



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**September 12, 2023
5:30 PM**

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Carey, Walton, Kimball, Steffensen, Schlotthauer, Ward, Hampe

DEVELOPMENT IMPACT FEE COMMITTEE - 5:30 pm City Council Chambers

- a. Impact Fee Report

REGULAR MEETING - PLANNING AND ZONING COMMISSION

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

- a. National Video Games Day
National Police Woman Day

AMENDMENTS TO THE AGENDA

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

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

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

2. 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: August 8, 2023

3. 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.

4. 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:

5. 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. **Recommendation** for the Development Agreement Text Amendment File No. TA-23-1 - Jon Manley, Planning Manager, to present a request to increase the time to attain a signature on a Development Agreement to 12 months from 6 months in the Post Falls Municipal Code (PFMC) Title 18.20.190.
- b. **Approve/Deny** Post Falls Food Bank File No. SUP-23-3 - Jon Manley, Planning Manager, to present a request to approve or deny a Special Use Permit to allow the Food Bank to locate on a High Density Residential (R3) zoned property with an existing senior care facility.
- c. **Approve/Deny** Mullan Villas File No. SUP-23-2 - Jon Manley, Planning Manager, to present a request to approve or deny a Special Use Permit in a Limited Commercial (LC) Zone to allow for 18 Multi-Family units to be developed with townhome construction on 1.27 acres.
- d. **Zoning Recommendation** Bogie Annexation File No. ANNX 23-2 - Jon Manley, Planning Manager, to present a request for approval to annex approximately 5-acres into the City of Post Falls with a zoning request of Single-Family Residential (R1).

6. ADMINISTRATIVE/STAFF REPORTS

- a. Zoning Informational Handouts

7. COMMISSION COMMENT

8. 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, Kevin Ward, Kibbee Walton

MEMORANDUM

DATE: September 1, 2023

TO: Planning and Zoning Commission

FROM: Jon Manley, Planning Manager

SUBJECT: Development Impact Fee Report 2022

The Finance Director has prepared the Development Impact Fee Report 2022 as part of the Annual Audit for Fiscal Year 2022 (FY22). A development impact fee report is an annual requirement for every governmental entity that collects impact fees (Title 67 Chapter 82 of the Idaho Statutes; Post Falls City Code, Title 19, Subsection 19.04.080.G). Exhibit S-1 details the history of impact fee collections and expenditures.

The data in the Development Impact Fee Report 2022 reflects beginning balances, impact fees collected, other revenues, expenditures, interest, fund totals, and the roads, parks and public safety projects that received impact fees during FY22 (10/01/21 to 09/30/22). In FY22, approximately \$4,905,300 were collected in impact fees and \$8,028,926 of impact fees were spent on roads, parks and public safety projects to assist with mitigating growth in the community as shown below.

- **Roads:** The following projects expended funding from the roads impact fee account: HWY41 Widening, Spokane and Prairie project, traffic control at Poleline and Cecil, Traffic Safety at Mullan and Cecil, Prairie/Idaho Roundabout, Poleline/Spokane Roundabout. The total money spent on roads for fiscal year 2022 was \$6,640,222.82.
- **Parks:** Impact fee money for the Parks Department was spent on many projects. Some of the more substantial expenditures include Sportsfields, Phase 1 of the Sports Complex, and Black Bay Park. The total sum of moneys spent by the Parks Department totals \$1,352,400.57.
- **Public Safety:** The Police Department expenditure of impact fees for FY22:
Impact Fee Study \$1,842.00
Transfer Fund 008 \$34,460.70
Total Public Safety Projects \$36,302.70

No decision is required from the Planning and Zoning Commission on the Development Impact Fee Report 2022. The report will also be presented to the City Council.

Attachments:

Exhibit S-1: Impact Fee History
Exhibit S-2: FY2022 Impact Fee Summary
Exhibit S-3: 2022 Development Impact Fee Assessment

Impact Fee History

FY99	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 60,462.29	\$ 190,935.24			\$ 8,945.51	\$ 260,343.04
Parks	\$ 92,586.13	\$ 211,988.00		\$ (19,354.47)	\$ 9,025.08	\$ 294,244.74
Public Safety	\$ 17,616.24	\$ 55,284.46			\$ 2,590.13	\$ 75,490.83
	\$ 170,664.66	\$ 458,207.70	\$ -	\$ (19,354.47)	\$ 20,560.72	\$ 630,078.61
FY00	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 260,343.04	\$ 183,680.69		\$ (29,659.64)	\$ 19,860.32	\$ 434,224.41
Parks	\$ 294,244.74	\$ 160,127.00		\$ (234,284.91)	\$ 10,548.69	\$ 230,635.52
Public Safety	\$ 75,490.83	\$ 64,265.60			\$ 6,698.48	\$ 146,454.91
	\$ 630,078.61	\$ 408,073.29	\$ -	\$ (263,944.55)	\$ 37,107.49	\$ 811,314.84
FY01	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 434,224.41	\$ 137,223.61		\$ (26,864.29)	\$ 19,725.91	\$ 564,309.64
Parks	\$ 230,635.52	\$ 150,800.00		\$ (36,266.59)	\$ 12,565.50	\$ 357,734.43
Public Safety	\$ 146,454.91	\$ 103,431.95		\$ (153,000.00)	\$ 4,523.90	\$ 101,410.76
	\$ 811,314.84	\$ 391,455.56	\$ -	\$ (216,130.88)	\$ 36,815.31	\$ 1,023,454.83
FY02	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 564,309.64	\$ 230,429.01		\$ (355,995.89)	\$ 19,176.46	\$ 457,919.22
Parks	\$ 357,734.43	\$ 170,518.82		\$ (169,550.16)	\$ 12,152.26	\$ 370,855.35
Public Safety	\$ 101,410.76	\$ 56,304.46		\$ -	\$ 4,536.36	\$ 162,251.58
	\$ 1,023,454.83	\$ 457,252.29	\$ -	\$ (525,546.05)	\$ 35,865.08	\$ 991,026.15
FY03	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 457,919.22	\$ 258,082.36		\$ (5,939.92)	\$ 12,575.59	\$ 722,637.25
Parks	\$ 370,855.35	\$ 272,247.99		\$ (231,758.96)	\$ 10,288.27	\$ 421,632.65
Public Safety	\$ 162,251.58	\$ 77,336.06		\$ (237,890.00)	\$ 3,901.58	\$ 5,599.22
	\$ 991,026.15	\$ 607,666.41	\$ -	\$ (475,588.88)	\$ 26,765.44	\$ 1,149,869.12

Impact Fee History

FY04	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 722,637.25	\$ 346,274.59	\$ 31,443.50	\$ -	\$ 12,352.14	\$ 1,112,707.48
Parks	\$ 421,632.65	\$ 365,540.00		\$ (237,980.18)	\$ 6,199.51	\$ 555,391.98
Public Safety	\$ 5,599.22	\$ 95,477.58		\$ (50,000.04)	\$ 278.81	\$ 51,355.57
	\$ 1,149,869.12	\$ 807,292.17	\$ 31,443.50	\$ (287,980.22)	\$ 18,830.46	\$ 1,719,455.03

FY05	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 1,112,707.48	\$ 314,742.11		\$ -	\$ 24,640.21	\$ 1,452,089.80
Parks	\$ 555,391.98	\$ 390,884.24		\$ (531,811.70)	\$ 10,227.73	\$ 424,692.25
Public Safety	\$ 51,355.57	\$ 93,616.38		\$ (69,999.96)	\$ 1,192.06	\$ 76,164.05
	\$ 1,719,455.03	\$ 799,242.73	\$ -	\$ (601,811.66)	\$ 36,060.00	\$ 1,952,946.10

FY06	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 1,452,089.80	\$ 635,061.81		\$ (50,106.00)	\$ 58,547.74	\$ 2,095,593.35
Parks	\$ 424,692.25	\$ 759,173.12	\$ 251,110.10	\$ (328,086.88)	\$ 25,583.09	\$ 1,132,471.68
Public Safety	\$ 76,164.05	\$ 103,046.11		\$ (69,999.96)	\$ 3,108.91	\$ 112,319.11
	\$ 1,952,946.10	\$ 1,497,281.04	\$ 251,110.10	\$ (448,192.84)	\$ 87,239.74	\$ 3,340,384.14

*Includes a grant of \$251,110.10 in the Other Revenue Column

FY07	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 2,095,593.35	\$ 922,764.16		\$ (16,600.00)	\$ 109,116.11	\$ 3,110,873.62
Parks	\$ 1,132,471.68	\$ 654,949.88		\$ (265,729.58)	\$ 56,553.35	\$ 1,578,245.33
Public Safety	\$ 112,319.11	\$ 127,993.55		\$ (75,000.00)	\$ 5,611.47	\$ 170,924.13
	\$ 3,340,384.14	\$ 1,705,707.59	\$ -	\$ (357,329.58)	\$ 171,280.93	\$ 4,860,043.08

FY08	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,110,873.62	\$ 781,140.38	\$ 10,387.79	\$ (771,027.36)	\$ 99,777.36	\$ 3,231,151.79
Parks	\$ 1,578,245.33	\$ 344,345.00		\$ (690,790.04)	\$ 41,760.58	\$ 1,273,560.87
Public Safety	\$ 170,924.13	\$ 132,285.45		\$ (82,960.64)	\$ 6,528.72	\$ 226,777.66
	\$ 4,860,043.08	\$ 1,257,770.83	\$ 10,387.79	\$ (1,544,778.04)	\$ 148,066.66	\$ 4,731,490.32

Impact Fee History

FY09	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,231,151.79	\$ 351,255.78	\$ 54,936.45	\$ (379,106.18)	\$ 45,664.08	\$ 3,303,901.92
Parks	\$ 1,273,560.87	\$ 530,664.00		\$ (675,507.83)	\$ 13,466.19	\$ 1,142,183.23
Public Safety	\$ 226,777.66	\$ 112,846.16		\$ (110,276.20)	\$ 1,741.71	\$ 231,089.33
	<u>\$ 4,731,490.32</u>	<u>\$ 994,765.94</u>	<u>\$ 54,936.45</u>	<u>\$ (1,164,890.21)</u>	<u>\$ 60,871.98</u>	<u>\$ 4,677,174.48</u>
FY10	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,303,901.92	\$ 622,757.01	\$ 42,991.39	\$ (964,233.58)	\$ 154,895.93	\$ 3,160,312.67
Parks	\$ 1,142,183.23	\$ 341,904.00		\$ (35,375.39)	\$ 44,206.39	\$ 1,492,918.23
Public Safety	\$ 231,089.33	\$ 107,472.61		\$ (109,460.76)	\$ 321.48	\$ 229,422.66
	<u>\$ 4,677,174.48</u>	<u>\$ 1,072,133.62</u>	<u>\$ 42,991.39</u>	<u>\$ (1,109,069.73)</u>	<u>\$ 199,423.80</u>	<u>\$ 4,882,653.56</u>
FY11	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,160,312.67	\$ 309,221.90	\$ 250,000.00	\$ (375,852.29)	\$ 29,371.26	\$ 3,373,053.54
Parks	\$ 1,492,918.23	\$ 253,051.60		\$ (121,275.18)	\$ 9,846.43	\$ 1,634,541.08
Public Safety	\$ 229,422.66	\$ 52,530.61		\$ (108,285.31)	\$ 445.83	\$ 174,113.79
	<u>\$ 4,882,653.56</u>	<u>\$ 614,804.11</u>	<u>\$ 250,000.00</u>	<u>\$ (605,412.78)</u>	<u>\$ 39,663.52</u>	<u>\$ 5,181,708.41</u>
FY12	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,373,053.54	\$ 232,783.02	\$ 262,656.44	\$ (605,519.70)	\$ 38,004.41	\$ 3,300,977.71
Parks	\$ 1,634,541.08	\$ 287,570.07	\$ 35,700.00	\$ (153,835.18)	\$ 11,705.99	\$ 1,815,681.96
Public Safety	\$ 174,113.79	\$ 75,168.98		\$ (109,460.76)	\$ 206.70	\$ 140,028.71
	<u>\$ 5,181,708.41</u>	<u>\$ 595,522.07</u>	<u>\$ 298,356.44</u>	<u>\$ (868,815.64)</u>	<u>\$ 49,917.10</u>	<u>\$ 5,256,688.38</u>
FY13	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,300,977.71	\$ 266,414.73	\$ 246,234.53	\$ (1,338,179.80)	\$ 31,007.85	\$ 2,506,455.02
Parks	\$ 1,815,681.96	\$ 348,727.21		\$ (193,575.70)	\$ 9,499.10	\$ 1,980,332.57
Public Safety	\$ 140,028.71	\$ 100,131.27		\$ (98,300.04)	\$ 113.49	\$ 141,973.43
	<u>\$ 5,256,688.38</u>	<u>\$ 715,273.21</u>	<u>\$ 246,234.53</u>	<u>\$ (1,630,055.54)</u>	<u>\$ 40,620.44</u>	<u>\$ 4,628,761.02</u>

Impact Fee History

FY14	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 2,506,455.02	\$ 166,090.35	\$ 191,632.03	\$ (318,441.95)	\$ 23,096.02	\$ 2,568,831.47
Parks	\$ 1,980,332.57	\$ 201,490.50	\$ 176.00	\$ (22,963.81)	\$ 8,562.63	\$ 2,167,597.89
Public Safety	\$ 141,973.43	\$ 63,660.65		\$ (34,460.76)	\$ 73.38	\$ 171,246.70
	<u>\$ 4,628,761.02</u>	<u>\$ 431,241.50</u>	<u>\$ 191,808.03</u>	<u>\$ (375,866.52)</u>	<u>\$ 31,732.03</u>	<u>\$ 4,907,676.06</u>
FY15	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 2,568,831.47	\$ 437,629.80	\$ 84,279.49	\$ (895,234.16)	\$ 45,130.34	\$ 2,240,636.94
Parks	\$ 2,167,597.89	\$ 458,715.50	\$ -	\$ (5,108.55)	\$ 15,892.15	\$ 2,637,096.99
Public Safety	\$ 171,246.70	\$ 168,052.74	\$ -	\$ (36,380.70)	\$ 127.11	\$ 303,045.85
	<u>\$ 4,907,676.06</u>	<u>\$ 1,064,398.04</u>	<u>\$ 84,279.49</u>	<u>\$ (936,723.47)</u>	<u>\$ 61,149.60</u>	<u>\$ 5,180,779.78</u>
FY16	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 2,240,636.94	\$ 826,769.21	\$ 1,314,740.05	\$ (1,002,531.97)	\$ 32,196.46	\$ 3,411,810.69
Parks	\$ 2,637,096.99	\$ 1,030,175.88	\$ -	\$ (38,008.62)	\$ 13,074.64	\$ 3,642,338.89
Public Safety	\$ 303,045.85	\$ 331,626.34	\$ -	\$ (271,266.77)	\$ 441.69	\$ 363,847.11
	<u>\$ 5,180,779.78</u>	<u>\$ 2,188,571.43</u>	<u>\$ 1,314,740.05</u>	<u>\$ (1,311,807.36)</u>	<u>\$ 45,712.79</u>	<u>\$ 7,417,996.69</u>
FY17	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,411,810.69	\$ 632,563.81	\$ (4,964.49)	\$ (372,452.41)	\$ 2,856.23	\$ 3,669,813.83
Parks	\$ 3,642,338.89	\$ 933,733.64	\$ (15,842.83)	\$ (1,008,408.39)	\$ 22,479.99	\$ 3,574,301.30
Public Safety	\$ 363,847.11	\$ 246,547.42	\$ -	\$ (216,799.27)	\$ 687.98	\$ 394,283.24
	<u>\$ 7,417,996.69</u>	<u>\$ 1,812,844.87</u>	<u>\$ (20,807.32)</u>	<u>\$ (1,597,660.07)</u>	<u>\$ 26,024.20</u>	<u>\$ 7,638,398.37</u>
FY18	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,669,813.83	\$ 738,555.80	\$ (95,087.99)	\$ (416,319.51)	\$ 64,106.66	\$ 3,961,068.79
Parks	\$ 3,574,301.30	\$ 929,645.05	\$ (32,856.23)	\$ (2,110,323.84)	\$ 35,901.66	\$ 2,396,667.94
Public Safety	\$ 394,283.24	\$ 287,715.97	\$ 1,304.41	\$ (66,236.49)	\$ 4,914.98	\$ 621,982.11
	<u>\$ 7,638,398.37</u>	<u>\$ 1,955,916.82</u>	<u>\$ (126,639.81)</u>	<u>\$ (2,592,879.84)</u>	<u>\$ 104,923.30</u>	<u>\$ 6,979,718.84</u>

Impact Fee History

FY19	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 3,961,068.79	\$ 1,167,542.90	\$ 159,078.65	\$ (49,781.15)	\$ 106,558.29	\$ 5,344,467.48
Parks	\$ 2,396,667.94	\$ 1,679,134.21	\$ 256,938.19	\$ (1,789,838.11)	\$ 62,481.17	\$ 2,605,383.40
Public Safety	\$ 621,982.11	\$ 449,719.24	\$ (1,304.41)	\$ (184,145.22)	\$ 15,282.60	\$ 901,534.32
	\$ 6,979,718.84	\$ 3,296,396.35	\$ 414,712.43	\$ (2,023,764.48)	\$ 184,322.06	\$ 8,851,385.20
FY20	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 5,344,467.48	\$ 1,308,239.53	\$ 10,901.89	\$ (98,806.50)	\$ 148,138.17	\$ 6,712,940.57
Parks	\$ 2,605,383.40	\$ 1,890,377.12	\$ 3,649.86	\$ (1,218,580.27)	\$ 65,077.75	\$ 3,345,907.86
Public Safety	\$ 901,534.32	\$ 507,537.88	\$ -	\$ (66,316.75)	\$ 15,845.31	\$ 1,358,600.76
	\$ 8,851,385.20	\$ 3,706,154.53	\$ 14,551.75	\$ (1,383,703.52)	\$ 229,061.23	\$ 11,417,449.19
FY21	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 6,712,940.57	\$ 1,209,418.88	\$ 1,072,065.69	\$ (813,172.13)	\$ 57,873.25	\$ 8,239,126.26
Parks	\$ 3,345,907.86	\$ 1,379,967.15	\$ (40,745.91)	\$ (1,002,435.33)	\$ 23,545.53	\$ 3,706,239.30
Public Safety	\$ 1,358,600.76	\$ 455,977.70	\$ 3,990.57	\$ (36,112.37)	\$ 4,057.94	\$ 1,786,514.60
	\$ 11,417,449.19	\$ 3,045,363.73	\$ 1,035,310.35	\$ (1,851,719.83)	\$ 85,476.72	\$ 13,731,880.16
FY22	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 8,239,126.26	\$ 2,283,080.08	\$ 2,328,405.00	\$ (6,640,222.82)	\$ (17,880.06)	\$ 6,192,508.46
Parks	\$ 3,706,239.30	\$ 2,172,755.32	\$ -	\$ (1,352,400.57)	\$ (1,284.57)	\$ 4,525,309.48
Public Safety	\$ 1,786,514.60	\$ 449,464.22	\$ -	\$ (36,302.70)	\$ 4,833.20	\$ 2,204,509.32
	\$ 13,731,880.16	\$ 4,905,299.62	\$ 2,328,405.00	\$ (8,028,926.09)	\$ (14,331.43)	\$ 12,922,327.26
FY23 YTD 2/24/23	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 6,192,508.46	\$ 419,519.72	\$ 31,955.33	\$ (1,153,304.90)	\$ 811,393.25	\$ 6,302,071.86
Parks	\$ 4,525,309.48	\$ 460,542.48	\$ -	\$ (801,961.71)	\$ 290,948.10	\$ 4,474,838.35
Public Safety	\$ 2,204,509.32	\$ 78,048.88	\$ -	\$ (35,946.00)	\$ 15,931.37	\$ 2,262,543.57
	\$ 12,922,327.26	\$ 958,111.08	\$ 31,955.33	\$ (1,991,212.61)	\$ 1,118,272.72	\$ 13,039,453.78

Impact Fee Summary.xlsx

	FY2022					
FY2022	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Roads	\$ 8,239,126.26	\$ 2,283,080.08	\$ 2,328,405.00	\$ (6,640,222.82)	\$ (17,880.06)	\$ 6,192,508.46
Parks	\$ 3,706,239.30	\$ 2,172,755.32	\$ -	\$ (1,352,400.57)	\$ (1,284.57)	\$ 4,525,309.48
Public Safety	\$ 1,786,514.60	\$ 449,464.22	\$ -	\$ (36,302.70)	\$ 4,833.20	\$ 2,204,509.32
	\$ 13,731,880.16	\$ 4,905,299.62	\$ 2,328,405.00	\$ (8,028,926.09)	\$ (14,331.43)	\$ 12,922,327.26

FY2022 Summary						
	Impact Fees	Other Revenues	Interest	Expenditures	Total	
Roads	\$ 14,613,119.05	\$ 5,959,700.42	\$ 1,145,736.24	\$ (15,526,047.25)	\$ 6,192,508.46	
Parks	\$ 16,011,071.43	\$ 458,129.18	\$ 529,359.11	\$ (12,473,250.24)	\$ 4,525,309.48	
Public Safety	\$ 4,335,109.63	\$ 3,990.57	\$ 88,063.82	\$ (2,222,654.70)	\$ 2,204,509.32	
	\$ 34,959,300.11	\$ 6,421,820.17	\$ 1,763,159.17	\$ (30,221,952.19)	\$ 12,922,327.26	

Budget Impact Fee Recon
FY2022

Roads	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Fund37	\$ 8,239,126.26	\$ 2,283,080.08	\$ 2,328,405.00	\$ (6,640,222.82)	\$ (17,880.06)	\$ 6,192,508.46
(includes Multi-modal)						

Impact Fee Study	\$ 3,948.00
Highway 41 Widening	2,053,499.83
Spokane and Prairie	738,049.51
Poleline and Cecil: Traffic control	2,485,772.60
Mullan and Cecil: Traffic Safety	239,844.92
Prairie/ Idaho Roundabout	35,602.00
Poleline/Spokane Roundabout	1,083,505.96
Total Street Projects	\$ 6,640,222.82

Parks	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Fund38	\$ 3,706,239.30	\$ 2,172,755.32	\$ -	\$ (1,352,400.57)	\$ (1,284.57)	\$ 4,525,309.48

Sportsfields	153,226.21
Impact Fee Study	1,842.00
Sports Complex (Phase 1)	1,139,337.48
Black Bay	56,340.50
Highway 41 Widening	1,654.38
Total Parks Projects	\$ 1,352,400.57

Public Safety	Beginning Bal.	Impact Fees	Other Revenues	Expenditures	Interest	Total
Fund35	\$ 1,786,514.60	\$ 449,464.22	\$ -	\$ (36,302.70)	\$ 4,833.20	\$ 2,204,509.32

Impact Fee Study	1,842.00
Transfer to Fund 008	34,460.70
Total Pulic Safety Pojects	\$ 36,302.70



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**August 8, 2023
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

Carey, Walton, Steffensen, Schlotthauer, Hampe - **Present**
Kimball - **Excused**
Ward - **Absent**

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

- a. National Mochi Day
National Pickle Ball Day
National Melvin Day
- b. Introduce Anna Staal - Planner 1

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. Minutes – July 11, 2023, Planning and Zoning Commission Meeting
- b. Reasoned Decision - Fair Estates Subdivision File No. SUBD-23-1
- c. Reasoned Decision - Millsap Landing Subdivision File No. SUBD-22-16
- d. Reasoned Decision - Haycrop Commercial Park Subdivision File No. SUBD-23-2

Motion by Carey to approve the Consent Calendar as presented.

Second by Hampe.

Vote: Carey-Aye, Walton-Aye, Steffensen-Aye, Schlotthauer-Aye, Hampe-Aye

Motion Carried

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:

None

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:

None

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

Schlotthauer: What do you see coming through the Planning Department?

Jon Manley, Planning Manager: A general overview is, there is a reduction in the single-family residential permits. Commercial and industrial development are still seeing interest and there is some interest in multi-families. I have spoken to some engineering firms and they have stated that they are busier than ever. Next month we have 3 public hearings and a staff report and an impact fee report.

Schlotthauer: Do you think the impact fees are having an effect?

Manley: It is too early to tell.

7. ADJOURNMENT

5:39 PM

Date: _____

Chair: _____

Attest: _____

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

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

Chair: James Steffensen Vice Chair: Ray Kimball
Members: Vicky Jo Cary, Nancy Hampe, Ross Schlotthauer, Kevin Ward, Kibbee Walton

**CITY OF POST FALLS
AGENDA REPORT
PUBLIC HEARINGS
MEETING DATE: 9/12/2023**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Jonathon Manley, Planning Manager

SUBJECT: **Recommendation** for the Development Agreement Text Amendment File No. TA-23-1 - Jon Manley, Planning Manager, to present a request to increase the time to attain a signature on a Development Agreement to 12 months from 6 months in the Post Falls Municipal Code (PFMC) Title 18.20.190.

ITEM AND RECOMMENDED ACTION:

Forward a recommendation of approval to City Council.

DISCUSSION:

See staff report.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

N/A

APPROVED OR DIRECTION GIVEN:

N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

N/A

BUDGET CODE:

N/A

ATTACHMENTS:

None

**CITY OF POST FALLS
AGENDA REPORT**

DATE: SEPTEMBER 6, 2023

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: JON MANLEY, PLANNING MANAGER, 208-457-3344, jmanley@postfalls.gov

SUBJECT: DRAFT STAFF REPORT FOR SEPTEMBER 12, 2023, P&Z COMMISSION MEETING – POST FALLS FOOD BANK SPECIAL USE PERMIT FILE NO. SUP-23-3 PUBLIC HEARING

INTRODUCTION:

Corey Pataky of H2A Architects has requested on behalf of the Post Falls Food Bank on property owned by the City of Post Falls approval for a Special Use Permit to allow for the Food Bank to locate on a High Density Residential (R3) zoned property with a senior care facility. The Planning & Zoning Commission must conduct a public hearing and determine if the proposed request meets the approval criteria contained in PFMC Section 18.20.070 (B). Following the public hearing, the Planning Commission will direct staff to prepare a Reasoned Decision, along with any appropriate conditions, that explains how the approval criteria are/are not met. The Planning Commission will review and approve the final Reasoned Decision at a subsequent meeting. The approval criteria are:

- A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.
- B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.
- 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.
- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

PROJECT INFORMATION:

Project Name/File Number: Post Falls Food Bank Special Use Permit (SUP-23-3)

Owner: City of Post Falls, 408 N. Spokane St., Post Falls, ID 83854

Applicant: Corey Pataky, 420 E. Indiana Ave., Ste 100, Coeur d'Alene, ID 83814

Project Description: Relocate the Food Bank on a High Density Residential (R3) zoned property with a senior care facility on property owned by the City of Post Falls (Exhibit A-3). The intent is to expand on the community services at this site with an addition to the existing Senior Care Facility for the Food Bank.

Project Location: North E. 3rd Ave., approximately 725' west of the intersection of N. Bay St. and E. 3rd Ave. (see vicinity map below).

Water Provider: City of Post Falls

Sewer Provider: City of Post Falls

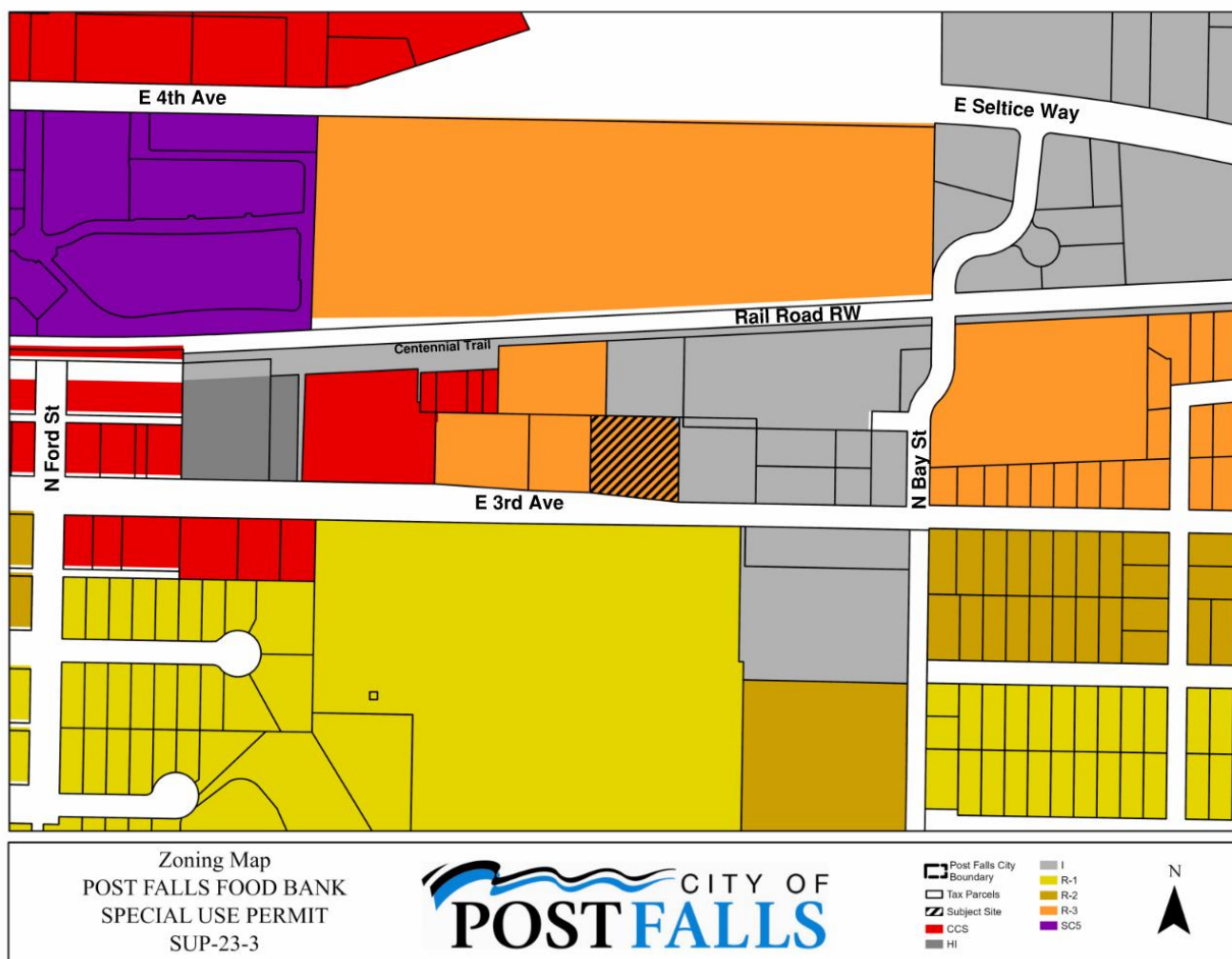
AREA CONTEXT:

Surrounding Land Uses: To the west are multi-family housing units, to the north is a Park and Rec. Facility and to the east is the VFW and storage units.

Area Context Vicinity Map:



Surrounding Zoning Districts: To the north and east are Industrial (I) zoned properties and to the west are other High Density Multi-family properties. (See Following Map).



EVALUATION OF SPECIAL USE PERMIT APPROVAL/ REVIEW CRITERIA:

- A. Implementation of the special use will/will not conform to the purposes of the applicable zoning district.**

This site is an established community service site as a senior care facility. The proposed Food Bank is an allowed with a Special Use Permit per PFMC Land Use Table 18.20.030 in the High Density Residential (R-3) Zoning district, (See following image):

P = Permitted use

S = Special use

- = Nonpermitted use

Land Use Category	Zoning Classifications										LBCS Code
	R1S	R1	R2	R3	LC	CCS	I	TM	CCM	RM	
children)											
Community food bank	S	S	S	S	S	P	P	-	P	P	6563
Emergency and relief services	-	-	-	-	P	P	P	-	P	-	6564
Other family services	-	-	-	S	P	P	P	-	P	P	6565
Services for elderly and disabled	-	-	-	S	S	P	P	-	P	P	6566

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

Addressed in Criteria A

- 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.**

The proposed use would be considered compatible the adjacent uses that are surrounding this request.

Transportation: The proposed special use is anticipated similar traffic patterns to the previous use and is not anticipated to produce impacts that would adversely impact the adjoining transportation systems. 3rd Avenue is a Major Collector Roadway and has sufficient capacity to meet current peak hour demands in the master plan.

Water Reclamation: The site is currently connected to the City's Water Reclamation Facilities. the proposed use is anticipated to produce equivalent or less sewerage than the previous land use. Capacity fees would be confirmed at the time of any site plan review. The property is not subject to any Sewer Surcharges or Local Improvement Districts.

Domestic Water: The proposed special use will be serviced by the City of Post Falls Water District. Site-specific issues related to fire protection would be handled at the time of Site Plan Review. The site is currently connected to the City's water system.

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

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. As the City continues to grow, the expansion and evolution of community services will play a role in this endeavor.

Goal 14: Involve the community of Post Falls in all local government planning and decision-making.

The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in and support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

The following policies may or may not assist the review of this Special Use Permit request.

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service.

Staff Comment: Completing this project should improve the level of service the Food Bank provides to the community.

- Foster the long-term fiscal health of the community.
- Maintain and enhance resident quality of life.

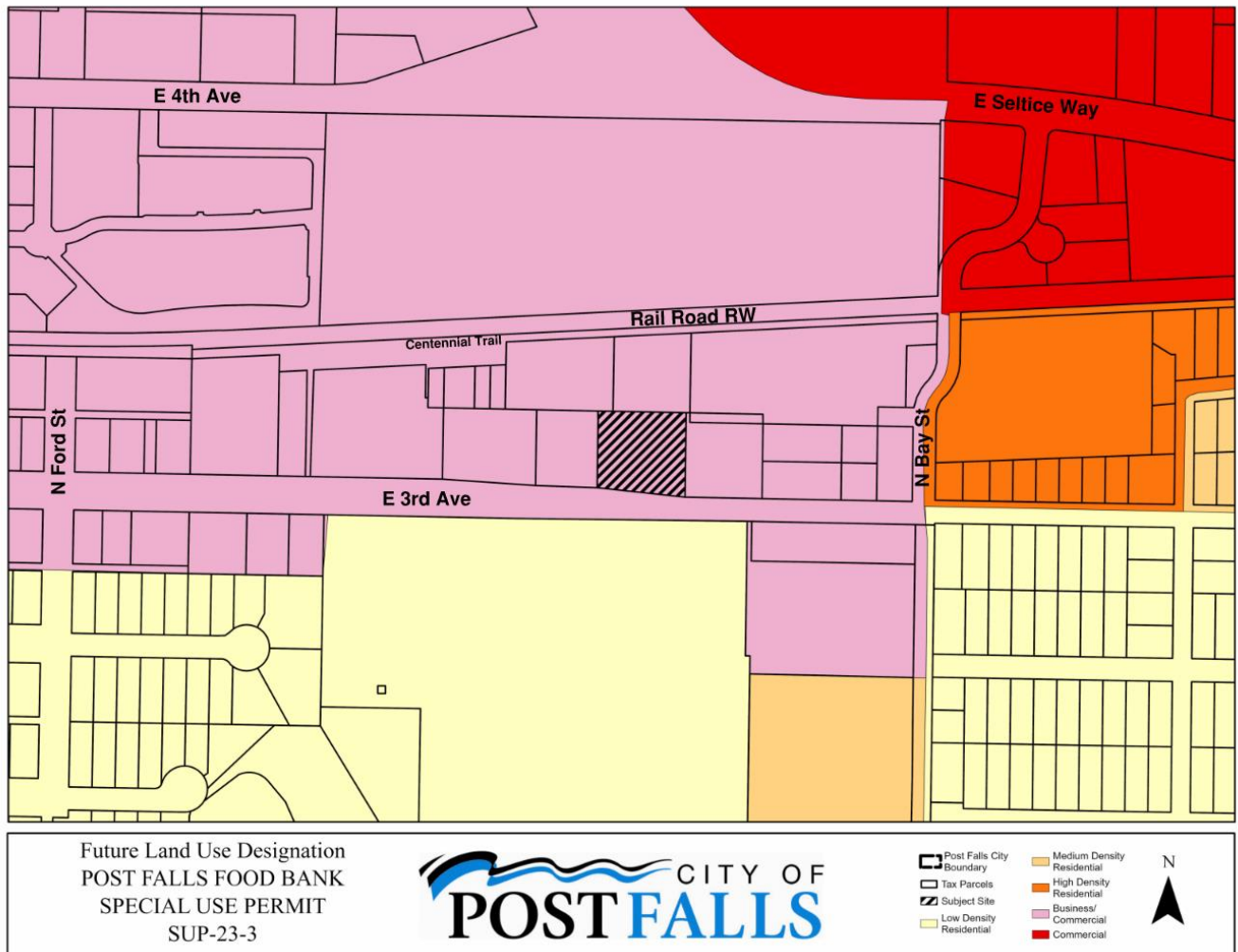
Staff Comment: Improvements to the level of service the Food Bank provides to the community should enhance the resident quality of life.

- Promote compatible, well-designed development.
- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

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

- Future land use mapping.

Staff Comment: The site has a future land use designation of Business/Commercial (see following map). The Business/Commercial category provides for a wide variety of general service, retail, professional office, light industrial, artisan manufacturing and mixed-uses that serve local and regional residents as well as the traveling public.



- Compatibility with surrounding land uses.

Staff Comment: Per PPMC Land Use Table 18.20.030 The proposed Food Bank is an allowed with a Special Use Permit per PPMC Land Use Table 18.20.030 in the High Density Residential (R-3) Zoning district. The proposed Food Bank is not incompatible with the westerly multi-family housing units, the Park and Rec Facility to the north, and the VFW and storage units to the east.

- Infrastructure and service plans.

Staff Comment: The site is connected to existing sanitary sewer and water infrastructure. Existing facilities have sufficient capacity to provide service for the anticipated land uses. The city does not have any existing capital plans for Sewer or Water infrastructure at this location that would be adversely impacted by the special use permit or that the construction of the project(s) would have significant impacts other than those typically associated with construction.

Reference: Water Reclamation Project 2.2 Gravity Line Upsizing (provide additional capacity to existing sewer main along the properties northern boundary)

- Existing and future traffic patterns.

Staff Comment: The site is located adjacent to 3rd Avenue, a Major Collector Street which has sufficient capacity to meet current peak hour demands in the master plan.

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

Staff Comment: The analysis within this staff report addresses this policy point.

Policy 93: Encourage development of Post Falls' city center as a community focal point, combining commercial, civic, cultural, residential, and recreational uses.

- Access to arterial and collector streets.
- Ample sidewalks and pedestrian access.
- Proximity to residential areas being served.
- Cost-effective access to necessary utilities and services.

Staff Comment: The existing and proposed location is along an established transit route serviced by City Link Transit. A Major Collector (3rd Avenue) fronts the site and has been constructed with sidewalk. Black Bay Park is located across the street.

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

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

- **Exhibit PA-1 Post Falls Police Department (PFPD)** – Will remain neutral on this request.
- **Exhibit PA-2 Post Falls Highway Department (PFHD)** - Has no comment.
- **Exhibit PA-3 Post Falls School District (PFSD)** – Remains neutral.
- **Exhibit PA-4 Kootenai County Fire & Rescue** – Provide commentary at the time of development.

MOTION OPTIONS: The Planning Commission may approve the requested Special Use Permit as presented, approve with conditions, or deny the Special Use Permit request.

ATTACHMENTS:

APPLICANT'S EXHIBITS:

Exhibit A-1 - Application

Exhibit A-2 - Narrative

Exhibit A-3 - Preliminary Plan

Exhibit A-4 - Vicinity Map

Exhibit A-5 - Ownership Lease Exhibit

STAFF EXHIBITS:

Exhibit S-1 - Vicinity Map

Exhibit S-2 - Zoning Map

Exhibit S-3 - Future Land Use Map

TESTIMONY:

Exhibit PA-1 Post Falls Police Department (PFPD) – comment.

Exhibit PA-2 Post Falls Highway Department (PFHD) – comment.

Exhibit PA-3 Post Falls School District (PFSD) – comment.

Exhibit PA-4 Kootenai County Fire & Rescue – comment.

Special Use Permit ·

431 – POST FALLS FOOD BANK SUP-23-3

Expiration Date

Active

Request Changes
(/#/explore/request-changes/43079)

SUP-23-3

 **Details**

Submitted on Jul 20, 2023 at 12:54 pm

 **Attachments**

7 files

 **Activity Feed**

Latest activity on Jul 27, 2023

 **Applicant**

Corey Pataky

 **Location**

1215 E 3RD AVE, POST FALLS, ID 83854

0

Timeline

Add New

Special Use Permit Fees

Paid Jul 21, 2023 at 8:48 am

Completeness Review

Completed Jul 21, 2023 at 2:07 pm

Aug 04

Schedule Planning and Zoning Hearing

Completed Jul 24, 2023 at 10:57 am

Draft Staff Report

Completed Jul 27, 2023 at 2:15 pm

Polygon Creation

Completed Jul 27, 2023 at 2:19 pm

Maps Created

Completed Jul 27, 2023 at 2:19 pm

Exhibit A-1

https://postfallsid.workflow.opengov.com/#/explore/records/43079/react-form-details/43079

Page 24 of 145

GIS Review Completed Jul 27, 2023 at 2:25 pm	Jul 28 
Parks Review Completed Jul 27, 2023 at 2:36 pm	 Aug 10 
Engineering Review In Progress	Aug 10 
Wastewater Review Review	
Final Planning Review Review	
Notice Review	
Site Posting Review	
Reasoned Decision Review	
Consent Calendar - Planning and Zoning Review	
Route Approved RD Review	

Details

Mailing Fees

Edit

 Number of Mailings

—

Applicant Information

Edit

Applicant Type*	Applicant Name*
Agent	Richard Colburn, AIA, H2A Architects, PA
Phone*	Email*
2086673430	rcolburn@h2aarch.com
Address*	City, State & Zip Code
420 Indiana, Ste 100	Coeur d'Alene, ID 83814

Owner Information

Edit

Name*	Company
Post Falls, City of	Post Falls Food Bank
Phone*	Email*
2087730139	leslie@postfallsfoodbank.org



420 INDIANA
SUITE 100
COEUR D'ALENE
IDAHO 83814
(208) 667-3430
FAX 667-4693
www.h2aarch.com

ARCHITECTURE
•
INTERIORS
•
PLANNING

July 20, 2023

City of Post Falls
Planning Department
408 N. Spokane Street
Post Falls, ID 83854

RE: **Special Use Permit**
Description
Post Falls Food Bank/Senior Center Remodel
1215 E 3rd Avenue

The currently occupied Post Fall Senior Center will be remodeled. With the Senior Center and the Food Bank now in a joint venture, the Post Falls Food Bank plans on allocating some of the Senior Center space for the office areas of the Food Bank as well as adding a 2nd story to the North warehouse area. This will ultimately better serve the community and patrons which utilize both facilities.

The lesser used dining hall will be converted to a grocery space for the market to achieve a more ideal and centralized location to provide the guests with the products they need. The Senior Center will maintain occupancy of an adequate and needed portion of the building. The Southern portion will still serve them as it currently does.

Additionally, with the new market here, the existing North portion of the building will be demolished and rebuilt within the current footprint to provide appropriate delivery and storage of all the goods that are offered in the market and for the kitchen which currently does and will continue to serve the Senior Center as well as support the new market.

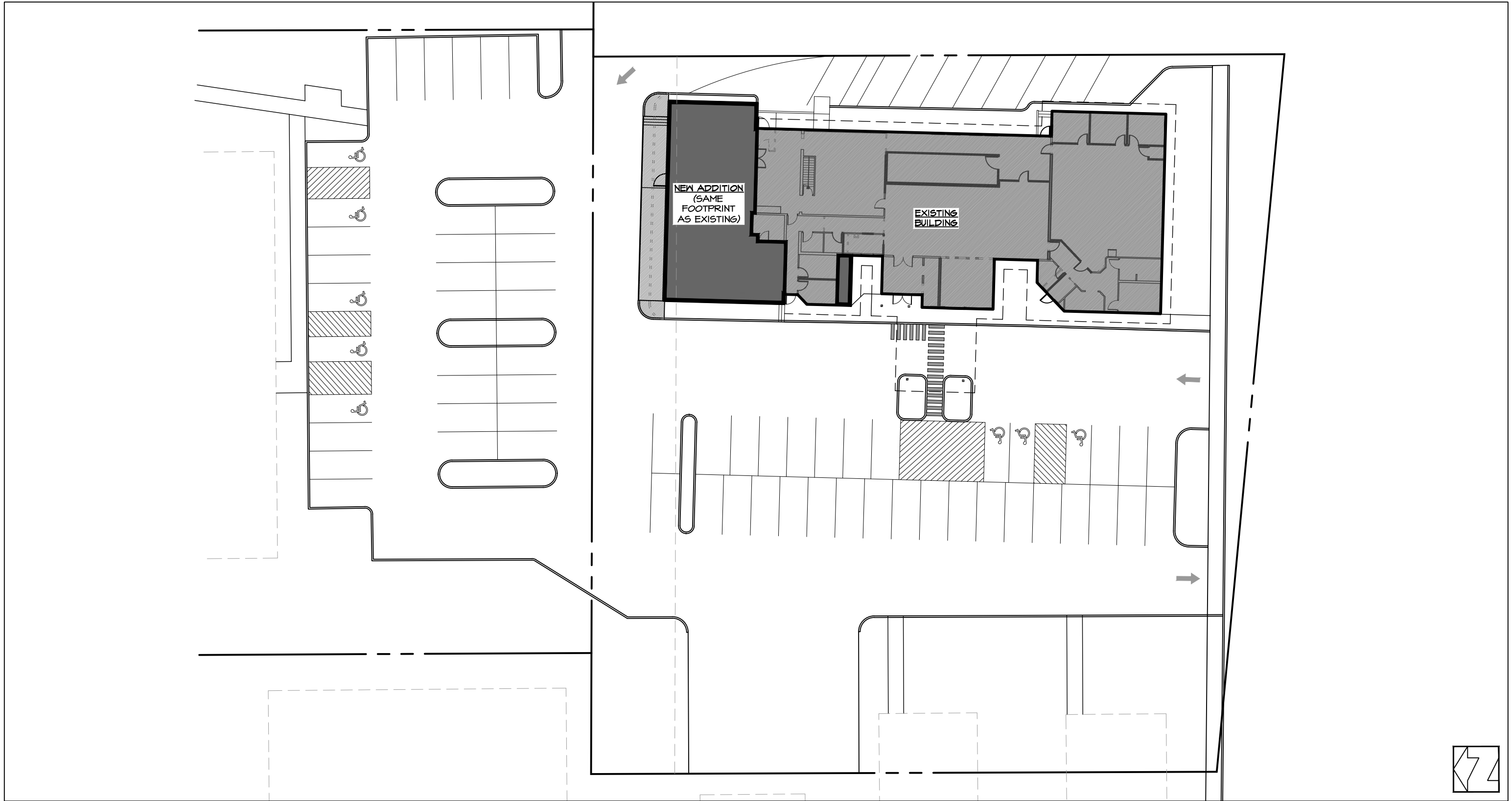
Furthermore, office areas will be rearranged and additional offices will be added to centralize the staff to this single location.

The addition of the market ultimately changes the use of some of the space from 'Assembly' to 'Retail'. The site is within a pocket of R3 zone surrounded by both industrial and commercial making this revised combination of uses appropriate for the area. With both nonprofits combining into one, these modifications will not only benefit the community, but celebrate the new expanded nonprofit and make a new chapter in the company's journey in supporting the City of Post Falls.

1. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.
 - a. The current occupancy is already for public use and serves the community. The added use of the market further expands on what is provided to the community and, to the best of our knowledge, will conform.
2. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the City and the State.
 - a. A community food bank is allowed in R3 zones by Special Use per the 18.20.030 land use table of the Post Falls, ID code.
3. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses in the vicinity of the proposal.
 - a. It will be compatible.
4. Whether the proposed use will/will not comply with the goals and policies found within the Comprehensive Plan.
 - a. This project complies with the Comprehensive Plan. Located within the Milltown South focus area, this special use will bring reinvestment to the area, foster growth of commercial use along 3rd Avenue, as well as add additional activity to this area.

Sincerely,
H2A Architects, PA

Richard J. Colburn, AIA
President



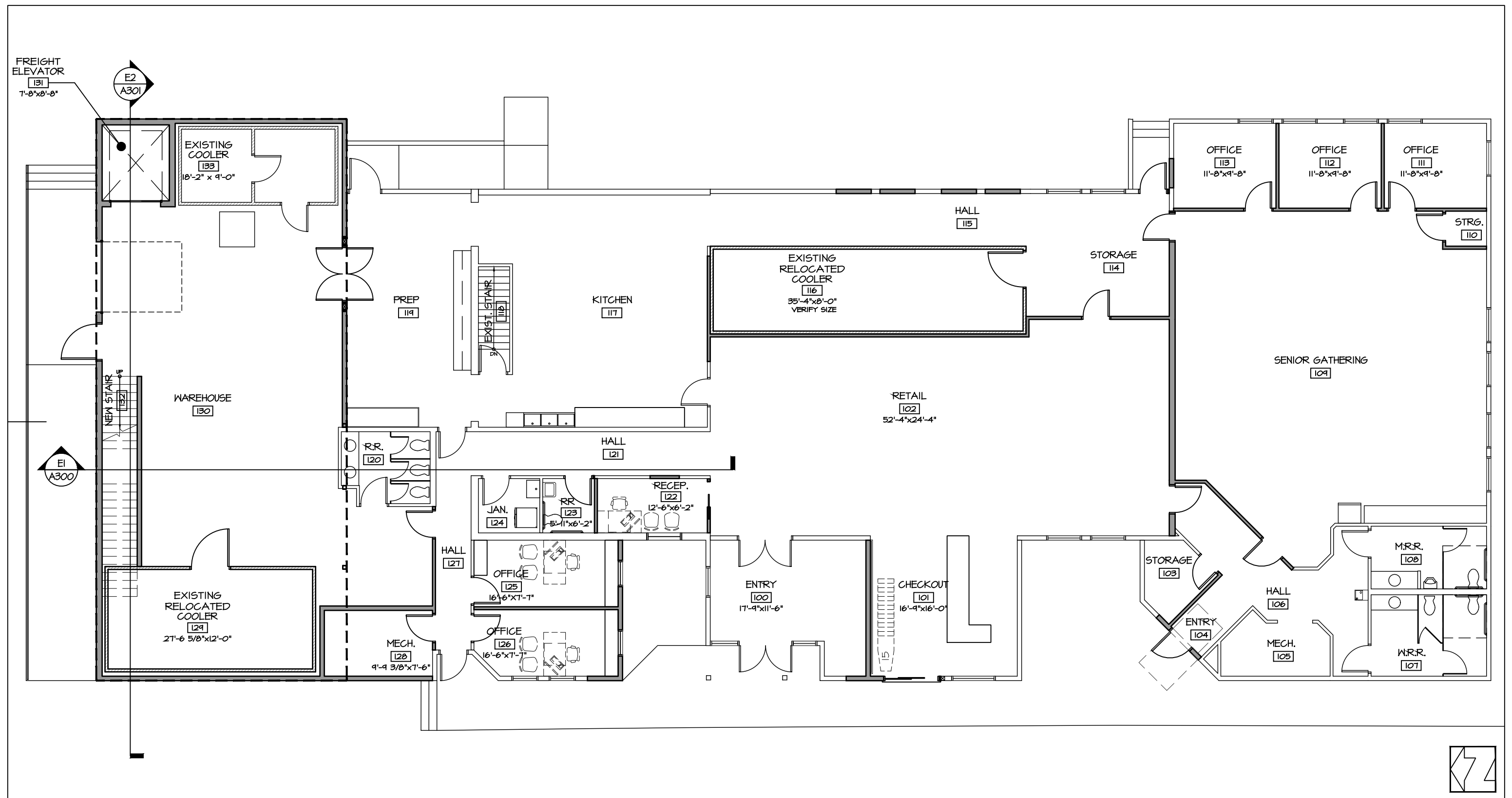
POST FALLS FOOD BANK

SCALE: 1" = 30'-0"

Exhibit A-3
SITE PLAN

7/19/2023





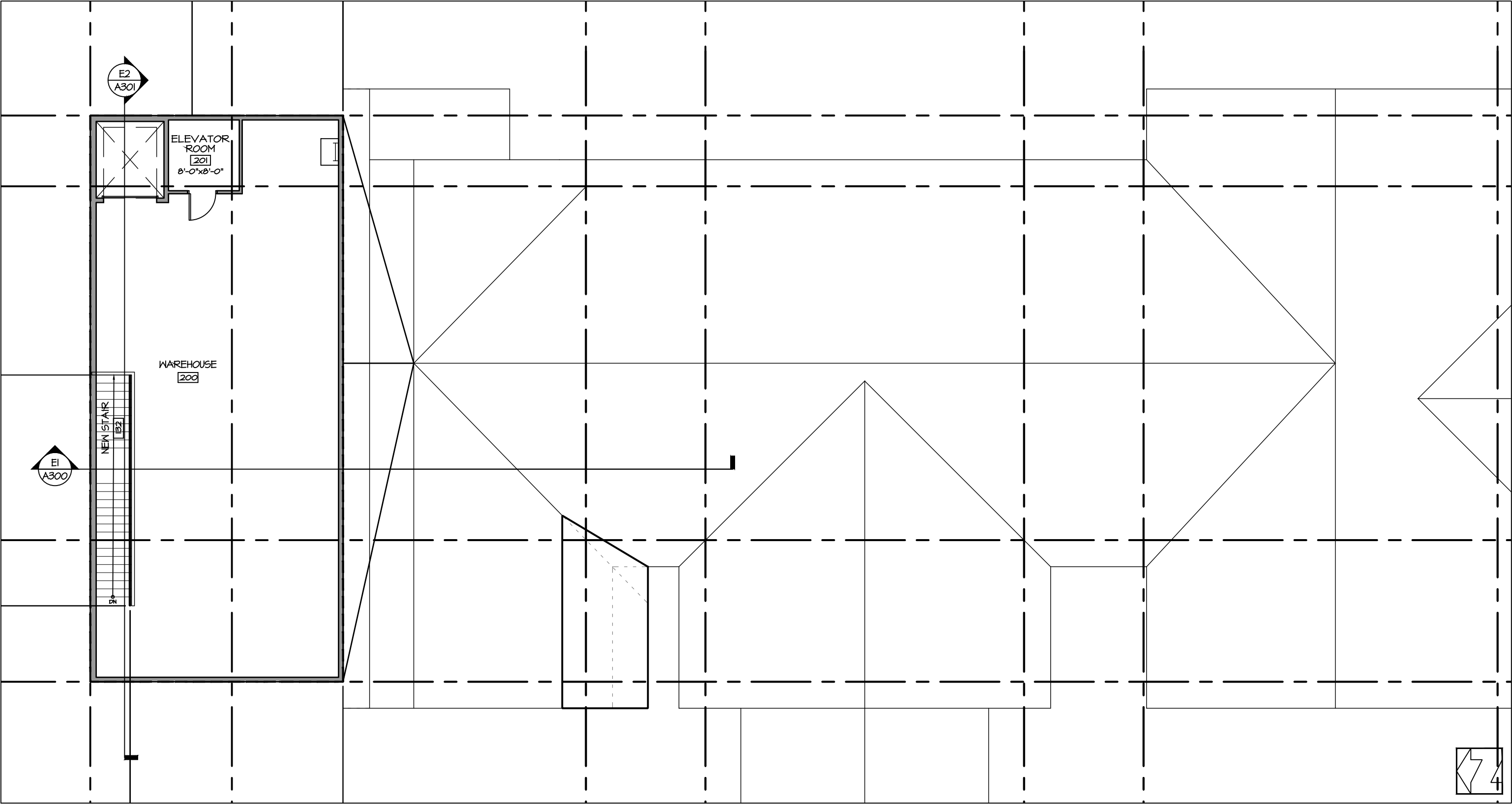
POST FALLS FOOD BANK

SCALE: 3/32" = 1'-0"

MAIN LEVEL FLOOR PLAN

7/19/2023





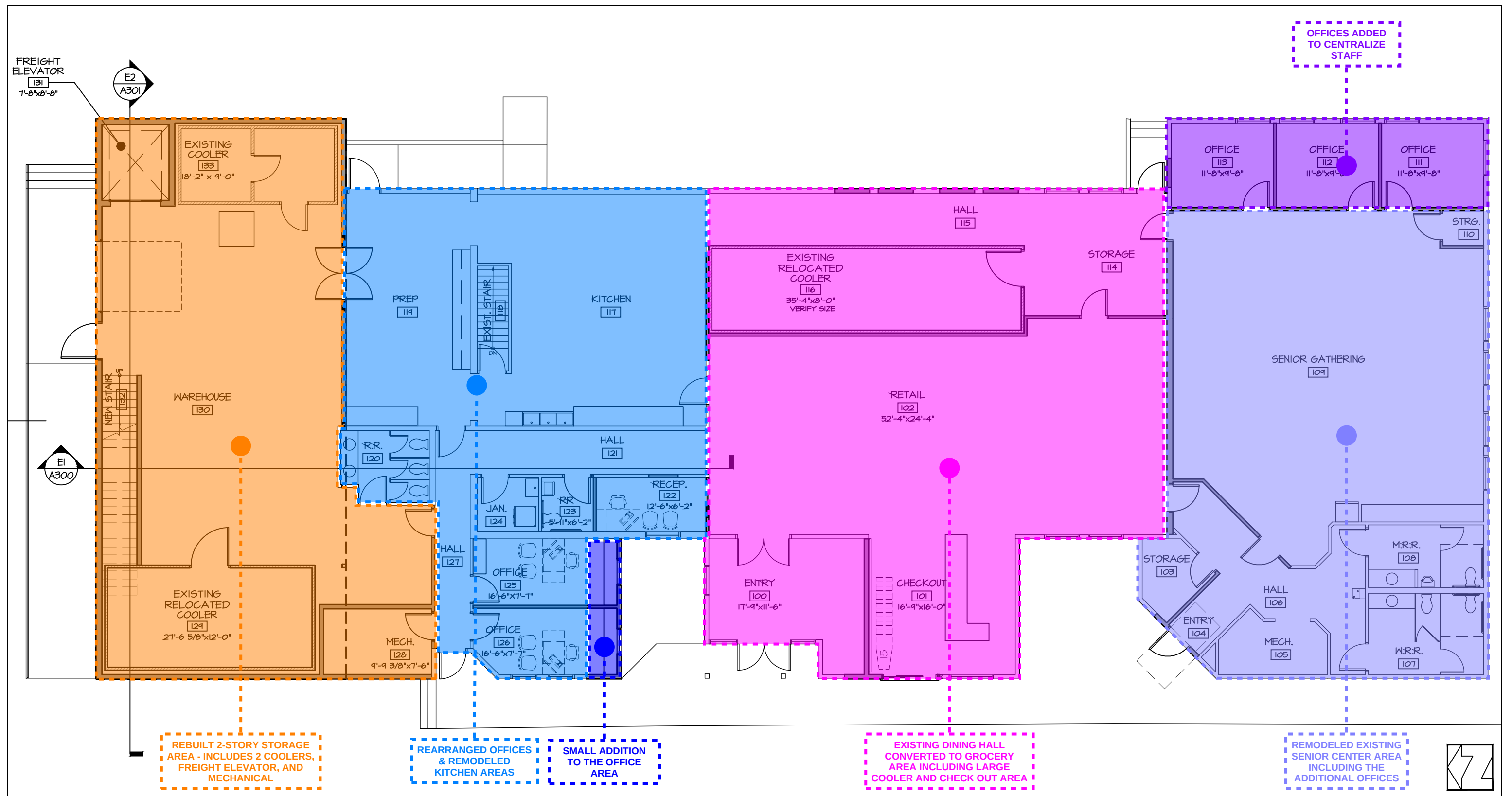
POST FALLS FOOD BANK

SCALE: 3/32" = 1'-0"

UPPER LEVEL FLOOR PLAN

7/19/2023





POST FALLS FOOD BANK

SCALE: 3/32" = 1'-0"

DIAGRAMMATIC FLOOR PLAN

7/19/2023





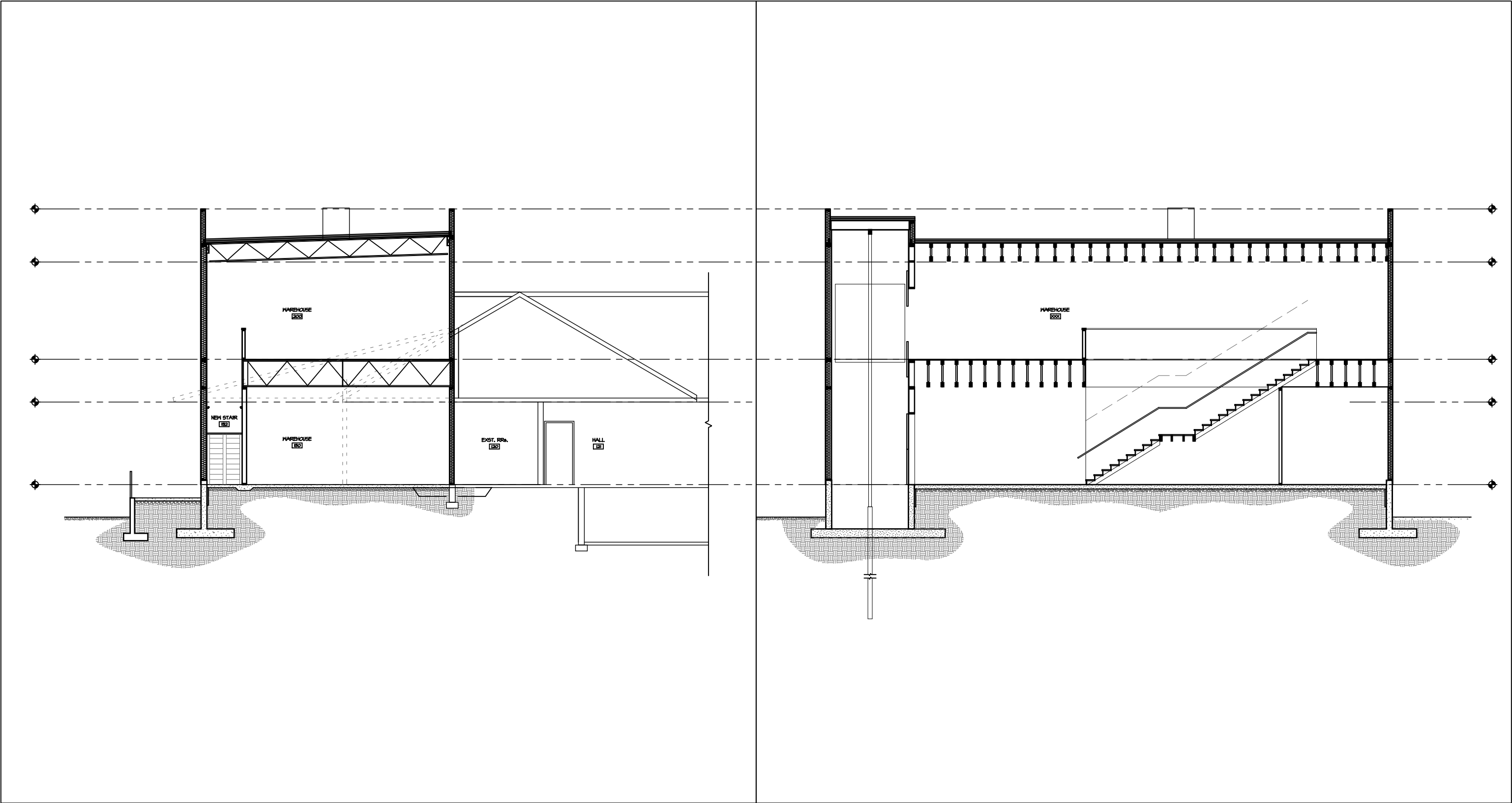
POST FALLS FOOD BANK

SCALE: 3/32" = 1'-0"

WEST BUILDING ELEVATION

7/19/2023





POST FALLS FOOD BANK

SCALE: 3/32" = 1'-0"

BUILDING SECTIONS

7/19/2023





POST FALLS FOOD BANK

Exhibit A-4

VICINITY MAP

7/19/2023



h2a
ARCHITECTS, PA

SIGNATURES: By their signatures below, all parties to this Lease signify their acceptance of all obligations, rights, and duties specified within; provided that, however, the Lease must be approved by a majority of the Board of Trustees of the City in order to be binding and effective.

City of Post Falls



Ronald G. Jacobson Mayor

Date 6/7/22

Attest:



Shannon Howard, City Clerk

Date 6/7/22

Post Falls Food Bank, Inc.



By: Leslie Orth

Its: Executive Director

Date 6-6-22



Exhibit S-1

Project Location
POST FALLS FOOD BANK
SPECIAL USE PERMIT
SUP-23-3



- Post Falls City Boundary
- Tax Parcels
- Subject Site



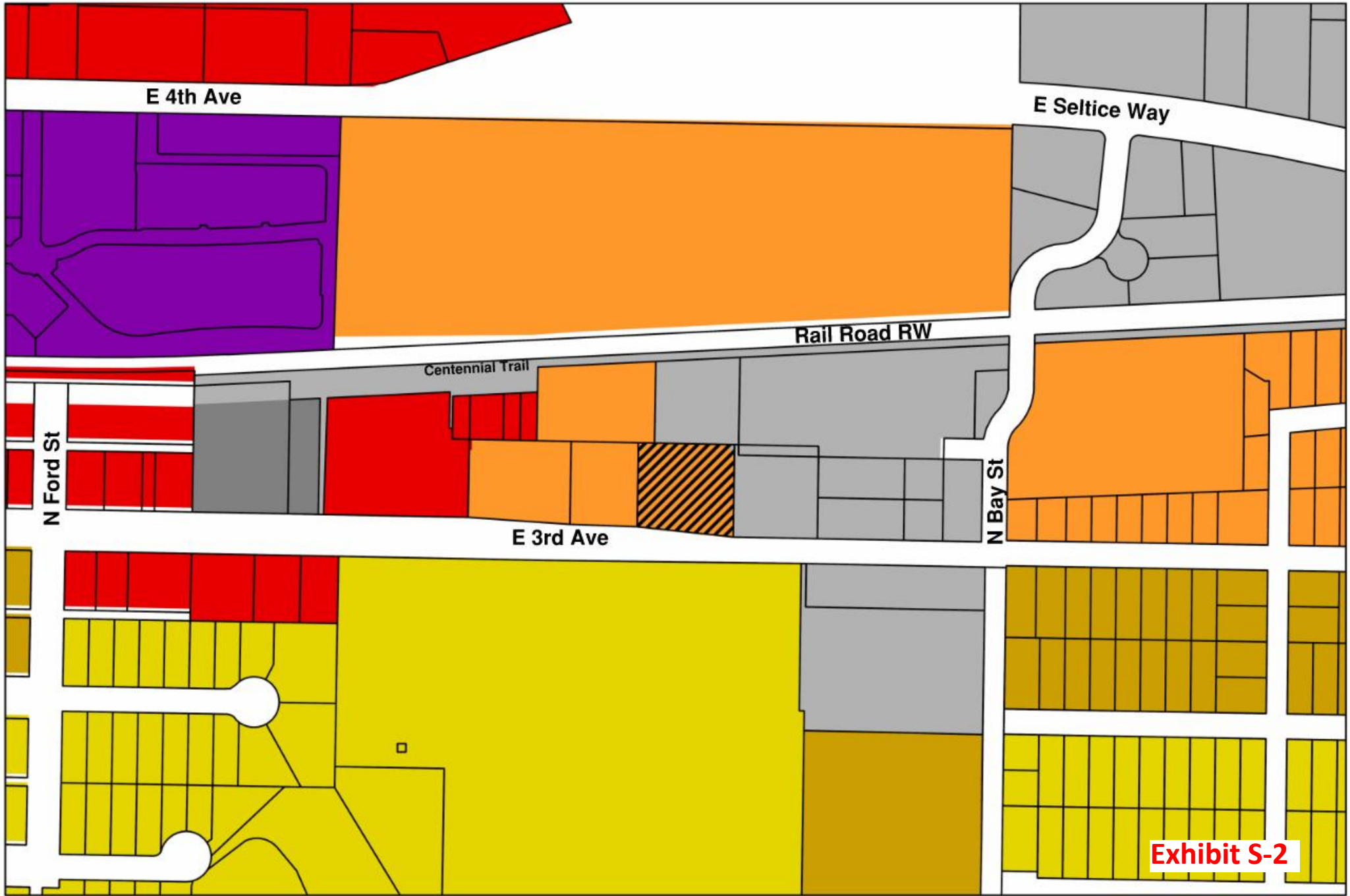


Exhibit S-2

Zoning Map
 POST FALLS FOOD BANK
 SPECIAL USE PERMIT
 SUP-23-3



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- CCS
- HI
- I
- R-1
- R-2
- R-3
- SC5



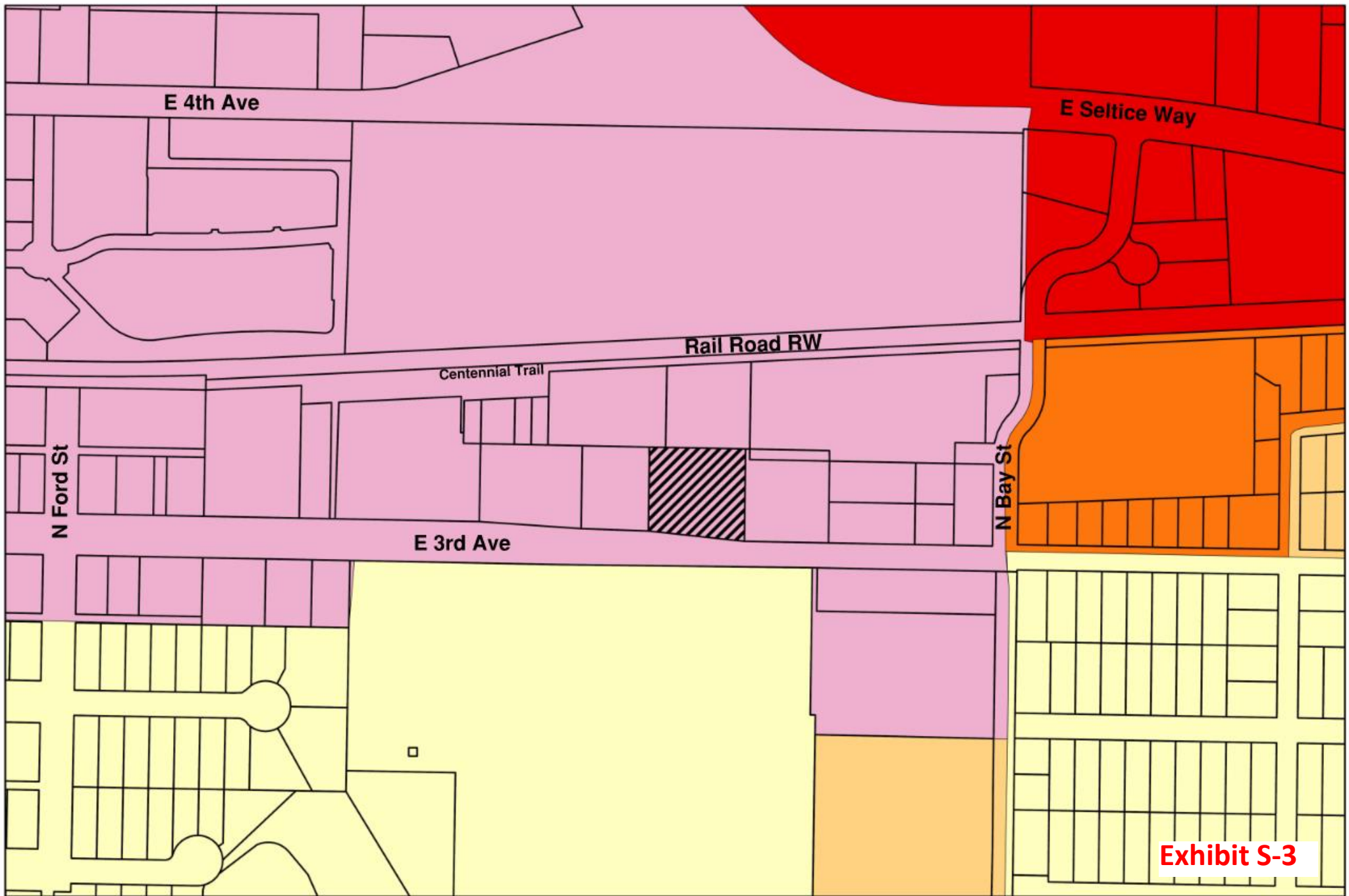


Exhibit S-3

Future Land Use Designation
 POST FALLS FOOD BANK
 SPECIAL USE PERMIT
 SUP-23-3



- Post Falls City Boundary
- Tax Parcels
- Subject Site
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Business/Commercial
- Commercial





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

August 24th, 2023

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

Re: Post Falls Food Bank SUP 23-3

The Police Department has reviewed the above listed special use permit and will remain Neutral on this request. Please accept this letter as the Police Department's response to this request for both Planning and Zoning as well as City Council.

Respectfully submitted,

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

Mark J. Brantl
Captain
Post Falls Police Department

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Monday, August 28, 2023 2:10 PM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions - Post Falls Food Bank SUP

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

The Post Falls Highway District has no comment.

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



From: contactus@postfallshd.com <contactus@postfallshd.com> **On Behalf Of** Nancy Thurwachter
Sent: Thursday, August 24, 2023 10:33 AM
To: Ali Marenau <AMarienu@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; CDA Press <legals@cdapress.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <jordan.t.wirth@usps.com>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aeacom.com>; Mark Brantl <atmbrantl@postfallspolice.gov>; Michael Lindsey <MLindsey@hbkengineering.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom Kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>
Cc: Bill Melvin <bmelvin@postfalls.gov>; David Fair <dfair@postfalls.gov>; Ethan Porter <eport@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; James Steffensen <James.steffensen@yahoo.com>; Jason Faulkner

Kootenai County Fire & Rescue

Fire Marshal's Office

1590 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

November 21, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

Amber,

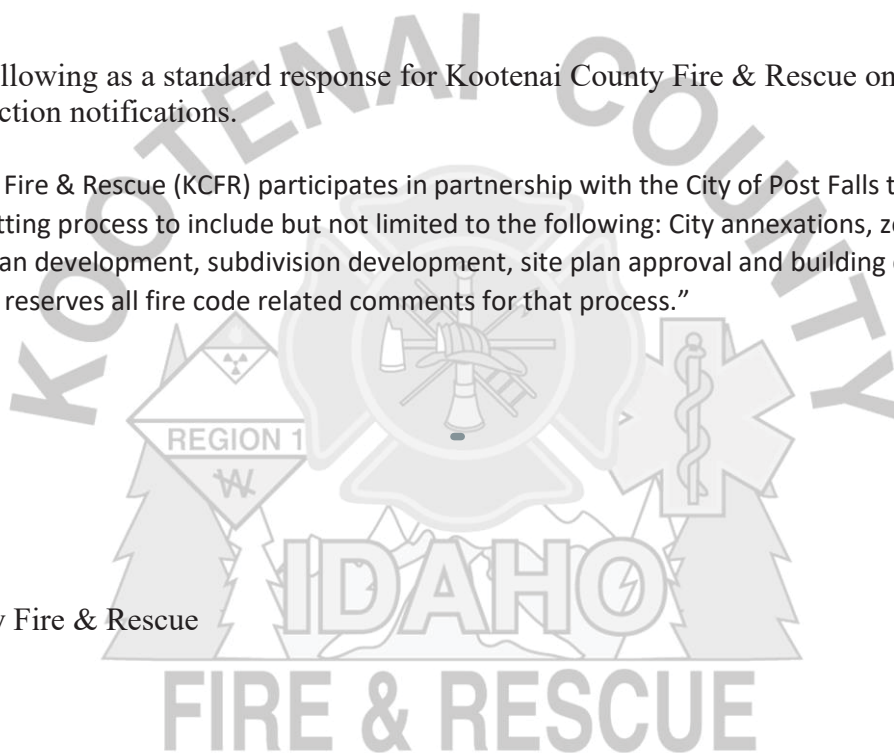
Please use the following as a standard response for Kootenai County Fire & Rescue on all applicable Notice to Jurisdiction notifications.

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

Respectfully,



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





POST FALLS

SCHOOL DISTRICT #273

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

June 20, 2022

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

Dear Bob,

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

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

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

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

The enrollment status and the capacity of each school for the 2021-2022 school year is listed below. (What these enrollment numbers do not include are the anticipated increase of 50 students per elementary school due to full day kindergarten beginning in the fall of 2022.)

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

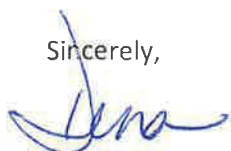
School	2021-2022 Enrollment	Building Capacity
Greensferry Elementary	374	525
Mullan Trail Elementary	340	500
Ponderosa Elementry	420	570
Prairie View Elementary	440	525
Seltice Elementary	440	560

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

Treaty Rock Elementary	415	525
West Ridge Elementary	430	525
Post Falls Middle School	870	920
River City Middle School	630	750
Post Falls High School	1560	1800
New Vision High School	160	225

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

Sincerely,



Dena Naccarato
Superintendent

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

**CITY OF POST FALLS
AGENDA REPORT**

DATE: SEPTEMBER 6, 2023

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: JON MANLEY, PLANNING MANAGER, 208-457-3344, jmanley@postfalls.gov

SUBJECT: FINAL STAFF REPORT FOR SEPTEMBER 12, 2023, P&Z COMMISSION MEETING – MULLAN VILLAS SPECIAL USE PERMIT FILE NO. SUP-23-2 PUBLIC HEARING

INTRODUCTION:

Drew Dittman of Lake City Engineering has requested on behalf Dennis Decker approval for a Special Use Permit in the Limited Commercial (LC) Zone to allow for 18 multi-family units to be developed with townhome construction on 1.27 acre per Exhibit A-3. The Planning & Zoning Commission must conduct a public hearing and determine if the proposed request meets the approval criteria contained in PFMC Section 18.20.070 (B). Following the public hearing, the Planning Commission will direct staff to prepare a Reasoned Decision, along with any appropriate conditions, that explains how the approval criteria are/are not met. The Planning Commission will review and approve the final Reasoned Decision at a subsequent meeting. The approval criteria are:

- A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.
- B. Whether the proposed use constitutes an allowable special use as established by this chapter for the zoning district involved; and complies with all other applicable laws, ordinances, and regulations of the city and the state.
- 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.
- D. Whether the proposed use will/will not comply with the goals and policies found within the comprehensive plan.

PROJECT INFORMATION:

Project Name/File Number: Mullan Villas Special Use Permit (SUP-23-2)

Owner: Dennis Decker, 5928 N. Pinegrove Dr., Coeur d'Alene, ID 83815

Applicant: Drew Dittman, Lake City Engineering, Coeur d'Alene, ID 83814

Project Description: The applicant is intending to develop 18 multi-family units to be developed with townhome construction on 1.27 acre per Exhibit A-3.

Project Location: Approximately 500' west of the intersection of E. Mullan Avenue and N. Syringa Street along the north side of E. Mullan Avenue (see vicinity map below).

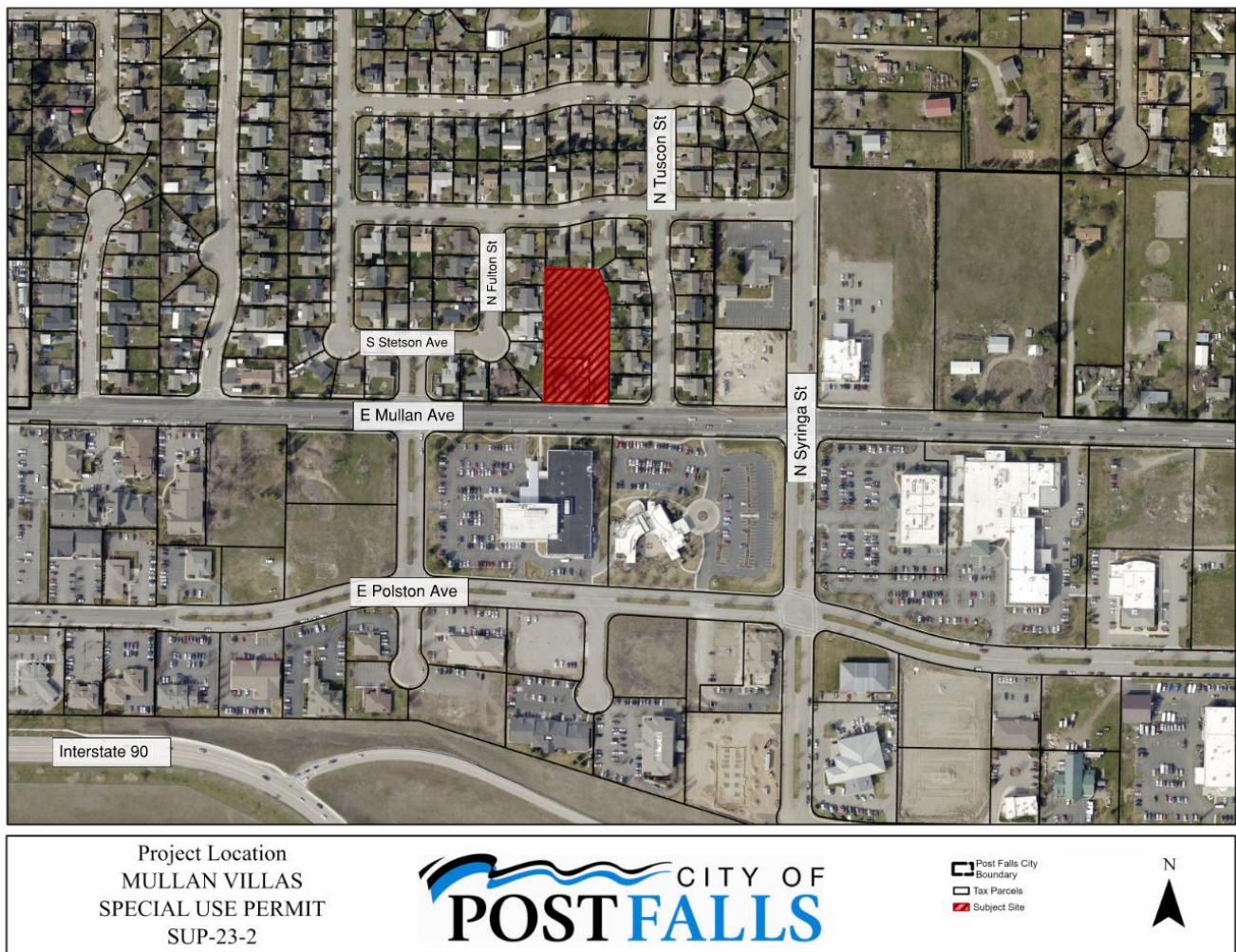
Water Provider: City of Post Falls

Sewer Provider: City of Post Falls

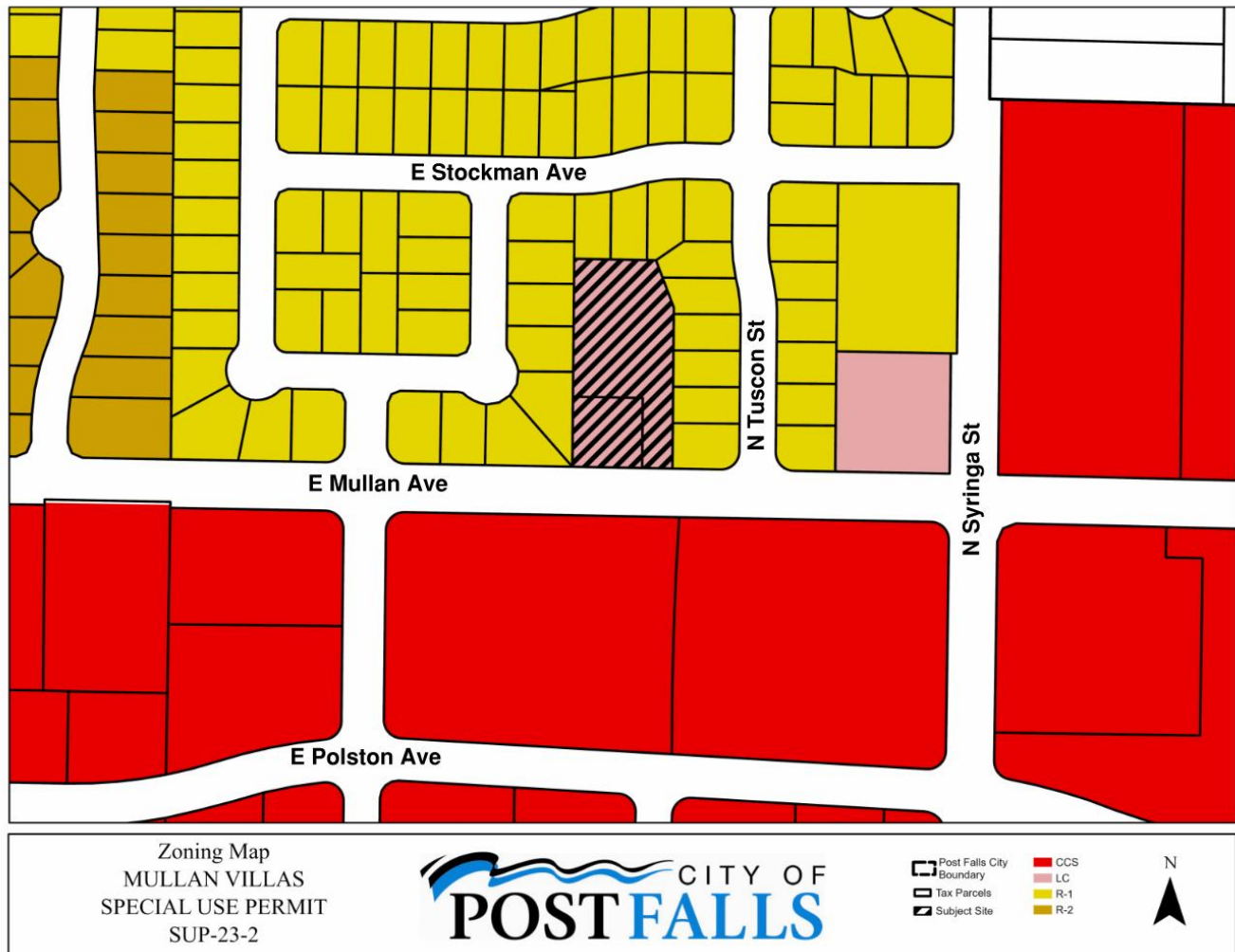
AREA CONTEXT:

Surrounding Land Uses: Adjacent to the west, north, and east of this area are Single Family Residential properties. South of Mullan Avenue are medical uses.

Area Context Vicinity Map:



Surrounding Zoning Districts: Adjacent to the west, north, and east of this area are Single Family Residential (R-1) zoned properties. South of Mullan Avenue are medical uses in the Community Commercial Services (CCS) zoning district. (See Following Map).



EVALUATION OF SPECIAL USE PERMIT APPROVAL/ REVIEW CRITERIA:

A. Implementation of the special use will/will not conform to the purposes of the applicable zoning district.

The proposed multi-family is an allowed use with a Special Use Permit per PPMC Land Use Table 18.20.030 in the Limited Commercial (LC) Zoning district. See following excerpt from the Land Use Table:

P = Permitted use

S = Special use

- = Nonpermitted use

Land Use Category	Zoning Classifications										LBCS Code
	R1S	R1	R2	R3	LC	CCS	I	TM	CCM	RM	
Twinhome	-	S	P	P	S	S	-	-	-	P	
Townhome, 6 or less units per structure	-	S	S	P	P	S	-	P	P	P	
Multi-family, 3 or more units per structure	-	-	-	P	S	S	-	P	P	P	1103

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

Addressed in Criteria A

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.

Per PFMC Land Use Table 18.20.030 and cited in Criteria A, Townhomes are permitted outright in the LC zone, whereas the proposed multifamily development to be construction per the Building Code requirements as a townhome requires a special use permit. A townhome per planning requires each townhome to be built on their own lot, whereas the applicant desires to have 18 units on a single lot. Additionally, being that the proposed project is allowed through a Special Use Permit suggests that they can be compatible. The city also requires a 10' landscape buffer yard requirement per PFMC 18.24.080: Landscaping buffering between Multi-family and Single-Family residences, whereas platted townhomes would not requires the buffer yard as they would be considered single family homes.

Transportation: The proposed special use is not anticipated to produce impacts that would adversely impact the adjoining transportation systems. Mullan Avenue is a Minor Arterial. The current roadway network has capacity, with identified impact fee projects in the immediate vicinity further facilitating long term traffic operations.

Water Reclamation: The site will be connected to the City's Water Reclamation Facilities. Existing facilities are located at the properties southeast corner and have the capacity and capability to handle the requested use. Site-specific issues would be handled with site plan review. The property is not subject to any Sewer Surcharges or Local Improvement Districts.

Domestic Water: The proposed special use will be serviced by the City of Post Falls Water District. Existing facilities are located within Mullan Ave. Site-specific issues related to fire protection would be handled at the time of Site Plan Review.

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

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. Diversification in housing choices may assist in achieving this goal.

Goal 14: Involve the community of Post Falls in all local government planning and decision-making.

The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in and

support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

The following policies may or may not assist the review of this Special Use Permit request.

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service.

Staff Comment: Impact Fees will be paid at the time of permit issuance to assist maintaining the community levels of service.

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

Staff Comment: Diversified housing opportunities bolsters the long-term health of the housing sector within a community. The industrial and commercial sectors within a community benefit by having a healthy and diverse housing sector as it either offers securities that their employees have a place to live, or it put rooftops to provide commerce. The medium density housing sector is an important housing niche to sustain as the City's entry level housing market is currently under supplied.

- Maintain and enhance resident quality of life.

Staff Comment: The proposed location of the special use permit is within walking distance to many daily needs, services and transit, which may enhance these residents' quality of life. See following image (Site is highlighted in Orange):



- Promote compatible, well-designed development.

Staff Comment: The proposed development is located on Limited Commercial (LC) zoned properties surrounded by adjacent and neighboring single-family properties. Sidewalks are completed along the north side on Mullan Avenue. City design standards assist creating compatible, well-designed developments.

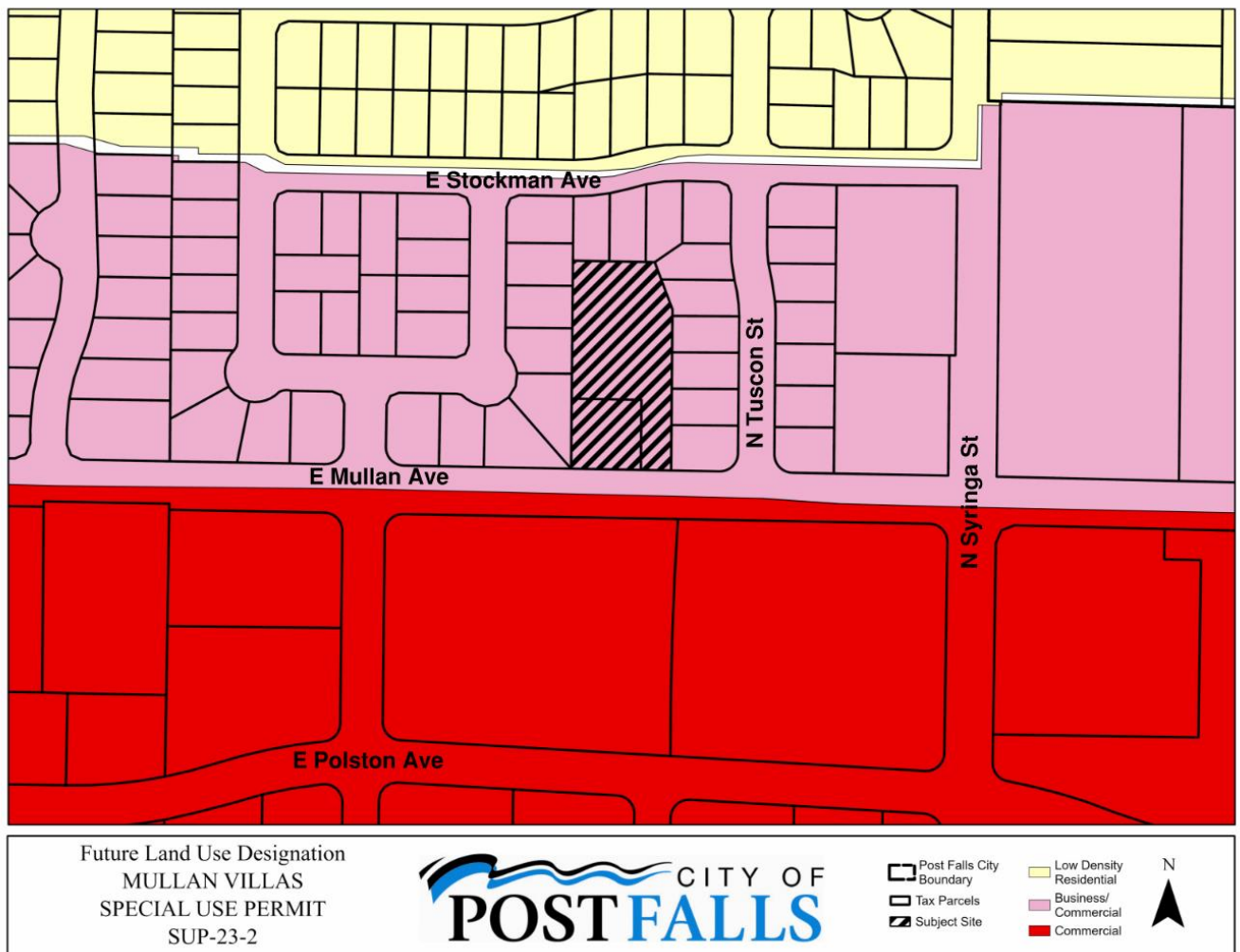
- Implement goals and policies of the comprehensive plan, related master plan and/or facility plans.

Staff Comment: The analysis within this staff report addresses this policy point.

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

- Future land use mapping.

Staff Comment: The site has a future land use designation of Business/Commercial (see following map). This category includes a mixture of housing types built at moderate densities (at least eight units per acre). Design standards that enhance the character of these areas, improve pedestrian connections, and promote compatibility between permitted uses are important. This site is in the Central Island focus area where it does state, “Focus growth of higher-density residential uses near higher-classified roadways”.



- Compatibility with surrounding land uses;

Staff Comment: Per PPMC Land Use Table 18.20.030 and cited in Criteria A, townhomes are permitted outright in the LC zone, whereas the proposed multifamily development to be construction per the Building Code requirements as a townhome requires a special use permit. A

townhome per planning requires each townhome to be built on their own lot, whereas the applicant desires to have 18 units on a single lot. Additionally, being that the proposed project is allowed through a Special Use Permit suggests that they can be compatible. The city also requires a 10' landscape buffer yard requirement per PPMC 18.24.080: Landscaping buffering between Multi-family and Single-Family residences, whereas platted townhomes would not require the buffer yard as they would be considered single family homes.

- Infrastructure and service plans.

Staff Comment: The site is located adjacent to existing sanitary sewer and water infrastructure. Existing facilities have sufficient capacity to provide service for the anticipated land uses. The city does not have any existing capital plans for Sewer or Water infrastructure at this location.

- Existing and future traffic patterns.

Staff Comment: The site is located adjacent to Mullan Avenue (Minor Arterial), that provides connection to other roadways providing local and regional connectivity. Capacity exists on Mullan Ave. To facilitate the proposed land use.

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

Staff Comment: The analysis within this staff report addresses this policy point.

Policy 3: Encourage development patterns that provide suitably scaled, daily needs services within walking distance of residential areas, allowing a measure of independence for those who cannot or choose not to drive.

Staff Comment: Commented in Policy 1.

Policy 6: Encourage residential development patterns typically featuring:

- Housing that faces the street edge.

Staff Comment: The proposed plan is to connect units to the existing sidewalk and orient the end unit to E. Mullan Avenue (Exhibit A-3).

- An interconnected grid of small-block streets network.

Staff Comment: This pattern does not exist at this location.

- Street sections designed for safety, traffic calming and aesthetic appeal, including narrower lanes, sidewalks, landscaping, and lighting.

Staff Comment: The road network is already established.

- Development and utilization of alleys for parking and service areas.

Staff Comment: Not attainable with the lack of alleys in the area.

- Vertical or horizontal mixed uses where appropriate along the ID-41 corridor and in neighborhood and regional centers.

Staff Comment: The site is not proposed to be mixed-use.

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

Staff Comment: This lot could be considered as under-utilized and infill. Redevelopment with a higher density could offer a small relief to the housing concerns within the city.

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.

Staff Comment: The proposed special use permit could help created additional and diversified housing in the Limited Commercial (LC) zoning designation.

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

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

- **Exhibit PA-1 – Yellowstone Pipeline (YPL)** - There is no impact to YPL.
- **Exhibit PA-2 - Post Falls Highway Department (PFHD)** – PFHD has no comment.
- **Exhibit PA-3 – Bonneville Power Department (BPA)** – Property does not touch or affect BPA.
- **Exhibit PA-4 – Panhandle Health District (PHD)** – PHD has no comment.
- **Exhibit PA-5 – Idaho Department of Environmental Quality (DEQ)** – Provided construction related comment
- **Exhibit PA-6 – Post Falls School District comment (PFSD)** - Remains Neutral
- **Exhibit PA-7 – Kootenai County Fire & Rescue comment (KCFR)** - Reserves fire related comment for time of development

MOTION OPTIONS: The Planning Commission may approve the requested Special Use Permit as presented, approve with conditions, or deny the Special Use Permit request.

CONDITIONS (If any are applied):

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

ATTACHMENTS:

APPLICANT'S EXHIBITS:

Exhibit A-1: Application
 Exhibit A-2: Narrative
 Exhibit A-3: Preliminary Plan
 Exhibit A-4: Owner Authorization
 Exhibit A-5: Title Report
 Exhibit A-6: Radius Report

STAFF EXHIBITS:

Exhibit S-1: Vicinity Map
 Exhibit S-2: Zoning Map

Exhibit S-3: Future Land Use Map

TESTIMONY:

Exhibit PA-1 - YPL comment

Exhibit PA-2 - Post Falls Highway Department (PFHD) comment

Exhibit PA-3 – Bonneville Power Department (BPA) comment

Exhibit PA-4 – Panhandle Health District (PHD) comment.

Exhibit PA-5 – Idaho Department of Environmental Quality (DEQ) comment

Exhibit PA-6 – Post Falls School District comment (PFSD) comment

Exhibit PA-7 – Kootenai County Fire & Rescue comment (KCFR) comment

Special Use Permit · 419 – MULLAN VILLAS

📅

Expiration Date

Active

Request Changes

(/##/explore/request-changes/42626)

⋮

SUP-23-2

Details

Submitted on Jun 30, 2023 at 9:30 am

Attachments

7 files

Activity Feed

Latest activity on Jul 27, 2023

Applicant

Lake City Engineering, Inc.

👥

0

Location

1331 E MULLAN AVE, POST FALLS, ID 83854

🚩

Timeline

Add New

Special Use Permit Fees

Paid Jul 20, 2023 at 3:23 pm

Completeness Review

Completed Jul 21, 2023 at 2:13 pm

Jul 25

GIS Review

Completed Jul 21, 2023 at 4:15 pm

Jul 27

Schedule Planning and Zoning Hearing

Completed Jul 24, 2023 at 10:56 am

Polygon Creation

Completed Jul 26, 2023 at 9:23 am

Jul 31

Draft Staff Report

Completed Jul 27, 2023 at 2:14 pm

Exhibit A-1

https://postfallsid.workflow.opengov.com/##/explore/records/42626/react-form-details/42626

Page 53 of 145

Maps Created

Completed Jul 27, 2023 at 2:19 pm



Parks Review

Completed Jul 27, 2023 at 2:40 pm



Aug 10



Engineering Review

In Progress

Aug 10



Wastewater Review

Review



Final Planning Review

Review



Notice

Review



Site Posting

Review



Reasoned Decision

Review



Consent Calendar - Planning and Zoning

Review



Route Approved RD

Review



Name*

Dennis Decker

Company

Phone*

208-659-9533

Email*

dennis@wannaliftsystems.com

Address*

5928 N. Pinegrove Drive

City, State & Zip Code

Coeur d'Alene, ID 83815

Site Information

Edit

Proposed Project Name*

Mullan Villas

Description of Project*

18-unit multi-family project on 2 lots

Special Use Permit

Mullan Villas

City of Post Falls, Idaho

June 2023



*126 E. Poplar Avenue
Coeur d'Alene, Idaho 83814
208-676-0230*

INTRODUCTION

The purpose of this proposal is to request a Special Use Permit for an 18-unit multi-family project on 2 lots that are located on the North side of Mullan Avenue approximately 0.1 miles West of Syringa Street. NCO Partners, LLC is currently under contract to purchase this property and is looking to develop it in accordance with the City of Post Falls standards and requirements.

SUBJECT PARCEL

The property being requested for annexation is as follows:

Parcel #s: P-0800-001-001-0 and P-0800-001-002-0
Total Area: 1.27 acres
Current Zoning: Limited Commercial (LC)
Comp. Plan Designation: Business/Commercial

Current Owner: Dennis Decker
5928 N. Pinegrove Drive
Coeur d'Alene, ID 83815

Project Proponent: NCO Partners, LLC
2022 N. Government Way
Coeur d'Alene, ID 83814

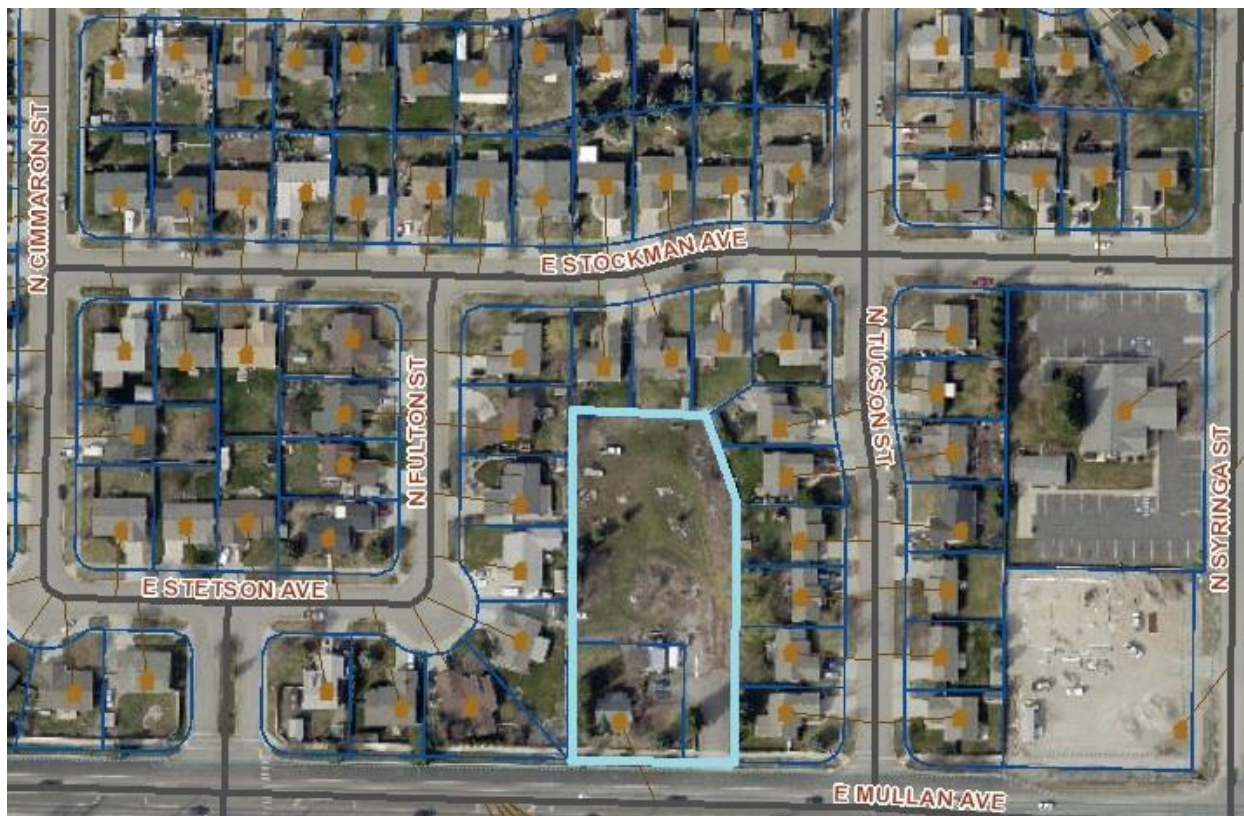


Figure 1: Vicinity Map

ZONING CLASSIFICATION AND COMPREHENSIVE PLAN

The 2 lots that make up the subject property are currently zoned LC (Limited Commercial). They are bounded by R-1 to the North and East by the Cimarron Place subdivision, and by R-1 to the West by the Stetson Place subdivision. Mullan Avenue runs along the southern edge of the property. The City of Post Falls Future Land Use Map, which was recently updated, and is contained within the Comprehensive Plan, designates the subject property as Business/Commercial. The project proponent is requesting a Special Use Permit for multi-family apartment buildings with townhome construction within the LC zone. Per the City of Post Falls Municipal Code, multi-family is an allowed use in the LC zone with a Special Use Permit, and residential uses are allowed at densities permitted by the Medium Density Residential (R2) zoning designation.

Considering the surrounding nearby residential uses such as Cimarron Place and Stetson Place subdivisions, its location along Mullan Avenue, and the various commercial medical facility uses across the street, this property is a good candidate for a multi-family use. The proposed apartment buildings with townhome construction are residential in nature and will be compatible with the existing land uses both adjacent and nearby. Given the continued influx of new residents into North Idaho and particularly into the Post Falls area, this project will help to satisfy the rising demand for workforce and attainable housing within the City.

The recently updated Post Falls Comprehensive Plan designates this property as Business/Commercial. This category is intended to promote a mixture of moderate and high-density housing types within walking distance of neighborhood and corridor commercial uses as well as other amenities. Multi-family projects that promote pedestrian connectivity and compatible uses are encouraged to be implemented within this land-use designation. The subject site is uniquely located as an “island” property in between the Cimarron Place and Stetson Place subdivisions and is across the street from Kootenai Clinic Family Medicine, Northwest Specialty Hospital and other nearby medical facilities. Developing this property as an infill project with a multi-family concept will not only bridge the connectivity gap between the two subdivisions; it will also provide much needed additional housing close to easily accessible commercial uses.

PROPOSED USES

The project proponent is intending to build 3 buildings of 6 units each, totaling 18 units of apartments with townhome construction. Each building will be 2 stories high and contain (6) 2-bedroom units with an attached garage on the ground floor. A gazebo with picnic table and BBQ will be centrally located between the three buildings and provided as an amenity to the project. The project details are listed below:

Project Area:	1.27 acres
# of Buildings:	3
# of Units:	18
Project Density:	14.2 du/ac
Zoning:	LC (Special Use Permit)

Streets and Stormwater

The project borders Mullan Avenue on the South, which is fully constructed and will not require additional road improvements, with the exception of a new sidewalk on the South side. Mullan Avenue is a Minor Arterial and will provide direct access into the proposed project. A new commercial approach off of Mullan Avenue will connect to internal drive aisles that will be constructed to private street and fire department standards and provide access to the apartments as well as additional parking. Stormwater treatment will be provided by grassy swales and disposed of with drywells, per the City of Post Falls standards and requirements.

Domestic and Irrigation Water

The project will be served by the City of Post Falls. They currently have the capacity and willingness to serve the proposed project via an 8" water distribution main located along the frontage in Mullan Avenue. A master meter is proposed to be installed, and a private water system will be looped throughout the project providing domestic, irrigation and fire protection needs. The system will be capable of providing the required fire flows.

Sanitary Sewer

Sanitary sewer service will be provided by the City of Post Falls. There is an existing 15" gravity sewer main located in Mullan Avenue with an existing 8" stub into the subject property that will serve the project. The system has the capacity to serve the project.

Dry Utilities

All necessary dry utilities are currently installed in the adjacent Mullan Avenue, including power, phone/cable, and natural gas.

Design Elements

This project will be subject to the multi-family design standards found in Title 18 of City Code. All mechanical equipment and the solids waste storage area will be adequately screened in such a manner as to be consistent with the overall architectural design of the project. A 10' landscape strip will be provided along the Eastern, Northern and Western boundaries and include a variety of plantings, trees and shrubs to provide a buffer from the adjoining single-family residential. In addition to the buffer strip, each unit will have a semi-private backyard of 225 SF that will be partially fenced from the adjoining unit. Additional open space will be provided and contain a gazebo structure, picnic table and BBQ for use by the residents.

City Code Section 18.24.030.D.3 requires that buildings that are adjacent to a public street be oriented in such a manner that the building entrance faces the street. The townhouse construction proposed with this project provides individual access to each unit, with front entrances on 3 sides of the building. Given the irregular dimensional shape of the subject site, and the fact that Mullan Avenue is a Minor Arterial, it is not conducive to have the building face Mullan Avenue. This would not provide for a very well-designed project, nor provide a sense of community and neighborhood for the project. As an alternative, the project is proposing to

provide a sidewalk from the front door of each unit with direct access to the pedestrian facilities along Mullan Avenue. The project proponent requests the Zoning Administrator approve this deviation as they feel it provides a better design for the community.

COMPREHENSIVE PLAN ANALYSIS

The new City of Post Falls Comprehensive Plan, adopted July 2020, is the guiding document for the annexation and zoning classification requests. It is important that land use decisions meet or exceed, the goals and policies as outlined in the Comprehensive Plan. The project proponent believes that the following goals and policies (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested special use permit:

Goals

G.05 *Keep Post Falls' neighborhoods safe, vital, and attractive.*

Comment: The project proponent will be utilizing their extensive expertise in real estate and their previous experience with developing successful residential projects in Kootenai County and Post Falls to provide the City with an aesthetically pleasing, desirable housing option. This project will also support the continued rise in demand for additional housing in and around the City.

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.*

Comment: The proposed apartment project will provide additional needed housing in an area of the City that is surrounded by existing residential subdivisions. While not necessarily considered an infill project, the subject property is a logical development of the existing property given its location between the Cimarron Place to the North and East, and Stetson Place to the West.

Policies

P.01 *Support land use patterns that:*

- *Maintain or enhance community levels of service;*
- *Foster the long-term fiscal health of the community;*
- *Maintain and enhance resident quality of life;*
- *Promote compatible, well-designed development;*
- *Implement goals and policies of the comprehensive plan, related to master plan and/or facility plans.*

Comment: Allowing the subject parcel to be developed as a multi-family residential project within the Limited Commercial (LC) zone will provide additional housing options for new and existing residents of the City, similar to those already being offered by the subdivisions adjacent to this parcel. This would be considered a complementary land use and would fit well with the existing characteristics of the surrounding neighborhoods. Its

location is in proximity to a variety of commercial services, enhancing the quality of life of its residents.

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

Comment: The location of the subject property, while not immediately adjacent to daily needs services, is within easy walking or biking distance of various medical facilities, an assisted living complex, a church, a couple of restaurants and several other commercial uses.

- P.06** *Encourage residential development patterns typically featuring:*

- *Housing that faces the street edge;*
- *An interconnected grid or small-block streets network;*
- *Street sections designed for safety, traffic calming and aesthetic appeal, including narrower lanes, sidewalks, landscaping and lighting;*
- *Development and utilization of alleys for parking and service access;*
- *Vertical or horizontal mixed use where appropriate along the ID-41 corridor and in neighborhood and regional centers.*

Comment: The proposed layout of the project features three apartment buildings situated in a L-shape and served by a single internal drive aisle. A new sidewalk will flank the South side of the project along Mullan Avenue and a 10-foot landscape buffer will surround the complex on three sides. The small-block design of the neighborhood will provide aesthetic appeal and safe pedestrian access for its residents.

- P.08** *Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*

Comment: The subject property contains an existing single-family residence and a few outbuildings but is otherwise vacant. While not necessarily considered an infill project, its location adjacent to existing residential subdivisions makes it a logical target for development. The neighborhood pattern in this area is mostly single-family residential but the unique shape of the parcels, the underlying zoning of the land and the commercial uses across Mullan Avenue all provide justification for the proposed multi-family project.

- P.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.*

Comment: The continued growth in Kootenai County has resulted in a high demand for new available housing. The proposed project would help satisfy this demand and provide residents of all ages, incomes and abilities with more housing options.

- P.18** *Maintain housing standards, fees and regulations that support and sustain related services and infrastructure.*

Comment: The additional housing provided by the proposed development would be built in accordance with the City of Post Falls Standards. The additional tax revenue generated by the development would contribute to the City's overall infrastructure fund, as well as provide nearby commercial businesses with additional users of their services.

- P.19** *Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

Comment: Although the subject parcel itself does not allow for additional public parks or community open space, the planned development will effectively utilize the private space it occupies and will beautify an otherwise mostly vacant piece of land. Each unit will have almost 300 SF of semi-private backyard space that will be partially fenced from the adjoining unit. Residents will also be able to take advantage of additional community open space that contains a gazebo structure, picnic table and BBQ.

- P.20** *Consider location of multi-family development in areas that:*
- *Have access to arterial and collector streets;*
 - *Help buffer higher and lower-intensity development patterns;*
 - *Abut compatible existing uses;*
 - *Are part of projects involving mixed use or master planned areas.*

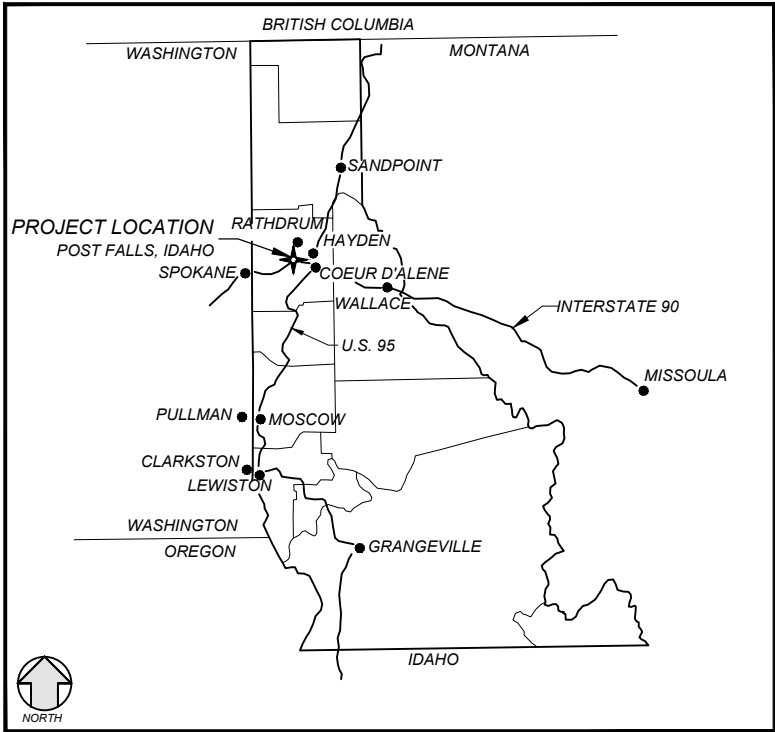
Comment: The property is located along Mullan Avenue, a Minor Arterial, and across from multiple medical facilities and other easily accessible commercial services. The proposed apartments with townhome construction offer a compatible and aesthetically pleasing product that will complement the existing nearby residential subdivisions. This project would also provide much-needed housing for new and existing residents of Post Falls.

- P.21** *Maintain standards for multi-family housing that encourage quality building design, landscaping and usable open space, supporting long-term family living.*

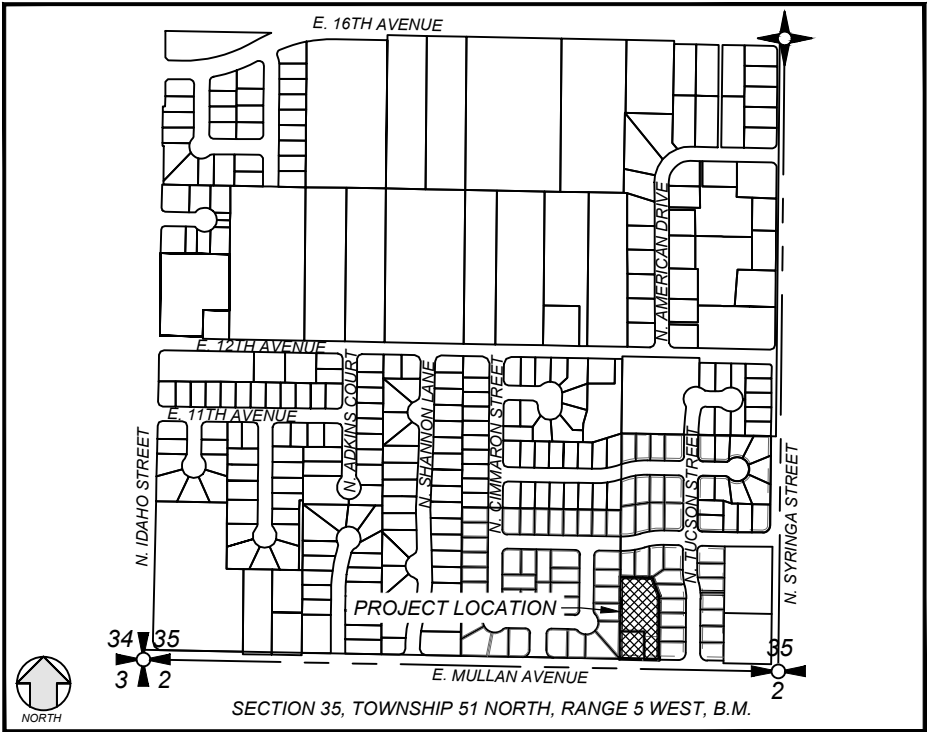
Comment: The development will be constructed in accordance with the City of Post Falls multi-family design standards. It would contain the same level of high-quality, aesthetically pleasing structures that the proponent has offered in their previous multi-family projects. The future development of this parcel would follow the City of Post Falls Standards and provide a well-maintained, landscaped, finished look for a mostly vacant parcel, while at the same time offering new and existing residents of Post Falls additional housing options.

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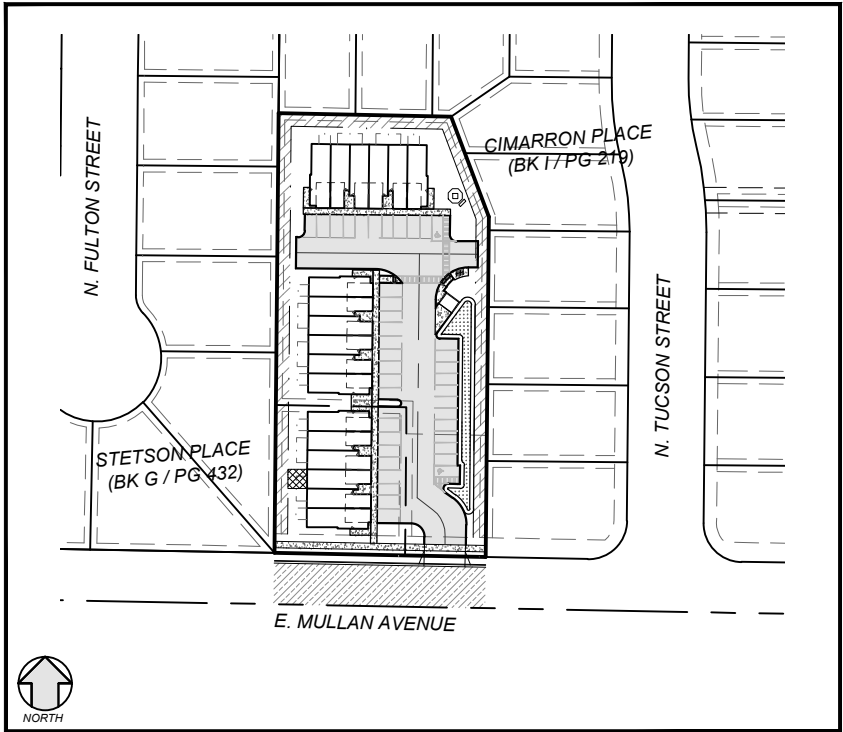
MULLAN VILLAS
SPECIAL USE PERMIT
POST FALLS, KOOTENAI COUNTY, IDAHO



VICINITY MAP
NTS



PROJECT LOCATION
1" = 800'



PROJECT SITE
1" = 150'

PROJECT PROPONENT

NCO PARTNERS, LLC
2022 N. GOVERNMENT WAY
COUER D'ALENE, IDAHO 83814
PH: (208) 704-2000

PROJECT ENGINEER

LAKE CITY ENGINEERING, INC.
126 E. POPLAR AVENUE
COEUR D'ALENE, IDAHO 83814
PH: (208) 676-0230

SUBJECT PROPERTY

LEGAL DESCRIPTION: CIMARRON PLACE
LOTS 1 & 2, BLOCK 1
AREA: 1.27 ACRE

CONTACT INFORMATION

WATER PURVEYOR

CITY OF POST FALLS - WATER DIVISION
2002 W. SELTICE WAY
POST FALLS, IDAHO 83854
PH: (208) 777-9857

SEWER PURVEYOR

CITY OF POST FALLS - WATER RECLAMATION DIVISION
2002 W. SELTICE WAY
POST FALLS, IDAHO 83854
PH: (208) 777-9857

STREET AND STORMWATER PURVEYOR

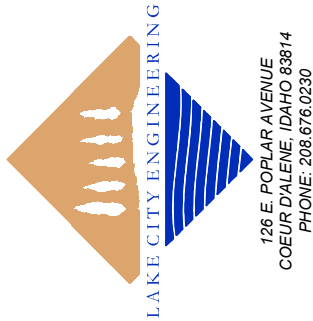
CITY OF POST FALLS - STREET DIVISION
2002 W. SELTICE WAY
POST FALLS, IDAHO 83854
PH: (208) 773-1722

UTILITY CONTACT LIST

AVISTA (POWER/GAS): (208) 769-1343
KOOTENAI ELECTRIC (POWER): (208) 765-1243
SPECTRUM (COMM): (208) 277-9452
ZIPLY FIBER (COMM): (208) 762-2664
TDS (FIBER): (208) 920-1666

INDEX OF SHEETS

1. TITLE SHEET
2. SITE PLAN
3. MAIN FLOOR PLANS
4. UPPER FLOOR PLANS
5. ELEVATIONS
6. ELEVATIONS



PRELIMINARY
NOT FOR CONSTRUCTION

MULLAN VILLAS

TITLE SHEET
POST FALLS, IDAHO

DESIGNED BY:	DCD
DRAFTED BY:	TCD/SMA
DATE:	06/29/2023
JOB NO:	LCE 23-040
SCALE:	N.T.S.

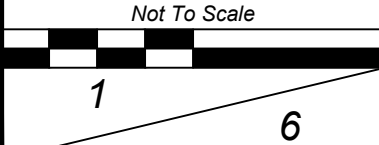
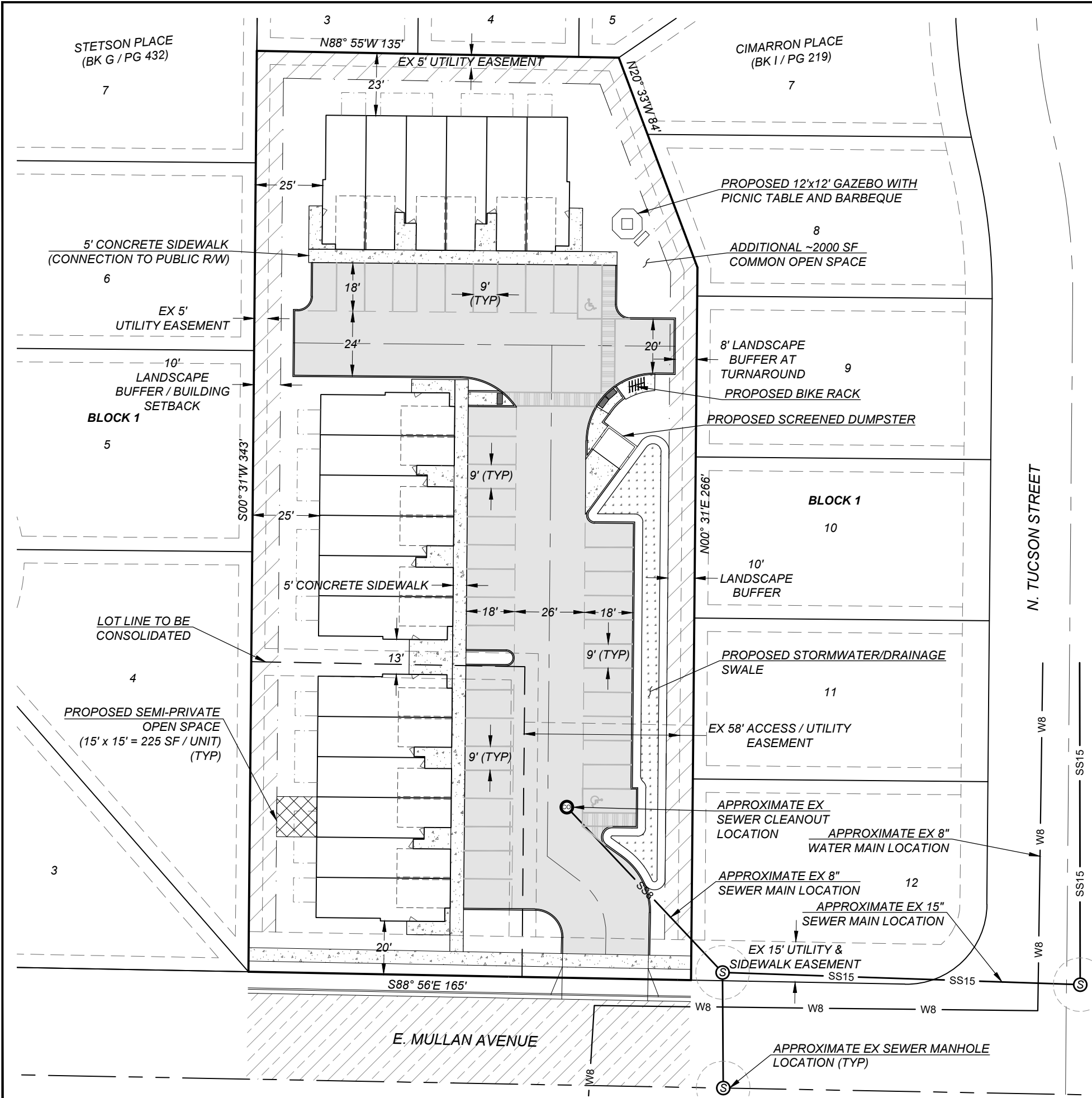


Exhibit A-3

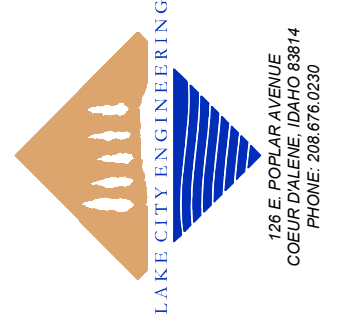
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PROJECT MATRIX	
TOTAL AREA:	1.27 ACRE
# OF BUILDINGS:	3
TOTAL # OF UNITS:	18
DENSITY:	14.2 DU / AC
BUILDING COVERAGE:	26.1%
LEGAL DESCRIPTION:	LOTS 1 & 2, BLOCK 1 CIMARRON PLACE

OPEN SPACE CALCULATIONS	
REQUIRED:	18 UNITS x 300 SF = 5,400 SF
PROVIDED:	SEMI-PRIVATE: 18 UNITS x 225 SF = 4,050 SF
	COMMON = 2,000 SF
	TOTAL = 6,050 SF

PARKING CALCULATIONS	
REQUIRED:	2 / DWELLING UNIT (18.24.070)
	2 x 18 UNITS = 36
PROVIDED:	GARAGES = 18
	IN-FRONT = 18
	ADDITIONAL = 21
	ADA = 02
	TOTAL = 59



PRELIMINARY
NOT FOR CONSTRUCTION

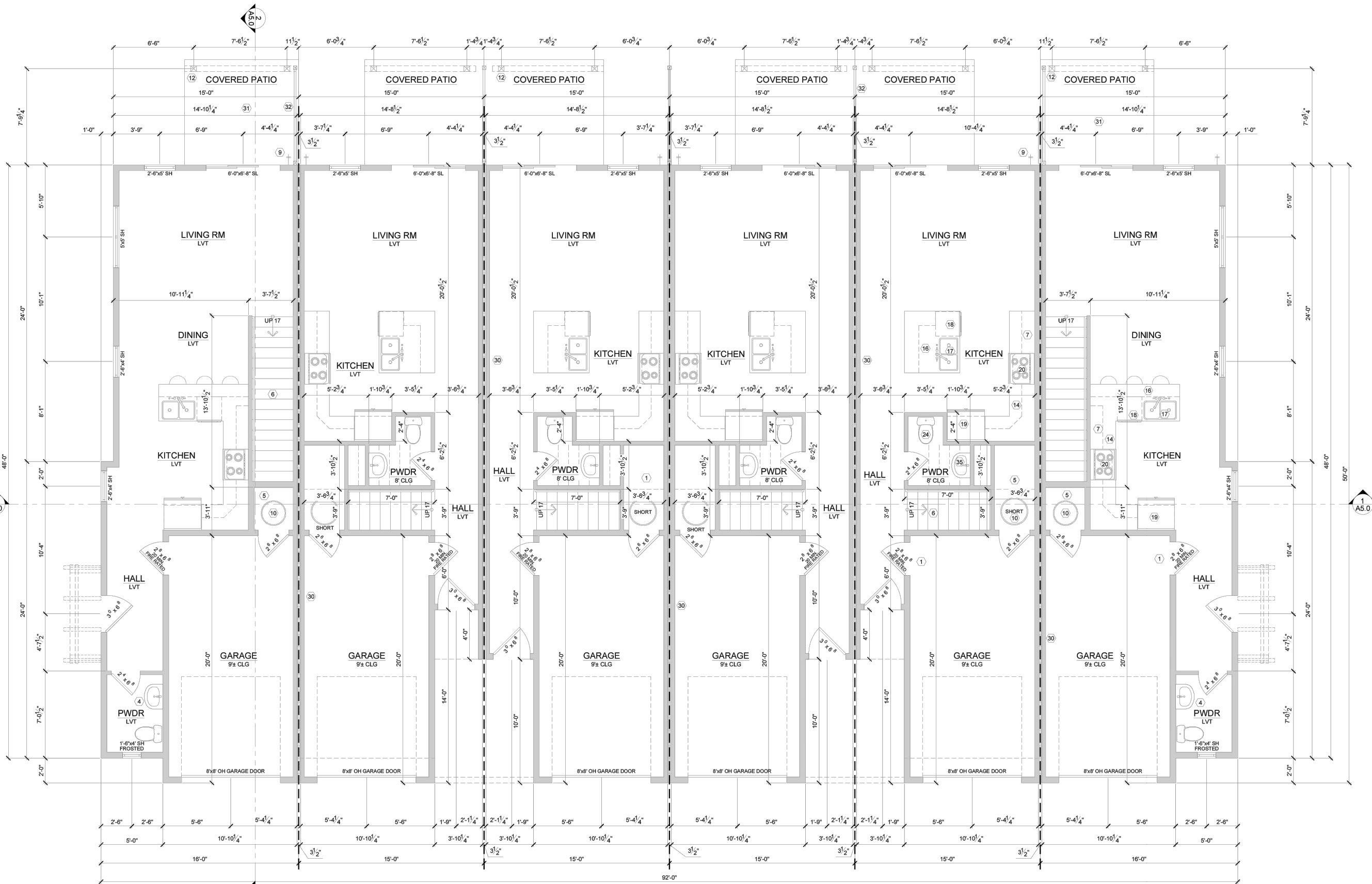
MULLAN VILLAS

SITE PLAN
POST FALLS, IDAHO



DESIGNED BY:	DCD
DRAFTED BY:	TCD/SMA
DATE:	06/29/2023
JOB NO:	LCE 23-040
SCALE:	1" = 40'
0 20 40 80	
2 6	

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UNIT 1
MAIN FLOOR: 554 SQ. FT.
UPPER FLOOR: 713 SQ. FT.
TOTAL LIVABLE: 1267 SQ. FT.
GARAGE: 212 SQ. FT.

UNIT 2
MAIN FLOOR: 477 SQ. FT.
UPPER FLOOR: 628 SQ. FT.
TOTAL LIVABLE: 1105 SQ. FT.
GARAGE: 217 SQ. FT.

UNIT 3
MAIN FLOOR: 495 SQ. FT.
UPPER FLOOR: 628 SQ. FT.
TOTAL LIVABLE: 1123 SQ. FT.
GARAGE: 215 SQ. FT.

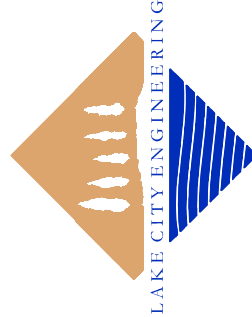
UNIT 4
MAIN FLOOR: 495 SQ. FT.
UPPER FLOOR: 628 SQ. FT.
TOTAL LIVABLE: 1123 SQ. FT.
GARAGE: 215 SQ. FT.

UNIT 5
MAIN FLOOR: 477 SQ. FT.
UPPER FLOOR: 628 SQ. FT.
TOTAL LIVABLE: 1105 SQ. FT.
GARAGE: 217 SQ. FT.

UNIT 6
MAIN FLOOR: 554 SQ. FT.
UPPER FLOOR: 710 SQ. FT.
TOTAL LIVABLE: 1264 SQ. FT.
GARAGE: 212 SQ. FT.

1 MAIN FLOOR PLANS

SCALE: 1/4" = 1'-0"



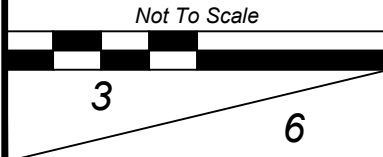
126 E. POPLAR AVENUE
COEUR D'ALENE, IDAHO 83814
PHONE: 208.676.0230

PRELIMINARY
NOT FOR CONSTRUCTION

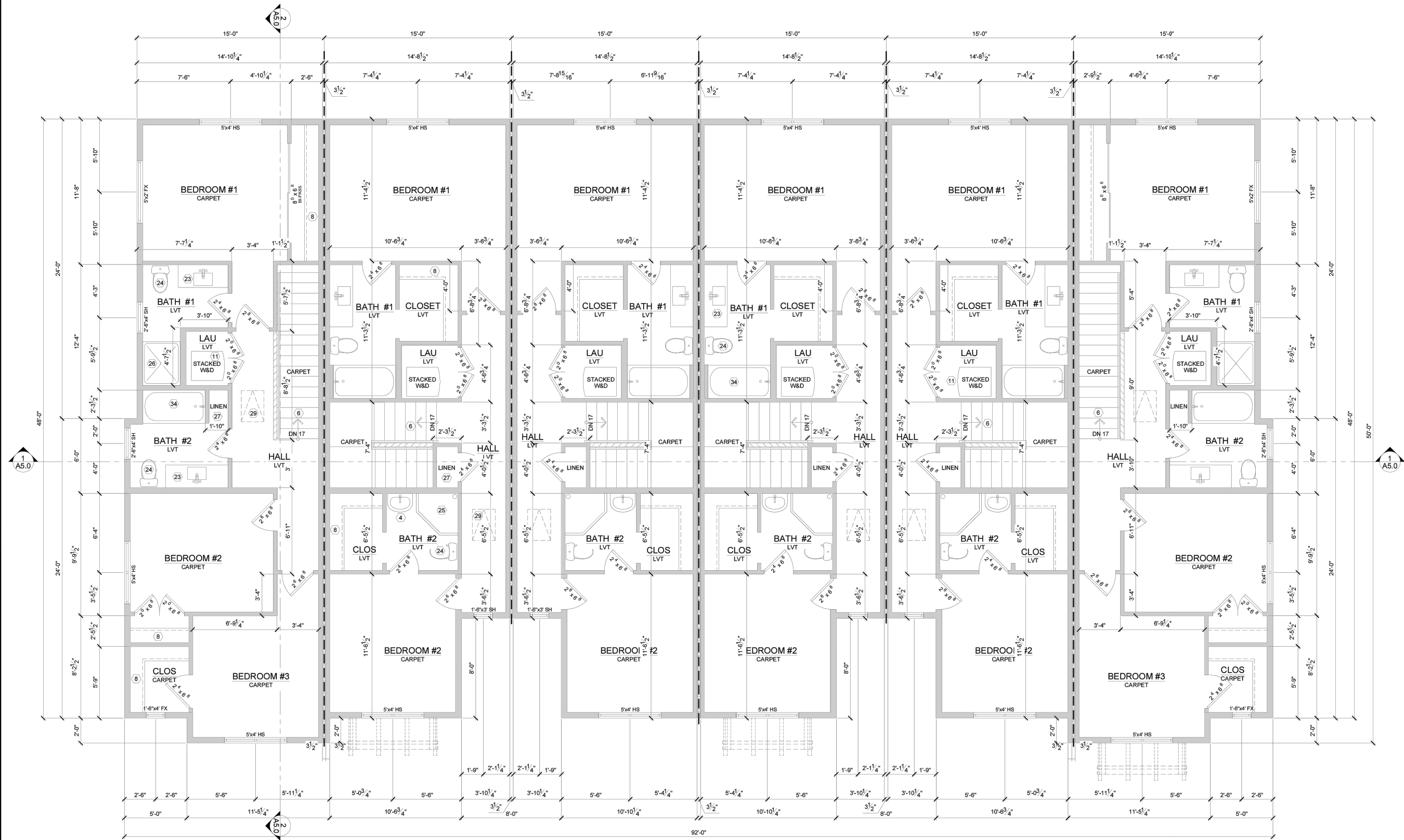
MULLAN VILLAS

MAIN FLOOR PLANS POST FALLS, IDAHO

DESIGNED BY:	DCD
DRAFTED BY:	TCD/SMA
DATE:	06/29/2023
JOB NO:	LCE 23-040
SCALE:	N.T.S.



tommy, Plotted: Jun 29, 2023 - 2:25pm, L:\2023\23-040\ACAD\23-040-SUP PLAN.dwg



UNIT 1
MAIN FLOOR: 554 SQ. FT.
UPPER FLOOR: 713 SQ. FT.
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GARAGE: 212 SQ. FT.

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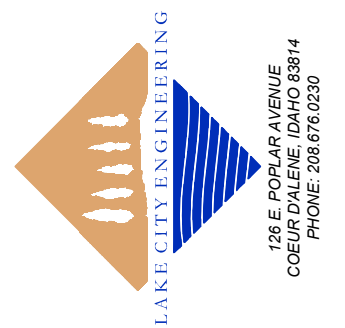
UNIT 4
MAIN FLOOR: 495 SQ. FT.
UPPER FLOOR: 628 SQ. FT.
TOTAL LIVABLE: 1123 SQ. FT.
GARAGE: 215 SQ. FT.

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TOTAL LIVABLE: 1105 SQ. FT.
GARAGE: 217 SQ. FT.

UNIT 6
MAIN FLOOR: 554 SQ. FT.
UPPER FLOOR: 710 SQ. FT.
TOTAL LIVABLE: 1264 SQ. FT.
GARAGE: 212 SQ. FT.

2 UPPER FLOOR PLANS

SCALE: 1/4" = 1'-0"



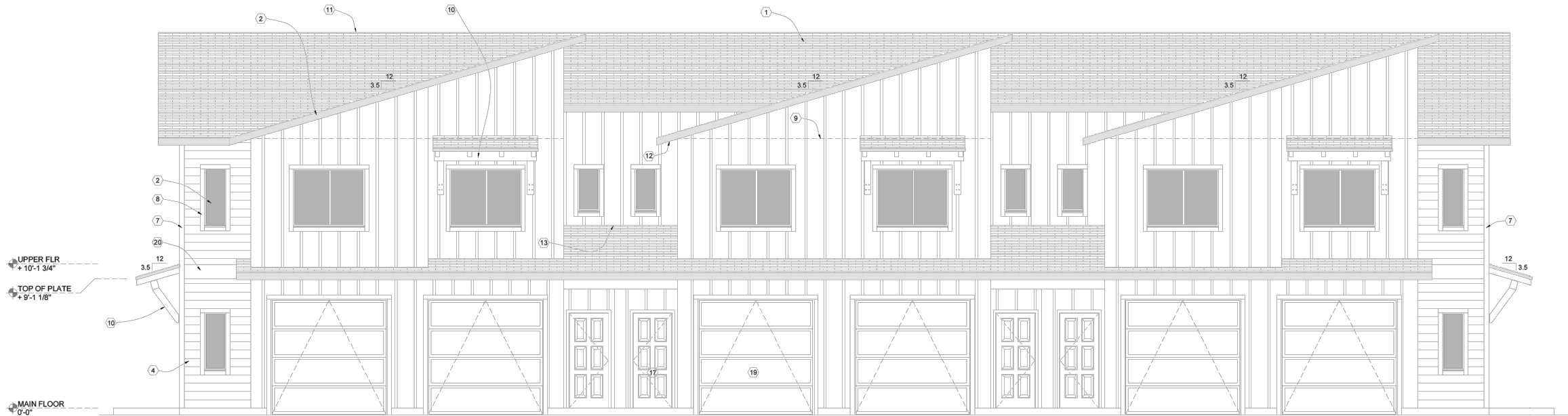
PRELIMINARY
NOT FOR CONSTRUCTION

MULLAN VILLAS

UPPER FLOOR PLANS POST FALLS, IDAHO

DESIGNED BY:	DCD
DRAFTED BY:	TCD/SMA
DATE:	06/29/2023
JOB NO:	LCE 23-040
SCALE:	N.T.S.
Not To Scale	

tommy, Plotted: Jun 29, 2023 - 2:25pm, L:\2023\23-040\ACAD\23-040-SUP PLAN.dwg



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

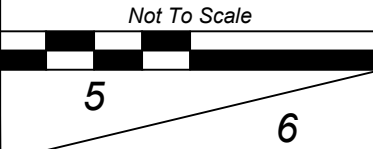


2 LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

- ELEVATION KEY NOTES:
- 1 COMPOSITE ASPHALT SHINGLE ROOFING
 - 2 VINYL WINDOWS
 - 3 LP ALLURA WOOD FINISH BOARD AND BATTEN SIDING - PRE-STAINED
 - 4 8" (7" REVEL) HARDIE PLANK LAP SIDING - PAINT
 - 5 LP SMART TRIM FASCIA (PAINT) 2"x6"
 - 6 2" X12" LP 540 SERIES BELLY BAND / TRIM - PAINT
 - 7 2" X 4" LP 540 SERIES CORNER TRIM BOARDS, TYP. - PAINT
 - 8 2" X 3" LP 540 SERIES DOOR/WINDOW TRIM PAINT AT HORIZ SIDING LOC. STAIN AT BOARD & BATT LOC.
 - 9 J-CHANNEL TRIM - PAINT TO MATCH
 - 10 AWNING ROOF: 6x6 DF #2, S4S KNEE BRACE, 6x8 BEAM & 4x6 RAFTERS - STAIN - SEE ROOF FRAMING
 - 11 COR-A-VENT RIDGE VENT - STOP 4'-0" EACH SIDE OF COMMON WALL
 - 12 PRE-FINISHED LP SOFFIT MATL W/ CONTINUOUS SOFFIT VENT - PAINT
 - 13 COR-A-VENT ROOF TO WALL VENT AT CONDITIONED SPACES
 - 14 CONCRETE PATIO/PORCH - SAND FINISH (VERIFY)
 - 15 PROPOSED LINE OF GRADE - SEE SITE PLAN - FIELD VERIFY
 - 16 ROOF CAN VENTS (2) UPPER ROOF(2) LOWER ROOF AT MIDDLE UNITS
 - 17 INSULATED FIBERGLASS ENTRY DOOR
 - 18 VINYL SLIDING GLASS DOOR
 - 19 STEEL OVERHEAD GARAGE DOOR
 - 20 LP 12" 540 SERIES - BELLY BAND BOARD
 - 21 6x6 DF #2 POST & 6x PORCH BEAM PER ROOF FRAMING
 - 22 6'-0" TALL PRIVACY FENCE

PRELIMINARY
NOT FOR CONSTRUCTION

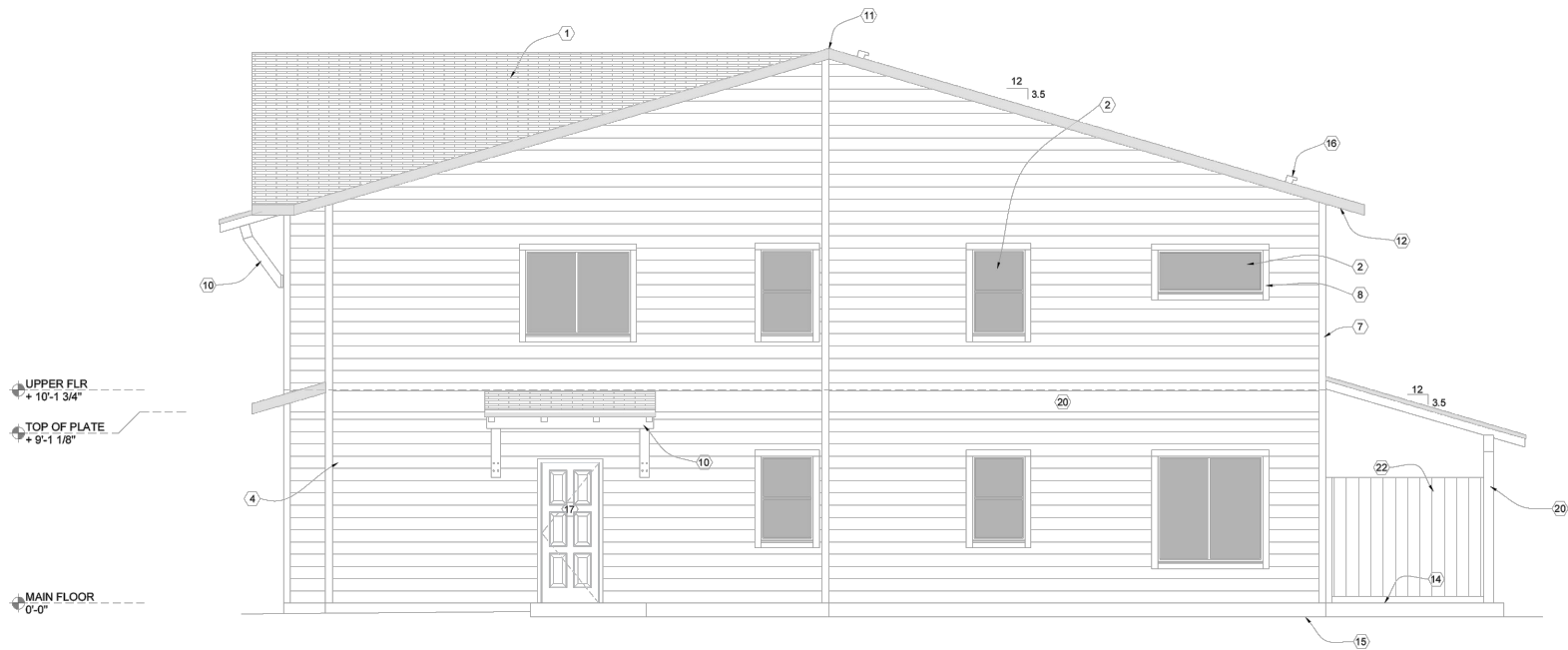
MULLAN VILLAS	
ELEVATIONS	
POST FALLS, IDAHO	
DESIGNED BY:	DCD
DRAFTED BY:	TCD/SMA
DATE:	06/29/2023
JOB NO:	LCE 23-040
SCALE:	N.T.S.



tommy, Plotted: Jun 29, 2023 - 2:25pm, L: \2023\23-040\ACAD\23-040-SUP PLAN.dwg



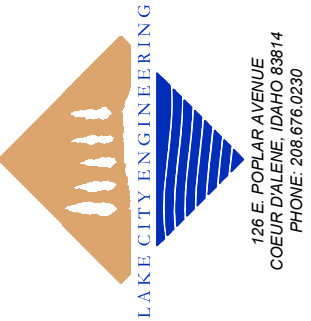
1 REAR ELEVATION
SCALE: 1/4" = 1'-0"



2 RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

ELEVATION KEY NOTES:

- 1 COMPOSITE ASPHALT SHINGLE ROOFING
- 2 VINYL WINDOWS
- 3 LP ALLURA WOOD FINISH BOARD AND BATTEN SIDING - PRE-STAINED
- 4 8" (7" REVEL) HARDIE PLANK LAP SIDING - PAINT
- 5 LP SMART TRIM FASCIA (PAINT) 3/4"x6"
- 6 1/2" X 12" LP 540 SERIES BELLY BAND / TRIM - PAINT
- 7 1/2" X 4" LP 540 SERIES CORNER TRIM BOARDS, TYP. - PAINT
- 8 1/2" X 3" LP 540 SERIES DOOR/WINDOW TRIM PAINT AT HORIZ SIDING LOC. STAIN AT BOARD & BATT LOC.
- 9 J-CHANNEL TRIM - PAINT TO MATCH
- 10 AWNING ROOF: 6x6 DF #2, 5/4S KNEE BRACE, 6x8 BEAM & 4x6 RAFTERS - STAIN - SEE ROOF FRAMING
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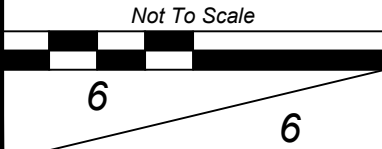


PRELIMINARY
NOT FOR CONSTRUCTION

MULLAN VILLAS

ELEVATIONS
POST FALLS, IDAHO

DESIGNED BY:	DCD
DRAFTED BY:	TCD/SMA
DATE:	06/29/2023
JOB NO:	LCE 23-040
SCALE:	N.T.S.



City of Post Falls
408 W. Spokane Street
Post Falls, ID 83854

June 26, 2023

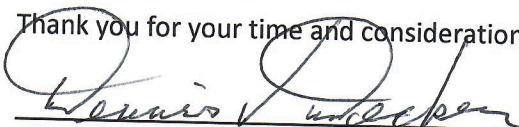
ATTN: Planning Department

RE: Parcel # P-0800-001-001-0 and P-0800-001-002-0

To Whom It May Concern,

I hereby authorize Lake City Engineering, Inc. to act as the Authorized Agent for matters related to the above referenced project.

Thank you for your time and consideration in this matter.


Dennis Decker

06/26/23
Date

STATE OF IDAHO

)

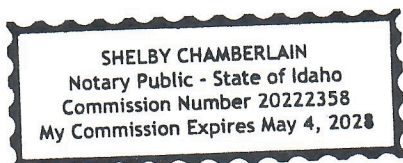
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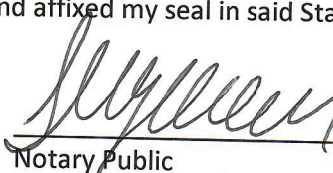
COUNTY OF KOOTENAI

)

On this 26 day of June 2023, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Dennis Decker, personally known or subscribed and sworn to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal in said State and County on the day and year last above written.




Notary Public

Residing at: Kootenai

My Commission Expires: May 4th 2028



**COMMITMENT FOR TITLE INSURANCE
ISSUED BY
COMMONWEALTH LAND TITLE INSURANCE COMPANY**

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Commonwealth Land Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Commonwealth Land Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ALTA Commitment for Title Insurance 8-1-16

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Exhibit A-6



2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
 - (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I—Requirements; and
 - (f) Schedule B, Part II—Exceptions; and
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form.
4. **COMPANY'S RIGHT TO AMEND**

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.
5. **LIMITATIONS OF LIABILITY**
 - (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
 - (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
 - (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
 - (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
 - (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
 - (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
 - (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.
6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**
 - (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
 - (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
 - (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
 - (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
 - (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
 - (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
7. **IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

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ALTA Commitment for Title Insurance 8-1-16

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The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

Countersigned:

Diana C. Briggs

Diana Briggs
Kootenai County Title Company
1450 Northwest Boulevard
Suite 200
Coeur d'Alene, ID 83814

COMMONWEALTH LAND TITLE INSURA

By: *Michael J. Nolan*
Michael J. Nolan
President

ATTEST: *Marjorie Nemzura*
Marjorie Nemzura
Secretary

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ALTA Commitment for Title Insurance 8-1-16

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Transaction Identification Data for reference only:

Issuing Agent: Kootenai County Title Company
Issuing Office: 1450 Northwest Boulevard, Suite 200, Coeur d'Alene, ID 83814
ALTA® Universal ID: 1068807
Loan ID Number:
Issuing Office File Number: KT-500958
Commitment Number: KT-500958 TW
Revision Number: 2nd Report
Property Address: 1331 East Mullan Avenue, Post Falls, ID 83854

SCHEDULE A

1. Commitment Date: 05/26/2023 at 8:00 AM

2. Policy to be issued:

(a) ALTA Owner's Policy

Premium

PROPOSED INSURED: **NCO Partners, LLC, a Limited Liability Company**

3. The estate or interest in the Land described or referred to in this Commitment is: fee simple.

4. Title to the fee simple estate or interest in the Land is at the Commitment Date vested in:

Dennis V. Decker, a married man

5. The Land is described as follows:

Property description set forth in "Exhibit A" attached hereto and made a part hereof.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Diana C. Briggs

By: _____

Diana Briggs

Authorized Signatory

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ALTA Commitment for Title Insurance 8-1-16

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SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. The Owners Policy contemplated hereby is an ALTA standard coverage Owners Policy, in which General Exceptions 1 through 6 shall remain on the final Policy. Any requests to delete any or all of said Exceptions shall require additional approval, Requirements and/or Exceptions, and incur an additional premium.
6. We find the following conveyances within and/or immediately prior to the past 24 months: NONE
7. We find the following judgments and/or liens against the proposed purchaser(s) / borrower(s) NCO Partners, LLC:

None
8. We find the following address to be associated with the Land described herein:

1331 East Mullan Avenue
Post Falls, ID 83854

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ALTA Commitment for Title Insurance 8-1-16

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SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the Public Records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by Public Records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments of real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. Property taxes and assessments for the year 2022, which are a lien, of which the 1st installment is due December 20, 2022, and the 2nd installment is due June 20, 2023 (amounts may not include all penalties and interest if delinquent):

Total: \$ [REDACTED], paid
Parcel No.: P08000010010 Affects Lot 1
AIN.: 225895

Total: \$ [REDACTED], paid
Parcel No.: P08000010020 Affects Lot 2
AIN: 225896

8. Property taxes and assessments for the year 2023, which are a lien, not yet due or payable.

Parcel No.: P0800001010 and P08000010020
AIN.: 225895 and 225896

9. Assessments of the City of Post Falls.

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ALTA Commitment for Title Insurance 8-1-16

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10. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: City of Post Falls
Purpose: Sewer line
Recorded: November 12, 1993
Instrument No.: [1328704](#) , records of Kootenai County, Idaho.
11. Easements, dedications, conditions, restrictions, notes and provisions created by or delineated, described or otherwise set forth in the plat of Cimarron Place, as recorded in [Book I of Plats at Page 219](#) , records of Kootenai County, Idaho.
12. An Agreement, including the terms, conditions, covenants and provisions set forth therein
Between: City of Post Falls
And: River City Properties
Recorded: June 27, 2000
Instrument No.: [1639727](#) , [1639728](#) and [1639729](#) , records of Kootenai County, Idaho.
13. Covenants, conditions, restrictions, and easements set forth in a document, and any assessments pursuant thereto, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: July 13, 2000
Instrument No.: [1641631](#) , records of Kootenai County, Idaho.
14. Right, title and interest of spouse of Dennis V. Decker, as disclosed by documents of record..

END OF SCHEDULE B

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ALTA Commitment for Title Insurance 8-1-16

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EXHIBIT A
Property Description

Issuing Office File No.: KT-500958

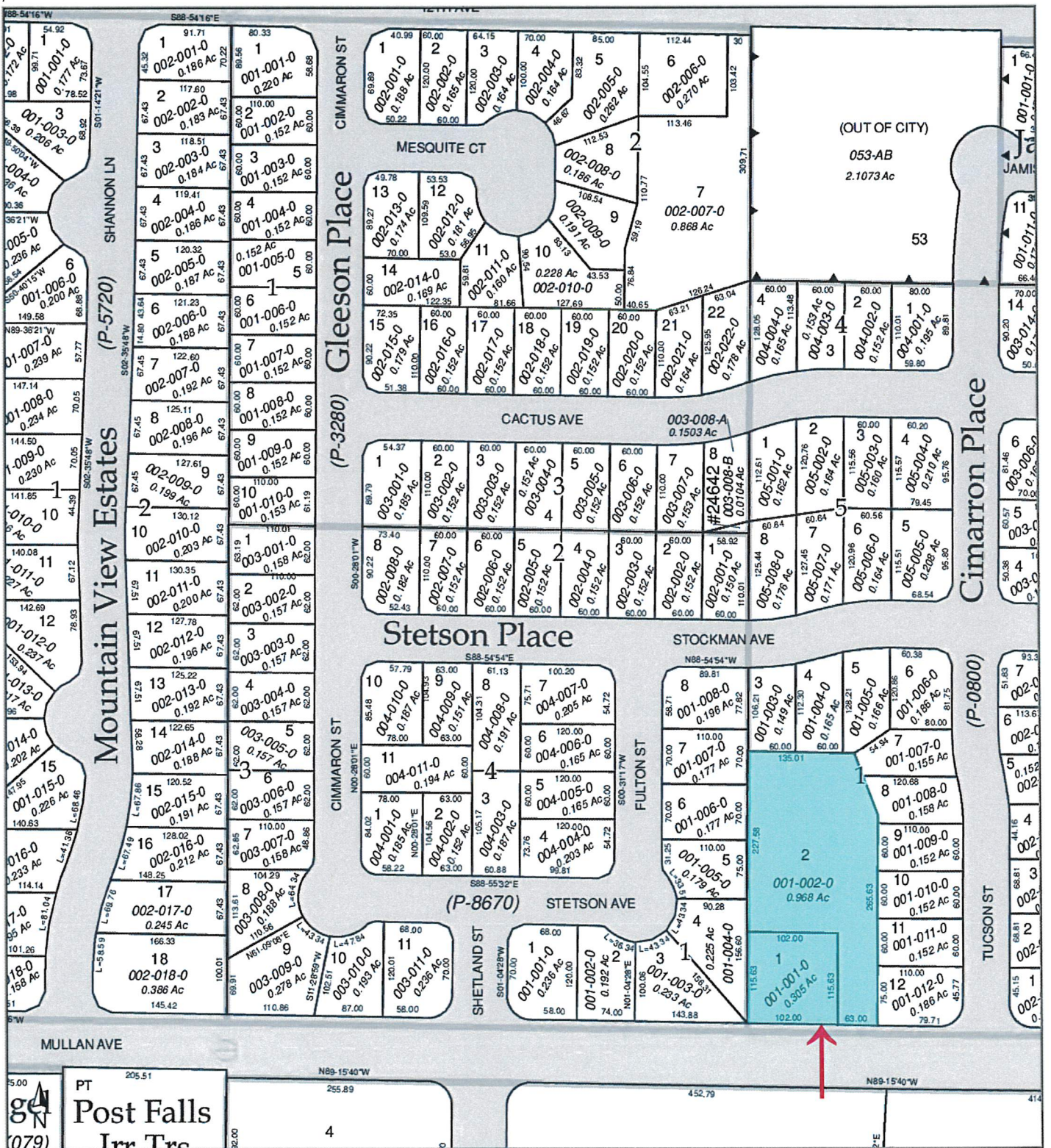
Lots 1 and 2, Block 1, Cimarron Place, according to the Plat recorded in the office of the County Recorder in Book I of Plats at Page(s) 219, records of Kootenai County, Idaho.

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ALTA Commitment for Title Insurance 8-1-16

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KT KOOTENAI TITLE
MAKE A REQUEST FOR THE BEST
1450 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814
Phone: (208)667-9431 Fax: (208)208-666-0410

ParcelID: P08000010010
Tax Account #: 225895

1331 E Mullan Ave, Post Falls ID 83854

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



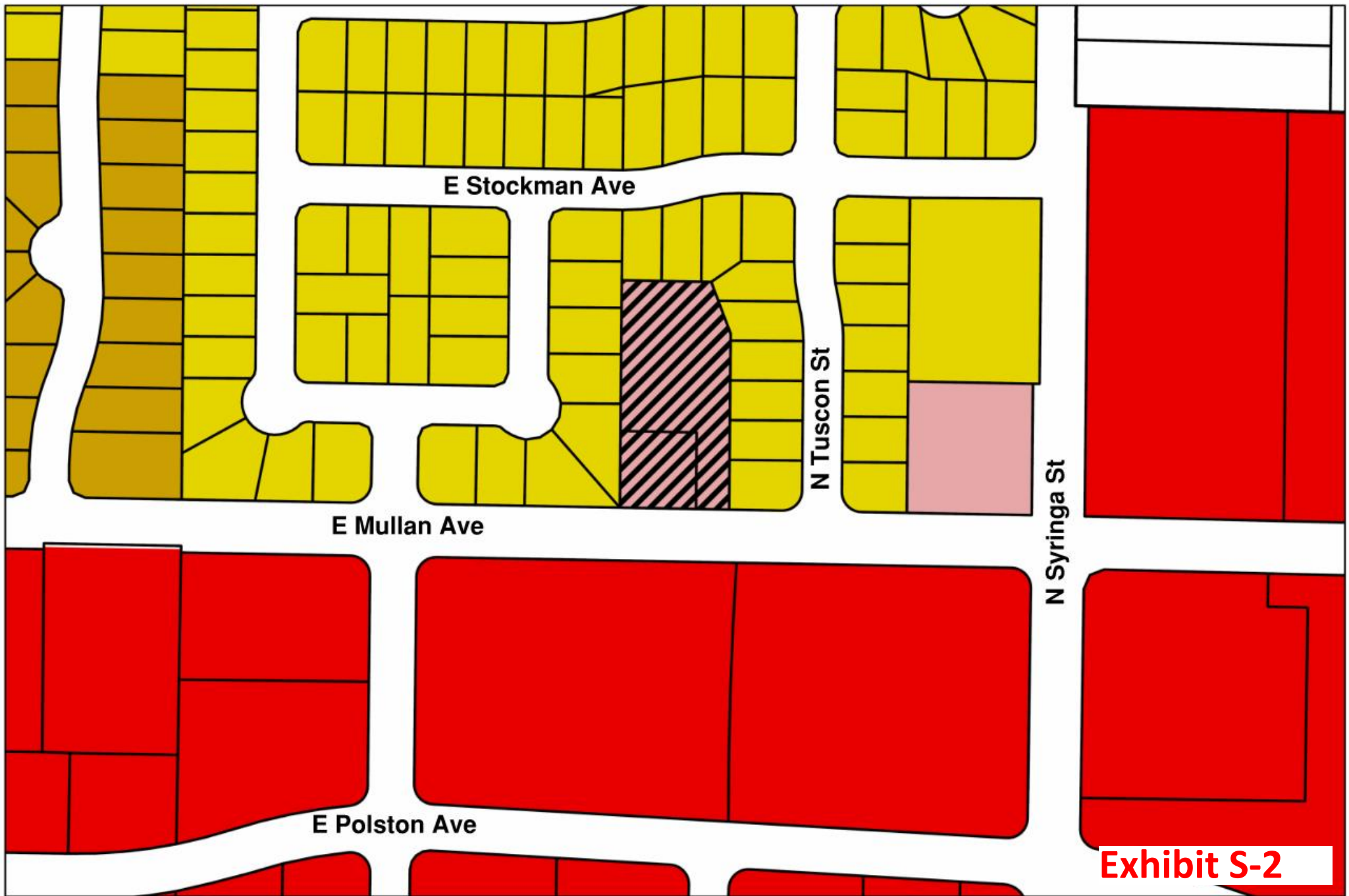
Exhibit S-1

Project Location
MULLAN VILLAS
SPECIAL USE PERMIT
SUP-23-2



-  Post Falls City Boundary
-  Tax Parcels
-  Subject Site





Zoning Map
MULLAN VILLAS
SPECIAL USE PERMIT
SUP-23-2



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- CCS
- LC
- R-1
- R-2



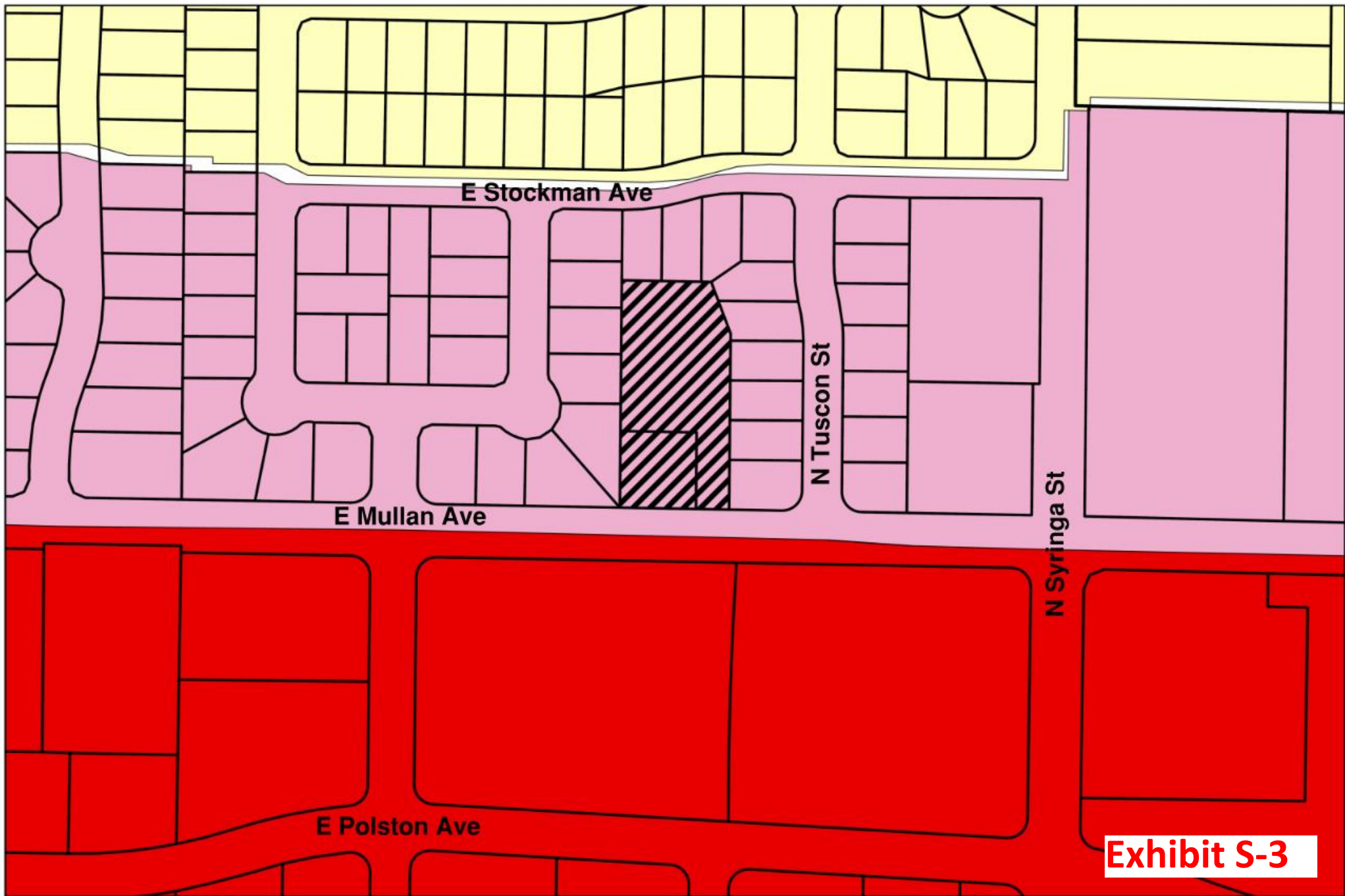


Exhibit S-3

Future Land Use Designation
MULLAN VILLAS
SPECIAL USE PERMIT
SUP-23-2



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- Low Density Residential
- Business/Commercial
- Commercial



Nancy Thurwachter

From: Polak, Chad M <Chad.M.Polak@p66.com>
Sent: Thursday, August 24, 2023 3:23 PM
To: Nancy Thurwachter
Subject: FW: Notice to Jurisdictions - Mullan Villas SUP
Attachments: MULLAN VILLAS_SUBD NTJ FORM.pdf

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Hi Nancy,

Based on the location, there is no impact to the YPL ROW.

Sincerely,

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

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, August 24, 2023 1:04 PM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Polak, Chad M <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <jordan.t.wirth@usps.com>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Michael Lindsey <MLindsey@hbkengineering.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom Kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>
Cc: Bill Melvin <bmelvin@postfalls.gov>; David Fair <dfair@postfalls.gov>; Ethan Porter <eporter@postfalls.gov>; Field

Nancy Thurwachter

From: Jonie Anderson <Jonie@postfallshd.com>
Sent: Monday, August 28, 2023 1:52 PM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions - Mullan Villas SUP

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The Post Falls Highway District has no comment.

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



From: contactus@postfallshd.com <contactus@postfallshd.com> **On Behalf Of** Nancy Thurwachter
Sent: Thursday, August 24, 2023 12:04 PM
To: Ali Marenau <AMarienu@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <jordan.t.wirth@usps.com>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Michael Lindsey <MLindsey@hbkengineering.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>
Cc: Bill Melvin <bmelvin@postfalls.gov>; David Fair <dfair@postfalls.gov>; Ethan Porter <eporter@postfalls.gov>; Field Herrington <fherrington@postfalls.gov>; James Steffensen <James.steffensen@yahoo.com>; Jason Faulkner

Nancy Thurwachter

From: Farley,Alynette B (CONTR) - TERR-BELL-1 <abfarley@bpa.gov>
Sent: Tuesday, August 29, 2023 1:06 PM
To: Nancy Thurwachter
Cc: Raymond,Amanda R (BPA) - TERR-BELL-1; Farley,Alynette B (CONTR) - TERR-BELL-1
Subject: RE: [EXTERNAL] Notice to Jurisdictions - Mullan Villas SUP

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Property does not touch or affect BPA ROW.

Alynette Farley

Realty Technician II (CONTR) Actalent
Real Property Services / TERR/Bell-1
Bonneville Power Administration
2410 E Hawthorne Road
Mead, WA 99021-9594
509-468-3083 Office
971-710-6926 Cell
abfarley@BPA.Gov

[Lands & Community \(bpa.gov\)](https://www.bpa.gov)

[Landowner Safety - Bonneville Power Administration \(bpa.gov\)](https://www.bpa.gov)



From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, August 24, 2023 12:04 PM
To: Ali Marenau <AMarienau@kmpo.net>; Farley,Alynette B (CONTR) - TERR-BELL-1 <abfarley@bpa.gov>; Raymond,Amanda R (BPA) - TERR-BELL-1 <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carriann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie

Nancy Thurwachter

From: Ryan Johnsen <rjohnsen@phd1.idaho.gov>
Sent: Thursday, August 31, 2023 8:51 AM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions - Mullan Villas SUP

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RE: SUP-23-2

Panhandle Health District (PHD) has jurisdiction over subsurface sewage disposal. Since this proposal is for a municipal sewer use, PHD has no comment.

Thank You,

Ryan Johnsen, REHS
Environmental Health Specialist
Panhandle Health District
35 Wildcat Way, Suite A
Kellogg, ID 83837
208-415-5209

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, August 24, 2023 12:04 PM
To: Ali Marenau <AMarienau@kmpo.net>; Alynnette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <jordan.t.wirth@usps.com>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aeacom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Michael Lindsey <MLindsey@hbkengineering.com>; EHApplications <EHApplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>;



DEQ Response to Request for Environmental Comment

Date: September 5, 2023
Agency Requesting Comments: City of Post Falls
Date Request Received: August 24, 2023
Applicant/Description: SUP 23-2

Thank you for the opportunity to respond to your request for comment. While the Idaho Department of Environmental Quality (DEQ) does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083>

Specific comments pertaining to this project:

The water and sewer lines on the property are considered mains and will require DEQ review and approval prior to installation. If the mains will be owned by the water and sewer purveyors, then the will-serve letters must reflect this. If the mains will be owned by another entity, a facility plan; and technical, financial, managerial (TFM) documentation will be required.

DEQ has not completed a thorough review of the documents provided, therefore, the following general comments should be applied as appropriate to the specific project:

1. Air Quality

- **Fugitive Dust** - The City should consider requiring reasonable controls on fugitive dust emitting activity during all phases of the project (including but not limited to; roadway construction, vehicle traffic on unpaved roads, land clearing activity, topsoil management, vegetation management). All reasonable precautions shall be taken to prevent particulate matter (dust) from becoming airborne, as required in IDAPA 58.01.01.651.
- **Land Clearing** - During the land clearing and construction phases of the project the applicant should consider alternatives to open burning of the vegetative debris that is generated. Mechanical processing of land clearing debris avoids generating smoke and offers the greatest flexibility for timely project progress. Mechanical processing is not required by DEQ however.
- **Open Burning** - If open burning of land clearing debris is incorporated into the land clearing phase, smoke management practices to protect air quality as described in the Idaho Department of Lands regulation IDAPA 20.02.01.071.03 and DEQ's regulation IDAPA

58.01.01.614 must be implemented by the applicant. Local fire protection permits may also be required. The City should consider requiring a smoke management plan be developed if open burning is used on this project.

- **Construction Debris** - The City should consider requiring a project plan that commits to the proper disposal of demolition and construction debris. Open burning of demolition or construction debris is not an allowable form of open burning as defined by IDAPA 58.01.01.600. Demolition and construction debris must be treated in accordance with state solid waste regulations.
- For questions, contact Shawn Sweetapple, Air Quality Manager, at (208) 769-1422.

2. Wastewater

- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- If connecting to an existing wastewater utility, DEQ recommends verifying that there is adequate capacity to serve this project prior to approval. Please contact the sewer provider for a will-serve letter stating the provider's capacity to serve the project, willingness to serve this project, and a declining balance of available connections.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

For questions, contact Katy Baker-Casile, DEQ Water Quality Engineering Manager, at (208)769-1422.

3. Drinking Water

- DEQ recommends using an existing drinking water system whenever possible or construction of a new drinking water system. Please contact DEQ to discuss this project and to explore options to best serve the future residents of this development and provide for protection of ground water resources.
- If connecting to an existing public or non-public drinking water system, DEQ recommends verifying that there is adequate capacity to serve this project prior to approval. Please contact the water provider for a will-serve letter stating the provider's capacity to serve the project,

willingness to serve this project, and a declining balance of available connections.

- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval. All projects for construction or modification of public drinking water systems require preconstruction approval.
- If any private wells will be included in the proposed project, DEQ recommends at a minimum testing the private well for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.

For questions, contact Katy Baker-Casile, DEQ Water Quality Engineering Manager, at (208) 769-1422.

4. Surface Water

- **Water Quality Standards.** Site activities adjacent to waters of the United States (US) must comply with Idaho's Water Quality Standards (WQS) (IDAPA 58.01.02). The WQS provide limits to pollutants to assure water quality for the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water. The federal Clean Water Act (CWA) requires states to list current conditions of all state waters (required by §305(b)), including publicly-owned lakes (required by §314), and to list waters that are impaired by one or more pollutants (required by §303(d)).
 - WQS: <http://www.deq.idaho.gov/water-quality/surface-water/standards/>
 - Current conditions of state waters (with interactive map):
<http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/>
- **Point Source Discharges.** Site activities that discharge pollutants into waters of the US in Idaho may require Idaho Pollution Discharge Elimination System (IPDES) coverage (IDAPA 58.01.25) or the Environmental Protection Agency (EPA) National Pollution Discharge Elimination Program (NPDES) coverage.
 - <http://www.deq.idaho.gov/permitting/water-quality-permitting/ipdes/>
- **Construction activities.** Construction activities should implement Best Management Practices (BMPs) to control, prevent, or minimize pollution. Construction activities disturbing areas greater than one acre of land that may discharge stormwater directly or indirectly into waters of the US require development and implementation of a Stormwater Pollution Prevention Plan (SWPP) under a Construction General Permit with EPA NPDES.
 - <http://www.deq.idaho.gov/water-quality/wastewater/stormwater/>

- **Stream channel/lakeshore alteration and dredge and fill activities.** Site activities that disturb ground below the ordinary high water mark (OHWM) within streams/lakeshores must have a permit under IDAPA 37.03.07 (administered by Dept. of Lands) and IDAPA 58.13 (administered by Dept. of Water Resources). Activities that discharge fill material below the OHWM must have a permit under Section 404 of the CWA (administered by US Army Corps of Engineers). All activities must also comply with Idaho Water Quality Standards.
 - Idaho Department of Water Resources permits: <https://idwr.idaho.gov/streams/>
 - Idaho Department of Lands permits: <https://www.idl.idaho.gov/lakes-rivers/lake-protection/index.html>
 - US Army Corp of Engineers permits: <https://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/>

For questions, contact Robert Steed, Surface Water Manager at (208) 769-1422.

5. Solid/Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Solid Waste.** The disposal of all solid waste must comply with Idaho's Solid Waste Management Rules (IDAPA 58.01.06). No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that all activities comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant

into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method.”

- **Underground Storage Tanks.** DEQ requests that the installation of all underground storage tanks and piping along with any required testing and owner/operator training comply with Idaho’s Rules Regulating Underground Storage Tank Systems (IDAPA 58.01.07)

6. Additional Notes

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. The Panhandle Health District regulates all ASTs over the Rathdrum Prairie aquifer. EPA regulates ASTs at all other areas. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 769-1422, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

For questions, contact Gary Stevens, Waste & Remediation Manager, at (208) 769-1422.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208)769-1422.

Dan McCracken, Regional Administrator, Coeur d’Alene



POST FALLS

SCHOOL DISTRICT #273

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

June 20, 2022

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

Dear Bob,

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

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

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

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

The enrollment status and the capacity of each school for the 2021-2022 school year is listed below. (What these enrollment numbers do not include are the anticipated increase of 50 students per elementary school due to full day kindergarten beginning in the fall of 2022.)

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

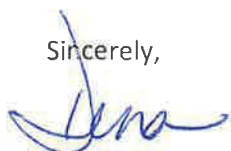
School	2021-2022 Enrollment	Building Capacity
Greensferry Elementary	374	525
Mullan Trail Elementary	340	500
Ponderosa Elementry	420	570
Prairie View Elementary	440	525
Seltice Elementary	440	560

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

Treaty Rock Elementary	415	525
West Ridge Elementary	430	525
Post Falls Middle School	870	920
River City Middle School	630	750
Post Falls High School	1560	1800
New Vision High School	160	225

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

Sincerely,



Dena Naccarato
Superintendent

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

Kootenai County Fire & Rescue

Fire Marshal's Office

1590 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

November 21, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

Amber,

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

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

Respectfully,



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

**CITY OF POST FALLS
STAFF REPORT**

DATE: SEPTEMBER 6, 2023

TO: POST FALLS PLANNING AND ZONING COMMISSION

FROM: JON MANLEY, PLANNING MANAGER • jmanley@postfalls.gov • 208-457-3344

SUBJECT: FINAL STAFF REPORT FOR THE SEPTEMBER 12, 2023, P&Z COMMISSION MEETING
BOGIE ANNEXATION FILE NO. ANN-23-2

INTRODUCTION:

Drew Dittman of Lake City Engineering, Inc. is requesting, on behalf of Northern Lights, LLC. the property owner, approval to annex approximately 5-acres into the City of Post Falls with a zoning request of Single-Family Residential (R-1) (Exhibit S-1). The Planning & Zoning Commission must conduct a public hearing and review the proposed zoning as part of the annexation proposal per the Zone Change approval criteria contained in Post Falls Municipal Code Section 18.20.100. Following the public hearing, **the Planning Commission will forward its recommendation on zoning to City Council** for review and final action pertaining to the annexation. The approval criteria for establishing zoning are:

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

PROJECT INFORMATION:

Project Name / File Number: Bogie Annexation File No. ANN-23-2

Owner(s): Northern Lights, LLC, 179 E. Wilbur, Dalton Gardens, ID 83815

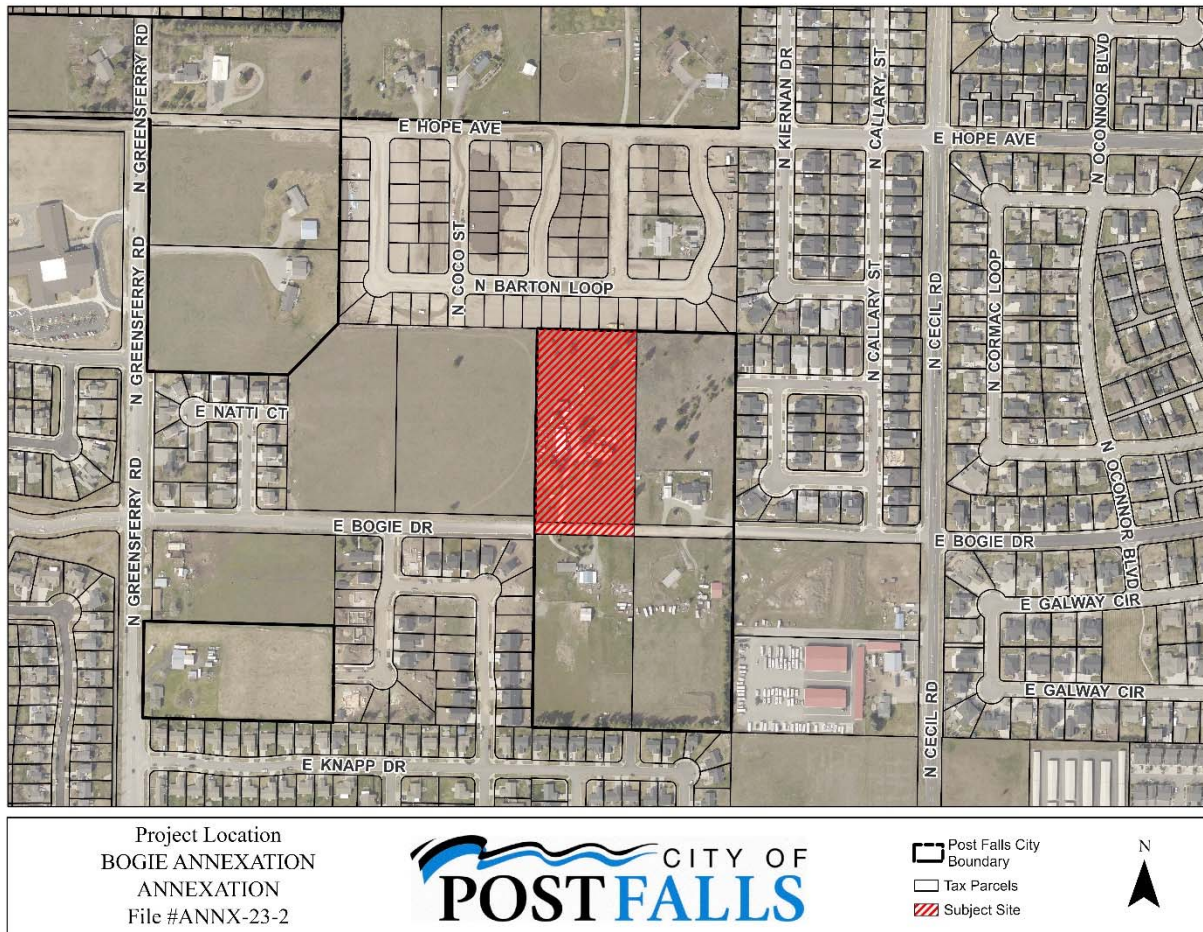
Applicant: Drew Dittman, 126 E. Poplar Ave., Coeur d' Alene, ID 83814

Project Description: Annex approximately 5-acres into the City of Post Falls with a zoning request of Single Family Residential (R-1).

Project Location: The property is located north of E. Bogie Dr, halfway between N. Cecil Rd. and N. Greensferry Rd.

AREA CONTEXT (proposed site hatched red in following map):

Surrounding Land Uses: There are 3 county single-family households to the east and south. To the west is a single-family neighborhood under construction. To the north is the developing Corbin Meadows single-family subdivision in the city.

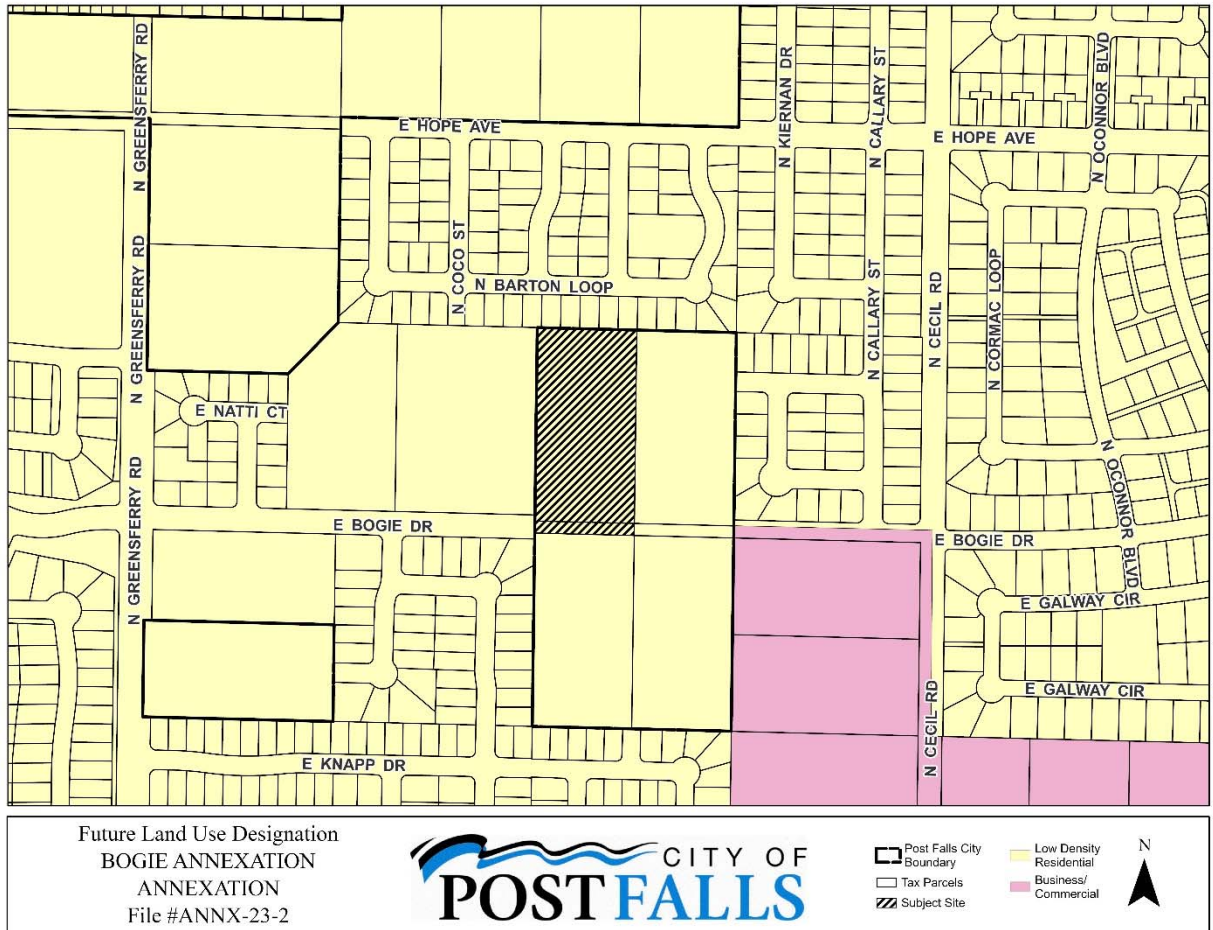
Area Context Vicinity Map:**EVALUATION OF ZONING APPROVAL CRITERIA:**

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

ZONE CHANGE REVIEW CRITERIA

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

The Future Land Use Map classifies this property with the land use designation of **Low Density Residential** (See Following Image). This category encompasses all types of single-family residential uses up to eight dwelling units per acre and supports land uses such as parks, schools, and public facilities. Densities may vary as appropriate to location, street, and infrastructure capacities, planned development patterns and compatibility with existing development. The following are the Implementing Zoning Districts: R-1-S, **R-1**, R-2, RM, SC3, Per Focus Area.



The proposed annexation is located within the 41 North Focus Area, which states the following:

Residential development has been predominant in recent years, and with some forecasts estimating as many as 30,000 new residents in this area by 2040, **it's a trend that's likely to continue**. Such growth is expected to spur commercial uses adjacent to the highway, especially at stop-controlled intersections. As with North Prairie, **land values will pressure development to attract a range of residents, offering shared amenities, housing variety and neighborhood-scale services**. To help enrich the future identity of 41 North, growth should include strategically located, carefully designated land uses incorporating trails and an interconnected, walkable street network.

Staff Comment: The proposed single family residential (R-1) zone is near other R-1 zones and is consistent with the **bolded** text above. There is an elementary school approximately .4 miles to the west and Post Falls High School is 0.25 miles to the south. The Prairie Ave. and Hwy 41 corridors are expected to see growing commercial development pressures. Commercial and neighborhood school services are in proximity, which together may deliver a complimentary synergy.

2. Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration;

Goals and Policies (listed by policy number) that may be relevant to this annexation request are shown below, followed by staff comments.

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

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

In seeking long-term prosperity, residents understand the need to build economic diversity – capitalizing on access to neighboring job centers as well as developing a strong business base with a supportive housing stock within City limits.

Goal 5: Keep Post Falls’ neighborhoods safe, vital, and attractive.

Residents prize the character and unhurried pace of Post Falls neighborhoods, and wish to ensure their neighborhoods are kept safe, active and aesthetically pleasing. Supporting this goal, a diverse set of policies have been provided, including encouraging attractive, pedestrian-friendly development, provision of diverse housing types, parks facilities, and neighborhood-scale commercial services. Upon development, Bogie Dr. would be improved with pedestrian connectivity.

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

Cities exercise considerable influence over land use, in turn influencing the type and character of development, patterns of growth, and the short and long-term financial impact of growth on the local economy. Consequently, the Comprehensive Plan supports the allocation of land use types, parks features and other areas sufficient to achieve overall plan objectives.

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

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

Goal 14: Involve the community of Post Falls in all local government planning and decision-making.

The development of the Comprehensive Plan is community-driven, involving numerous residents including some representing large groups of residents. For plans to succeed, community buy-in and support is critical. Future conditions will certainly require the creation of new objectives and strategies, and this goal supports keeping residents highly involved in such work.

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

Policy 1: Support land use patterns that:

- Maintain or enhance community levels of service.

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

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

Staff Comment: Additional housing may help further long-term fiscal health of the City by supporting both the Industrial and Commercial uses by supporting employment and commerce objectives.

- Maintain and enhance resident quality of life.

Staff Comment: There is an elementary school approximately .4 miles to the west, Post Falls High School is 0.25 miles to the south and Tullamore Park about .5 miles to the east. As Hwy 41 development, there will be commercial services about .7 mile to the east. There is a Tech Park planned less than 2 miles to the north.

- Promote compatible, well-designed development.

Staff Comment: Development will be required to meet City design standards.

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

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

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

- Future land use mapping.

Staff Comment: This has been addressed in Criteria 1.

- Compatibility with surrounding land uses.

Staff Comment: The proposed development pattern for this proposal would not be incompatible with the surrounding uses as they are other single-family households in the City or County. There are 2 county households to the east. To the south is the recently approved Millsap Landings Annexation and (R-1) subdivision. To the west is an undeveloped planned single-family neighborhood in the city. To the north is the developing Corbin Meadows single-family subdivision.

- Infrastructure and service plans.

Staff Comment: Sanitary Sewer for the site is located at the southwest corner of the property. The requested zoning is in conformance with the land use assumptions within the City's Water Reclamation Master Plan. The City's Water Reclamation System has the capacity to provide service and the City is willing to serve to the property at the requested density. Existing capacity is not a guarantee of future service.

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

Water service for the site would be provided by the Ross Point Water Association.

- Existing and future traffic patterns.

Staff Comment: The property is adjacent to Bogie Drive, a classified Minor Collector roadway that connects to Greensferry Rd. (Minor Arterial) 0.25 miles west and Cecil Rd. (Major Collector) 0.25 miles east. Additional rights-of-way dedication would be required with annexation, along with dedication of a sidewalk, drainage, and utility

easement, complying with adopted City Design Standards:

Bogie Drive – Minor Collector, 40-foot half-road rights-of-way, as measured from the center of the historic right-of-way shown in the Plat of Post Falls Irrigated Tracts. a 15-foot sidewalk, drainage, and utility easement shall be provided adjacent to the dedicated rights-of-way.

Future traffic patterns to/from this site are benefitted from the connectivity of the fronting Bogie Dr. To Collector and Arterial roadways providing local and regional access.

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

Staff Comment: The response to this is embedded within the analysis of this staff report.

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

Staff Comment: 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.

Staff Comment: The site is currently surrounded by incorporated City and is considered to be within a County “island”.

- That have readily available service infrastructure and capacity.

Staff Comment: The City of Post Falls is the purveyor for Sanitary Sewer and Ross Point Water would be the water purveyor. Sanitary sewer infrastructure is located at the properties southwest corner. The City has capacity and is willing to provide service to the site. utilities would need to be extended within the site with any future subdivision.

- That support increased development intensity near the urban core.

Staff Comment: The site is not located near an urban core. It is approximately .7 miles from a growth area of commercial uses along Hwy 41 to the east.

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

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

Policy 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.

Staff Comment: The Single Family Residential (R-1) zoning may provide for diverse housing for all ages, incomes, and abilities with diversified housing opportunities.

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

Staff Comment: Additional rights-of-way and easement would need to be provided as part of annexation. Annexation shall include all rights-of-way adjoining the site and currently within the County.

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

Staff Comment: Upon the development of a subdivision, frontage improvements will be required to be completed. This allows for continuity of pedestrian pathways currently being constructed to the west.

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

Staff Comment: Upon the development of a subdivision, roadway and pedestrian improvements will be required to be completed. This allows for continuity of roadways and pedestrian pathways.

Policy 45: Guide annexation decisions guided by and considering:

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

Staff Comment: Compliance with associated master plans has been outlined herein. Schools and emergency services have been notified of this request and have been given the chance to comment on the request.

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

Staff Comment: Dedication of additional rights-of-way and associated easements will be described as part of the annexation agreement.

- Studies that evaluate environmental and public service factors.

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

request. The site is within 1,000 feet of the Phillips Petroleum Pipeline (Yellowstone Pipeline) Identification of the pipeline will need to be shown and noted on any future platting of the property, per Idaho Code.

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

Staff Comment: The property is abutting by the City of Post Falls on all two (2) sides. Utilities are located adjacent to the property and capable of providing service to the property.

- Comprehensive plan goals and policies.

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

Policy 71: Promote the planting and protection of trees citywide, helping.

Staff Comment: Frontage improvements associated with the proposed development, including the planting of street trees and adequate irrigation, are required.

- Beautify and enhance community value.
- Provide shade and comfort.
- Affirm the city's association with the outdoors and its historic origins.
- Provide wildlife habitat.

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

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

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

Staff Comment: There have been no identified "Demonstrable Adverse Impact upon the delivery of services by any political subdivision providing public services within the city." at this point in time. The PFHD is in favor of this annexation.

Agencies Notified:

Post Falls Post Office	PF Park & Rec	East Greenacres Irr. District
Kootenai County Fire	Kootenai Electric	Time Warner Cable
PF Highway District	Ross Point Water	PF Police Department
PF School District	Verizon	Utilities (W/WW)

Avista Corp. (WWP-3)	Idaho Department of Lands	Urban Renewal Agency
Department of Environmental Quality	Panhandle Health District	Kootenai County Planning
Conoco, Inc. (Pipeline Co.)	NW Pipeline Corp.	KMPO
Yellowstone Pipeline Co.	TransCanada GTN	TDS

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

- **Exhibit PA-1 Post Falls Police Department (PFPD)** – Will remain neutral on this project.
- **Exhibit PA-2 YPL** – Has no impact to YPL.
- **Exhibit PA-3 Post Falls Highway Department (PFHD)** – Is in favor of this annexation.
- **Exhibit PA-4 Bonneville Power Administration (BPA)** – Does not affect BPA ROW.
- **Exhibit PA-5 Panhandle Health Department (PHD)** – Has no comment.
- **Exhibit PA-6 Post Falls School District (PFSD)** – Remains neutral.
- **Exhibit PA-7 Kootenai County Fire & Rescue (KCFR)** – Provide commentary at the time of development.

ITEMS TO BE CONSIDERED FOR INCLUSION IN AN ANNEXATION AGREEMENT:

1. Prior to commencement of development of the property, the Owners shall grant to the City or to a municipal water purveyor designated by the City all water rights associated with the land being annexed, but may continue the use of the water for agricultural purposes from the well located on site, if any, until such time that the annexed area is fully developed, at which time Owners shall discontinue the use of any well serving the property and the use of the water for agricultural purposes.
2. Dedication of Rights-of-way and easements along Bogie Drive
 - a. 40-foot, ½ road right-of-way dedication, measured from the center of the historic rights-of-way (Post Falls Irrigated Tracts)
 - b. A 15-foot sidewalk, drainage, and utility easement is required.
3. Existing structures will be required to pay appropriate Capacity Fees and connect to City's sanitary sewer system at the time of subdivision or further site development.
4. Existing Septic systems shall be abandoned, in accordance with Panhandle Health Standards, at the time of connection to the City's sanitary sewer system.

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

ATTACHMENTS:**Applicant Exhibits:**

Exhibit A-1 - Annexation Application

Exhibit A-2 - Narrative

Exhibit A-3 - Legal

Exhibit A-4 - Will Serve
Exhibit A-5 - Auth Letter
Exhibit A-6 - Title Report

Staff Exhibits:

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

Testimony:

Exhibit PA-1 – Post Falls Police Department (PFPD) comment
Exhibit PA-2 – YPL comment
Exhibit PA-3 - Post Falls Highway Department (PFHD) comment
Exhibit PA-4 - Bonneville Power Administration (BPA) comment
Exhibit PA-5 - Panhandle Health Department (PHD) comment
Exhibit PA-6 – Post Falls School District comment
Exhibit PA-7 – Kootenai County Fire & Rescue comment

Annexation ·

420 – BOGIE ANNEXATION

Expiration Date

Active

Request Changes
(/#/explore/request-changes/42386)

ANNX-23-2

- 

Details

Submitted on Jun 23, 2023 at 9:16 am
- 

Attachments

1 file
- 

Activity Feed

Latest activity on Aug 24, 2023



Applicant

Lake City Engineering, Inc.

 0



Location

Point Location: 47.7347, -116.9096

Timeline

Add New

Completeness Review

Completed Jul 7, 2023 at 3:53 pm

 Jul 14

Fee Payment

Paid Jul 10, 2023 at 8:51 am



GIS Review

Completed Jul 18, 2023 at 4:29 pm

 Jul 14

Polygon Creation

Completed Jul 28, 2023 at 8:54 am

Jul 25

Maps Created

Completed Jul 28, 2023 at 10:00 am

Staff Report

Completed Jul 28, 2023 at 2:52 pm

Planning Development Review

Completed Jul 28, 2023 at 2:53 pm

Parks Additions

Completed Aug 24, 2023 at 1:07 pm

Draft Development Annexation Agreement

In Progress

Engineering Additions

In Progress

Wastewater Additions

Review

Planning Review (Staff Report)

Review

Legal Review of Annexation Agreement

Review

Planning Review of Agreement

Review

Applicant Review of Annexation Agreement

Review

Schedule P&Z

Review

Notices for P&Z

Review

Site Posting

Review

Zoning Recommendation

Review

Schedule Council

Review

Council Memo

Review

Notices for Council

Review

Site Posting

Review

Reasoned Decision

Review

☐

Consent Agenda

Review

☐

ROW, Easement, Legal & Exhibits

Review

☐

Ordinance Legal & Exhibits

Review

☐

Review of Legals & Exhibits

Review

☐

Applicant Signatures

Review

☐

Consent Agenda

Review

☐

Recorded Copies to Applicant

Review

☐

Lake City Engineering, Inc.

View Profile



Email Address

admin@lakecityengineering.com (mailto:admin@lakecityengineering.com)

Phone Number

(208) 676-0230

Address

126 E. Poplar Avenue, Coeur d'Alene, ID 83814

Guests

Other users that have the ability to add attachments, request inspections, and pay fees on this record.

Guest's Email

Grant Access

No guests with access to this record yet

INTRODUCTION

We are hereby requesting the annexation of approximately 5.03 acres into the City of Post Falls. The subject property is located 0.2 miles West of the intersection of Cecil Road and Bogie Drive, on the North side of the road. The annexation request includes a portion of Bogie Drive.

SUBJECT PARCEL

The property being requested for annexation is as follows:

Parcel #:	0-6360-25-043-AB
Parcel Area:	4.88 acres
Total Annexation Area:	5.03 acres
Legal Description:	West 1/2 of Tract 43, Block 25 of Post Falls Irrigated Tracts

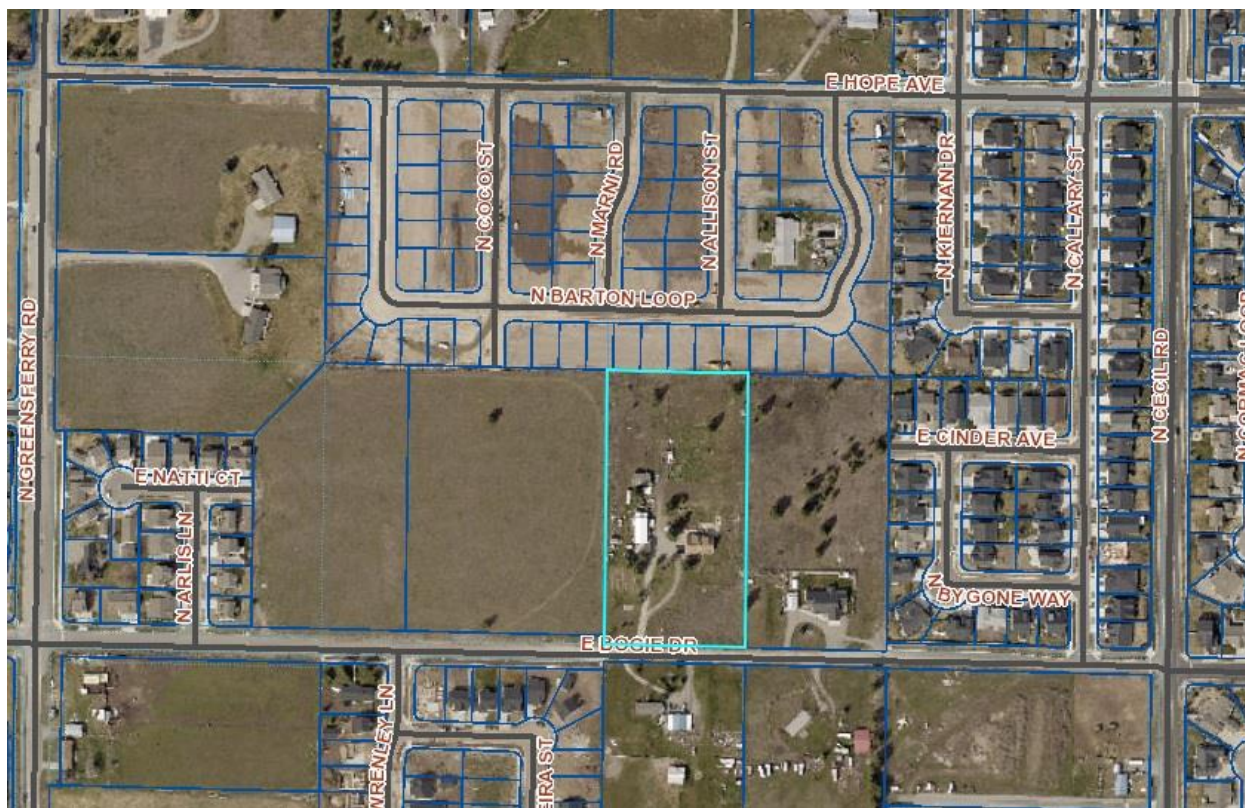


Figure 1: Vicinity Map

ZONING CLASSIFICATION

The property is currently zoned Agriculture in Kootenai County. It is bounded on the South and East by County zoned Agriculture property. The subject property is contiguous to the City on the North and West, and those properties are zoned R-1. The property is vacant except for a private residence and several outbuildings in the center of the parcel. The Corbin's Meadow subdivision

is under construction just North of the subject property, and the land to the West is under construction as Boyd's Landing. The project proponent is requesting a zoning classification of Residential R-1 for the subject property. The City of Post Falls *Future Land Use Map* labels this property as Residential.

Considering the adjacent uses within Corbin's Meadow, Wheelbarrow Estates, Wrenley Estates and Boyd's Landing subdivisions, and the land use designations in the Comprehensive Plan, the requested zoning designation of Residential R-1 appears appropriate for the subject property.

SANITARY SEWER

The City of Post Falls will provide sewer service to the subject property. There are currently gravity sewer mains located in Bogie Drive adjacent to the subject property, and one in Cinder Avenue in the under-construction Boyd's Landing to the West. Any future development will require utility main extension. There is currently adequate capacity in the system to accommodate future development of the property.

DOMESTIC AND IRRIGATION WATER

The subject property is located within the boundaries of the Ross Point Water District. There is an existing water main located in Bogie Drive immediately South of the property, and one in Cinder Avenue in the under-construction Boyd's Landing to the West. There is currently capacity in the system to accommodate the future development of this property.

COMPREHENSIVE PLAN ANALYSIS

The new City of Post Falls Comprehensive Plan, adopted July 2020, is the guiding document for the annexation and zoning classification requests. It is important that land use decisions meet, or exceed, the goals and policies as outlined in the Comprehensive Plan. The project proponent believes that the following goals and policies (shown in *italics*) as outlined in the Comprehensive Plan are applicable to the requested annexation and zone classification:

Goals

G.05 *Keep Post Falls' neighborhoods safe, vital, and attractive.*

Comment: The project proponents will be combining their expertise in homebuilding and real estate to provide the City with an aesthetically pleasing, desirable residential housing project similar to other nearby subdivisions. This project will also support the continued rise in demand for additional housing in and around the City.

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.*

Comment: This proposed Annexation will provide additional needed housing in an area of the City that is nearly surrounded by existing subdivisions. While not necessarily considered an infill project, the subject property is adjacent to annexed lands and is a logical extension of the City given its location between the existing Corbin's Meadow to the North, Wheelbarrow Estates to the East and Wrenley Estates to the southwest.

Policies

P.01 *Support land use patterns that:*

- *Maintain or enhance community levels of service;*
- *Foster the long-term fiscal health of the community;*
- *Maintain and enhance resident quality of life;*
- *Promote compatible, well-designed development;*
- *Implement goals and policies of the comprehensive plan, related to master plan and/or facility plans.*

Comment: Allowing the subject parcel to be developed as Residential R-1 will provide additional housing options for new and existing residents of the City, similar to those already being offered by the subdivisions adjacent to this parcel. This would be considered a complementing land use and would fit well with the existing characteristics of the surrounding neighborhoods.

P.06 *Encourage residential development patterns typically featuring:*

- *Housing that faces the street edge;*
- *An interconnected grid or small-block streets network;*
- *Street sections designed for safety, traffic calming and aesthetic appeal, including narrower lanes, sidewalks, landscaping and lighting;*
- *Development and utilization of alleys for parking and service access;*
- *Vertical or horizontal mixed use where appropriate along the ID-41 corridor and in neighborhood and regional centers.*

Comment: The proposed layout of the project features residential housing that faces two internal streets flanked by sidewalks. The small-block design of the neighborhood will provide aesthetic appeal and safe pedestrian access for its residents.

P.08 *Encourage compatible infill development and redevelopment of vacant and under-utilized properties within City limits.*

Comment: The subject parcel contains an existing single-family residence and a few outbuildings but is otherwise vacant. While not necessarily considered an infill project, its location adjacent to annexed lands makes it a logical extension of the City limits. The neighborhood pattern in this area is mostly single-family residential and meshes well with the proposed development of the subject parcel.

P.09 *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.*

Comment: Given its location along Bogie Drive, the subject parcel can be easily served by the existing utilities and infrastructure. And although it is not a complete County “island” within City limits, the nearby residential subdivisions to the North, East and southwest support this property’s development into a similar land use.

- P.14** *Follow all annexation procedures established by Idaho State statutes and applicable City ordinances.*

Comment: The applicant will be submitting an Annexation Application and associated documents in accordance with City of Post Falls ordinances and requirements.

- P.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.*

Comment: The continued growth in Kootenai County has resulted in a high demand for new available housing. The proposed Annexation would help satisfy this demand and provide residents of all ages, incomes and abilities with more housing options.

- P.18** *Maintain housing standards, fees and regulations that support and sustain related services and infrastructure.*

Comment: The additional housing provided by the proposed Annexation would be built in accordance with the City of Post Falls Standards. The additional tax revenue generated by the development would contribute to the City’s overall infrastructure fund, as well as provide nearby commercial businesses with additional users of their services.

- P.19** *Encourage clustering of units in new residential development, providing service efficiencies and creating opportunities for private or community open space.*

Comment: Although the subject parcel itself does not allow for additional public parks or community open space, the planned development will effectively utilize the private space it occupies and will beautify an otherwise mostly vacant piece of land.

Annexation Description

A parcel of land being the West half of Tract 43 of the Plat of Post Falls Irrigated Tracts filed in Book C of Plats at Page 78, Records of Kootenai County, and a portion of the Bogie Drive Right-of-way lying in the southwest quarter of Section 25, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and more particularly described as follows:

Commencing at the center quarter corner of said Section 25 being a 3 inch aluminum cap marked "PLS 4182" per Instrument No. 2540621000, Records of Kootenai County, from which the West quarter corner bears North 88°31'38" West a distance of 2647.25 feet; thence along the East line of said southwest quarter, South 00°41'26" West a distance of 661.33 feet; thence along the South line of the Plat of Bluegrass Corner filed in Book L of Plats at Page 124, Records of Kootenai County, and the extension thereof, North 88°32'50" West a distance of 661.90 feet to the southwest corner of said Plat of Bluegrass Corner being a 5/8 inch rebar with yellow plastic cap marked "PLS JS 9367", said point also being on the Existing City Limits of Post Falls; thence along the North line of said Existing City Limits of Post Falls and the South line of the Plat of Corbin's Meadow filed in Book L of Plats at Page 774, Records of Kootenai County, North 88°32'50" West a distance of 330.95 feet to the northwest corner of the East half of said Tract 43 of the Plat of Post Falls Irrigated Tracts, said point being the **True Point of Beginning**;

thence leaving said Existing City Limits of Post Falls and along the West line of said East half of Tract 43 of the Plat of Post Falls Irrigated Tracts and its extension thereof, South 00°42'07" West a distance of 681.68 feet to a point on the South Right-of-way of Bogie Drive at the northeast corner of the West half of Tract 54 of said Plat of Post Falls Irrigated Tracts;

thence along said South Right-of-way of Bogie Drive, North 88°34'03" West a distance of 331.00 feet to the northwest corner of said West half of Tract 54 being a point on said Existing City Limits of Post Falls;

thence along the East line of Tract 42 of the Plat of Post Falls Irrigated Tracts and its extension thereof and said Existing City Limits of Post Falls, North 00°42'23" East a distance of 681.79 feet to the northeast corner of said Tract 42 on said South line of the Plat of Corbin's Meadow and on said Existing City Limits of Post Falls;

thence along said South line of the Plat of Corbin's Meadow and on said Existing City Limits of Post Falls, South 88°32'50" East a distance of 330.95 feet to the **True Point of Beginning**;

said parcel containing 5.179 acres of land, more or less.





ALTA Commitment for Title Insurance

Issued By Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

Issued through the Office of
Kootenai County Title Company
1450 Northwest Boulevard
Suite 200
Coeur d'Alene, ID 83814

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

Kristin Scott
Authorized Signatory

By

President

Attest

Secretary

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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Schedule A

ALTA COMMITMENT

Transaction Identification Data for reference only:

Issuing Agent: Kootenai County Title Company
ID 83814

Issuing Office's ALTA® Registry ID: 1068807

Loan ID Number:

Revision Number:

Issuing Office: 1450 Northwest Boulevard, Suite 200, Coeur d'Alene,

Issuing Office File Number: KT-500834

Commitment Number: KT-500834

Property Address: 2765 E. Bogie Drive, Post Falls, ID 83854

1. Commitment Date: 05/09/2023 at 8:00 AM
2. Policy to be issued:
 - a. ALTA Owner's Policy
Proposed Insured: Northern Lights Development, LLC, an Idaho Limited Liability Company
Proposed Policy Amount: XXXXXXXXXX
Title Premium: XXXXXXXXXX
Endorsements: NONE
Endorsement Premium:
3. The estate or interest in the Land described or referred to in this Commitment is fee simple.
4. The Title is, at the Commitment Date, vested in:
Timothy E. Metcalf and Denise M. Metcalf, husband and wife
5. The Land is described as follows:
See legal description in Exhibit "A" attached hereto and made a part hereof.

Old Republic National Title Insurance Company

Authorized Signatory
Kootenai County Title Company

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ORT Form 4720 A 8-1-16

Schedule A

ALTA Commitment for Title Insurance

Old Republic National Title Insurance Company

Page 4 of 8



Schedule B-I

ALTA COMMITMENT

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. The Owners Policy contemplated hereby is an ALTA standard coverage Owners Policy, in which General Exceptions 1 through 6 shall remain on the final Policy. Any requests to delete any or all of said Exceptions shall require additional approval, Requirements and/or Exceptions, and incur an additional premium.
6. The Loan Policy contemplated hereby is an ALTA extended coverage Loan Policy, in which General Exceptions 1 through 6 are anticipated to be deleted. As a condition for the deletion of said Exceptions, the Company will require an affidavit and sworn statement from the parties to the transaction confirming that no unpaid work has taken place and that no inchoate liens exist, that there are no unrecorded leases, easements or other interests that affect the Land, and that there are no encroachments or other adverse matters that they have knowledge of. In the event any broken priority or inchoate liens are disclosed or discovered, General Exception 4 shall appear on the final Policy, and any other adverse matters disclosed or discovered shall appear as an Exception on the final Policy.
7. We find the following address to be associated with the Land described herein:

2765 E. Bogie Drive
Post Falls, ID 83854

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ORT Form 4720 B I 8-1-16

Schedule B I

ALTA Commitment for Title Insurance

Old Republic National Title Insurance Company

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Schedule B-II

ALTA COMMITMENT

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the Public Records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) of (c) are shown by Public Records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments of real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. Property taxes and assessments for the year 2022, which are a lien, of which the 1st installment is due December 20, 2022, and the 2nd installment is due June 20, 2023 (amounts may not include all penalties and interest if delinquent):
1st Installment: \$ [REDACTED] paid
2nd Installment: \$ [REDACTED], due and payable
Parcel No.: 06360258043AB
AIN.: 107803
8. Property taxes and assessments for the year 2023, which are a lien, not yet due or payable.
9. Assessments of the Prairie Water Association, Inc.
10. Covenants, conditions and restrictions as set forth in the document, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: December 19, 1978

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

[Book 97 of Miscellaneous at Page 607](#) , records of Kootenai County, Idaho

11. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Kootenai Electric Cooperative, Inc.
Purpose: public utilities
Recorded: September 21, 1989
Instrument No.: [1161186](#) , records of Kootenai County, Idaho.

Any matters as disclosed by a survey recorded September 6, 2001 in Book 21 of [Surveys](#) at Page 97, records of Kootenai County, Idaho.

12. An easement for the purpose shown below and rights incidental thereto as set forth in a document
Granted to: Kootenai Electric Cooperative, Inc.
Purpose: public utilities
Recorded: April 18, 2005
Instrument No.: [1942831](#) , records of Kootenai County, Idaho.
13. The terms Land and Improvement as used and defined herein shall not include any mobile, manufactured, modular or trailer home located thereon.
14. Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby
Amount: [REDACTED]
Grantor: Timothy E. Metcalf and Denise M. Metcalf, husband and wife
Trustee: Robert William McDonald, Esq.
Beneficiary: Nationstar Mortgage LLC d/b/a Mr. Cooper
Dated: September 28, 2020
Recorded: October 6, 2020
Instrument No.: 2782297000, records of Kootenai County, Idaho.
15. Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby
Amount: [REDACTED]
Grantor: Timothy Metcalf and Denise Metcalf, husband and wife
Trustee: Brad L. Williams, Attorney at Law
Beneficiary: Washington Trust Bank
Dated: December 30, 2021
Recorded: January 11, 2022
Instrument No.: 2881412000, records of Kootenai County, Idaho.

END OF SCHEDULE B

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.



Exhibit A

ALTA COMMITMENT

Property Description

The West Half of Tract 43, Block 25, POST FALLS IRRIGATED TRACTS, according to the plat recorded in the office of the County Recorder in Book C of Plats at Page 78, records of Kootenai County, Idaho.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

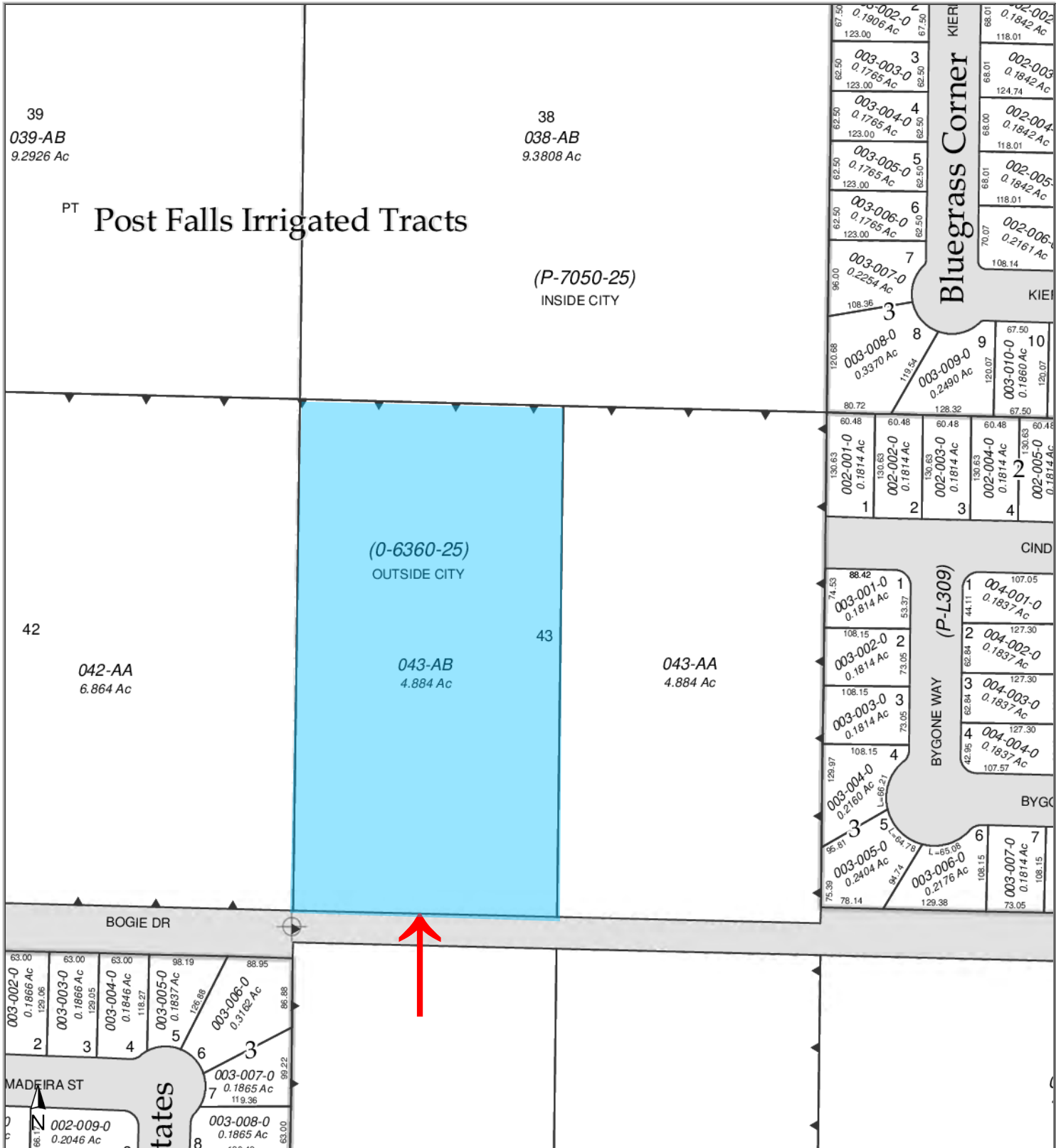
ORT Form 4720 8-1-16

Exhibit A

ALTA Commitment for Title Insurance

Old Republic National Title Insurance Company

Page 8 of 8



1450 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814
Phone: (208)667-9431 Fax: (208)208-666-0410

ParcelID: 0636025043AB

Tax Account #: 107803

2765 E Bogie Dr, Post Falls ID 83854

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

City of Post Falls
408 N. Spokane Street
Post Falls, ID 83854

May 25, 2023

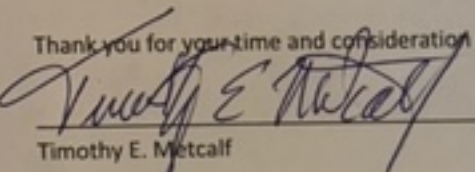
ATTN: Planning Department

RE: Parcel # 0-6360-25-043-AB

To Whom It May Concern,

I hereby authorize Lake City Engineering, Inc. and Northern Lights Development, LLC to act as the Authorized Agents for matters related to the above referenced project.

Thank you for your time and consideration in this matter.



Timothy E. Metcalf

06-07-23
Date

STATE OF IDAHO)

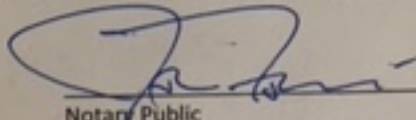
) ss.

COUNTY OF KOOTENAI)

On this 07 day of June 20 23, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Timothy E. Metcalf, personally known or subscribed and sworn to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal in said State and County on the day and year last above written.





Notary Public

Residing at: Post Falls

My Commission Expires: 5/1/29

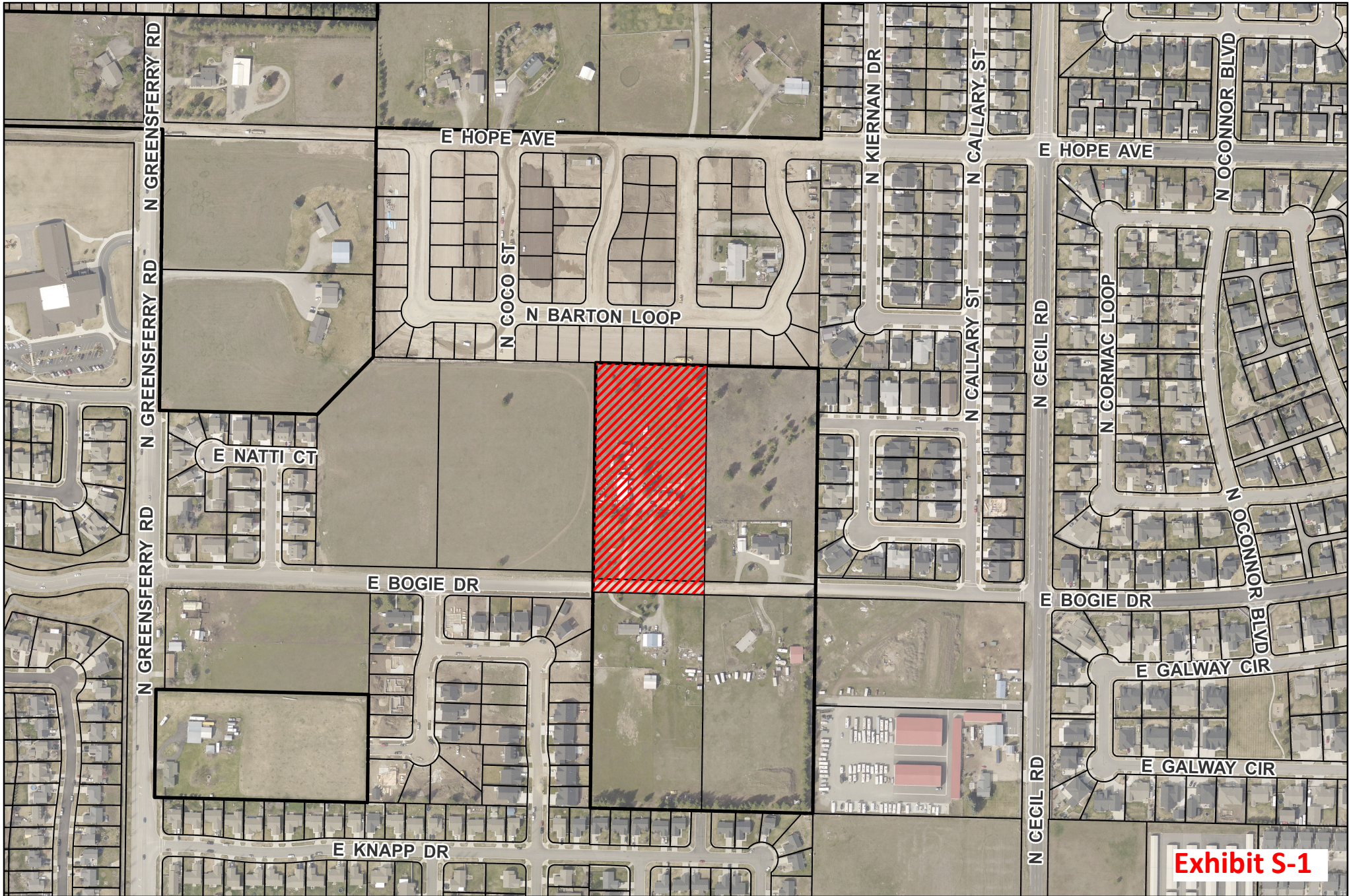


Exhibit S-1

Project Location
BOGIE ANNEXATION
ANNEXATION
File #ANNX-23-2



-  Post Falls City Boundary
-  Tax Parcels
-  Subject Site



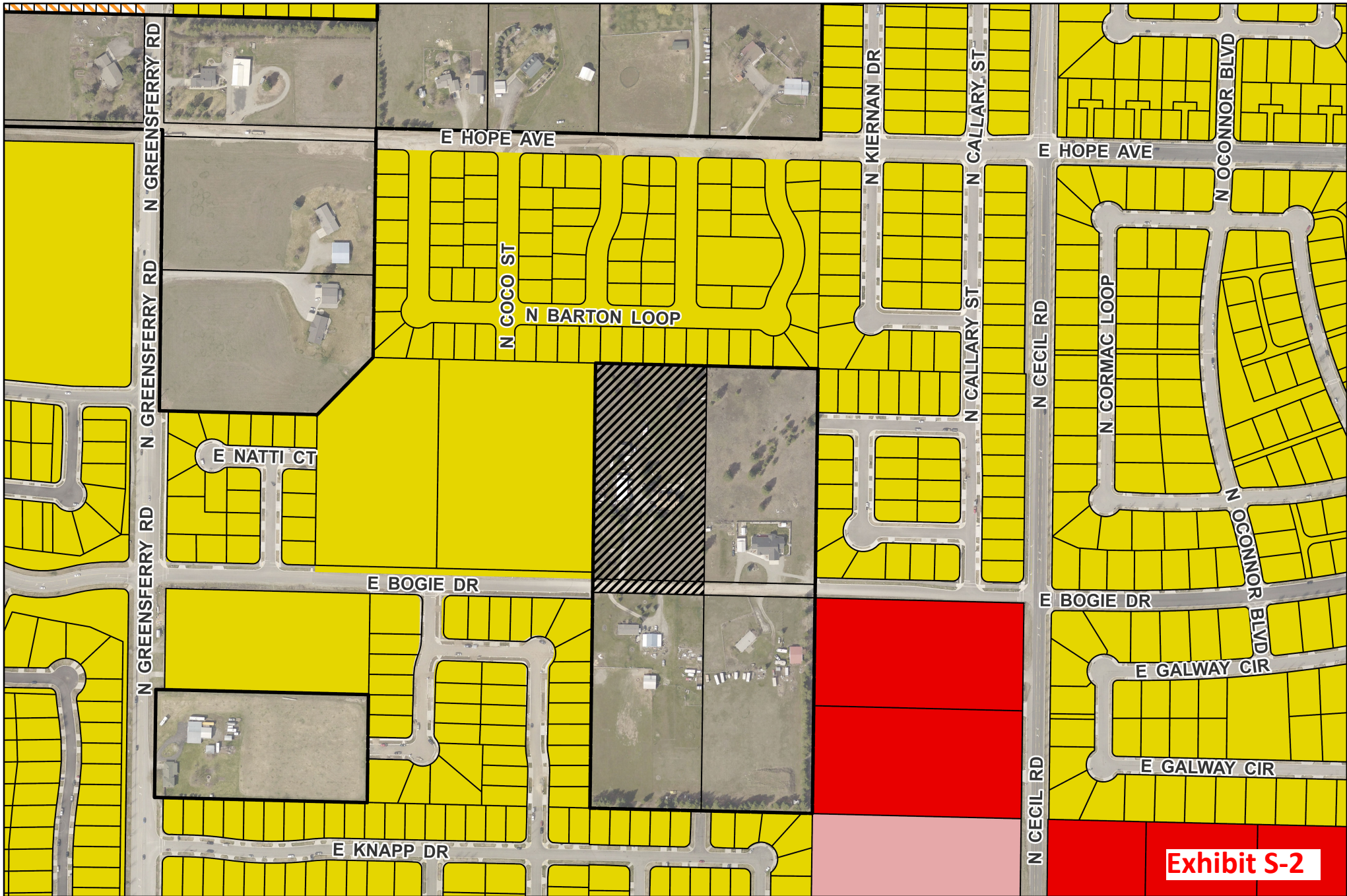


Exhibit S-2

Zoning Map
BOGIE ANNEXATION
ANNEXATION
File #ANNX-23-2



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- CCS
- LC
- RM
- R-1



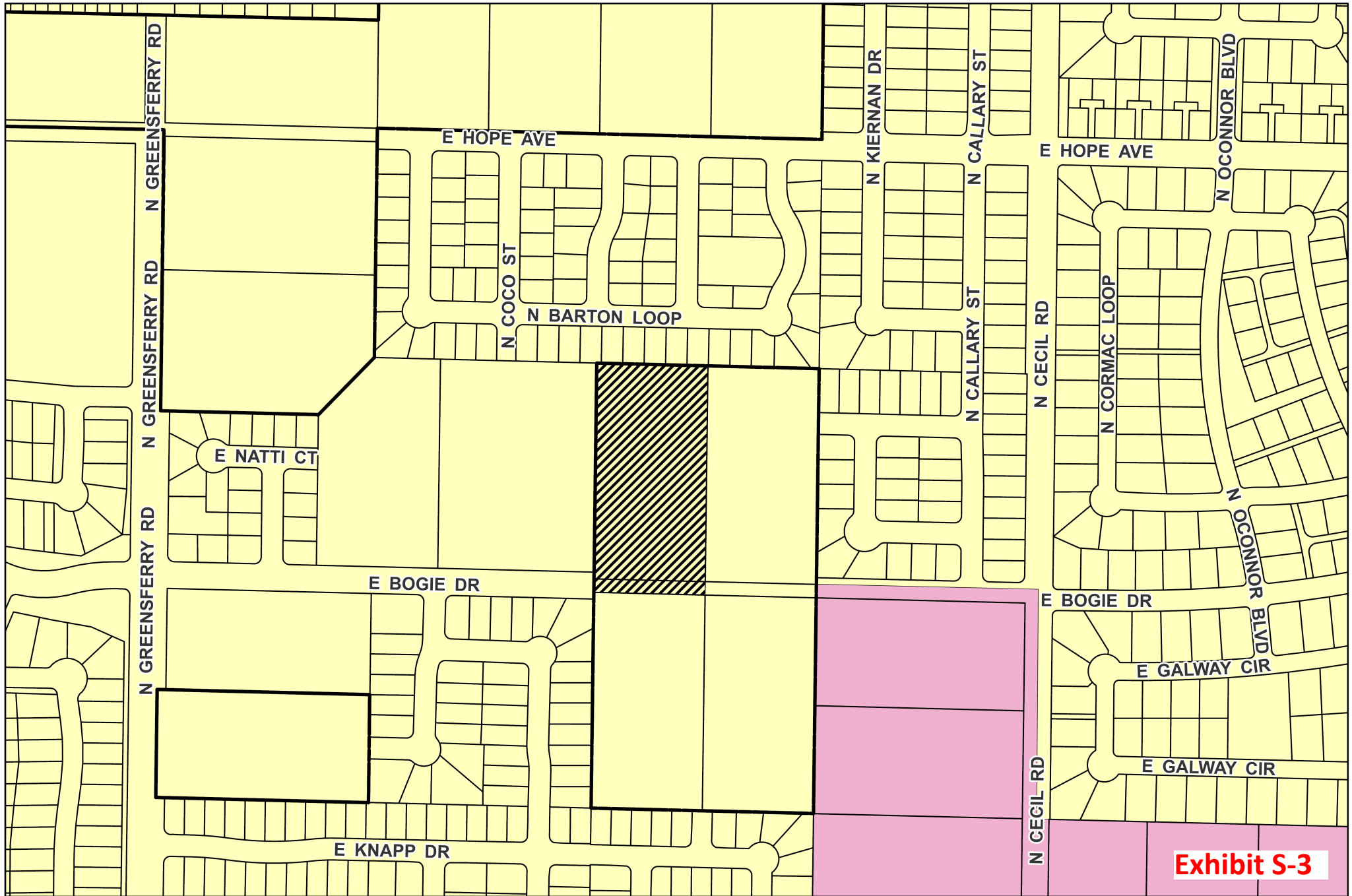


Exhibit S-3

Future Land Use Designation
BOGIE ANNEXATION
ANNEXATION
File #ANNX-23-2



- Post Falls City Boundary
- Tax Parcels
- Subject Site

- Low Density Residential
- Business/Commercial





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

August 24th, 2023

Nancy Thurwachter
Planning Administrative Specialist
nthurwachter@postfalls.gov

Re: Bogie Annexation ANX23-2

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

Respectfully submitted,

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

Mark J. Brantl
Captain
Post Falls Police Department

From: [Polak, Chad M](#)
To: [Nancy Thurwachter](#)
Subject: FW: Notice to Jurisdictions - Bogie Annexation
Date: Thursday, August 24, 2023 3:25:42 PM
Attachments: [image001.png](#)
[Bogie ANNX_SUBD NTJ FORM.pdf](#)

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

Hi Nancy,

Based on the location, there is no impact to the YPL ROW.

Sincerely,

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

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, August 24, 2023 1:04 PM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Polak, Chad M <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <jordan.t.wirth@usps.com>; Karen Philips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Michael Lindsey <MLindsey@hbkengineering.com>; Panhandle Health General <ehapplications@phd1.idaho.gov>; Patricia M. Corrigan

From: [Jonie Anderson](#)
To: [Nancy Thurwachter](#)
Subject: RE: Notice to Jurisdictions - Bogie Annexation
Date: Monday, August 28, 2023 2:14:16 PM
Attachments: [image003.png](#)

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

The Post Falls Highway District is in favor of this annexation as it is in line with the city's comprehensive plan.

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



Subject: Notice to Jurisdictions - Bogie Annexation

Good afternoon,

It has been identified that the Notice of Jurisdiction regarding the Bogie Annexation referenced an incorrect applicant. The applicant information has been amended to reference Drew Dittman of Lake City Engineering. Please see attached.

Thank you!

Nancy Thurwachter
Planning Administrative Specialist
[408 N. Spokane Street](#)
[Post Falls, ID 83854](#)
(208) 457-3338



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

Privileged / confidential information may be contained in this message. If you are not the addressee indicated in this message (or

From: [Farley,Alynette B \(CONTR\) - TERR-BELL-1](#)
To: [Nancy Thurwachter](#)
Cc: [Raymond,Amanda R \(BPA\) - TERR-BELL-1](#); [Farley,Alynette B \(CONTR\) - TERR-BELL-1](#)
Subject: Bogie AnnexationRE: [EXTERNAL] Notice to Jurisdictions -
Date: Tuesday, August 29, 2023 1:04:47 PM
Attachments: [image003.png](#)

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

Project does not affect BPA ROW.

Alynette Farley
Realty Technician II (CONTR) Actalent
Real Property Services / TERR/Bell-1
Bonneville Power Administration
2410 E Hawthorne Road
Mead, WA 99021-9594
509-468-3083 Office
971-710-6926 Cell
abfarley@BPA.Gov

[Lands & Community \(bpa.gov\)](https://bpa.gov)

[Landowner Safety - Bonneville Power Administration \(bpa.gov\)](https://bpa.gov)



From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, August 24, 2023 2:26 PM
To: Ali Marenau <AMarienau@kmpo.net>; Farley,Alynette B (CONTR) - TERR-BELL-1 <abfarley@bpa.gov>; Raymond,Amanda R (BPA) - TERR-BELL-1 <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan

Nancy Thurwachter

From: Ryan Johnsen <rjohnsen@phd1.idaho.gov>
Sent: Thursday, August 31, 2023 8:45 AM
To: Nancy Thurwachter
Subject: RE: Notice to Jurisdictions - Bogie Annexation

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

Panhandle Health District (PHD) has jurisdiction subsurface sewage disposal. Since this proposal is for a municipal sewer use, PHD has no comment.

Thank You,

Ryan Johnsen, REHS
Environmental Health Specialist
Panhandle Health District
35 Wildcat Way, Suite A
Kellogg, ID 83837
208-415-5209

From: Nancy Thurwachter <nthurwachter@postfalls.gov>
Sent: Thursday, August 24, 2023 12:04 PM
To: Ali Marenau <AMarienau@kmpo.net>; Alynette Farley <abfarley@BPA.Gov>; Amanda Raymond <arraymond@bpa.gov>; Audie Neuson <audie.neuson@williams.com>; Avista <c01_Real_Estate@avistacorp.com>; Ben Tarbutton <btarbutton@kcgov.us>; Carey Borchardt <carey.borchardt@charter.com>; Carrie Ann Hewitt <carrieann.hewitt@itd.idaho.gov>; CDA Garbage Reception <reception@cdagarbage.com>; Chad Ingle <cingle@kcgov.us>; Chad Polak <Chad.M.Polak@p66.com>; Chris Way <cway@kootenaifire.com>; Christina Petit <christina@postfallschamber.com>; Christine Harmon <christine.harmon@deq.idaho.gov>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dan Zeck <dan@eastgreenacres.org>; Dana Marsh <dana.marsh@tdstelecom.com>; Daniel Mavrinac <Daniel.Mavrinac@BNSF.com>; David Callahan <dcallahan@kcgov.us>; David Haggerty <David.Haggerty@tdstelecom.com>; Dena Naccarato <dena.naccarato@sd273.com>; Devin Weeks <dweeks@cdapress.com>; Glen Miles <Gmiles@kmpo.net>; Greta Gissel <greta@connectkootenai.org>; Jame Davis <jame.davis@intermaxteam.com>; Jason Cortes <JCortes@hbkengineering.com>; Jeff Boren <Jeffrey.Boren@charter.com>; Jeremy Hofer <jhofer@kec.com>; Jeryl Archer <jeryla@kootenaifire.com>; Jessie Holderman <JHolderman@kec.com>; John R. Price <John.Price1@charter.com>; Jordan Wirth <jordan.t.wirth@usps.com>; Karen Phillips <Karen.Phillips@avistacorp.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kevin Teo <kevin.teo@ziply.com>; Kristen Rondo <krondo@phd1.idaho.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Lori Cogley <lcogley@kec.com>; Lynn Sandsor <lynn.sandsor@aecom.com>; Mark Brantl <mbrantl@postfallspolice.gov>; Michael Lindsey <MLindsey@hbkengineering.com>; EHApplications <EHApplications@phd1.idaho.gov>; Patricia M. Corrigan <pcorrigan@hbkengineering.com>; PFPD Admin <admin@postfallspolice.gov>; Post Falls Highway District <contactus@postfallshd.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Ron Wilson <Ron@eastgreenacres.org>; Ross Point Water <rosspointwater@yahoo.com>; Ryan Goff <ryan.goff@tdstelecom.com>; Sherman <Sherman@cdagarbage.com>; Stephen Elliott <stephen.elliott@williams.com>; Tess Reasor <tess@connectkootenai.org>; Tom kearns <tkearns@idl.idaho.gov>; Tom Murn <Tom.Murn@Ziply.com>; URA <postfallsura@gmail.com>



POST FALLS

SCHOOL DISTRICT #273

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

June 20, 2022

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

Dear Bob,

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

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

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

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

The enrollment status and the capacity of each school for the 2021-2022 school year is listed below. (What these enrollment numbers do not include are the anticipated increase of 50 students per elementary school due to full day kindergarten beginning in the fall of 2022.)

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

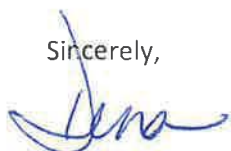
School	2021-2022 Enrollment	Building Capacity
Greensferry Elementary	374	525
Mullan Trail Elementary	340	500
Ponderosa Elementry	420	570
Prairie View Elementary	440	525
Seltice Elementary	440	560

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

Treaty Rock Elementary	415	525
West Ridge Elementary	430	525
Post Falls Middle School	870	920
River City Middle School	630	750
Post Falls High School	1560	1800
New Vision High School	160	225

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

Sincerely,



Dena Naccarato
Superintendent

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

Kootenai County Fire & Rescue

Fire Marshal's Office

1590 E. Seltice Way
Post Falls, ID 83854
Tel: 208-777-8500
Fax: 208-777-1569
www.kootenaifire.com

November 21, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

Amber,

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

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

Respectfully,



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

POST FALLS ZONING/USE CHART							September 1st, 2023			
LAND USE TYPE	RIS	R1	R2	R3	RM	CCM	CCS	LC	TM	I
 Single-Family	1-acre Min. Lot	6,500 sq.ft Min. Lot	4,000 sq.ft. Min. Lot	Not Permitted	Development Agreement	Not Permitted	Not Permitted	Special Use Permit per R-2	Not Permitted	Not Permitted
 Tiny Home	1-acre Min. Lot	6,500 sq.ft. Min. Lot	4,000 sq.ft. Min. Lot	Not Permitted	Development Agreement	Not Permitted	Not Permitted	Special Use Permit per R-2	Not Permitted	Not Permitted
 Cottage Home	Not Permitted	Special Use Permit	2,400 sq.ft. Min. Lot	2,400 sq.ft. Min. Lot	Permitted	Development Agreement	Special Use Permit	Special Use Permit	Not Permitted	Not Permitted
 Duplex	Not Permitted	Not Permitted	3,600 sq.ft. Min. Lot	3,600 sq.ft. Min. Lot	Development Agreement	Not Permitted	Special Use Permit per R-3	Special Use Permit per R-2	Not Permitted	Not Permitted
 Townhouses	Not Permitted	Special Use Permit	Special Use Permit	2,000 sq.ft. Min. Lot	Development Agreement	Development Agreement	Special Use Permit per R-3	2,400 sq.ft. Min. Lot	Development Agreement	Not Permitted
 Twinhome	Not Permitted	Special Use Permit	2,400 sq.ft. Min. Lot	2,000 sq.ft. Min. Lot	Development Agreement	Not Permitted	Special Use Permit per R-3	Special Use Permit per R-2	Not Permitted	Not Permitted
 Multi-Family	Not Permitted	Not Permitted	Not Permitted	2,400 sq.ft. Min. Lot	Development Agreement	Development Agreement	Special Use Permit	Special Use Permit	Development Agreement	Not Permitted
 Vertical Mixed-Use	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Special Use Permit
 Retail	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
 Sit-Down Restaurant	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
 Office	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Special Use Permit and Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
 Personal Service	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Development Agreement	Permitted	Permitted	Development Agreement	Permitted
 General Service	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Development Agreement	Permitted	Not Permitted	Development Agreement	Permitted
 Light Industrial	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Special Use Permit and Development Agreement	Special Use Permit	Not Permitted	Special Use Permit and Development Agreement	Permitted

R-1-S See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
	Principal Uses	Accessory Uses	Special Use Permit
Single-Family Residential Suburban The R1S Zone recognizes existing rural residential large lot uses, and other areas suitable for large lot residential development with or without accessory agricultural uses. The intent of this zone is to provide estate sized lots. This zone should be applied where surrounding uses are compatible with large lot residential development. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040 , "Official Bulk And Placement Regulations Table", of this title.	Single-family home	- Accessory dwelling unit - Accessory residential support use (i.e., garage, shed, pool, greenhouse) - Single-family incidental to a religious use - Home occupation - Child daycare, home (up to 5 children) - Commercial crop production	- Residential care facilities - Bed and breakfast inn - Wedding event and reception - Community centers - Golf course - Nursery and preschool - Elementary school - Middle school - High school - Fire and rescue - Emergency response - Community food bank - Religious institutions

Max Height and Min Setbacks (ft.)							
Height	Front	Rear	Interior Side	Street Side	Min Lot Width (ft.)	Max Lot Coverage (%)	Min Lot Area/d.u.
35	30	15	15	30	135	25	1 acre

R-1 See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
Single-Family Residential	Principal Uses	Accessory Uses	Special Use Permit
The R1 Zone is intended for one single-family home on one lot of minimum size or larger and to permit other accessory uses that are associated and compatible with residential use. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, "Official Bulk And Placement Regulations Table", of this title.	Single-family home	- Accessory dwelling unit - Accessory residential support use (i.e., garage, shed, pool, greenhouse) - Single-family incidental to a religious use - Home occupation - Congregate living, group homes - Child daycare, home (up to 5 children) - Commercial crop production	- Twin home - Townhome - Nursing homes - Residential care facilities - Bed and breakfast inn - Mini-storage warehouse/self-storage - Wedding event and reception - Community centers - Nursery and preschool - Elementary school - Middle school - High school - Fire and rescue - Emergency response - Community food bank - Religious institutions

Max Height and Min Setbacks (ft.)							
Height	Front	Rear	Interior Side	Street Side	Min Lot Width (ft.)	Max Lot Coverage (%)	Min Lot Area/d.u.
35	15	10	5	15	60	40	6,500

Cottage Home allowed with Special Use Permit – See section [18.24.032](#)

R-2 See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
Medium Density Residential	Principal Uses	Accessory Uses	Special Use Permit
The R2 Zone is intended for residential structures containing one or more dwelling units and for accessory uses that are associated and compatible with residential uses. This zone is primarily applied in areas suitable for residential development where such residentially designated areas are readily serviced by collector and arterial streets suitable for higher levels of traffic; where other public services are sufficiently available for the intensity of use contemplated; and where the configuration of Municipal infrastructure and neighboring land uses are compatible with the use allowed hereby. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, "Official Bulk And Placement Regulations Table", of this title.	• Single-family home (SF) • Duplex (DPX) • Twinhome (TH)	• Accessory dwelling unit • Accessory residential support use (i.e., garage, shed, pool, greenhouse) • Single-family incidental to a religious use • Home occupation • Congregate living, group homes • Child daycare, home (up to 5 children)	• Townhome • Nursing homes • Bed and breakfast inn • Mini-storage warehouse/self-storage • Wedding Event and Reception • Community centers • Nursery and preschool • Elementary school • Middle school • High school • Fire and rescue • Emergency response • Community food bank • Religious institutions • Commercial crop production

Max Height and Min Setbacks (ft.)								
	Height	Front	Rear	Interior Side	Street Side	Min Lot Width (ft.)	Max Lot Coverage (%)	Min Lot Area/d.u. (sq.ft.)
R-2 (SF & DPX)	35	15	10	5	15	30	70	4,000
R-2 (TH)	35	15	20	0-5	15	25	70	2,400

Cottage Homes Permitted – See section [18.24.032](#)

R-3 See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
	Principal Uses	Accessory Uses	Special Use Permit
High Density Multi-Family Residential The R3 Zone is intended for residential structures containing one or more dwelling units potentially constructed in multiple-unit configuration at moderate to high density and for accessory uses that are associated and compatible with residential uses. This zone is primarily applied in areas where such residentially designated areas are readily serviced by collector and arterial streets suitable for higher levels of traffic, where other public services are sufficiently available for the intensity of use contemplated and where the configuration of Municipal infrastructure and neighboring land uses are compatible with the use allowed hereby. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040 , "Official Bulk And Placement Regulations Table", of this title.	• Duplex (DPX) • Twinhome (TH) • Townhome (TH) • Multi-family (MF)	• Accessory dwelling unit • Accessory residential support use (i.e., garage, shed, pool, greenhouse) • Single-family incidental to a religious use • Home occupation • Congregate living, group homes • Child daycare, home (up to 5 children)	• Nursing homes • Bed and breakfast inn • Mini-storage warehouse/self-storage • Wedding event and reception • Community centers • Nursery and preschool • Elementary school • Middle school • High School • Fire and rescue • Emergency response • Community food bank • Services for elderly and disabled • Religious institutions • Commercial crop production

Max Height and Min Setbacks (ft.)								
	Height	Front	Rear	Interior Side	Street Side	Min Lot Width (ft.)	Max Lot Coverage (%)	Min Lot Area/d.u. (sq.ft.)
R-3 (DPX)	35	15	10	5	15	50	50	3,600
R-3 (Other MF)	45	15	10	10	15	50	50	2,400
R-3 (TH)	45	15	20	0-5	15	18	70	2,000

Cottage Homes Permitted – See section [18.24.032](#)

RM See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]	
Residential Mixed	Principal Uses	Special Use Permit
The Residential Mixed (RM) zone is intended to accommodate a mixed residential community with a variety of housing types at varying densities within the development area. Small scale neighborhood commercial/office uses may be suitable within the RM zone. This zone should be applied in areas designated for a residential land use pattern within the Comprehensive Plan's Future Land Use Map. Approval of the Residential Mixed (RM) zone requires a development agreement regulating the development site as provided in section 18.20.190 of this title. Multi-family residential uses <u>cannot exceed twenty percent (20%)</u> of the total development site. Neighborhood commercial/office uses <u>cannot exceed 10 percent (10%)</u> of the total development site.	Residential uses - Single-family, townhome, multi-family, Accommodations and group living - Residential care facilities General sales or services - Retail, small neighborhood grocery Professional, scientific, and technical services - Restaurant Arts, entertainment, tourism, and recreation - Performing arts center Health and human services - Community food bank	Accommodations and group living - Bed and breakfast inn Professional, scientific, and technical services - General office buildings (1-4 stories) Warehouse and storage uses - Mini-storage warehouse/self storage Arts, entertainment, tourism, and recreation - Wedding event and reception Education uses - Primary education facilities Public safety - Fire and rescue

Minimum site		Max Height (ft.)	Max Lot Coverage (%)	Min Lot Area/d.u. (sq.ft.)
4 acres	Duplexes, twin-homes, and single-family	35	N/A	N/A
	All other structures	45	N/A	N/A

Minimum Setbacks (ft.)		
Front	Setback to front of structure	15
	Setback to front of garage/shop	20
Rear	Non-residential lot bordering residential zone edge/lot line	15
	Non-residential lot bordering non-residential zone edge	0
	Residential lot (excluding multi-family) bordering non-residential zone edge	15
	All other residential setback to rear of structure	10
Interior Side	Non-residential lot bordering residential zone edge/lot line	15
	Non-residential lot bordering non-residential zone edge	0
	Residential lot bordering non-residential zone edge	15
	All other residential (excluding multi-family) setback to the side of structure	5
	All other multi-family setback to the side of structure	10
Street Side	Setback to side of structure	15

Cottage Homes Permitted – See section [18.24.032](#)

TM See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
	Principal Uses		Special Use Permit
Technology Mixed The Technology Mixed (TM) Zone provides for well-designed technological-industrial parks that can accommodate light industrial, technological, professional office together with limited commercial and residential uses that support a work, shop and live environment. Approval of the Technology Mixed (TM) Zone requires a development agreement as provided in section 18.20.190 of this title. Retail buildings are limited to ten thousand (10,000) square feet (20,000 square feet with a special use permit) of net floor area and retail uses as a whole may not exceed thirty percent (30%) of the development site. Multi-family residential uses may not exceed fifteen percent (15%) of the development site.	Residential uses - Townhome, multi-family Accommodations and group living - Congregate living, motel General Sales or services - Retail, grocery, consumer goods Professional, scientific, and technical services - General office bldgs., Restaurants Industrial and manufacturing uses - Food and beverage manufacturing Warehouse and storage uses - Warehouse-retail combination	Transportation uses - Courier and messenger services Communications uses - Radio and television broadcasting, publishing Arts, entertainment, tourism, and recreation - Fitness, recreational sports, or gym Education uses - Nursery and preschool Health and human service - Clinics Agriculture, forestry, fishing, and hunting - Commercial crop production	Accommodations and group living - Nursing homes General sales or services - Hardware, home improvement Industrial and manufacturing uses - Leather and allied products manufacturing Warehouse and storage uses - Warehouse distribution/storage facility Arts, entertainment, tourism, and recreation - Community center Education uses - College and universities Health and human service - Hospital Agriculture, forestry, fishing, and hunting - Commercial greenhouse or nursery

Minimum site	Maximum height (ft.) within 300' of a residentially zoned property	Maximum height (ft.) other than within 300' of a residentially zoned property	Maximum Lot Coverage (%)	Minimum Lot Area/d.u. (sq.ft.)
20 acres	45	75	N/A	N/A

Minimum Setbacks				
Category	Front	Rear	Interior Side	Street Side
Adjacent to streets along perimeter of zone	25	N/A	N/A	25
Adjacent to streets internal to the zone	10	N/A	N/A	10
Lot lines bordering zone edge	N/A	25	25	N/A
Lot Lines internal to the zone	N/A	10	10	N/A

LC See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]	
Limited Commercial	Principal Uses	Special Use Permit
The LC Zone permits neighborhood compatible commercial retail and service uses of modest scale in areas not conveniently served by existing or proposed commercially designated lands. This zoning district is compatible with residential lands that would accommodate medium density residential land uses. Residential uses may be allowed at densities permitted by the Medium Density Residential (R2) Zone by special use permit. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, “Official Bulk And Placement Regulations Table”, of this title.	Residential uses - Townhome, multi-family Accommodations and group living - Residential care, hotel General Sales or services - Retail, small-scale grocery Professional, scientific, and technical services - General office bldgs. (1-4 stories), Restaurants Arts, entertainment, tourism, and recreation - Art gallery Education uses - Nursery and preschool Health and human service - Child and youth services Agriculture, forestry, fishing, and hunting - Commercial crop production	Residential uses - Duplex, twinhome General sales or services - Lawn and garden supply Professional, scientific, and technical services - General office bldgs. (5+ stories) Warehouse and storage uses - Mini-storage warehouse/self-storage Transportation uses - Taxi service staging facility Communications uses - Radio and television broadcasting Arts, entertainment, tourism, and recreation - Theater, dance, or music establishment Education uses - Primary and secondary education facilities Health and human service - Clinic Agriculture, forestry, fishing, and hunting - Farm and farm labor management services

Max Height and Min Setbacks (ft.)							
Height	Front	Rear	Interior Side	Street Side	Min Lot Width (ft.)	Max Lot Coverage (%)	Min Lot Area/d.u.
35	0	N/A	0	N/A	N/A	30	N/A

CCS See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
	Principal Uses		Special Use Permit
The CCS Zone supports uses that include retail sales or performance of consumer services and permits a variety of retail, professional, or service businesses, including some manufacturing, technical, or other professional uses. This zone is applied in areas primarily located near arterials and collector streets. Residential uses may be allowed within this zone at densities permitted by the High-Density Multi-Family Residential (R3) Zone by special use permit when they will not compromise present uses. Lot area and building bulk and placement requirements shall agree with the values set forth in section 18.20.040, "Official Bulk And Placement Regulations Table", of this title.	Residential uses - Single-family incidental to commercial or religious use Accommodations and group living - Residential care, hotel General Sales or services - Retail, grocery, consumer goods Professional, scientific, and technical services - General office bldgs., Restaurants Industrial and manufacturing uses - Bakery Warehouse and storage uses - Mini-storage warehouse/self-storage	Transportation uses - Towing and other road and ground services staging facility Communications uses - Radio and television broadcasting Arts, entertainment, tourism, and recreation - Community center Education uses - Primary, secondary, and trade education facilities Public safety - Fire and rescue Health and human service - Clinics Agriculture, forestry, fishing, and hunting - Commercial crop production	Residential uses - Housing units, except single-family, accessory dwelling units, and accessory residential support Accommodations and group living - Congregate living General sales or services - Automobile or marine service center Industrial and manufacturing uses - Food, beverage, textile manufacturing Warehouse and storage uses - Warehouse distribution/storage facility Arts, entertainment, tourism, and recreation - Travel trailer (RV) park Public safety - Emergency response Health and human service - Child daycare, home (up to 5 children)

Max Height and Min Setbacks (ft.)							
Height	Front	Rear	Interior Side	Street Side	Min Lot Width (ft.)	Max Lot Coverage (%)	Min Lot Area/d.u.
45	0	0	0	0	N/A	80	N/A

Cottage Homes allowed with Special Use Permit – See section [18.24.032](#)

CCM See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
	Principal Uses		Special Use Permit
Community Commercial Mixed The Community Commercial Mixed (CCM) zone is intended to accommodate both commercial and high-density residential development at densities permitted by the high-density multi-family residential (R3) zone in a mixed-use development pattern. This zone should be applied in areas primarily located near arterials and collector streets to support commercial, residential, professional office, and civic uses that support an accessible work, live, and shop environment. Approval of the Community Commercial Mixed (CCM) zone requires a development agreement regulating the development site 8 as provided in section 18.20.190 of this title. Multi-family residential uses may not exceed <u>fifty percent (50%)</u> of the total development site. <u>Multi-family uses that are incorporated into vertical mixed-use buildings are excluded from this calculation.</u>	Residential uses - Townhome, multi-family Accommodations and group living - Residential care, hotel General Sales or services - Destination shopping center Professional, scientific, and technical services - General office bldgs., Restaurants Industrial and manufacturing uses - Bakery products, Beverage products	Communications uses - Radio and television broadcasting Arts, entertainment, tourism, and recreation - Performing arts or supportive establishment Education uses - Primary, secondary, and trade education facilities Public safety - Fire and rescue Health and human service - Clinics Agriculture, forestry, fishing, and hunting - Commercial greenhouse, nursery, and floriculture	General sales or services - Automobile or marine service center Industrial and manufacturing uses - Food, beverage, textile manufacturing Warehouse and storage uses - Mini-storage warehouse/self-storage Transportation uses - Towing and other road and ground services staging facility Arts, entertainment, tourism, and recreation - Travel trailer (RV) park Health and human service - Child daycare, home (up to 5 children)

Minimum Site	Max Height (ft)	Max Lot Coverage (%)	Minimum Lot Area/d.u. (sq.ft.)
4 acres	105	N/A	N/A

Minimum Setbacks (ft.)				
Category	Front	Rear	Interior Side	Street Side
Non-residential lot bordering residential zone edge/lot line	15	15	15	15
Non-residential lot bordering non-residential zone edge	15	0	0	15
Residential lot bordering non-residential zone edge	15	15	15	15
Non-residential lot bordering residential internal to the zone	15	15	15	15
Residential lot abutting residential internal to the zone	15	10	10	15

Cottage Homes allowed where the approved development agreement authorizes multi-family residential uses – See section [18.24.032](#)

I See section 18.16.010 for complete guidelines	Permitted Uses [below are commonly requested uses – see table 18.20.030 for complete list]		
	Principal Uses		Special Use Permit
The Industrial (I) Zone permits light industrial uses such as warehousing, assembly, processing and light manufacturing as permitted uses. Residential use of industrial property shall be subordinate and accessory to a primary industrial use (on site security, etc.) and shall be permitted only by special use permit.	General Sales or services - Destination shopping center Professional, scientific, and technical services - General office bldgs., Restaurants Industrial and manufacturing uses - Leather and allied products manufacturing Transportation uses - Truck and freight transportation services Communications uses - Radio and television broadcasting Arts, entertainment, tourism, and recreation - Performing arts establishment	Residential uses - Single-family incidental to a commercial/industrial use Accommodations and group living - Hotel, motel, or tourist court Education uses - Secondary education facilities Public safety - Fire and rescue Health and human service - Clinics Death care services Agriculture, forestry, fishing, and hunting - Commercial greenhouse, nursery, and floriculture	Accommodations and group living - Nursing home General sales or services - Outdoor vendor spaces/farmers' market or stands Professional, scientific, and technical services - Retail/office/residential combination (minimum 2 separate uses per structure) Industrial and manufacturing uses - Sawmill Warehouse and storage uses - Mini-storage warehouse/self-storage Arts, entertainment, tourism, and recreation - Golf course Education uses - Primary education facilities

Minimum Site	Max Height (ft)	Maximum Lot Coverage (%)	Minimum Lot Area/d.u. (sq.ft.)
4 acres	105	N/A	N/A

Minimum Setbacks (ft.)				
Category	Front	Rear	Interior Side	Street Side
Non-residential lot bordering residential zone edge/lot line	15	15	15	15
Non-residential lot bordering non-residential zone edge	15	0	0	15
Residential lot bordering non-residential zone edge	15	15	15	15
Non-residential lot bordering residential internal to the zone	15	15	15	15
Residential lot abutting residential internal to the zone	15	10	10	15