



**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

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

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

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

None

1. CONSENT CALENDAR

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

ACTION ITEMS:

None

2. CITIZEN ISSUES

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

None

3. UNFINISHED / OLD BUSINESS

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

ACTION ITEMS:

None

4. PUBLIC HEARINGS

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

ACTION ITEMS:

- 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: 7/14/26

Chair: James Steffensen

Attest: Darryl D.

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