



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**June 30, 2026
5:30 PM**

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

REGULAR MEETING – 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Vicky Jo Carey, Ray Kimball, James Steffensen, Ross Schlotthauer, Chris Schreiber, Bobby Wilhelm, Michael Floch

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

AMENDMENTS TO THE AGENDA

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

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

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

1. CONSENT CALENDAR

The consent calendar includes items which require formal Commission action, but which are typically routine or not of great controversy. Individual Commission members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Commission agenda packet regarding these items and any contingencies are part of the approval.

ACTION ITEMS:

2. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, by subsequent appointment. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring action must be placed on the agenda of an upcoming meeting. As such, the Commission cannot take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

3. UNFINISHED / OLD BUSINESS

This section of the agenda is to continue consideration of items that have been previously discussed by the Planning and Zoning Commission.

ACTION ITEMS:

4. PUBLIC HEARINGS

There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

ACTION ITEMS:

- a. Tamarack Mountain Appeal File No. APL-26-1

5. ADMINISTRATIVE / STAFF REPORTS

6. COMMISSION COMMENT

7. ADJOURNMENT

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 N. 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, Chris Schreiber, Ross Schlotthauer, Bobby Wilhelm, Michael Floch

CITY OF POST FALLS

PLANNING & ZONING COMMISSION

STAFF REPORT

PUBLIC HEARING

Meeting Date: June 30, 2026

To: Planning & Zoning Commission

From: Jonathon Manley, Planning Manager

Subject: Tamarack Mountain Homes Appeal – File No. APL-26-3

PROJECT SUMMARY

Applicant: Tyler Mort

Owner: Tamarack Mountain Homes LLC

Location: 312 and 316 W. 21st Ave

Legal Description: GLENWOOD PARK ADD TO PF, LTS 8, 9 BLK 11

Current Zoning: Medium Density Residential (R-2)

Future Land Use: Medium Density Residential

Site Size: Two (2) parcels totaling .275 acres

REQUEST

Applicant is Appealing a staff decision to require frontage improvements on a couple parcels where one (1) single family home was replaced by two (2) duplexes on properties zoned Medium Density Residential (R2) as part of building permits BLDR-26-22 and BLDR-26-23. So, 4 units are being developed where 1 unit used to be. Post Falls Municipal Code (PFMC) States that the dedication of additional street rights-of-way, easements and the construction of frontage improvements are required in the following cases:

- a. When establishing any use other than a temporary use.
- b. When constructing or expanding a use on a lot by creating a new land use or expanding an existing use by twenty-five (25%) or more in floor area.**
- c. For primary residential structures with less than 850 sq. ft. of living area, rights-of-way and frontage improvements are required when expanding by thirty-five percent (35%) or more in floor area.

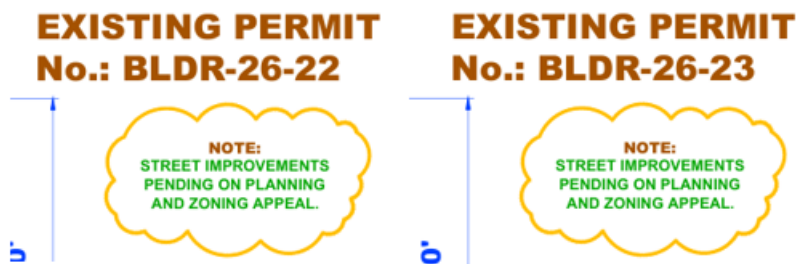
BACKGROUND

Staff and the applicant have been discussing this project since September 2025. Throughout the review process, staff consistently advised that the proposed duplex

development would require frontage improvements in accordance with City Code. Staff also informed the applicant that recently adopted code provisions exempt cottage homes and tiny homes from these frontage improvement requirements; however, those housing types were not desired by the applicant.

Over the course of several months, staff and the applicant exchanged numerous emails and held multiple meetings regarding the frontage improvement requirements. The applicant maintained that the City's interpretation of the applicable code was incorrect. To avoid delaying the project during the current construction season, staff agreed to allow the applicant to proceed with construction of the duplexes at their own risk while pursuing the City's appeal process to obtain a formal determination regarding the code interpretation.

The approved site plans for the duplex development include the following notes:



STAFF FINDINGS

Staff finds item **b. above** has been triggered within the attached powerpoint, therefore frontage improvements are required.

APPEAL HEARING PROCEDURES

a. Time Limits and Order of Testimony. Arguments at administrative appeal hearings authorized by Post Falls Municipal Code 18.20.110(B) will be taken in the following order, and each speaker will be allowed the following time to speak.

1. Appellant's Argument – **20 Minutes.**
2. Staff Argument – **20 Minutes.**
3. Appellant's Rebuttal – **10 Minutes.**

b. Grant of Additional Time. The Mayor or Planning Commission Chairperson may allow additional time for argument if the allowance of additional time does not prejudice any other party.

c. Closure of Appeal Hearing. At the conclusion of the argument, the Mayor or Planning Commission Chairperson will close the hearing, and deliberations by the

hearing body will begin. Procedural and other questions seeking clarification may be directed to city staff during this period.

d. Decision by the City Council or Planning Commission. After deliberation, a member of the hearing body should make a motion to approve or deny the appeal and direct staff to prepare the appropriate documents to implement the final decision. The motion should include sufficient detail to enable staff to prepare the necessary documents for implementing the decision. The hearing body may also elect to table the matter until a future date. The vote of the hearing body will be taken by motion and a roll-call vote.

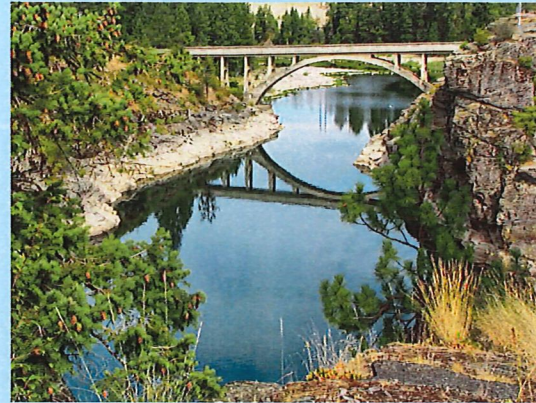
e. Preparation of Written Decision. Following the hearing, city staff will prepare the necessary documents to implement the decision and return them to the hearing body for final approval.

ATTACHMENTS

1. Staff Powerpoint
2. Notice of Appeal
3. BLDR-26-22 Site Plan
4. BLDR-26-23 Site Plan

Tamarack Mountain Homes Appeal

File No: APL-26-1



Jon Manley-Planning Manager
June 30, 2026

1

APPLICANT: Tyler Mort

OWNER: Tamarack Mountain Homes, LLC

REQUESTED ACTION:

- Appealing a staff decision to require frontage improvements of two developing duplexes on properties zoned Medium Density Residential (R2).

APPEAL



2

PROJECT BACKGROUND:

- Staff and applicant have been discussing the project since **September 2025**.
- Staff consistently advised that the proposed duplex development requires **frontage improvements** under City Code.
- Staff informed the applicant that **cottage homes and tiny homes** are exempt from frontage improvement requirements under recently adopted regulations.
- Applicant determined those alternative housing types did not meet the project's objectives.



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CODE INTERPRETATION:

- Multiple emails and meetings were held to discuss frontage improvement requirement.
- Applicant consistently disputed the City's interpretation of the applicable code.
- To avoid delaying the 2026 construction season, staff allowed the applicant to proceed **at their own risk**.
- The applicant is pursuing the City's appeal process to obtain a formal interpretation of the code.



4

CURRENT STATUS:

- Duplex site plans were approved with notes acknowledging the frontage improvement issue.
- The appeal will determine whether frontage improvements are required for the proposed development (This includes the alley as it is the primary access to the site).

**EXISTING PERMIT
No.: BLDR-26-22**

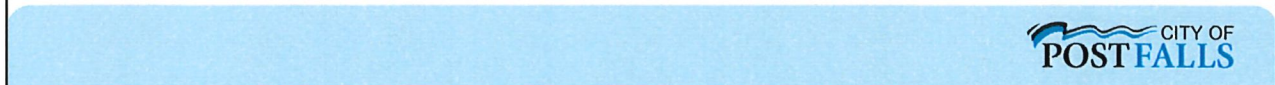
**EXISTING PERMIT
No.: BLDR-26-23**



5

PFMC 18.20.110, Administrative Procedures, subsection C

- May appeal an administrative decision by the Zoning Administrator to the planning and zoning Commission by filing a written notice of appeal.
- The decision of the planning and zoning Commission may be further appealed to the city Council by following the appeal procedures contained in section 18.20.060 of this chapter.



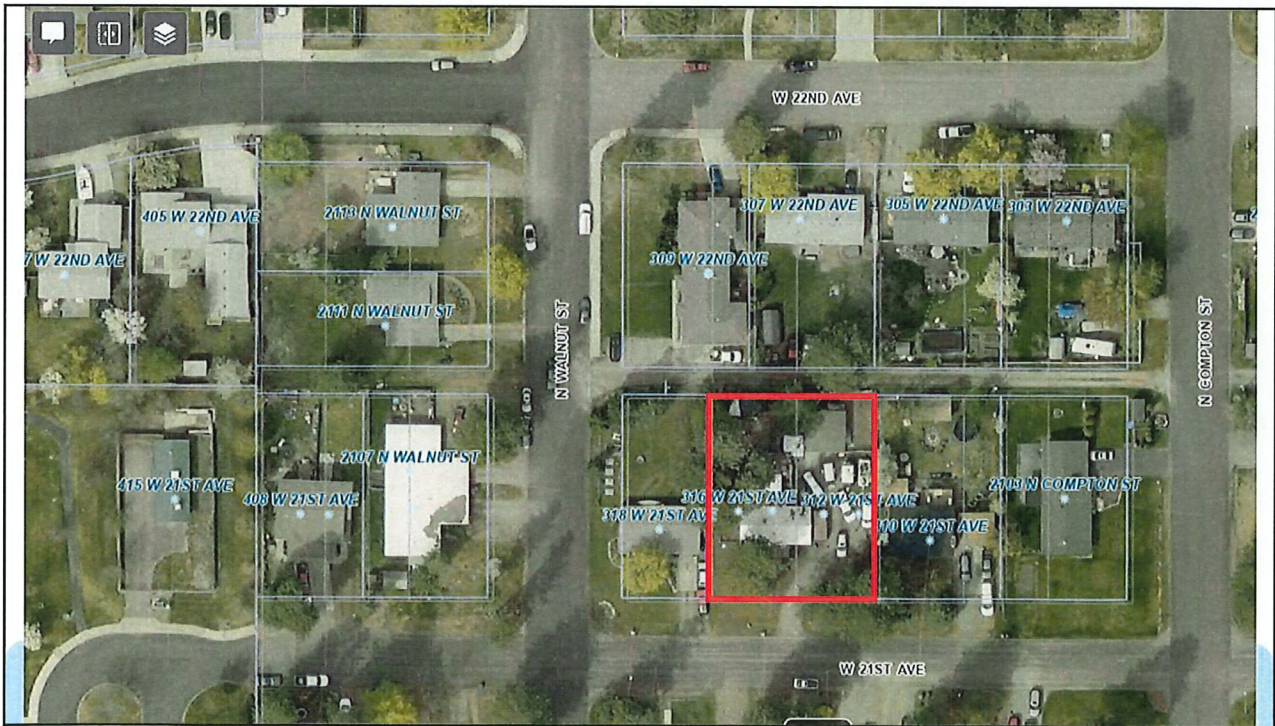
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PRECEDENT SET



101-107 W. 10TH Ave.

7



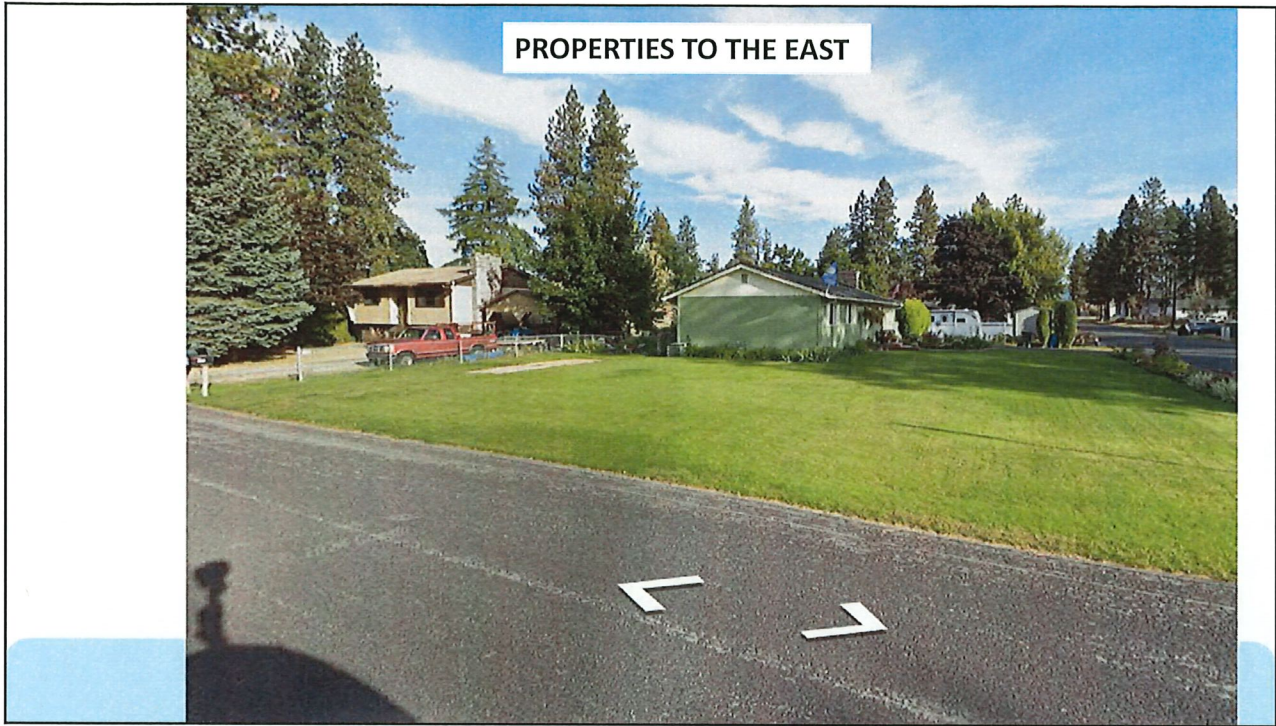
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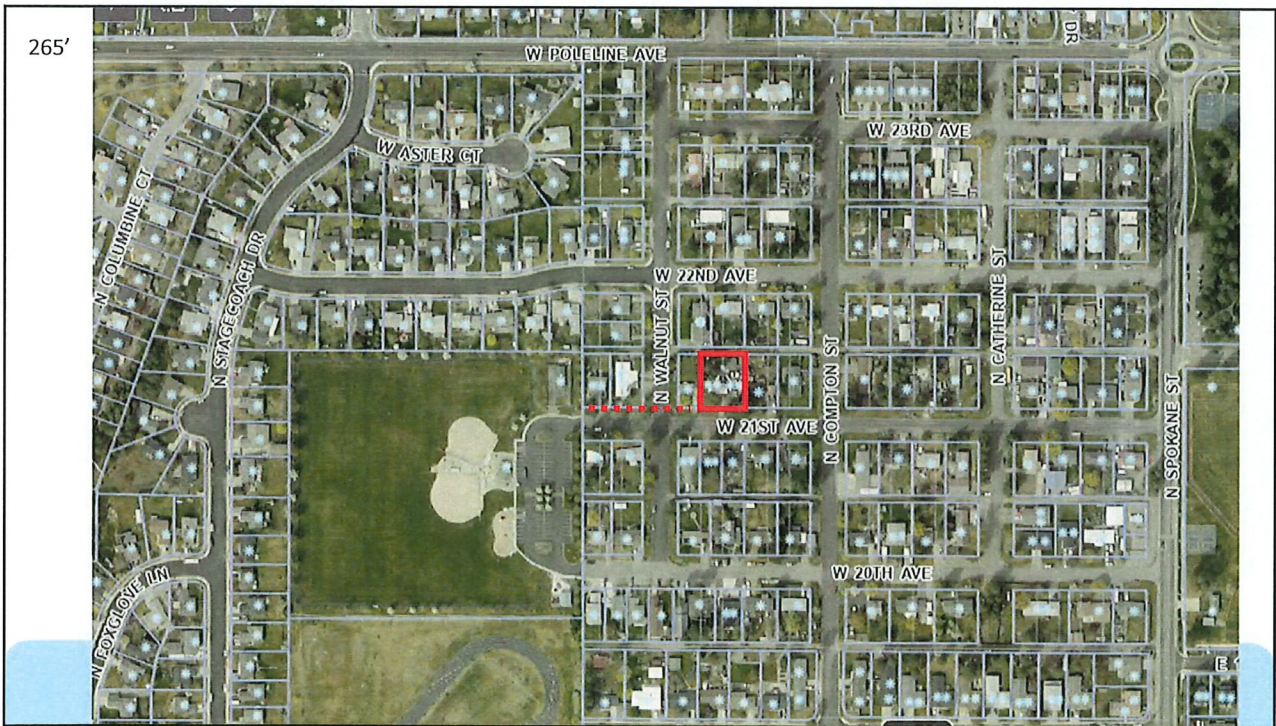
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ZONING DISTRICT

Medium Density Residential (R2). 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

Land Use Category	Zoning Classifications										LBCS Code
	R1S	R1	R2	R3	LC	CCS	I	TM	CCM	RM	
<i>Residential Uses:</i>											
Single-Family Home	P	P	P	-	S	-	-	-	-	P	1101
Duplex, 2 units per structure	-	-	P	P	S	S	-	-	-	P	1102



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DEFINITIONS IN PFMC TITLE 18

Dwelling Unit (D.U.) means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Single-Family Home (SF) means a building containing a **single Dwelling Unit**.

Duplex House (DPX) means a **multi-family house** having separate *Dwelling Units* for two families with two separate entrances on a single *Lot* or consolidated *Lots* within a single tax parcel, other than where a second *Dwelling Unit* is permitted as an *Accessory Use*.



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Pre-existing Conditions:

Single family house (1 D.U.) and detached accessory buildings on 2 platted lots within a single tax parcel at about 1720 sq.ft.

Proposed Development

2 duplexes on 2 platted lots creating 4 D.U.'s on 2 tax parcels with main vehicular access via alley. Sum of 4830 sq.ft.

Approximate Pre-Existing Conditions

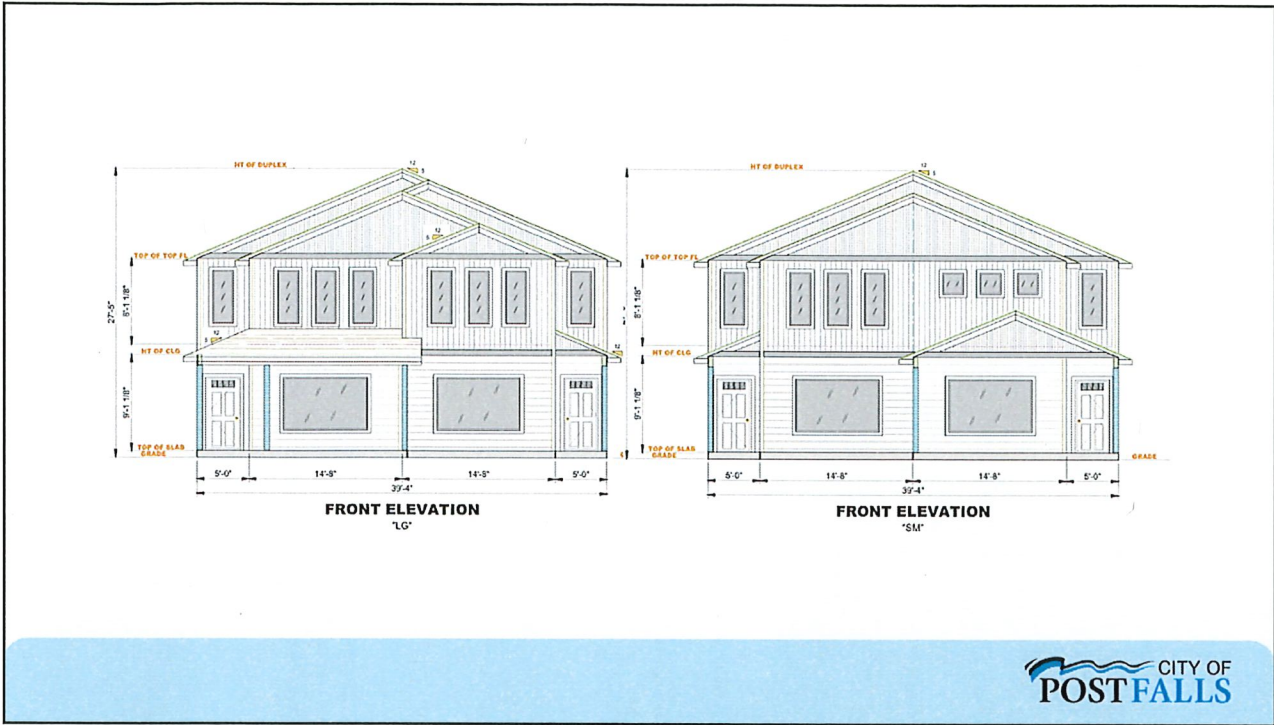
- House = 920 sq. ft.
- Accessory Building Shop = 560 sq. ft.
- 2 (10X12) AB = 240 sq. ft.
- = 1720 sq.ft.



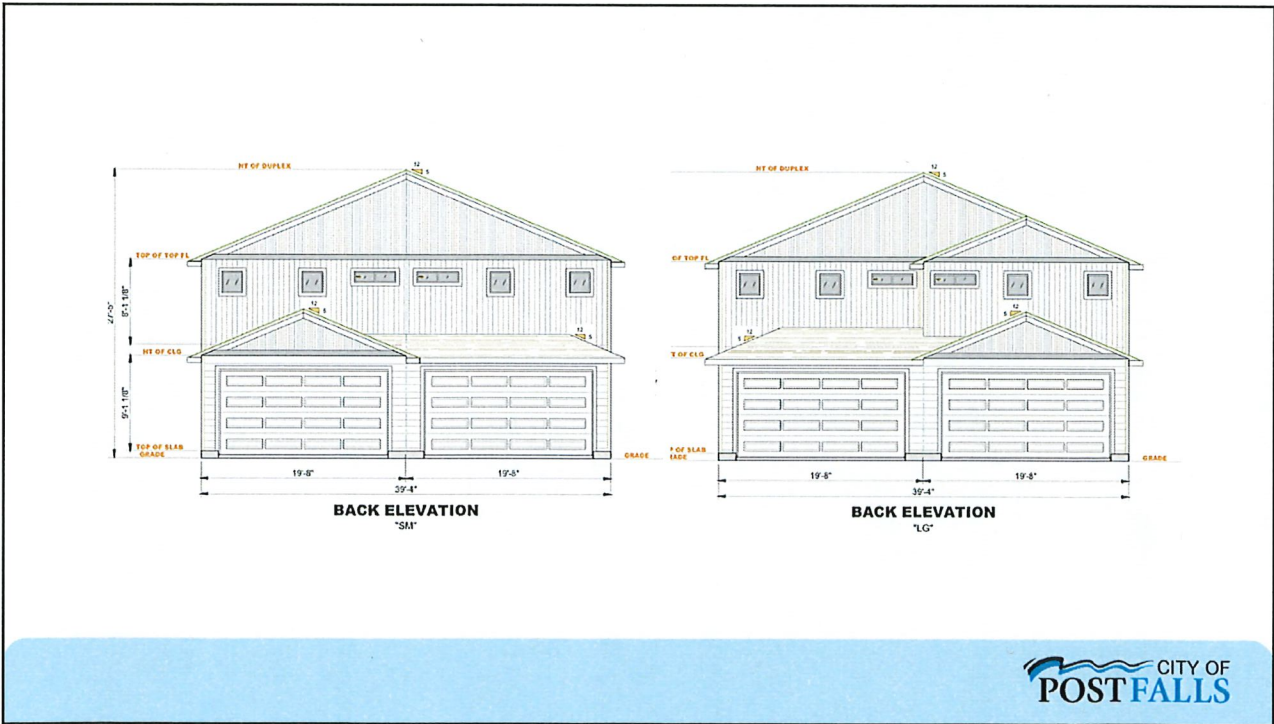
BEFORE AND AFTER



16



17



18

FRONTAGE IMPROVEMENTS – PFMC 18.24.020 General Standards, subsection F

F. Street Right-Of-Way Dedication and Frontage Improvements.

1. Applicability. Dedication of additional street rights-of-way, easements and the construction of frontage improvements are required in the following cases:

- a. When establishing any use other than a temporary use.
- b. When constructing or expanding a use on a lot by creating a new land use or expanding an existing use by twenty-five (25%) or more in floor area.**
- c. For primary residential structures with less than 850 sq. ft. of living area, rights-of-way and frontage improvements are required when expanding by thirty-five percent (35%) or more in floor area.



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CHANGE OF USE DETERMINATION – PFMC 18.24.020 General Standards, subsection F

3. Exceptions. Dedication and frontage improvements are not required in the following circumstances:

- For temporary or seasonal uses.
- For residential accessory structures on lots that:
 - Are not located in a SmartCode Zone, Do not front a collector or arterial roadway, and are smaller in square footage than the primary residence.
- **For infill development on pre-existing platted City lots creating up to three (3) additional cottage or tiny home housing units, through plat or site plan review, provided that:**
 - The lots are not located in a SmartCode Zone, and
 - The lots do not front a collector or arterial roadway.

Exception Applicability



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FRONTAGE IMPROVEMENTS – PFMC 18.24.020 General Standards, subsection F

b. When constructing or expanding a use on a lot by creating a new land use or expanding an existing use by twenty-five (25%) or more in floor area.

- Definitionally, the site is going from a single-family use to a multi-family house having separate *Dwelling Units* for two families with two separate entrances
- The site is going from 1 unit to 4 units
- Permitted Duplex Sq. Ft. = 4834 to sq.ft
- Increase % = $4834/1720 = 281\%$ Increase
or 2.81 times the occupiable space

Overview



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FRONTAGE IMPROVEMENTS – PFMC 18.24.020 General Standards, subsection F

b. When constructing or expanding a use on a lot by creating a new land use or expanding an existing use by twenty-five (25%) or more in floor area.

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- The site is going from 1 unit to 4 units
- Permitted Duplex Sq. Ft. = 4834 to sq.ft
- Increase % = $4834/1720 = 281\%$ Increase
or 2.81 times the occupiable space

Questions



22



23

NOTICE OF APPEAL

To:

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

From:

Tamarack Mountain Homes, LLC
Attn: Tanner Mort

1340 W Miss Hana Ave
Post Falls, ID 83854

Contact:

Tyler Mort
tyler@tamarackmountainhomes.com
(208) 818-9364

Interested Party:

Tytan Rental Properties, LLC

Date: April 10, 2026

Re: Notice of Appeal – 312 W 21st Ave (Permit Nos. BLDR-26-22 & BLDR-26-23)

Pursuant to Post Falls City Code §18.20.110(C), the undersigned hereby appeals administrative decisions of the Zoning Administrator. This appeal concerns building permits, issued on April 20, 2026, for the following properties:

- **312 W 21st Ave, Permit No. BLDR-26-22**
- **312 W 21st Ave, Permit No. BLDR-26-223**

The decisions being appealed include conditions requiring public right-of-way and frontage improvements, including but not limited to:

- installation of sidewalk, curb, and gutter, and
- paving of the alleyway, in whole or in part, including areas not adjacent to and outside the control of the subject properties.

BASIS FOR APPEAL

Appellant, Tamarack Mountain Homes, LLC, is aggrieved by the imposition of these requirements. Appellant respectfully submits the decisions are in error for at least the following reasons:

1. The triggering conditions for frontage improvements set forth in Post Falls City Code §18.24.020 are not satisfied.

Section 18.24.020(F)(1) requires such improvements only when specific triggers are met, including (a) “establishing any use” or (b) “constructing or expanding a use... by creating a new land use or expanding an existing use by twenty-five (25%) or more in floor area.” Neither triggering condition is met here.

Under §18.24.020(F)(1)(a), the projects do not establish a new use because the properties have continuously been used for residential purposes, and the temporary absence of a structure does not change the underlying use of the land. Nor do the projects somehow convert a previous single-family use to a new multi-family use, as §18.20.130(A)(1) of the City code defines multi-family as “three or more units per parcel” and each structure in this case is a duplex (two units).

Under §18.24.020(F)(1)(b), the projects do not create a new land use and do not constitute an expansion of an existing use. First, replacement of a structure does not change land use. Second, §18.20.130(A)(2) of the code defines expansion as enlargement of “an existing structure.” Here, the prior structures were removed and replaced, which is not an expansion of an existing structure or use.

2. Off-site improvements exceed code authority.

The permit conditions require paving of the alleyway, in whole or in part, including areas not adjacent to and outside the control of the subject properties, which is not authorized by §18.24.020 and exceeds the City’s authority. Section 18.24.020(H)(1) governs surfacing requirements for residential access drives and parking areas, and applies to on-site improvements serving the residence.

While the proposed duplexes may take access from the alley, that provision requires paving of the driveway or access serving the structure—not the paving of the public alleyway itself. Appellant is willing to comply with applicable requirements for on-site access and driveway improvements, but the code does not support requiring improvements to the public right-of-way beyond the point of access.

3. The result is inconsistent with adopted City policy and produces an illogical outcome.

Section 18.24.020 of the City code was recently amended to allow higher-density residential developments, such as cottage or tiny home developments of up to three (3) units per parcel, without triggering the same frontage requirements. Here, the proposed duplexes involve fewer units (two (2) per parcel) and less impact, yet are being subjected to more burdensome requirements. This result is inconsistent with the City’s policy direction to support flexible and attainable housing and discourages the type of incremental infill development the code seeks to promote.

4. Alternative (without waiver): off-site requirements are not proportionate.

To the extent the City requires off-site or non-adjacent improvements (e.g., paving of the public alleyway), such conditions are not reasonably related or proportionate to the impacts of the proposed development.

RELIEF REQUESTED

Appellant respectfully requests that the Planning and Zoning Commission:

1. Reverse or modify the decisions to remove the requirements for sidewalk, curb, and gutter improvements;
2. Remove any requirement for paving the alleyway, in whole or in part; and
3. Grant such other relief as the Commission deems appropriate.

DATED: April 21, 2026

Tanner Mort

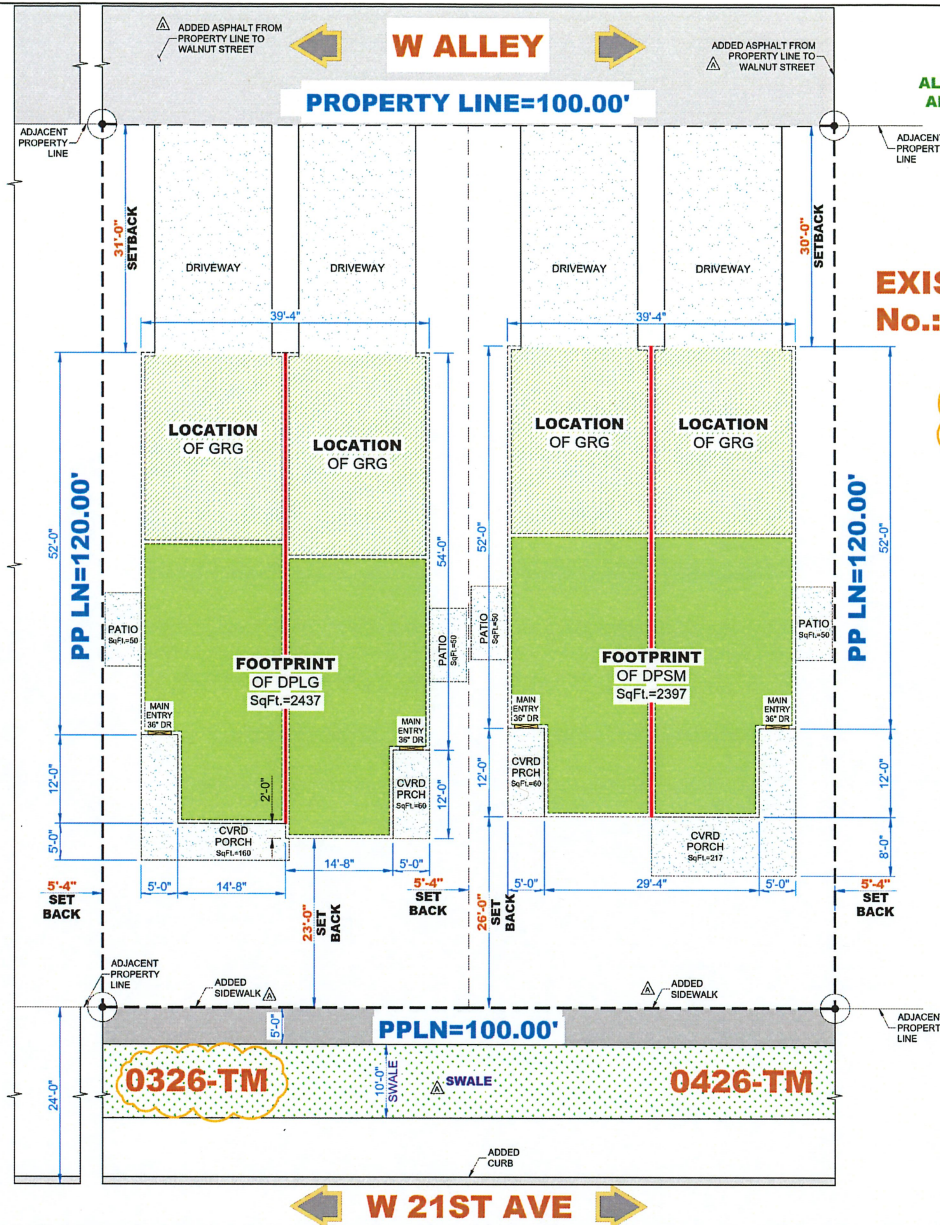


LOT 08 & 09 BLK 11
GLENWOOD PARK ADD TO PF
312 W. 21ST AVE
POST FALLS, IDAHO 83855
SqFt. OF LOT = 12000
FOOTPRINT SqFt. OF DPLG = 2437
COVERED PORCH SqFt. = 160
COVERED PORCH SqFt. = 60
FOOTPRINT SqFt. OF DPSM = 2437
COVERED PORCH SqFt. = 60
COVERED PORCH SqFt. = 217
COVERAGE = 5371
LOT COVERAGE = 45%
MAX LOT COVERAGE = 50%

CITY OF POST FALLS SETBACKS
ZONE R-2 (DPX)
HEIGHT OF Home: 35' MAX.
Front Yard: 15' BACK OF
SIDEWALK OR PROPERTY LINE
Front of Garage = 20' BACK OF
SIDEWALK OR PROPERTY LINE
Side Yard Flanking Street = 15'
Side Yard = 5'
Rear Yard = 10'
MAX LOT COVERAGE = 50%

03-10-26 REVISION PER THE CITY OF PF:
 1) ASPHALT NEED TO BE SHOWN FROM PROPERTY LINE TO WALNUT STREET. SIDEWALK, SWALE AND CURB NEEDED TO BE SHOWN. ALL LOCATIONS SHOWN W/ DELTA'S

WALNUT ST



CONTRACTOR/OWNER
TO LOCATE WATER,
SEWER & UTILITIES
AND ALL SETBACKS AND LOT
DIMENSIONS

SNOW LOAD
CATEGORY
CATEGORY "A"
MIN 40 PSF

EXISTING PERMIT
No.: BLDR-26-22

NOTE:
STREET IMPROVEMENTS
PENDING ON PLANNING
AND ZONING APPEAL.



You have an Idea, Let's put it on Paper
 Residential Designer
 Ph: 208/779-4872
 Cell: 208/699-3518

Asst No:	0326-TM
Asst No:	1876T-1876T-DP
Block or Parcel:	TAMARACK MOUNTAIN HOMES
Location:	312 W 21ST AVE, POST FALLS ID, 83854
Asst No:	AIN:121342
Block or Parcel:	PCL:P3300011008A
Drawn By:	LPB
Date:	01/08/26
Scale 1/8"=1'	Scale 1/16"=1'
DWG Name:	SITE PLAN
DWG No:	A1
Sheet:	1 of 1 REV 0

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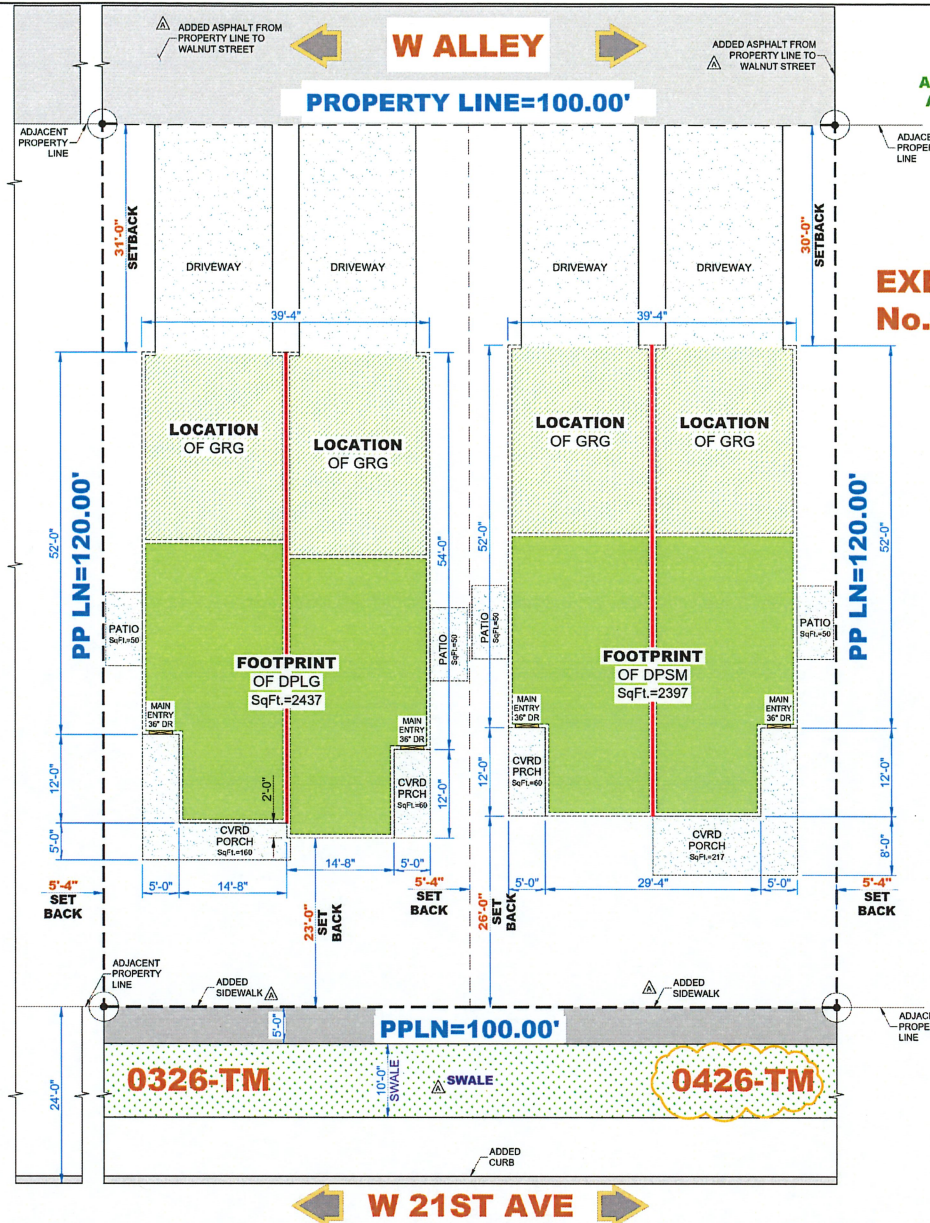


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SNOW LOAD
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CATEGORY "A"
MIN 40 PSF

EXISTING PERMIT
No.: BLDR-26-23

NOTE:
STREET IMPROVEMENTS
PENDING ON PLANNING
AND ZONING APPEAL.



You have an Idea, Let's put it on Paper
 Residential Designer
 Ph: 208/779-4872
 Cell: 208/699-3518

As Number	0426-TM
As or Permit	1876T-1876T-DP
Client Name	TAMARACK MOUNTAIN HOMES
Location	312 W 21ST AVE, POST FALLS ID, 83854
Lot or Add	AIN:121342
Block or Parcel	PCL:P3300011008A
Drawn By	LPB
Date	01/08/26
Scale 26x35	1/8"=1'
Scale 11x17	1/16"=1'
DWG Name	SITE PLAN
DWG No	A1
Sheet	1 of 1
REV	A

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