



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

**July 14, 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:

- a. Meeting Minutes 06-09-2026
- b. Meeting Minutes 06-18-2026
- c. Meeting Minutes 06-30-2026
- d. Tamarack Mountain Homes Appeal Reasoned Decision File No. APL-26-1

2. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Commission on an issue that is not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including

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

3. UNFINISHED / OLD BUSINESS

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

ACTION ITEMS:

4. PUBLIC HEARINGS

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

ACTION ITEMS:

5. ADMINISTRATIVE / STAFF REPORTS

6. COMMISSION COMMENT

7. ADJOURNMENT

Questions concerning items appearing on this Agenda should be addressed to the Community Development Department – Planning Division at 408 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



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**June 9, 2026
5:30 PM**

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

REGULAR MEETING 5:30 PM

CALL TO ORDER

5:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

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

Present: Steffensen, Schreiber, Wilhelm, Floch

Excused: Kimball, Carey

Absent: Schlotthauer

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

Jon Manley, Planning Manager, reminded attendees of the June 17 advisory committee meeting, the June 18 impact fee meeting, and the June 30 special-call Planning and Zoning meeting.

- a. National Donald Duck Day!

Staff provided reminders of upcoming meetings:

- The Advisory Committee Meeting will be held on June 17 for invited participants.
- The Impact Fee Meeting is scheduled for June 18 to review and discuss impact fees.
- A Special Call Meeting is scheduled for June 30.

The committee acknowledged the upcoming meeting dates.

AMENDMENTS TO THE AGENDA

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None

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None

1. CONSENT CALENDAR

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ACTION ITEMS:

- a. Meeting Minutes 05-12-2026
- b. Lucky Larry Estates Subdivision Reasoned Decision SUBD-26-1
- c. Klondike Place Subdivision Reasoned Decision File No. SUBD-26-2
- d. Genesis Land Special Use Permit Reasoned Decision File No. SUP-26-2
- e. McKinley Meadows SUP, PUD, and SUBD Reasoned Decision File Nos SUP-26-3/PUD-26-1/SUBD-26-3

Motion by Commissioner Wilhelm to approve the action item as presented. Second by Commissioner Schreiber

Vote: Stephensen - Yes, Schreiber - Yes, Wilhelm - Yes, Floch - Yes Motion Carried

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None

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ACTION ITEMS:

None

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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. Signal Point Vista Annexation and Subdivision File Nos. ANNX-26-3 & SUBD-26-5

Opened: 5:33 PM**Staff report**

Justin Sauder, Associate Planner, presented the staff report. The applicant requested annexation and Medium Density Residential (R2) zoning for approximately 14.62 acres and approval of a 67-lot single-family subdivision. Sauder explained the property is located between Syringa Street and Greensferry Road north of East 16th Avenue. The proposal would create approximately five dwelling units per acre, with lots generally ranging from 6,000 to nearly 8,000 square feet. Water service would be provided by Ross Point Water District and sewer service by the City of Post Falls. Staff concluded the request was consistent with the Comprehensive Plan, supported infill development within a county island, would not create a demonstrable adverse impact on public services, and met subdivision review criteria.

Applicant

Ray Kimball of Whipple Consulting Engineers presented on behalf of Viking Construction. He stated the project was intended to be a single-family detached residential development only and that the applicant supported a single-family restriction within the annexation agreement. Kimball explained that R2 zoning was requested primarily to accommodate 50-foot-wide lots for the builder's town series homes and not to facilitate duplexes, townhomes, or multifamily development. He stated the project would extend sewer infrastructure from Syringa Street, widen approximately 1,000 feet of East 16th Avenue frontage, provide a pathway along the frontage, and create future connectivity opportunities to adjacent undeveloped properties.

Testimony**In-Favor:****None****Neutral:**

Donald Beatty, Post Falls, ID (not wishing to speak): Asked whether installation of the sewer line would require his property to connect to city sewer. Staff and the applicant later clarified that neighboring properties would not be required to connect as part of this project.

In Opposition:

Makala Patton, Post Falls, ID (not wishing to speak): Submitted opposition to the annexation, stating that the area is agricultural in character and that medium-density zoning is incompatible with surrounding farm properties.

Jeremy Patton, Post Falls, ID: Stated that the surrounding area consists primarily of large-lot agricultural and rural residential properties and questioned why R2 zoning was being requested when the applicant indicated the development would be single-family. He expressed concerns regarding traffic, safety along East 16th Avenue, notification timing, compatibility with existing farm uses, increased density, and the potential for future duplexes or higher-density development. He also voiced concerns regarding construction quality and neighborhood impacts.

Brooklyn Patton, Post Falls, ID: Testified in opposition on behalf of herself and her family. She stated that her family lives directly across from the project and believes the road is already unsafe. She referenced a prior incident involving her sister being struck while walking and argued that additional development would increase traffic and safety concerns. She also expressed concern that existing agricultural and dog-breeding activities on neighboring properties would conflict with increased residential density.

Gary Dagastina, Post Falls, ID: Testified in opposition, expressing concern that one of the proposed streets would align toward his residence and that increased development would worsen traffic conditions at 16th Avenue, Syringa Street, Idaho Street, and Greensferry Road. He stated he could support lower-density development but opposed R2 zoning.

Rebuttal

Ray Kimball reiterated that no duplexes, townhomes, or attached housing were proposed. He explained that the project density was approximately 4.5 units per acre, comparable to many R1 neighborhoods, and that the primary distinction from R1 zoning was reduced lot width. He also emphasized the roadway, sidewalk, utility, and connectivity improvements that would accompany the project.

Public Hearing Closed: 6:21 PM

Deliberation

The Commission discussed the annexation and subdivision review criteria. Commissioners noted the proposal was consistent with the Central Island Focus Area, promoted infill development, supported annexation of county islands, and would contribute public infrastructure including roadway frontage, sidewalks, water improvements, sewer extensions, and future street connectivity. Commissioners acknowledged public concerns regarding traffic but noted that many transportation issues stemmed from remaining county jurisdiction in the surrounding area.

Annexation 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?

Commissioners found the proposal consistent with the Central Island Focus Area. They noted the property is split between low-density and medium-density residential designations and that R2 is an implementing zone permitted within both designations. The proposal supports infill development and annexation of county islands.

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?

Commissioners cited policies supporting infill development, annexation of county islands, sidewalk continuity, infrastructure improvements, and future connectivity. They noted the project contributes roadway frontage, sidewalks, utility extensions, and supports long-term transportation planning.

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

Commissioners stated no demonstrable adverse impacts were identified in the staff report or during deliberations.

Motion by Commissioner Schreiber to recommend approval of the Signal Point Vista Annexation File No. ANNX-26-3 and recommend approval of the R2 zone with the caveat that it be limited to 67 single family detached homes as presented by the applicant.

Second by Commissioner Wilhelm

Vote: Floch - Yes, Wilhelm - Yes, Schreiber - Yes,

Steffensen - Yes Motion Carried

Subdivision Review Criteria

1. Definite provision has been made for a water supply system that is adequate in terms of quantity and quality for the type of subdivision proposed.

Commissioners found adequate water service is available based on the Ross Point Water District will-serve letter. They also noted the developer is making improvements to the water system that will enhance maintenance and service capacity.

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

Commissioners found the City of Post Falls has adequate sewer capacity. They noted the developer will extend sewer service from Syringa Road to the project site in accordance with City policy.

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

Commissioners found the subdivision street layout was intentionally designed to provide future connectivity with surrounding development. Although concerns were raised regarding traffic conditions on 16th Avenue, commissioners acknowledged those limitations are largely associated with adjacent county-owned properties and future annexation opportunities.

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

No findings were presented or discussed regarding this criterion. Commissioners stated no hazardous soil or topographical conditions were identified.

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

Commissioners found the proposed subdivision is consistent with the R2 zoning designation. They noted the project density is comparable to surrounding development while providing smaller lots and more attainable housing opportunities.

6. The developer has made adequate plans to ensure that the community will bear no

Commissioners found that the developer will bear its fair share of infrastructure costs through impact fees and construction of public improvements, including streets and sidewalks.

Motion by Commissioner Wilhelm to approve the project Signal Point Vista subdivision File No. SUBD-26-5 finding that it meets the approval criteria on Post Falls Municipal Code 17.12.060 as outlined in our deliberations subject to conditions one through eight in the staff report and direct staff to prepare a written reason decision.

Second by Commissioner Floch

Vote: Steffensen - Yes, Schreiber - Yes, Wilhelm - Yes, Floch -

Yes Motion Carried

5. ADMINISTRATIVE / STAFF REPORTS

a. Land Use Application Data 2018-2025

Presenter: Bob Seale, Community Development Director City of Post Falls

Mr. Seale provided an informational presentation summarizing development activity within the City of Post Falls over the previous eight years and discussed anticipated impacts of recent state legislation. He advised the Commission that the City Council would be conducting a workshop regarding Senate Bill 1352 (Starter Home Subdivision legislation), which will require cities to allow residential lots as small as 1,500 square feet and no wider than 30 feet in qualifying residential subdivisions. He noted that future amendments to the Comprehensive Plan and land use regulations would likely be necessary and would eventually be reviewed by the Planning and Zoning Commission.

Mr. Seale then presented data collected over an eight-year period regarding annexations, plats, site plans, preliminary plats (subdivisions), special use permits, planned unit developments (PUDs), and zone changes. Highlights included:

- **65 approved annexations** totaling approximately **2,600 acres**.
- More than **1,500 acres rezoned**.
- Approximately **3,500 buildable lots created**.
- Approximately **3,600 multifamily dwelling units approved**.
- **203 site plans approved** during the study period.

Mr. Seale explained that the City had developed a GIS dashboard to track and display development trends and that the data would be updated annually. He compared development activity between two four-year periods and noted that overall growth patterns remained relatively consistent despite changes in City Council membership and market conditions.

The presentation included detailed information regarding:

- Annexation activity and approval trends.
- Platting activity and the creation of buildable residential lots.
- Site plan approvals, including distinctions between multifamily and non-residential development.
- Multifamily housing development by zoning district.
- Preliminary plat activity and long-term subdivision buildout timelines.

- Zone changes and Planned Unit Development amendments.
- Vacant residential land inventory and lot-size trends related to attainable housing objectives.

Commission Discussion

Commission members discussed the implications of Senate Bill 1352 and the potential increase in residential density resulting from smaller lot sizes. Commissioners expressed concern regarding the number of homes that could be accommodated under the new state requirements. Staff acknowledged that implementation of the legislation would require further policy discussion and future code amendments.

Additional discussion occurred regarding multifamily development trends, zoning districts that accommodate multifamily housing, and the role of special use permits in the CCS zoning district. Staff noted that multifamily development activity had declined in recent years due in part to increased vacancy rates but indicated that vested projects may proceed in the future as market conditions change.

6. COMMISSION COMMENT

None

7. ADJOURNMENT

6:50 PM

Date: _____

Chair: _____

Attest: _____

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Chair: James Steffensen Vice Chair: Ray Kimball

Members: Vicky Jo Carey, Chris Schreiber, Ross Schlotthauer, Bobby Wilhelm, Michael Floch



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

**June 18, 2026
5:30 PM**

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

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

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

Präsent: Steffensen, Kimball, Schlotthauer, Carey, Schlotthauer, Wilhelm, Schreiber

Excused: Floch

1. WORKSHOP - 5:30 PM SECOND FLOOR CONFERENCE ROOM

a. Impact Fee Study Phase II update

Presenter: Melissa Cleveland, Project Manager, Welch Comer Engineers

- Phase 1 Recap
- Impact Fee CIP Review
- Parks Fee Review
- Transportation Fee Review
- Public Safety Fee Review
- Recommendations from Planning and Zoning
- Next Steps

2. ADJOURNMENT

7:30 PM

Date: _____

Chair: _____

Attest: _____

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



**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

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

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

**REGULAR MEETING – 5:30 PM
5:30 PM**

**CALL TO ORDER
5:30 PM**

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

Present: Carey, Schlotthauer, Schreiber, Wilhelm, Floch

Excused: Kimball, Steffensen

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

None

AMENDMENTS TO THE AGENDA

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None

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ACTION ITEMS:

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3. UNFINISHED / OLD BUSINESS

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ACTION ITEMS:

None

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ACTION ITEMS:

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

Opened: 5:32 PM

Appellant

Tanner Mort, Tamarack Mountain Homes

Mr. Mort explained that the appeal involved redevelopment of two existing platted R-2 lots originally created in the late 1800s. He stated that no annexation, rezoning, subdivision, or lot line adjustment was proposed and that duplexes are a permitted use within the R-2 zoning district. He argued that the proposal constituted residential infill redevelopment rather than new development and therefore should not trigger frontage improvements. He further testified that requiring frontage and alley improvements would create isolated public improvements, substantially increase project costs, and ultimately increase housing costs for future tenants.

Mr. Mort also discussed recent code amendments exempting certain cottage home and tiny home developments from frontage improvements, asserting that the proposed duplexes produced a lower development intensity than developments qualifying for those exemptions.

Appellant

Tyler Mort, Tamarack Mountain Homes

Mr. Mort provided testimony regarding the estimated cost of the required frontage and alley improvements, estimating construction costs between \$30,000 and \$40,000 in addition to permit and impact fees. He explained that the additional costs would likely increase rental rates and discussed the existing conditions of the alley, surrounding neighborhood, and history of the property.

Staff report

Jon Manley, Planning Manager

Mr. Manley presented the staff report supporting the Planning Manager's administrative determination. He explained that City staff and the applicant had been discussing the application and interpretation of the frontage improvement requirements since approximately September 2025. Staff acknowledged the applicant's desire to proceed with construction during the current building season and agreed to issue the building permits while reserving the frontage improvement issue for appeal before the Planning and Zoning Commission. Mr. Manley reviewed a previous redevelopment project on West 10th Avenue where frontage improvements were required for the construction of two duplexes, explaining that staff viewed the current proposal as consistent with the City's long-standing application of the Municipal Code. Mr. Manley reviewed aerial photographs of the subject property, existing neighborhood conditions, surrounding zoning, and the relationship of the site to nearby public improvements. While acknowledging that sidewalks do not currently extend along the entire length of 21st Avenue, he noted that an existing sidewalk terminus is located approximately 265 feet west of the project near River City Middle School, with additional sidewalk improvements located to the northwest. Staff testified that frontage improvements are intended to be constructed incrementally as redevelopment occurs so that future projects can connect to previously installed improvements and ultimately complete the City's pedestrian network. Mr. Manley compared the existing development on the site to the proposed project, explaining that the property currently contained approximately 1,720 square feet of residential and accessory structures, while the proposed duplexes would total approximately 4,830 square feet; an increase of about 281%. Staff concluded that the proposal represented a substantial increase in development intensity exceeding twenty-five percent. He further explained that the proposed duplexes would obtain primary vehicular access from the alley, making the alley improvements an important component of providing safe access and supporting future incremental infrastructure improvements. Mr. Manley testified that staff's administrative determination was based on two independent interpretations of the Municipal Code. First, staff concluded that replacing a single-family residence with duplex development constituted a change in land use because the zoning ordinance distinguishes single-family dwellings, duplexes, and other residential housing types as separate residential use classifications. Second, staff concluded that even if it was determined no change in land use had occurred, the proposal nevertheless expanded the existing residential use by more than twenty-five percent, independently triggering frontage improvement requirements. Additionally, Mr. Manley addressed the City's recently adopted frontage improvement exemption for cottage homes and tiny homes. He explained that the amendment was intentionally crafted to encourage smaller ownership-oriented housing opportunities on infill lots and that it had specifically been chosen not to extend the exemption to duplexes, townhomes, or similar housing products as these unit sizes are unregulated bringing more uncertainty to attainability. Staff therefore concluded that the proposed duplex development did not qualify for the exemption and recommended that the Frontage Improve

Chris Schneider, Staff Engineer

Mr. Schneider explained Engineering's long-standing application of frontage improvement requirements. He testified that improvements are generally constructed through the length of a development frontage so that future development may connect to those improvements. Mr. Schneider stated that this practice has historically been implemented as an engineering policy intended to facilitate orderly infrastructure expansion rather than through explicit code language. Mr. Schneider also discussed the rationale for requiring pavement improvements to the primary access serving the proposed garages and residential units.

Public Testimony

In Favor: None

Neutral: None

Opposed: None

Rebuttal:

Tanner Mort, Tamarack Mountain Homes

Mr. Mort responded to staff's presentation by addressing the City's interpretation of the Municipal Code. Mr. Mort discussed the engineering requirement that the alley be paved, arguing that the code section cited by staff pertains to residential driveways located on private property and should not be interpreted as requiring improvements to a public alley. Mr. Mort then focused on the City's interpretation of the frontage improvement trigger provisions. He referenced the Site Plan Review provisions of the Municipal Code, stating that they

provide guidance for interpreting the frontage improvement language. He argued that the Site Plan Review chapter identifies multifamily residential development as projects containing three or more dwelling units, whereas the proposed development consists of one duplex on each legal lot and therefore should not be classified as multifamily development for purposes of triggering frontage improvements. Addressing staff's position that the proposal represented an expansion of an existing use exceeding twenty-five percent, Mr. Mort asserted that the Site Plan Review chapter refers to expansion of the floor area of an existing structure. He argued that because the existing residence had been demolished and replaced with new structures, the proposal did not constitute an expansion of an existing structure but rather redevelopment of previously developed property. Mr. Mort further testified that the Municipal Code does not expressly state that increased development intensity alone triggers frontage improvements. He maintained that the project represents redevelopment of two existing residential lots that have remained residential since they were originally platted in the late nineteenth century and that no subdivision, rezoning, annexation, or expansion beyond the property's permitted R-2 zoning had occurred. Mr. Mort reiterated that the City's recent amendments exempting cottage home and tiny home developments from frontage improvements demonstrate an intent to encourage infill redevelopment and attainable housing. He argued that the proposed duplexes would generate a comparable or lower level of development intensity than projects qualifying for those exemptions and that requiring frontage improvements for the duplexes created an inconsistent application of City policy. Mr. Mort acknowledged that the code contains ambiguities and requested that the Commission interpret those ambiguities in favor of permitting the proposed redevelopment without requiring frontage and alley improvements.

Public Hearing Closed: 6:30 PM

Deliberations:

The Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record and to apply that information to the approval criteria contained in Post Falls Municipal Code ("PFMC") § 18.24.020.F. Commissioners discussed whether the frontage and alley improvement requirements could be considered separately. Staff explained that both improvements were triggered by the same section of the City Code and cautioned that treating them differently could result in an inconsistent interpretation. Commissioners debated whether converting a single-family residence to duplexes constituted a change in use and whether the proposed expansion triggered the required site improvements. They also discussed the intent of recent code amendments related to affordable housing and acknowledged that the appeal highlighted a potential need for future code clarification regarding infill redevelopment. While commissioners expressed differing views on requiring isolated frontage and alley improvements, they agreed their decision must be based on the code as currently written.

C. EVALUATION FRONTAGE WAIVER CRITERIA:

C1. Dedication of additional street rights-of-way, easements, and construction of frontage improvements are required when constructing or expanding a use on a lot by creating a new land use or by expanding an existing use by twenty-five (25%) or more in floor area.

The Commission considered the testimony of the appellant and City staff regarding whether the proposed redevelopment constituted a change in use or an expansion of an existing use under the applicable provisions of the Post Falls Municipal Code. Commissioners discussed the differing interpretations of the code, including whether replacing an existing single-family residence with duplexes constituted a new land use, whether the proposed increase in building area triggered the 25 percent expansion threshold, and the intent of recent code amendments promoting affordable housing. After considering the testimony and applicable code provisions, the Commission was divided, but a majority concluded the proposal represented a continuation of the existing residential use rather than a new land use and determined the redevelopment did not trigger the site improvement requirements.

Because the Commission found that the triggering conditions for site improvement requirements were not met under PFMC § 18.24.020(F)(1), the Commission did not consider appellant's alternative arguments as

delineated in its Written Notice of Appeal. Therefore, the Commission concludes that the Planning Manager's administrative determination is reversed and grants the requested appeal.

**Motion by Commissioner Carey to grant the appeal with respect to the alley improvements while denying the appeal for the frontage improvements,
Second not granted.**

Motion by Commissioner Schreiber to deny the appeal finding that the proposal constituted both a change in use and an expansion of an existing use consistent with staff's interpretation of the development code.

Second by Commissioner Carey

Vote: Schreiber - Yes, Carey - Yes, Wilhelm - No, Schlotthauer - No, Floch - No

Motion Denied

Motion by Commissioner Floch moved to grant the appeal, finding that the proposal did not constitute a new land use and did not meet the code provisions requiring the frontage and alley improvements.

Second by Commissioner Wilhelm

Vote: Wilhelm - Yes, Schlotthauer - Yes, Floch - Yes, Schreiber - No, Carey - No

Motion Carried

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

7. ADJOURNMENT

6:45 PM

Date: _____

Chair: _____

Attest: _____

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

Tamarack Mountain Homes Appeal

File No. APL-26-1

Planning and Zoning Commission

Reasoned Decision

A. INTRODUCTION:

APPELLANT/OWNER: Tamarack Mountain Homes, LLC

LOCATION: 312-316 W. 21st Street

REQUEST: Appeal of the Planning Manager's administrative determination requiring frontage and alley improvements for the construction of two duplexes on two existing platted lots. The appellant requested reversal of the determination, asserting that the proposal constitutes residential infill redevelopment that does not trigger frontage improvement requirements.

B. RECORD CREATED:

1. A-1 Appeal Application
2. A-2 Written Notice of Appeal
3. S-1 Staff Memo
4. S-2 Staff Powerpoint
5. S-3 BLDR-26-22 Site Plan
6. S-4 BLDR-26-23 Site Plan
7. S-5 Testimony at the June 30, 2026, Planning and Zoning public hearing:

The Planning and Zoning Commission (hereinafter "Commission") heard the request at the June 30, 2026, public meeting, the meeting was in-person and live-streamed on the city of Post Falls YouTube Channel. The request was for the Commission to review the appeal at a duly noticed public meeting. The hearing consisted of presentations from the appellant, City staff, rebuttal by the appellant, Commission deliberations, and final action. The appeal was conducted pursuant to the City's administrative appeal procedures concerning the Planning Manager's interpretation of the Post Falls Municipal Code. The request is a de novo review of the application of standards of PFMC § 18.24.020.F.

Appellant: Tanner Mort, Tamarack Mountain Homes

Mr. Mort explained that the appeal involved redevelopment of two existing platted R-2 lots originally created in the late 1800s. He stated that no annexation, rezoning, subdivision, or lot line adjustment was proposed and that duplexes are a permitted use within the R-2 zoning district. He argued that the proposal constituted residential infill redevelopment rather than new development and therefore should not trigger frontage improvements. He further testified that requiring frontage and alley improvements would create isolated public improvements, substantially increase project costs, and ultimately increase housing costs for future tenants. Mr. Mort also discussed recent code amendments exempting certain cottage home and tiny home developments from frontage improvements, asserting that the proposed duplexes produced a lower development intensity than developments qualifying for those exemptions.

Appellant: Tyler Mort, Tamarack Mountain Homes

Mr. Mort provided additional testimony regarding the estimated cost of the required frontage and alley improvements, estimating construction costs between \$30,000 and \$40,000 in addition to permit and impact fees. He explained that the additional costs would likely increase rental rates and discussed the existing conditions of the unpaved alley, surrounding neighborhood, and history of the property.

Jon Manley, Planning Manager

Mr. Manley testified in support of the administrative determination. He explained that City staff and the applicant had been discussing this application and interpretation of the frontage improvement requirements since approximately September 2025. Staff acknowledged the applicant's desire to proceed with construction during the current building season and agreed to issue the building permits while reserving the frontage improvement issue for appeal.

Mr. Manley testified regarding a previous redevelopment project on West 10th Avenue identifying where frontage improvements were required for the construction of two duplexes, explaining that staff viewed the current proposal as consistent with the City's long-standing application of the Municipal Code. Mr. Manley presented aerial photographs of the subject property, existing neighborhood conditions, surrounding zoning, and the relationship of the site to nearby public improvements. While acknowledging that sidewalks do not currently extend along the entire length of 21st Avenue, he noted that an existing sidewalk terminus is located approximately 265 feet west of the project near River City Middle School, with additional sidewalk improvements located to the northwest. Mr. Manley testified that frontage improvements are intended to be constructed incrementally as redevelopment occurs so that future projects can connect to previously installed improvements and ultimately complete the City's pedestrian network.

Mr. Manley compared the prior development on the site (now demolished) to the proposed project, explaining that the property previously contained approximately 1,720 square feet of residential and accessory structures, while the proposed duplexes would total approximately 4,830 square feet; an increase of about 281% in size. The proposal represented a substantial increase in development intensity exceeding twenty-five percent. He further explained that the proposed duplexes would take their primary vehicular access from the alley, making the alley improvements an important component in providing safe access and supporting future incremental infrastructure improvements.

Mr. Manley testified that the administrative determination was based on two independent provisions of the Municipal Code. First, staff concluded that replacing a single-family residence with duplex development constituted a change in land use because the zoning ordinance distinguishes single-family dwellings, duplexes, and other residential housing types as separate residential use classifications. Second, staff concluded that even if it were found that no change in land use had occurred, the new proposal nevertheless expanded the existing residential use by more than twenty-five percent, independently triggering the City's frontage improvement requirements.

Additionally, Mr. Manley addressed the City's recently adopted frontage improvement exemption for cottage homes and tiny homes, explaining that the amendment was intentionally crafted to encourage smaller ownership-oriented housing opportunities on infill lots and that it had specifically been chosen not to extend the frontage exemptions to duplexes, townhomes, or similar housing products as these unit sizes are unregulated bringing more uncertainty to attainability.

Chris Schneider, Staff Engineer

Mr. Schneider explained Engineering's long-standing application of frontage improvement requirements. He testified that improvements are generally constructed through the length of a

development frontage so that future development may connect to those improvements. Mr. Schneider stated that this practice has historically been implemented as an engineering policy intended to facilitate orderly infrastructure expansion rather than through explicit code language. Mr. Schneider also discussed the rationale for requiring pavement improvements to the primary access serving the proposed garages and residential units.

Rebuttal: Tanner Mort, Tamarack Mountain Homes

Mr. Mort responded to staff's presentation by addressing the City's interpretation of the Municipal Code. Mr. Mort discussed the engineering requirement that the alley be paved, arguing that the code section cited by staff pertains to residential driveways located on private property and should not be interpreted as requiring improvements to a public alley.

Mr. Mort then focused on the City's interpretation of the frontage improvement trigger provisions. He referenced the Site Plan Review provisions of the Municipal Code, stating that they should provide guidance in interpreting the frontage improvement language. He argued that the Site Plan Review chapter identifies multifamily residential development as projects containing three or more dwelling units, whereas the proposed development consists of one duplex on each legal lot and therefore should not be classified as multifamily development for purposes of triggering frontage improvements.

Addressing staff's position that the proposal represented an expansion of an existing use exceeding twenty-five percent, Mr. Mort asserted that the Site Plan Review chapter only refers to expansion of the floor area of an existing structure. He argued that, here because the existing residence had been demolished and replaced with new structures, the proposal did not qualify as an expansion of an existing structure but rather redevelopment of previously developed property.

Mr. Mort further testified that the Municipal Code does not expressly state that increased development intensity alone triggers frontage improvements. He maintained that the project represents redevelopment of two existing residential lots that have remained residential since they were originally platted in the late nineteenth century and that no subdivision, rezoning, annexation, or expansion beyond the property's permitted R-2 zoning had occurred.

Mr. Mort reiterated that the City's recent amendments exempting cottage home and tiny home developments from frontage improvements demonstrated an intent to encourage infill redevelopment and attainable housing. He argued that the proposed duplexes would generate a comparable or lower level of development intensity than those projects qualifying for exemptions and that requiring frontage improvements for the duplexes created an inconsistent application of City policy. Mr. Mort acknowledged that the code contains ambiguities and requested that the Commission interpret those ambiguities in favor of permitting the proposed redevelopment without requiring frontage and alley improvements.

Deliberations: After the public hearing was complete, the hearing was closed and the Commission moved to deliberations to discuss their interpretation of the information presented both orally and in the written record to render a decision.

C. EVALUATION FRONTAGE WAIVER CRITERIA:

- C1. *Dedication of additional street rights-of-way, easements, and construction of frontage improvements are required when constructing or expanding a use on a lot by creating a new land use or by expanding an existing use by twenty-five (25%) or more in floor area.***

The Commission considered the testimony of the appellant and City staff regarding whether the proposed redevelopment constituted a new land use or an expansion of an existing use under the applicable provisions of the Post Falls Municipal Code. The appellant maintained that the proposal

represented redevelopment of existing residential lots, while staff concluded the proposal triggered frontage improvements based upon either a change in use or expansion of an existing use exceeding twenty-five percent. After considering the competing interpretations and the record before it, the Commission was divided, but the majority determined that the proposed redevelopment did not constitute a new land use and instead was a continuation of the existing residential use. Further, that reconstruction of those structures did not qualify as an expansion greater than 25% to trigger site improvement requirements.

Because the Commission found that the triggering conditions for site improvement requirements were not met under PFMC § 18.24.020(F)(1), the Commission did not consider appellant's alternative arguments as delineated in its Written Notice of Appeal (Exhibit A-2). Therefore, the Commission concludes that the Planning Manager's administrative determination is reversed and grants the requested appeal.

E. CONCLUSION

APL-26-1: Based on the record placed before the Commission, the testimony received at the properly noticed public meeting, and the Commission's interpretation of the applicable provisions of the Post Falls Municipal Code, the Commission concludes, by a 3-2 decision, that the Planning Manager's administrative determination requiring frontage and alley improvements is reversed. Accordingly, the Commission hereby **grants Appeal File No. APL-26-1**.

Approved by the Planning and Zoning Commission on _____

Date

Chairman

Attest

NOTICE OF RIGHTS:

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

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

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

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