



**CITY COUNCIL
MEETING AGENDA**

**September 26, 2023
9:00 AM**

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

REGULAR MEETING – 9:00 am City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

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

AMENDMENTS TO THE AGENDA

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

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.

1. CONSENT CALENDAR

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council 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 Council agenda packet regarding these items and any contingencies are part of the approval.

ACTION ITEMS:

- a. Reasoned Decision for the Thompson Satchwell Annexation and the North Crown Zone Change File No. ANN-22-14/ZC-22-7

2. 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. FY2024 Property Tax Reserve to Foregone

FY 2024 Foregone Reserve

3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.

ACTION ITEMS:

- a. Resolution - FY2024 Forgone Tax Reserve

4. NEW BUSINESS

This portion of the agenda is for City Council consideration of items that have not been previously discussed by the Council. Ordinances and Resolutions are generally added to a subsequent agenda for adoption under Unfinished Business, however, the Council may consider adoption of an ordinance or resolution under New Business if timely approval is necessary.

ACTION ITEMS:

5. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are 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 the 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, either by subsequent appointment or after tonight's meeting, if time permits. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring Council action must be placed on the agenda of an upcoming Council meeting. As such, the City Council can't 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.

6. ADMINISTRATIVE / STAFF REPORTS

This portion of the agenda is for City staff members to provide reports and updates to the Mayor and City Council regarding City business as well as responses to public comments. These items are for information only and no final action will be taken.

7. MAYOR AND COUNCIL COMMENTS

This section of the agenda is provided to allow the Mayor and City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.

8. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially subject to applicable legal requirements; the Council may enter executive session to discuss such matters. The motion to enter into executive session must reference the specific statutory section that authorizes the executive session. No final decision or action may be taken in executive session.

ACTION ITEMS:

RETURN TO REGULAR SESSION

ADJOURNMENT

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

"Where opportunities flow and community is a way of life"

**CITY OF POST FALLS
AGENDA REPORT
CONSENT CALENDAR
MEETING DATE: 9/26/2023**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Jonathon Manley, Planning Manager

SUBJECT: Reasoned Decision for the Thompson Satchwell Annexation and the North Crown Zone Change File No. ANNX-22-14/ZC-22-7

ITEM AND RECOMMENDED ACTION:

Review and Approve the Reasoned Decision for the Thompson Satchwell Annexation and the North Crown Zone Change File No. ANNX-22-14/ZC-22-7

DISCUSSION:

Review the submitted Reasoned Decision for the Thompson Satchwell Annexation and the North Crown Zone Change File No. ANNX-22-14/ZC-22-7

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

June 15, 2023

APPROVED OR DIRECTION GIVEN:

N/A

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

N/A

BUDGET CODE:

N/A

ATTACHMENTS:

1. 2023.07.18 Final TS NC Annexation CC RD 6.28.2023

**Thompson/Satchwell Annexation
North Crown Zone Change
File No. ANNEX-22-14/ZC-22-7**

**City Council
Reasoned Decision**

A. INTRODUCTION:

APPLICANT: City of Post Falls and Ray Kimball, Whipple Engineering, representing Jacklin Land Company.

LOCATION: Generally located north of Prairie Ave., between N. Chase Rd. and Highway 41. Some properties are south of Hayden Ave., and some are north of Hayden Ave.

REQUEST: Zoning approval of Residential Mixed (RM) on approximately 80-acres; Public Reserve (PR) on 178-acres; Single Family Residential (R1) on 28.1-acres; Medium Density Residential (R2) on 20.8-acres; and Community Commercial Mixed (CCM) on 34-acres, as depicted in A-2.

B. RECORD CREATED:

1. A-1a Annexation Application
2. A-1b Zone Change Application
3. A-2a Annexation Narrative
4. A-2b Zone Change Narrative
5. A-3a Satchwell Narrative
6. A-3b Zone Change Preliminary Layout
7. A-4a Thompson Conceptual Development Plan
8. A-4b Zone Change legal
9. A-5 Thompson Satchwell Legal Description
10. A-6a Thompson_Satchwell Exhibit Maps
11. A-6b Zone Change Auth Letter
12. A-7 Zone Change Title Report
13. A-8 Thompson_Satchwell Auth Letter
14. A-10 Satchwell Title Report
15. A-11 Thompson Title Report
16. S-1 Draft Thompson Development Agreement
17. S-2 Draft North Crown Development Agreement
18. PA-1 YPL Comments
19. PA-2 PHD Comments
20. PA-3 DEQ Comments
21. PA-4 PFHD Comments
22. PA-5 KCFR Comments
23. PA-6 PFSD Comments
24. PC-1 West Comments
25. PC-2 Assels Comments
26. PC-3 Maden Comments
27. PC-4 Bugle Comments
28. PC-5 Harrington Comments

29. PC-6 Vore Comments
30. PC-7 Couch Comments
31. PC-8 Hamilton_Petition
32. PC-9 Burns Comments
33. S-3 Purchase and Sale Agreement
34. S-4 PZ Staff Report
35. S-5 Minutes 5-17-2023
36. S-6 Zoning Recommendation
37. PA-7 ITD Comments
38. PA-8 PFPD Comments
39. PA-9 ITD Comments
40. PA-10 YPL Comments
41. PA-11 DEQ Comments
42. PC-10 Nichols Comments
43. PC-11 Wagner Comments
44. City Council Memo
45. Testimony at the June 15, 2023, City Council hearing including:

Jon Manley, Planning Manager

Mr. Manley presented the staff report. He testified that the applicant is seeking approval of the proposed land exchange, the North Crown zone change, and the annexation of Thompson Satchell property, as bundled together through a purchase and sale agreement.

John Beacham, Public Works Director

Mr. Beacham testified about the proposed Purchase and Sale Agreement for a land exchange between the city and Jacklin Land. The proposed exchange would increase the total acreage by about 98 acres, with Jacklin Land obtaining area 1 and the City obtaining areas 2, 3, and 4. Mr. Beachman noted that while parcel 5 is not being physically exchanged, it needs to be annexed to allow for future development as stated in the Purchase and Sales Agreement.

The city has about 600 acres of land, with an additional 300 acres owned by Rathdrum that is contiguous to the city's land. The total acreage of these two areas is around 960 acres which is intended for Land Application. The proposed exchange would increase the city's entire property to about 1058 acres, by conveying 80 acres (parcel 1) to Jacklin and receiving in return 178 acres (parcels 2, 3, and 4), creating a net increase of 98 acres.

Mr. Beacham added that the land exchange is contingent upon completing the annexation with the requested zoning of 264 acres and rezoning 80 acres where Parcels 2, 3, 4, and 5 are to be annexed and changed from county land to public reserve land and a mix of single-family, medium density, and commercial mixed zoning would be applied, and Parcel 1 would be rezoned from public reserve to residential mix.

Mr. Beacham explained how the city's water reclamation facility cleans water by removing phosphorus and then returns it to the Spokane river. As the city grows, the phosphorus discharge is increasing beyond the 3 pounds their permit allows and they must utilize land application strategies for its excess. He explained that the Master Plan for the wastewater facility allows for the acquisition of more land to accommodate future growth and that the city is actively looking for land contiguous to their existing land application property to meet their need of 582 acres. He states that this exchange is a unique opportunity to acquire the needed land for the water reclamation land application program.

Mr. Beachman explained that the under the proposed land exchange the property will remain contiguous, Parcel 4 will require future irrigation investment of around \$200,000, the purchase will

be funded by dedicated wastewater funds at a net cost of \$22,187 per acre, and that this acquisition will bring their acreage to 314 of the 582 needed acres under the master plan.

In response to questions from the Council, Mr. Beacham explained that the Facility Plan had 2023 as the goal year for acquiring the needed 582 acres. He further testified that Parcel 4 requires a well replacement where either a new well needs to be drilled or connected to another well at the south center of the parcel. He explains that they already have water rights that come with the proper to drill, they just need the physical well to pump the water out.

Mr. Beacham testified that land application will likely be necessary within 10 to 20 years because the limit on phosphorus discharge will be reached depending on the city's rate of growth. He notes that they hope to have land application in place before then as good planning measures. He further explained that their current permit was approved in 2014 as a 5-year permit which expired in 2019 but was successfully renewed until a new permit could be issued. The new permits are in semi-final negotiations where the limits look very similar.

Mr. Beacham explained that the process of land application is fairly simply, just expensive. It requires the water be pumped and moved about 6 miles through a pipe and then applied to the land with the irrigation system equipment already in place. He noted that the plan is to place this piping in city roads where they would have right of way.

Mr. Beacham addressed the existence of the railroad running through the property and explained that it would affect the operations, but it can be worked around. There are easements with the railroad for water to pass between parcels which allows us to move water back and forth between parcels.

Jon Manley, Planning Manager

Mr. Manley testified that the Future Land Use Map designates the area as Transitional. He submitted that this is assigned to lands suitable for growth but have an undetermined timing of such growth. He indicated that designation guidance could be found within the associated Focus Area. He expounded that the Focus Area is comprised of two areas, the Central Prairie Focus Area to the west and the 41 North Focus Area to the east.

Mr. Manley highlighted that the Central Prairie area allowed for a variety of housing types and densities, with a Development Agreement recorded against the title for the Residential Mixed zone. He elaborated that under this Residential Mixed zone they are able to request up to 10% of the zone to be neighborhood commercial, up to 20% multifamily, and that there is no limit on the amount of single family. The proposed development consists mainly of Single-Family Residential areas, with 5.8 acres of proposed park/open space and 8.3 acres of multi-family at the northern end. The 41 North area, on the other hand, focused on provisions for multi-family, commercial, and tech uses near higher-classified roadways such as Highway 41.

Mr. Manley explained that the single roadway depicted running through the map from north the east is to emphasize that a major road will be implemented going from the south to the north connecting Bodine Avenue to Hayden Avenue.

Mr. Manley further emphasizes that the Central Prairie Focus Area should focus its multi-family along Prairie Avenue but that does not preclude it from other areas as there are other policies and goals that encourage multi-family to be placed near major roadways and arterials.

Mr. Manley then moved on to the Thompson piece to the east in the HWY 41 Focus Area. He highlighted that Highway 41 is a principal arterial roadway that will be near the proposed multi-family, commercial, and tech uses, aligning with key policies of this focus area. He further explained that the north side of Hayden Avenue would be improved and with time connectivity will be gained through the Prairie Trail. Additionally, the commercial uses are located near Highway 41, a high

traffic arterial/collector street that exceeds 4,000 vehicles a day.

During his testimony, Mr. Manley emphasized the importance of keeping Post Falls' neighborhoods safe, vital, and attractive. He mentioned that the proposed developments would create additional connectivity of streets, like Bodine Avenue to Hayden Avenue, increase circulation, and create different opportunities to Crown Point that can provide diversified access. In addition to these improved roadways, Mr. Manley testified that the development would provide additional housing near both schools and places of employment, supporting community needs and the city's long-term sustainability. He notes that any development must meet the design standards in the municipal code which ensures attractiveness.

Mr. Manley stated that preserving prairie land and acquiring appropriate lands for land application protects Post Falls' natural area and natural resources aligning with Goals 8, 9 and 10. He also explained how the proposal conforms with policies 1 and 2. He elaborates the plan increases quality of life by maintaining a 7% open space requirement, as required by the comprehensive plan. He acknowledges that PUD's used to required 10% open space but included parking lots and other areas as open space that are no longer included, warranting a deduction in the percentage.

Mr. Manley stated that the proposed land use is nearly identical to that of Crown Point to the south with single-family homes and some multi-family. He further explains that as opposed to the smart code used for Crown Point, this proposal dedicates 2.25 parking spaces per residence, going above and beyond what the code requires. The uses around the annexation areas are also Public Reserve, maintaining contiguity and compatibility. Mr. Manley mentioned that the higher intensity uses of the Thompson Satchwell piece will be located next to the arterials and transitions to the less intense uses.

In addition, Mr. Manley addressed concerns about the proposed developments conflicting with street classifications, anticipated traffic patterns, existing development, future land uses, specific community plans, or geographic or natural features. He explained that commercial and high-density residential zoning would be located along higher road classifications, such as Highway 41 and Hayden Ave.

Mr. Manley also addressed comments and concerns raised by various agencies, including Yellowstone Pipeline, Panhandle Health District, DEQ, Post Falls Highway District, Kootenai County Fire & Rescue, and the School District. He assured the hearing that the proposed developments would not conflict with existing plans and that any concerns raised by the agencies would be addressed later.

Robert Palus, Assistant City Engineer

Mr. Palus testified as to the transportation and infrastructure for the subject areas. He stated that Hayden Avenue, Chase Road, Idaho Street, and Greensferry Road are all major collector roadways that are intended to accommodate traffic volumes of 4,000 to 12,000 vehicles per day. He clarified that this is the capacity they were built to handle but not necessarily how much traffic they actually see on a daily basis.

In response to concerns raised about roadway classification, Mr. Palus clarified that Spokane St. is a major collector roadway south of Prairie Ave. and transitioned to a minor collector roadway within the Crown Pointe Subdivision. He explained that based on similar developments with the principal arterial of Prairie and the major collector of Hayden, it was appropriate for the proposed development to remain a minor collector roadway north of Crown Pointe with traffic calming measures to maintain its 25 mph speed limit. He emphasized that there are several alternative routes nearby and that Spokane Street is not intended to be an encouraged through route from Hayden Avenue to the freeway in this area.

Mr. Palus also testified as to the infrastructure of service in the area and stated that water would be

provided by East Green Acres Irrigation District and sanitary sewer would be provided by the City of Post Falls. He noted that upgrades will be needed to the Fisher Avenue Lift Station, which will limit the amount of development in the North Crown area until that is completed. He indicated that the upgrades are anticipated to be completed in 2025 along with completion of a gravity main in Chase Road. He testified that the current sewer infrastructure has capacity for the development of the school and further development up to a point.

Tag Jacklin, Applicant

Mr. Jacklin, the Manager of Jacklin Land Company, testified alongside Ray Kimball from Whipple Consulting Engineers. He emphasized the importance of his family's legacy and their long-standing involvement in the Spokane Valley, Rathdrum Prairie, and surrounding areas for over 80 years. As a Post Falls native himself, he shared his personal connection to the community and the significance of Jacklin Seed Company, which was a mainstay in the Post Falls Community for decades.

Mr. Jacklin acknowledged that the decision to phase out field burning was a turning point for the Rathdrum Prairie. However, he made it clear that their commitment to being good land stewards and keeping the vibrant community intact remained unchanged. He highlighted several community investments and stressed that their development projects were part of their family legacy, and they always took a measured approach.

When discussing the proposal for a new neighborhood next to a school site, Mr. Jacklin explained that they saw it as good planning and a win-win-win situation for their family, the city, and the community. He believed preserving land on the prairie and maintaining open space was necessary, and he stood behind this project wholeheartedly. Overall, Mr. Jacklin's testimony highlighted his dedication to his family's legacy and the community and their commitment to responsible development practices.

Ray Kimball, Whipple Engineers, Applicant

Mr. Kimball testified to the unique opportunity for Public Works to obtain more property for land application. He explained that there would be Residential Mixed next to the School Site and along Highway 41, including R1, R2, and CCM zoned areas, as well as the addition of 98 acres of preserved prairie open space. Mr. Kimball displayed aerial shots to provide a better understanding of what is surrounding each site, beginning with North Crown, where he pointed out the single-family homes to the south with Spokane St. running north, complete with a big curve to prevent speeding. He emphasized that this intentional design is intended to ensure proper speeds for neighborhoods.

Additionally, Mr. Kimball shared that they have two parks in concept, totaling approximately 5.8 acres, and that they will likely shift around. He explained that a local street along the west boundary between the school site and the proposed development would provide access to the school property without having to front on Chase or Hayden. Furthermore, he pointed out the future Bodine St. across the southern boundary. The road network is intended to service the school, North Crown, and Crown Pointe, allowing residents to exit in different directions.

Mr. Kimball noted that they were very intentional in placing the multi-family and commercial properties on a higher classification street and away from the single-family residents of Crown Pointe. With Hayden being a major collector, he explained that it was important to consider where to put the multi-family and commercial properties. He added that bringing the services and streets to the school site would be another win, as the developer will bring utilities to their site at no cost to the school district.

Moving on to areas 2 and 3, Mr. Kimball explained that they add to the existing public reserve lands that are owned by the city and Rathdrum. He elaborated that a pipe already exists underneath the

railroad tracks that connects the properties, allowing water and irrigation to be oved back and forth without an additional cost to the city. He then moved to areas 4 and 5 along Highway 41, where the northern piece (area 4) is more public reserve for the city, and the southern area is the CCM, R1, and R2. The CCM-Multi-Family section was also intentional as the highway goes up and over the railroad, making it bad for commercial visibility. Mr. Kimball explained that they had laid it out like this with the commercial on the corner of Highway 41 and Hayden intersection to increase access.

Mr. Kimball discussed the proposed zoning for each area. He explained that area 1's residential mixed zoning provides single family housing and neighborhood commercial with the opportunity to complement both the school and the neighborhood. He testified that this makes absolute sense for land application. He notes that it aligns with the Future Land Use Map by having higher intensity closer to the highway and lower as we move away.

Mr. Kimball reiterates the compatibility with the transportation master plan and street classifications, traffic patterns, existing development, future land, uses, and community plans. He testified that this project provides alternative routes for transportation and makes sense with the community and wastewater plans.

Mr. Kimball acknowledges that there are infrastructure challenges for Area 5 and assured that there will be no development until after the interchange is completed or after a 5-year period, whichever is later. This ensures that all infrastructure is up and running prior to any development.

Finally, Mr. Kimball addressed the incredible opportunity that this is for the city to acquire land at a bargain price at only \$22,000 per acre where other developers are currently purchasing land for upwards of \$70,000 per acre. He reiterated the positive this impact has for the entire community. In response to questions regarding the multi-family units in Crown Point, Mr. Kimball stated that the details of the units, like the number of stories, it still up for consideration. He emphasized that the plan was to get the units to fit in with the rest of the neighborhood, likely either 2 or 3 stories. He reiterated the intentional and thoughtfulness of the project in terms of being the neighborhood's best interests. He stated that they intended to place a street abutting the school site rather than have backyards behind the school fence and mentioned creating a greenbelt. He stated there was no intention of having direct commercial access to Hayden.

Dena Naccarato, Superintendent of the Post Falls School District

Ms. Naccarato testified that the school district currently owns 70 acres adjacent to the proposed project and that while they normally remain neutral on proposed developments, they are here in favor of the project. She recited the utilities that the Jacklin's have agreed to work in good faith to provide water, sewer, gas, power, and telecom to and through the future public road for needs of the Post Falls School District. She emphasizes the difficulty school districts have in acquiring funding or bonds for school development projects in part due to their inability to collect impact fees. She expressed the savings to taxpayers by the Jacklin's willingness to provide infrastructure when the time comes to build on the school site.

Wade Jacklin

Mr. Jacklin testified that this project has been developed properly, thoughtfully and intentionally over the past two years where both city staff and the Jacklin's are well-informed and eager for this project to be completed. He highlights that this transaction is a bargain sale. Previous purchases were at \$68,000 and \$76,000 per acre whereas this project comes to \$22,000 per acre. He emphasizes that this is a unique opportunity to make a purchase of land needed for land application and to preserve prairie land for the community.

Maggie Lyons

Ms. Lyons testified representing the Panhandle Affordable Housing Alliance (PAHA). She stated

that this was a great land swap opportunity to preserve open land space on the prairie and to pursue solutions for worker housing. She testified that Jacklin Family understands this community better than developers and that they have had discussions with them in ensuring affordable housing for policemen, teachers, middle class workers in perpetuity. She elaborated that homes will be built at lower price points, allowing worker access to residences they wouldn't have been able to afford before with deed restrictions.

Allen Wolf

Mr. Wolf expressed his neutrality on the project because he supports the acquisition of 98 acres of new public reserve land but opposes the south Thompson piece, parcel 5. He stated that this deal would create an island of residential at the corner of Hayden and Highway 41. He asked the Jacklin's to consider taking this triangle out of the proposal because it doesn't fit like the annexation and zone changes do. He expressed concerns about how that this area is far away from fire and police. He further noted that the tech park currently out there is not compatible with this proposal, and it doesn't connect with the rest of the community. He stated the timing of this specific piece doesn't make sense and recommended waiting to annex this piece at a later time because a lot can change in 5 years.

Kerry Couch

Ms. Couch requested a postponement so that the people who will be affected by the change will have the opportunity to provide more input. She expressed concerns over affect this will have on the community. She stated she was told when she bought her house that the land behind her was properly zoned and owned by the city of post falls and wouldn't change, she didn't expect change to come so soon and does not want more homes behind her. She stated that there is plenty of housing around town and alternatively there are plenty of other areas for new housing to go. She elaborated that placing houses on top of houses creates crowding that the city's infrastructure cannot sustain. She mentioned how the city is missing a lot of things like doctors and adding more residential areas exacerbates this issue. She requested to have more input and set parameters if this project continues.

Valoree Hamilton

Ms. Hamilton expressed concerns over the affordability of the proposed housing considering that as of right now the rent for a one-bedroom apartment is greater than her mortgage. She mentions that many service workers will not be able to afford housing if it is at that price point. In addition, Ms. Hamilton noted that Spokane Street, which cuts through their neighborhood, has 4,000 to 12,000 cars per day and is the only road connecting Pleasant View to Highway 41 and the freeway. She stated she felt the proposed changes would create even more traffic and worsen the situation. Ms. Hamilton highlighted that Spokane Street will become a minor arterial and she is concerned about safety as speed limit signs are unlikely to be sufficient in preventing speeding. She suggests that speed bumps or roundabouts be implemented to slow traffic down and prevent speeding through the neighborhood.

Samantha Steigleder

Ms. Steigleder requested that the public be given access to the city's proposals prior to the meetings to better understand the plan. She questions whether the acreage that would be gained by this proposal is immediately useful to the city right now, especially where other land annexations have recently been declined. She further testified that annexing and zoning land for residential use does not make much sense given the apparent need for land application acreage will increase the amount of water that needs to be serviced and returned. She expressed concerns over the affordability of Parcel 5's R2 zoning and compared it to an R2 zoning north of Spokane where they duplexes start at half a million dollars and are meant for investors, that is not the type of "affordable" housing the city of post falls needs. She highlighted the importance of ensuring that this project is in

the best interests of the citizens of the city right now and not just moving forward because it's a good deal.

Jean Walker

Speaking on behalf of the Crown Point HOA Board, representing 386 homes, Ms. Walker stated they are in opposition to the Thompson Satchwell North Crown development. She testified that this development is in defiance of public safety, reasonable growth, and responsible governance. She elaborated that the police and fire service needs will be ill equipped to provide for this new area. She testified that approving this proposal will further deplete and strain the city's resources that will impact the health, welfare, and safety of residents. Ms. Walker also noted that Post Falls does not have enough services to deal with the population it already has, and that more housing would make it even harder to provide these services.

Lacey Green

Ms. Green testified about the proposed development's impact on her farming business. She noted that the increase in growth has created issues with traffic safety. She further questioned whether this development would force homeowners north of Hayden Avenue to change their addresses for the 5th time. She expressed concerns over the influx of traffic on North Spokane Street, a private dirt road not maintained by the highway district. She also emphasized how unsafe the traffic on Hayden Road already is and that infrastructure is needed before more development occurs. Ms. Green noted that she could not find a hydrologist report for the aquifer from after 2007 and that she believed the water table levels may not be able to sustain these new developments. She testified that this development will impact the quality of life of those who live out in those 5 and 10 acre parcels.

Mitch Edgar

Mr. Edgar expressed concerns over the increased in traffic by having Spokane Street, an arterial road, run through a neighborhood where children play in the Crown Point Park.

Rebuttal:

Ray Kimball, Whipple Engineers, Applicant

Mr. Kimball acknowledged that as a community they face the issue of affordable housing. He emphasized he is committed to helping solve this issue and that one way to combat it is to provide a variety of housing types, which this proposal does.

Mr. Kimball responded to concerns over whether this is the right time for development by highlighting the prior proper planning that is going into this project. This project gives the ability to plan for the future, to complement the tech park, to update the wastewater land application plan, and more. This gives us the tools to achieve the goals and policies within the comprehensive plan, much like the Fieldstone project did back in 2001.

Mr. Kimball testified that the Thompson piece is involved in community planning ensuring that all the needed amenities, including parks and retail, are included. He also highlighted that the schools already within the city are located around subdivisions and neighborhoods; this is good planning by allowing children to walk to school. He stated that this proposal's community plan is very intentional. He reassured those concerned with street and traffic safety that Spokane Street will be treated as a local collector where measures will be taken to slow down traffic. He emphasized that one of their main goals is to create a community and as such safety will be prioritized.

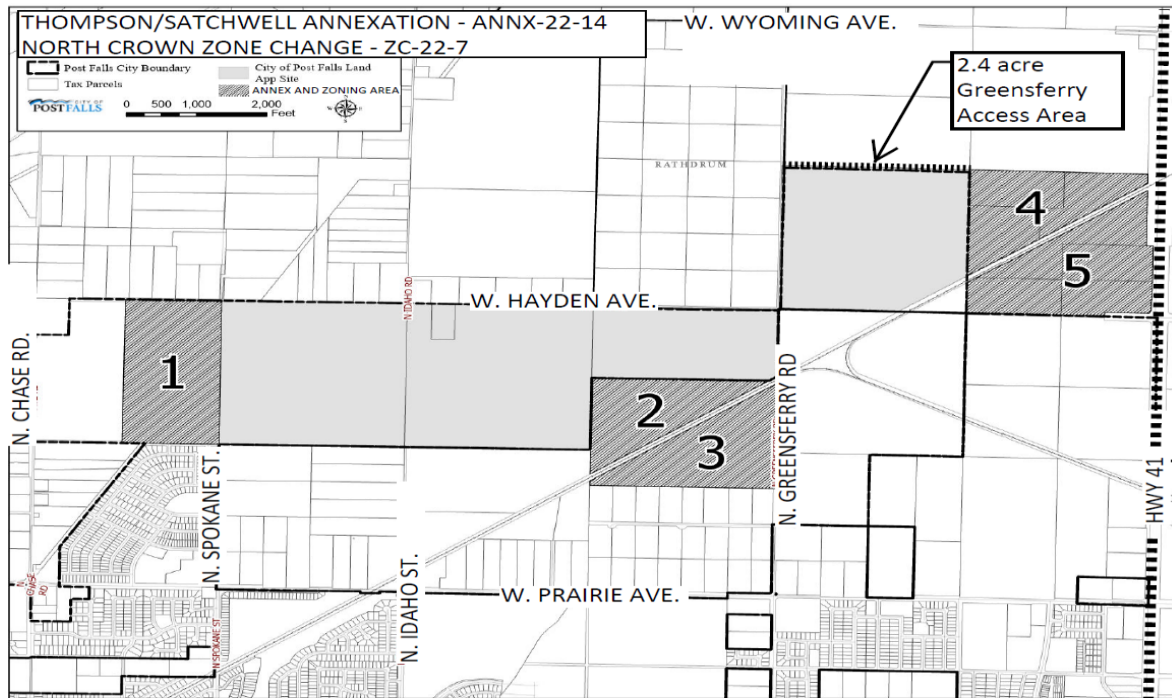
Finally, Mr. Kimball testified that this is an incredible opportunity for the city to acquire acreage for land application as well as prairie preservation. He stated that this proposal has a benefit to the

entire community and therefore should be approved.

C. EVALUATION OF APPROVAL CRITERIA FOR INITIAL ZONING:

The applicant has proposed the following mix of zoning (See Map):

<u>Area - Size in Acres</u>	<u>Current Zoning & Action</u>	<u>Proposed Zoning</u>
Area 1 – 80 ac	Public Reserve – Zone Change	Residential Mixed (RM)
Areas 2, 3, 4 – 178 ac	County - Annexation	Public Reserve (PR)
Area 5 - 28.1 ac (net)	County - Annexation	Single Family Residential (R-1)
Area 5 - 20.8 ac (net)	County - Annexation	Medium Density Residential (R-2)
Area 5 - ~34 ac (net)	County - Annexation	Community Commercial Mixed (CCM)



North Crown Zone Change (Area 1)

C1. Amendments to the zoning map should be in accordance with the Future Land Use Map.

Based on the staff report, the Council finds that the Future Land Use Map designates this area (parcel 1) as Transitional and within the Central Prairie Focus Area.

Based on the testimony of Jon Manley, Ray Kimball, and the staff report, the Council finds that the area provides for a variety of housing types and densities as designated by the focus area. Additionally, the residential mixed zone will be located next to a future school property where the multi-family and neighborhood commercial uses are near roads with higher classifications, increasing connectivity.

The Council acknowledges that that the Central Prairie Focus Area encourages multi-family use to be placed on Prairie Avenue but affirms that nothing in the comprehensive plan precludes it on Hayden Avenue, which is also a higher intensity corridor that is also appropriate for multi-family housing.

The Council ultimately finds that the evidence and testimony show that the proposed zoning, along with guidance from the focus area, is consistent with the Future Land Use Map.

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

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

Goals:

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. Rezoning parcel 1 to Residential Mixed (RM) next to the planned school will improve connectivity and roadways allowing for safer and pedestrian friendly access.

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

The Council finds that cities require functional, resilient transportation networks supporting the flow of people and materials. This proposal will provide diversified access to and from Crown Point and increase circulation to the north, improving the city's efficiency, function, and value.

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.

This proposal supports an allocation of land use types, parks features, or other areas to support the community's needs and foster the city's long-term sustainability by growing the local economy. The development provides additional diversified housing options near the planned school that both supports the community's housing needs and encourages the city's sustainability.

Policies:

Policy 1: Support land use patterns that:

- *Maintain and enhance resident quality of life;*

Diversified housing options assist with providing quality housing for different sectors of the community. Single-family homes have proven to still be in high demand in our community. The 7% open space requirement under the development plan provides additional recreational use for the citizens. The North Crown area has designated parks and open spaces meeting this requirement.

- *Promote compatible, well-designed development;*

The development will be required to meet City design standards for the proposed multi-family residential uses. Additionally, based on the testimony of Ray Kimball, the council finds that the development of Area 1 is designed to mirror and compliment the Crown Point development to the south and the neighboring school property.

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

- *Compatibility with surrounding land uses;*

As noted above, the proposed development pattern for this proposal would be compatible with the surrounding uses as they are primarily residential or other open space areas.

This rezone area intends to provide predominantly a single-family residential neighborhood, with the higher intense uses being proposed near Hayden Avenue (Major Collector). Of the approximate 80 acres proposed to be rezoned to Residential Mixed (RM), it proposes 1-acre of neighborhood commercial (1.3%), 8.3-acres of high-density residential (10.4%), and the remaining 70.7 acres to be single-family residential. This proposed mix meets the minimum requirements for the RM zoning district per PPMC 18.16.010.

- *Infrastructure and service plans;*

The proposed zone change request requires an extension of the sanitary sewer to the intersection of Spokane Street and Prairie Avenue. This extension is separate from the existing infrastructure within the Crown Pointe Subdivision.

The City's Water Reclamation System can provide service and is willing to serve the properties at the requested density. However, it's important to note that the existing capacity doesn't guarantee future service.

The properties are not subject to any Local Improvement Districts (LID's), Subsequent User Agreements, or Sewer Surcharges. The city-owned irrigation systems will irrigate the property transferred to the city in the land exchange, separate from potable water sources. Ross Point Water District will service water for the remaining properties for the annexation and East Green Acres for the zone change.

- *Existing and future traffic patterns;*

The annexation property is next to Hayden Avenue, a classified Major Collector roadway. Dedications of rights-of-way and easement would be required at the time of annexation and complying with adopted City Design Standards:

Hayden Avenue – Major Collector I: 85-feet total right-of-way width, along with a 15-foot sidewalk, drainage and utility easement. The grant of right-of-way width will be measured from the existing southern rights-of-way for Hayden Avenue.

Future traffic patterns to/from this site benefit from the connectivity of Hayden Avenue to Highway 41. Local roadway connection will also be completed in conformance with the City Master Plan (Cecil Road, Charleville Road).

C3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Streets/Traffic:

The Council finds that the proposal is located along Major Collector, Hayden Avenue, which is designed to accommodate traffic volumes of 4,000 - 12,000 vehicles per day. They find that Hayden Avenue can accommodate the increased traffic a development of this size could create.

Future traffic patterns to/from this site benefit from the proximity to numerous Collector and Arterial Roadways that would distribute traffic from the subject site like Hayden Avenue.

Additionally, the Council finds that the adjoining school property can join forces on utilities and transportation that benefits and aligns with the comprehensive plan.

Compatibility with Existing Development and Future Uses:

As outlined in the discussion of Policy 2, the Council finds that the proposed zoning is compatible with existing development and future uses in the area.

Future Land Use Designation:

The Council finds that the Future Land Use Map depicts the land use designation for this area as Transitional. the Central Prairie Focus Area, supports the development of a variety of housing types and densities with focused multi-family and commercial development in appropriate locations. the Council finds that the proposal is in accordance with the Future Land Use Designation. The Council finds that the proposed zoning and annexation/development agreement for Area 1 will provide for multi-family housing near a higher intensity roadway and school site, a small commercial node, as well as single family residential development. The council finds that this pattern is consistent with the guidance provided in the Central Prairie Focus Area within the Comprehensive Plan.

Geographic/Natural Features:

The site is located over the Rathdrum Prairie Aquifer and contains no other geographic or other natural features that would adversely affect the development of the site.

C4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

The Council finds that Parcel 1 has the higher density development adjacent to Hayden Ave, which, as a Major Collector, is a higher road classification. As such, the Council finds that this criterion has been met.

C5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

The Council finds that the less intense uses are internal to the site further away from the higher intensity corridor. As such, the Council finds that this criterion has been met.

C6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

The Council finds this criterion inapplicable to the request.

Public Reserve Areas (Areas 2,3, and 4)

C1. Amendments to the zoning map should be in accordance with the Future Land Use Map.

The Council finds as to Areas 2, 3, and 4 that the Public Reserve designation, as provided in the Post Falls Municipal Code, is appropriate for all future land use designations within the Comprehensive Plan.

As such, the Council finds that the proposed Public Reserve zoning is consistent with the Future Land Use Map.

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

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

Goals:

Goal 8: Protect and maintain Post Falls' natural resources including clean air, soils, river, and aquifer, and minimizing light and noise pollution citywide.

Goal 9: Protect and enhance Post Falls' commitment to maintaining its natural areas for present and future generations.

The Council finds that preserving additional open space on the Rathdrum Prairie for land application will assist in meeting these goals of protecting and maintaining natural resources and area by providing necessary land to comply with land application requirements thereby protecting the river from excessive phosphorus levels. This will also provide an additional 98 acres of preserved open space.

Policies:

Policy 1: Support land use patterns that:

- *Maintain and enhance resident quality of life;*

The Council finds that increasing the amount of preserved prairie land provides the city and community with greater open spaces. It also provides space for land application that keeps the river clean, safe, and sustainable both preserving and enhancing the community's quality of life into the future.

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

The Council finds that the requested Public Reserve zoning implements the City's Wastewater Master Plan, which calls for additional land application properties.

C3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.

Streets/Traffic:

The Council finds that the proposal is located along Major Collector, Hayden Avenue, which is designed to accommodate traffic volumes of 4,000 - 12,000 vehicles per day. They find that Hayden Avenue can easily handle any increase in traffic a development of this size could create.

Future traffic patterns to/from this site benefit from the proximity to numerous Collector and Arterial Roadways that would distribute traffic from the subject site like Hayden Avenue.

Future Land Use Designation:

The Council finds that the Future Land Use Map designates this area as "Transitional" within the

Central Prairie Focus Area. Further, the Post Falls Municipal Code provides that the Public Reserve zoning designation is compatible with all future land use designations. As such, the Council finds that the request is consistent with the future land use designation.

Geographic/Natural Features:

The site is located over the Rathdrum Prairie Aquifer and contains no other geographic or other natural features that would adversely affect the development of the site. Rather, the Council finds that this proposal safeguards the city's natural prairie land by zoning it as public reserve which is consistent with existing and surrounding uses.

C4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.

The Council finds this criterion inapplicable to the request.

C5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.

The Council finds this criterion inapplicable to the request.

C6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.

The Council finds this criterion inapplicable to the request.

Mixed Use Thompson Property along Highway 41 (Parcel 5)

C1. Amendments to the zoning map should be in accordance with the Future Land Use Map.

The Council finds that the Future Land Use Map designates this area (Parcel 5) as Transitional and within the 41 North Focus Area.

The Council finds that the proposal focuses the multi-family and commercial near higher classified roadways and transitions from higher density near Highway 41 to lower density along W. Hayden Ave.

The Council finds that evidence and testimony show that the proposed zoning, along with guidance from the focus areas, is consistent with the Future Land Use Map.

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

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

Goals:

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.

This proposal supports an allocation of land use types, parks features, or other areas to support the community's needs and foster the city's long-term sustainability by growing the local

economy. The development provides additional diversified housing options nearby the tech park and other commercial developments that promote the city's sustainability by encouraging participation in the economy.

Policies:

Policy 1: Support land use patterns that:

- *Promote compatible, well-designed development;*

The development will be required to meet City design standards for the proposed multi-family residential uses. Additionally, the Council finds that the development and annexation agreement for this site includes additional design requirements to ensure that future development is compatible and well designed.

- C3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.**

Streets/Traffic:

The Council finds that the proposal is located along Major Collectors (Hayden Avenue and Highway 41), which are designed to accommodate traffic volumes of 4,000 - 12,000 vehicles per day. They find that these roadways are more than adequate and can handle the increased traffic a development of this size could create.

The Council finds that future traffic patterns to/from this site benefit from the proximity to numerous Collector and Arterial Roadways. They find that the traffic patterns here have a symbiotic relationship where the high traffic benefits commercial development and vice versa.

Water and Sanitary Sewer:

The Council finds:

Water: Water service for Parcel 5 will be developed and provided by Ross Point Water District.

Sanitary Sewer: Sanitary sewer will be provided by the City of Post Falls. Sewer extensions will be required from the individual property to Spokane Street and Prairie Avenue intersection and from Prairie Avenue to the Fisher Lift Station. The requested zoning complies with the land use assumptions within the City's Water Reclamation Master Plan.

Geographic/Natural Features:

The site is located over the Rathdrum Prairie Aquifer and contains no other geographic or other natural features that would adversely affect the development of the site.

- C4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.**

The Council finds that Parcel 5 has the higher density uses proposed along Highway 41.

- C5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.**

The Council finds that the less intense uses being proposed proceed farther away from the higher

intensity urban activity. The higher intensity uses are proposed along highway 41 and transition into lower intensity uses as the development moves eastward, from commercial and commercial mix into high density multifamily and then into lower intensity single family housing.

- C6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.**

The Council finds this criterion inapplicable to the request.

D. CONCLUSIONS AND RECOMMENDATIONS OF THE COUNCIL:

ANNX-22-14, INITIAL ZONING & ZC-22-7, ZONE CHANGE: Following the public hearing and the recommendation of the Planning and Zoning Commission, the City Council hereby approves the requested annexation, zoning, and zone change: Residential Mixed (RM) on 80-acres; Public Reserve (PR) on 178-acres; Single Family Residential (R1) on 28.1-acres; Medium Density Residential (R2) on 20.8-acres; and Community Commercial Mixed (CCM) on 34-acres, as depicted in A-2, upon the adoption of annexation and zoning ordinances for the properties in question.

Date

Mayor

Attest

NOTICE OF RIGHTS:

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

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

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

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

**CITY OF POST FALLS
AGENDA REPORT
PUBLIC HEARINGS
MEETING DATE: 9/26/2023**

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Jason Faulkner, Finance Director
SUBJECT: FY 2024 Foregone Reserve

ITEM AND RECOMMENDED ACTION:

Approve, as presented.

DISCUSSION:

The County provided incorrect annexation information to the City regarding the amount that could be reserved for foregone. This public hearing and corrected resolution reflects the updated amount for fiscal year 2024.

ITEM / PROJECT PREVIOUSLY REVIEWED BY COUNCIL ON:

September 5th, 2023

APPROVED OR DIRECTION GIVEN:

Approve, as presented

FISCAL IMPACT OR OTHER SOURCE OF FUNDING:

N/A

BUDGET CODE:

N/A

ATTACHMENTS:

1. 2023.09.18 Superseding Resolution Reserving Foregone Amount

RESOLUTION NO. _____

Supersedes Resolution No. 23-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO, SUPERSEDING RESOLUTION NO. 23-05 AND RESERVING THE FORGONE AMOUNT FOR FISCAL YEAR 2024 FOR POTENTIAL USE IN SUBSEQUENT YEARS AS DESCRIBED IN IDAHO CODE §63-802, et al.

WHEREAS, Idaho Code §50-235 empowers the city council of each city to levy taxes for general revenue purposes; and,

WHEREAS, Idaho Code §50-1002 requires the city council of each city in the State of Idaho to pass a budget, referred to as an annual appropriation ordinance; and,

WHEREAS, Idaho Code §63-802 sets limitations on all taxing district budget requests on the amount of property tax revenues that can be used to fund programs and services; and,

WHEREAS, Idaho Code §63-802(1)(a) allows each taxing entity to increase property tax budget amounts by a maximum of 3%, plus an amount calculated based on the value of both new construction and annexation added during the previous calendar year, plus an amount for forgone taxes; and,

WHEREAS, Idaho Code §63-802(1)(f) requires that the City adopt an annual resolution to reserve additional forgone amount to utilize that amount in subsequent years; and,

WHEREAS, On September 5, 2023, the Post Falls City Council adopted Resolution No. 23-05, to reserve \$116,497 of its current year's allowable increase into the City's foregone balance for use in subsequent years; and

WHEREAS, the Kootenai County Assessor made an error regarding the value of annexations during the fiscal year beginning October 1, 2022, that increased the revenues available to the City for appropriation for fiscal year 2024 by approximately \$19,099; and

WHEREAS, the City desires to correct the amount of its allowable increase that it is reserving into the City's foregone balance to account for the funds mistakenly omitted by the Kootenai County Treasurer; and

WHEREAS, the City has met the notice and hearing requirements in Idaho Code §63-802(1)(f) to correct the error and adopt this Resolution to reserve the current year's correct increase in the forgone amount; and,

WHEREAS, the City intends to reserve \$135,596 of its current year's increase in allowable forgone amount.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF POST FALLS, IDAHO, that \$135,596 of the current year's allowable increase in its forgone amount is reserved and included in the City's total forgone balance for potential use in subsequent years.

PASSED by the _____ CITY COUNCIL on the _____ day of _____,
_____.

MAYOR

ATTEST:

CITY CLERK

CITY OF POST FALLS
AGENDA REPORT
UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS
MEETING DATE: 9/26/2023

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Jason Faulkner, Finance Director
SUBJECT: Resolution - FY2024 Foregone Tax Reserve

ITEM AND RECOMMENDED ACTION:

N/A

DISCUSSION:

N/A

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:

1. 2023.09.18 Superseding Resolution Reserving Foregone Amount

RESOLUTION NO. _____

Supersedes Resolution No. 23-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO, SUPERSEDING RESOLUTION NO. 23-05 AND RESERVING THE FORGONE AMOUNT FOR FISCAL YEAR 2024 FOR POTENTIAL USE IN SUBSEQUENT YEARS AS DESCRIBED IN IDAHO CODE §63-802, et al.

WHEREAS, Idaho Code §50-235 empowers the city council of each city to levy taxes for general revenue purposes; and,

WHEREAS, Idaho Code §50-1002 requires the city council of each city in the State of Idaho to pass a budget, referred to as an annual appropriation ordinance; and,

WHEREAS, Idaho Code §63-802 sets limitations on all taxing district budget requests on the amount of property tax revenues that can be used to fund programs and services; and,

WHEREAS, Idaho Code §63-802(1)(a) allows each taxing entity to increase property tax budget amounts by a maximum of 3%, plus an amount calculated based on the value of both new construction and annexation added during the previous calendar year, plus an amount for forgone taxes; and,

WHEREAS, Idaho Code §63-802(1)(f) requires that the City adopt an annual resolution to reserve additional forgone amount to utilize that amount in subsequent years; and,

WHEREAS, On September 5, 2023, the Post Falls City Council adopted Resolution No. 23-05, to reserve \$116,497 of its current year's allowable increase into the City's foregone balance for use in subsequent years; and

WHEREAS, the Kootenai County Assessor made an error regarding the value of annexations during the fiscal year beginning October 1, 2022, that increased the revenues available to the City for appropriation for fiscal year 2024 by approximately \$19,099; and

WHEREAS, the City desires to correct the amount of its allowable increase that it is reserving into the City's foregone balance to account for the funds mistakenly omitted by the Kootenai County Treasurer; and

WHEREAS, the City has met the notice and hearing requirements in Idaho Code §63-802(1)(f) to correct the error and adopt this Resolution to reserve the current year's correct increase in the forgone amount; and,

WHEREAS, the City intends to reserve \$135,596 of its current year's increase in allowable forgone amount.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF POST FALLS, IDAHO, that \$135,596 of the current year's allowable increase in its forgone amount is reserved and included in the City's total forgone balance for potential use in subsequent years.

PASSED by the _____ CITY COUNCIL on the _____ day of _____,
_____.

MAYOR

ATTEST:

CITY CLERK