal is to offer affordable housing and promote homeownership. Mr. McArthur stated the site will include one existing home (to be connected to sewer), 39 cottages, and 24 multifamily units. Infrastructure work, including mass grading and utility extensions, is already underway with city-approved plans. A significant amount of unsuitable material was removed from the site and replaced with structural fill. The site comprises R1 zoning with a special use permit and adjoining R3 zones totaling approximately six acres. This development seeks to address the critical need for attainable housing in our community specifically for workforce families, veterans, seniors, and first-time homebuyers by offering an affordable homeownership opportunity.

Mr. McArthur presented renderings of both the cottages and multifamily units showing compliance with city standards. Also presented were amenities like a gazebo, outdoor gym, landscaping, and walkways that are planned. Mr. McArthur testified that deed restrictions will ensure ongoing common area maintenance. McArthur emphasized they are building a cohesive neighborhood, not overloading the area.

The hearing was opened for public comment. There were no comments.

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

- C. SUBDIVISION REVIEW CRITERIA:** (Post Falls Municipal Code Title 17.12.060, Subsection H): No subdivision shall receive approval unless findings and conclusions are made that:
 - C1. Definite provision has been made for a water supply system that is adequate in terms of quantity, and quality for the type of subdivision proposed.**

Based on the testimony supplied and the staff report, the Commission finds East Greenacres Irrigation has indicated there is adequate capacity to provide service to the subdivision as proposed.

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

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

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

The Commission determines that the subdivision and proposed layout are consistent with the city's Transportation Master Plan and will not have a negative impact on the local transportation system. There was testimony the intersection of Corbin Road and Seltice Way has the capacity for the impact to traffic and improvements will be made to Corbin Road.

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

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

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

The Commission determines that this subdivision and proposed lots conform to the requirements found in Title 18 and Title 17.

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

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

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

The Commission decides that the requested subdivision can meet the city's standards. However, certain conditions will need to be completed to meet the criteria. Those conditions, 1-11 listed below, when imposed, will ensure that the six criteria found in PPMC 17.12.060.H are met. Based upon the presentations made to the Commission at a properly noticed public hearing, the record compiled in this matter, the applicant must meet the following conditions:

1. Correction and additions, if any, to the subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. The infrastructure for the proposed subdivision may be completed in multiple phases.
3. A Master Development Agreement shall be prepared by staff, reviewed, and approved by the City Council, and signed by the parties prior to commencement of any construction.
4. A Construction Improvement Agreement shall be prepared and executed prior to commencement of construction for the subdivision.
5. Submitted Preliminary Plans were reviewed from a conceptual basis only and reflect the general ability to provide service. Final construction plans of the streets and utilities shall be reviewed and

approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.

6. Except where an exception is granted, all streetlights, roadways and city owned utilities shall be designed and constructed in accordance with city standards. The application did not request any exceptions from city code or design standards.
7. Open space tracts, including public rights-of-way between Interstate 90 and Terra St. Shall be landscaped, irrigated and maintained by the homeowners' association.
8. The proposed alley(s) shall be privately owned and maintained by the homeowners' association.
9. A 6-foot barrier fence shall be provided between the subdivision and Interstate 90 to promote public safety. Fencing shall be installed with the first phase, with the fence design taking into consideration snowplow operations where the fence is adjacent to Terra Street.
10. The existing home on Lot 1, indicated to remain. Shall connect to City of Post Falls sanitary sewer and the existing septic system abandoned per Panhandle Health requirements.
11. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. The Urban Forester shall be notified prior to planting.

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

Not applicable.

E. CONCLUSION

SUBD-24-10: Based on the evidence in the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Commission that the requested Subdivision meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with the conditions contained herein.

Approved by the Planning and Zoning Commission on May 13, 2025

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.