



**PLANNING & ZONING COMMISSION
SPECIAL MEETING AGENDA**

**February 22, 2022
5:30 PM**

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

MEETING ATTENDEES ARE ENCOURAGED TO MAINTAIN A 6 FOOT SEPARATION FROM OTHER ATTENDEES AT THE MEETING AND MASKS ARE ENCOURAGED FOR THOSE WHO HAVE NOT BEEN FULLY VACCINATED FOR COVID-19.

THE MEETING MAY BE VIEWED ON CABLE CHANNEL 1300 OR LIVESTREAMED ON THE CITY'S YOUTUBE CHANNEL (<https://www.youtube.com/c/CityofPostFallsIdaho>).

WRITTEN TESTIMONY AT PUBLIC HEARINGS IN LIEU OF ATTENDING IN PERSON IS ENCOURAGED. WRITTEN TESTIMONY WILL BE CONSIDERED TO THE SAME EXTENT AS LIVE TESTIMONY.

REGULAR MEETING – 5:30 PM

CALL TO ORDER

*** PLEASE TURN OFF YOUR CELL PHONES ***

PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Carey, Hampe, Steffensen, Davis, Ward, Schlotthauer, Kimball

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- NATIONAL BE HUMBLE DAY

AMENDMENTS TO THE AGENDA

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

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

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

1. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Minutes – February 8, 2022, Planning and Zoning Commission Meeting
- b. Reasoned Decision – Elm Place Subdivision File No. SUBD-0019-2021
- c. Reasoned Decision – River City Center Subdivision File No. SUBD-0020-2021

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. Comments on issues that are planned for future meeting agendas should be held for that meeting

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.

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. Post Falls Title 18 Zoning Code Update File No. TA-0001-2022 – Jon Manley, Planning Manager, to present a request to amend sections of Title 18 dealing with the Public Reserve Zone, Land Use Table, Residential Performance Standards, Parking, and Landscaping Exemptions.

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



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**February 8, 2022
5:30 PM**

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

MEETING ATTENDEES ARE ENCOURAGED TO MAINTAIN A 6 FOOT SEPARATION FROM OTHER ATTENDEES AT THE MEETING AND MASKS ARE ENCOURAGED FOR THOSE WHO HAVE NOT BEEN FULLY VACCINATED FOR COVID-19.

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CALL TO ORDER

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PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING & ZONING COMMISSION MEMBERS

Carey, Hampe, Steffensen, Davis, Ward, Schlotthauer, Kimball - Present

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

Today is National Boy Scout Day

AMENDMENTS TO THE AGENDA

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

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

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

None

1. CONSENT CALENDAR

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

ACTION ITEMS:

- a. Minutes – January 26, 2022, Planning and Zoning Commission Meeting
- b. Reasoned Decision – Dual Brand Hotel Special Use Permit File No. USE-0006-2021
- c. Reasoned Decision – Pointe at Post Falls 4th Add Subdivision File No. SUBD-0018-2021

Motion to approve as presented by Hampe

Second by: Steffensen

**Vote Steffensen – Yes; Carey – Yes; Kimball – Yes; Davis – Yes; Ward – Abstain;
Schlotthauer – Yes; Hampe - Yes**

Moved

2. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Commission 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 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 citizen 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.

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. Post Falls Baptist Spokane St Special Use Permit File No. USE-0007-2021 – Laura Jones, Associate Planner, to present a request to maintain and expand the existing church within a Single Family Residential (R-1) zone. The property owner is Post Falls Baptist Church, Inc. The applicant is Mark Latham. **(Action Item)** – Special Use Permit Approval to expand the existing church within the Single-Family Residential (R-1) zoning designation. The site is located on the Northeast corner of North Spokane Street and East 16th Avenue. To the north is the English Funeral Chapel (CCS), To the east and south are single family residential (R-1). To the west is single family and duplex lots (R-2). The water provider and the wastewater provider are the City of Post Falls. The proposed use is the expansion of the existing church. The future land use designation is medium density residential. The character of this future land use designation states that it, “Use patterns blending commercial and residential may be considered in areas as they develop, providing they feature higher traffic volumes, and/or are located and designed to function as a pedestrian-friendly focal point of the surround neighborhood.” In the proposed site plan, the main building which is currently in use will be retained and expanded. The other building currently on the site will be demolished.

Review Criteria for Special Use Permit:

- The PPMC Section 18.16.010 (A) Residential Zones permits “other accessory uses that are associated and compatible with residential use.
- The land use table contained in PPMC Title 18.20.030 has established “Religious Institutions” as an allowable special use permit within the Single Family Residential (R-1) zoning designation.
- Transportation: The proposed special use is not anticipated to adversely impact the adjoining transportation systems.
 - Spokane Street is a minor arterial which allows traffic volumes of 6,000 – 15,000 vehicles per day, which currently it is well under.
- Water Reclamation: The site is currently connected to the City of Post Falls Water Reclamation Facilities and additional impact fees will be collected at the time of building permit issuance for the expansion. Existing facilities have the capacity and capability to handle the requested use.
- Domestic Water: The proposed special use is currently serviced by the City of Post Falls water system. Existing facilities have the capacity and capability to handle the requested use.
- The proposed use complies with the goals and policies found within the Comprehensive Plan: Goals 3, 5, 7, and 14, which are outlined in the staff report. Applicable policies are Policy 8, 26, 69, and 82 which are also outlined in the staff report.

All agencies have been notified. Kootenai County Fire and Rescue responded that they were reserving comments for the site plan and building review and permitting process. Post Falls Police Department remains neutral. The Department of Environmental Quality had no environmental impact comments at this stage of the project. The Post Falls Highway District had no comment.

Steffensen – It's R-1 now, there's a church on it already. You just want to expand the church. Do we need the Special Use Permit because of the expansion?

Jones – The church is not currently permitted with a Special Use Permit. It was pre-existing prior to our zoning.

Hampe – Do we have any information on how they want to expand or is that a moot point?

Jones – It is a moot point because the Special Use Permit is just allowing the current use to continue. The expansion will go through the site plan review process.

Applicant – absent.

Davis – Let's go to Legal. Without an applicant how do we proceed?

Herrington – We can table it for further discussion later in the evening. You can also make a decision based on the information in the record.

Testimony:

In Favor – None

Neutral – None

Opposition – None

Review Criteria Discussion:

A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.

Steffensen – It's R-1 and it's a religious institution which is allowed with a Special Use Permit. It just a housekeeping item.

Hampe – It seems like it's been there for quite some time at its current use. I don't see any reason why we shouldn't grant it.

Kimball – I view churches like schools when it comes to being in neighborhoods. It's probably a more appropriate use to have them in a neighborhood than in a downtown district.

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

Kimball – The municipal code is pretty straightforward with regard to that. It's in the land use table.

C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

Steffensen – The church has been there since 1981. They're just going to expand. Obviously, they're growing. It's already an R-1. I think it's a good fit.

Carey – Also we had no neighbors come in to say anything negative. I’m assuming that it’s a good fit right now.

Kimball – I think one of the benefits of having it in a neighborhood like that is that people who go to that church are local and close to it. They can walk to church. It actually has less of an impact on transportation than it might otherwise.

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

Kimball – I think the staff report is pretty comprehensive when it comes to the comp plan.

Steffensen – Like Goal 7, “Supporting Community Needs.” A lot of people like having a religious institution in their community, so that supports that.

Steffensen moved to approve Post Falls Baptist Spokane Street Special Use Permit File No. USE-0007-2021 adopting findings, facts, and conditions 1 and 2 found in the staff report.

Second By: Carey

Vote: Hampe – Yes; Schlotthauer – Yes; Ward – Yes; Davis – Yes; Kimball = Yes; Carey – Yes; Steffensen – Yes;

Moved

B. Grace Delight Special Use Permit File No. USE-0008-2021 – Ethan Porter, Associate Planner to present – The owner is Grace Delight West, LLC. The applicant is Olson Engineering. **(Action Item)** – Special Use Permit approval to develop twin homes within the Community Commercial Services over 2.59 acres. The location is between Seltice and Mullan, and east of Chase Road. The current land use is vacant lots. The water and sewer would be provided by the City of Post Falls. You can see on the proposed layout their twin home layout with their private road, parking and an open space. I will state that the applicant and staff are aware that the layout currently does not meet Bulk and Placement Table standards, which would be the street side setbacks on Lots 11 and 12, Block 1. Currently, the applicant’s aware of this, they know. It does not affect the use onsite at this point within this presentation, but when they move forward from the subdivision, they will have to refine and reconfigure those lots to meet those standards. Review Criteria for Special Use Permit:

- Per PFMC Section 18.16.010 (B), the CCS zone supports certain residential uses through the City’s Land Use Table only through a special use permit. This zone is applied in areas primarily located near arterials and collector streets.
- Post Falls Municipal Code (PFMC) 18.20.040 Official Bulk and Placement Table has standards set forth for twin home developments and that will need to be met as well as design standards found in PFMC 18.24.030(B).
- The proposed use should not be detrimental to the health, safety, and welfare of the public or with land uses within the vicinity.

- Transportation: The proposed special use is not anticipated to adversely impact the adjoining transportation systems. Mullan Avenue is a minor arterial and Seltice Way is a principal arterial, so the location is between two major roadways.
- Water Reclamation: The site will be connected to the City's water reclamation facilities. Existing facilities have the capacity and capability to handle the requested use.
- Domestic Water: The proposed special use will be serviced by the City of Post Falls water system. Existing facilities have the capacity and capability to handle the requested use.
- The proposed use complies with the goals and policies found within the Comprehensive Plan: Goals 5, 12, and 14, which are outlined in the staff report. Applicable policies are Policy 1, 3, 8, 15, 69, and 82 which are also outlined in the staff report. On the future land use map, the area is categorized as Business/Commercial which "promotes a mixture of moderate/high density housing types within walking distance of the city center, neighborhood center and corridor commercial uses, as well as civic uses and other amenities within Post Falls."

All agencies have been notified. Kootenai County Fire and Rescue responded that they are reserving comments for the site plan and building review and permitting process. Post Falls Police Department, Idaho Transportation Department, Department of Environmental Quality all responded that they remain neutral.

Manley – One thing staff would like to bring up is that there is a bit of a loophole in our signage code. Any additional signage required for the site will have to comply with the underlying zoning. Sometimes an argument is made that because of the underlying zone, they want to put up a commercial sign for a residential product, so any kind of signage has to comply with the underlying zone in the sign code.

Hampe – Can you tell me again what's on each side of that?

Porter – The existing uses adjacent to the property – you have a 30-unit apartment complex to the east. To the west there is a playground for the daycare adjoining that lot to the west. You have a Cenex gas station to the north as well as a single-family home. Blue Dog RV is directly south.

Hampe – Would there have to be any buffers?

Manley – The current code exempts twin homes from needing a buffer.

Steffensen – I assume there is a fence or something around the playground because of the road would come out on Mullan.

Porter – Yes. One of the comments that came up as a result of the notice for this hearing was from them. The applicant was concerned about the children and the shared access. They are working on resolving that with the owner of that property.

Hampe – Did you mention the signage because that would need to be an additional condition?

Manley – Correct. That was not in the staff report. For Special Use Permits for residential in a commercial zone, the signage should be consistent with the underlying zone.

Hampe – Basically any signage would have to be consistent with the current zone.

Manley – Underlying. R-2. This would need to be consistent with R-2 because that's what the ask is – to develop with R-2.

Applicant – Jeramie Turzulli, Olson Engineering – Grace Delights West is the landowner. They want to do a series of twin homes on the site they own directly across from Blue Dog RV. We did note that as of right now that side street and those streets coming into that internal road, we're going to need to address those setbacks. It's one of those things that slipped through as we were designing this. Jon brought it to my attention, and I think we can work through that if we get approval with the design process here. The code affirms that residential uses are allowed through the special use process. Our request is for twin homes. If we get approved, we will have to come back for the subdivision process. A lot of the issues you might see here will be

Testimony:

In Favor – None

Neutral – One

Opposition – One

Neutral – Samantha Steigleder – Looking at the site plan and having driven down Mullan, I'm curious about the road. It is not wide, and you have two schools. I don't have anything to say about the zoning necessarily and the special use permit. I'm not sure how this road can handle this unless there's some plan to improve it. Coming up to Chase on Mullan, it isn't easy to make a left or right turn. That's all I wanted to bring up for consideration.

Palus – Mullan Avenue as well as Seltice Way are identified in our transportation master plan for long term projects for improvements. We are anticipating those probably in 2030. This is part of a larger issue which is looking at the entire transportation network between Idaho Street and where Mullan Avenue connects back into Seltice Way about a half mile west of this location.

Opposed – Bob Flowers – This project reminds me of a comment that I heard in the paper – Yuck! That's more than twelve units per acre on an unimproved road. There's no parking. It looks terrible. What happened to the comp plan as far as maintaining the small-town feel? There's nothing small-town about this. After the last election the people spoke out very loudly that they wanted people spread out, not a mess like that.

Neutral – Bill Maggard – 618 W Mullan Avenue. I've lived there since September 1975. What I wanted to bring out was that area across there used to have a very, very deep pit. It was filled with all kinds of garbage, old refrigerators, car parts. In fact, at one time I drove truck for my brother's construction company, and we hauled stuff from all over town and we dumped it in that pit. I guess one thing I have to say is I live next door to River City Mini Storage and the original owner put in about 3 ½ to 4 feet of fill in there. The current owner told me that he wanted a permit to build more storage and he has to dig all that fill out and put new dirt in. Nobody has come there and tested that soil. My neighbor removed all that soil and put new dirt in. They didn't do a soil sample. They just told him he couldn't do it. I know there's garbage down in that pit because I helped haul it in. You should know that you're building on top of a dump.

Rebuttal – Jeramie Terzulli – Typically the way this work is that upon approval we would scrape all that topsoil off. If there were any issues with settling at that time, we would pothole in different areas looking for unsuitable soils and we would address it as we should. We have no intention of building over degraded refrigerators or the like.

Kimball – Mr. Terzulli, would you be opposed to a condition of approval that requires a geotechnical evaluation of subsurface conditions?

Terzulli – If the commission thought that was prudent, that absolutely we would want to make sure that we aren't building over an old dump.

Manley – The condition wouldn't change the process. It would actually help. That's one of the conditions of approval for subdivision. We actually caught that in one of the subdivisions south of I-90.

Terzulli – With regard to other comments, I just want to point out that the language in the comprehensive plan almost creates this dichotomy of what are community needs and what does small-town feel mean.

Review Criteria Discussion:

A. Whether implementation of the special use would/would not conform to the purposes of the applicable zoning district.

Schlotthauer – Well, it's allowed through this process, so it's allowed.

Carey – And with apartments next door, I think it's a good fit.

Kimball – Also with the street classifications in that area it is a fit there too.

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

Kimball – I think that's pretty straightforward. It's in the Bulk and Placement Table. The staff report covers it pretty well.

C. Whether the proposed use will/will not be compatible with the health, safety, and welfare of the public or with land uses within the vicinity of the proposal.

Kimball – First, they are definitely going to need to do a geotechnical report and exploration and possibly some remediation. Thank you to the gentleman who brought that up. In terms of the use of transportation in that area, I think of it from a standpoint of where is it in regards to schools. It's within walking distance of several schools. Water and sewer are there as well.

Steffensen – With the interior street coming in and the playground there, I think a solution there should be easy to come about. Lines of communication are already open.

D. Whether the proposed us will/will not comply with the goals and policies found within the comprehensive plan.

Schlotthauer – I think this is the area where we evaluate the bigger picture than most people are interested in and that is the debate of whether or not we want single-family only, or do we want a twin home product that makes homeownership possible for some. To someone who has a nice home on a big piece of property, it probably seems like an ugly product. But to someone living in a basement or sharing an apartment, it probably looks beautiful.

Ward – I talked to my bank lender today. Young people who are buying homes today average about \$500,000 and are paying \$3,000 a month. It's out of control. None of my workers can afford it. We need affordable housing.

Davis – We were just talking about the sizes of these houses, the location. Some people say "great," others say "no." I think the same applies to whether it's a small-town feel. For one person compared to another what a "small-town feel" is different. I think you look at walkability. I think he thinks about his neighbors. There are a lot of different factors that determine what a "small-town feel" is. Just because there are townhomes and apartments doesn't make that different.

Kimball – I think the staff report and the applicant's presentation talk a lot about it and offer support for this.

Hampe – I do have some concern over the road. I do understand the classification of Mullan, but it's not in great shape in that area. I think what I struggle with is that improvements are needed on a lot of roads. This is development that would be happening within the community and they're not asking for sprawl. I guess at this point we can't wait for all the roads to be fixed to put some houses in.

Kimball moved to approve Grace Delight Special Use Permit File No. USE-0008-2021 finding it meets requirements for the special use permit and adopting a reasoning and approval criteria mentioned in our discussion including Conditions 1-4 found in the staff report adding #5, requiring any signage be consistent with residential zoning code and #6 prior to construction a geotechnical evaluation will be done, and remediation needed shall be completed.

Second By: Schlotthauer

Vote Steffensen – Yes; Carey – Yes; Davis – Yes; Kimball – Yes; Ward – Yes; Schlotthauer – Yes; Hampe - Yes

Moved

- C. Hughes Annexation File No. ANNX-0010-2021 – Jon Manley, Planning Manager, to present. The owner is Hughes Trust. The applicant is Ace Solutions. **(Action Item)** – a request for a recommendation to City Council for a Residential Mixed (RM) zoning designation upon annexation of approximately 103 acres. This is not an approval of the annexation itself, only the zoning designation as part of it. Mixed zones do require a development agreement, which is cited in Exhibit S-4. The site is 103 acres to the

southwest of the intersection of Prairie and Meyer Road, about a half mile east of Highway 41 and Prairie.

Overview of the Development Agreement – the proposed plan includes approximate 15 acres used as commercial/multi-family, approximately 10 acres as single-family/twin home, and approximately 12 acres as single-family/private school. RM commercial uses are more limited than your typical commercial zone, but you see them as being more neighborhood centric, a place you would go for the convenience if you lived near there. There are conditions of approval calling lot widths and some design standards. Proposing to remove condition 5.2.4. with regards to driveway approaches as our code now encompasses language and is no longer needed in the development agreement. There is a condition for open space development, owner agrees that no more than 50% of the property's gross area may be platted or otherwise developed until 50% of the required open space has been completed with no more than 85% developed until the required open space has been completed.

The current land use is Ag within the county and there are no significant topography or vegetation that would propose a hazard. Water provider would be Ross Point Water District with the sewer being provided by the City of Post Falls.

Review Criteria – The request is consistent with the current surrounding uses and the Future Land Use Map. They are within the 41 North focus area which focuses on provisions for multi-family, commercial, and tech uses near the higher classified roadways; development should provide pedestrian connectivity to all multi-use paths and trails, including the Prairie Trail. The request is also consistent with the Goals and Policies found within the Comprehensive Plan. The commercial and multi-family is being proposed along the Principal Arterial Road, Prairie Ave also Fennecus Rd and Meyer Rd are both Major Collectors. As you move south from Prairie Ave and east from Highway 41 you are transitioning away from those higher intense urban corridors. The Industrial criteria is not applicable as the request is for residential mixed.

All agencies have been notified; Kootenai County Fire & Rescue make comments throughout the development process. Post Falls Police Department are neutral, and the Post Falls Highway District request the rights of way dedication of 50' minimum from centerline on Prairie Ave. be met; our Engineering Department request 55' so this concern is being met.

Ward – Is Meyer and Prairie considered a commercial node?

Manley – I can't recall if this intersection is, I know 41 and Prairie is.

Ward – Can you go back to the previous slide?

Manley – The next commercial node would be Huetter and Prairie, not Meyer.

Ward – Is there a reason why it wouldn't be considered?

Manley – Due to the proximity of the rail corridor and the spacing with the heavy commercial corridor along Highway 41.

Applicant – Mark Hughes, as in the Hughes Farm – We came here from the Midwest in 1970 back then Post Falls was a bump in the road, and I believe the sign said population 1200. There was no traffic back then, our dog would lay on Prairie Ave because it was nice and warm the only traffic was tractors. Post Falls has really grown sense then, a college professor once told me either you are growing or you are dying, this is true for businesses, towns, and living things. We used to raise grass seed, which was very profitable, was told that 70% of grass seed sold to the United States came from Rathdrum Prairie, our area. After you harvest the seen you burn the fields this is a common farming practice. The newcomers didn't care that we have been grass seed for decades, they didn't like the smoke and sued us. So, we gave up the crop that made farming profitable for us, first nail in the coffin. Then the Irrigation District closed, second nail in the coffin. As growth increased; agriculture decreased because the smaller farms were selling due to not being able to afford to farm their land anymore. Due to this trend the farming industries support systems shut the local locations down and kept the Washington ones open, third nail in the coffin. We are done farming; we have reached the end of the road. We have been receiving a high interest for our property, phone calls, letters, dropping by the house. We have been told to not get emotionally attached, it is an investment – we are emotionally attached to this land it has been our home. We have all worked this farm our entire life. We could sell and allow for a packed in development, we could develop in the county and develop 5 acres parcels and sell for millions, or we could develop a nice community with open space and entry level home opportunities. These open spaces are usable with community gardens, commercial locations such as a gym, daycare, restaurant, etc. This represents our future; the family wants to live there.

Roger Glessner, Ace Solutions – The Residential Mixed zoning is perfect for the vision the family has. Will have trails, open space, commercial.

Testimony:

In Favor – Sheila Strain – I am in favor of the annexation of the Hughes property to move forward in the proposed development of a family friendly neighborhood.

Theresa Drahman – I am in favor of moving forward with the annexation and development of the Hughes property.

Marty Hughes – This is a well-planned development project led by a long-time resident family, who lives here and are cognizant of retaining our quality of life. I would rather have this type of local development than seeing it done by an out-of-town corporation with no sense of our concern for local culture and sentiment.

Neutral – Samantha Steiglider – The staff report isn't very clear on the fact that we are only here tonight for the zoning and not the annexation. Also, if we can get the slideshow prior to the meeting so we can see staff's talking points and have more precise things to say. 103 acres annexed into the city is not small-town charm. Perhaps this request doesn't meet criteria #2 because this is mixed anything can be put there and it butts up to R1. Maybe we can annex less than 103 acres at a time if it is all going to be the same zone. Are we committing to the annexation already knowing the development, is that the point of the agreement?

Manley – The development agreement is recorded against title, so it becomes a governing document. There isn't a cart Blanche as to what they can do, there is a conceptual plan as to where they want to place things already laid out.

In Opposition – Bob Flowers – Mentioned he was around in the 70’s as well and lived off the Corbin Ditch Road. Doesn’t feel like we should be annexing in 103 acres now. I love the Hughes ideas and would love to see the plans; if a community can be built in a way that isn’t packed together, I’d love to see it. We just have other issues in the City that needs addressed.

Rebuttal – Glessner – We have a Development Agreement that we must follow when we develop. We could break up the property and ask for individual zones but that wouldn’t be a well thought out plan, it would be a jumbled mess.

Hughes – My brother passed away in 2017, and we chose to not rush plans to wait because the traffic is something we considered and looked at what was happening around us with the roadways.

Review Criteria Discussion –

A. Is it consistent with the Land Use Map?

Kimball – This would be one of the implementing zones the Transitional area allows. This development is just that, transitional and is appropriate for the area.

Steffensen – What they want to build makes sense for the area.

Carey – We need homes for young people so I this is well thought out.

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

Steffensen – Goal 1 talked about growth, sustainability etc. if what they are planning comes to fruition as planned this goal will be obtained as this vision ties directly to that Goal in the Comp Plan.

Hampe – Goal 1 talks about public services however, I don’t know what services are currently there. Water and sewer would have to be brought in, it currently isn’t there correct.

Schlotthauer – The Development Agreement states that it is adjacent, I believe.

Kimball – There is water and sewer at the south boundary.

Hampe – It currently isn’t on the property; it isn’t in the City of Post Falls yet.

Kimball – No, it is adjacent to it. It is consistent with every request.

Hampe – Those are public services, we aren’t talking about transportation and bike paths, etc. we are talking about water and sewer in that section, correct?

Schlotthauer – I would think that is what they mean by services.

Kimball – Goal 5 says to keep neighborhoods safe, vital, and attractive, with the vision they have and how the Development Agreement is constructed I believe it does exactly that.

Schlotthauer – Allowing our community to grow and prosper, I wasn’t here in 1970 however 2 generations of my family were. Our family farm was not in the city however, it is now the center of Post Falls a city grows out many fine residents of Post Falls now live on that farm, and we have to allow the city to grow. I like the vision with the commercial mixed in with the residential that Hughes Family has come up with. I think this is vital to the future of our town.

Kimball – We also need to keep in mind the area, we just approved a large commercial subdivision to the north. Highway 41 and Prairie will quickly become a large commercial node and the residential development next to it will not have to travel as far for amenities. In turn takes the stress off of the transportation system.

C. Zoning is assigned following consideration of such items as street classifications, traffic patterns, existing development, future land uses, community plans, and geographic or natural features. Encourage a balance of land uses to help Post Falls remain a desirable, stable, and sustainable community.

Davis – I would say the applicants presentation hit allot of those and there is a lot of detail we must develop on.

Steffensen – I'll say it again if this is developed as outlined it will hit every one of those. Balance of land use, traffic patterns, Prairie, and that plan.

Schlotthauer – Residential Mixed hits all the criteria for this area better than any other zoning I believe.

Hampe – I like Residential Mixed when it is done right it creates community and that is a good thing. Just feels awkward that we are now only looking at the zoning and not both the annexation and zoning.

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

Kimball – Prairie Ave is a principal arterial that is the highest road classification the city has aside from the interstate.

Steffensen – The development agreement will outline the percentage of commercial and high-density residential used based on the RM zoning. Prairie is the right place to put it.

E. 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. Ensure that adequate land is available for future housing needs.

Kimball – With the lower density towards the south which is adjacent to the lower density and lower intensity of the area; they have transitioned it nicely. This lower density is also close to the elementary school.

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

Nothing to cover for this criterion

Motion to recommend approval of the RM to Council finding through deliberation and that it meets the criteria for the Residential Mixed zone - Kimball

2nd by Schlotthauer

Vote Hampe – Yes; Schlotthauer – Yes; Ward – Yes; Davis – Yes; Kimball – Yes; Carey – Yes; Steffensen - Yes

Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

Davis – Regarding the new process I think some of the things we’ll see will be a significant amount of conversation when start talking about concerns. This is just a process to kind of walk through everything to make sure everyone feels comfortable.

7. ADJOURNMENT 6:13 PM

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

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

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

Date: _____

Chair: _____

Attest: _____

Elm Place Subdivision File No. SUBD-0019-2021

Planning and Zoning Commission Reasoned Decision

A. INTRODUCTION:

APPLICANT: Dobler Engineering

LOCATION: North of Interstate 90 on the west side of Elm St. south of Seltice Way.

REQUEST: Subdividing approximately 1.11 acres into 12 R-2 Twin home lots.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Preliminary Plan
4. A-4 Auth Letter
5. A-5 Guarantee
6. A-7 Will Serve
7. S-1 Staff Vicinity Map
8. S-2 Staff Zoning Map
9. S-3 Staff Future Land Use Map
10. PA-1 PFPD Comments
11. PA-2 KCFR Comments
12. PA-3 PFHD Comments
13. PZ Staff Report
14. Testimony at the January 26, 2022 hearing:

The request was heard before the Planning and Zoning Commission (hereinafter "Commission") at the January 26, 2022 public hearing, 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 request to subdivide approximately 1.11 acres into 12 twin home lots within the Medium Density Residential (R-2) zoning designation (SUBD-0019-2021). The request is evaluated under the standards of Post Falls Municipal Code ("PFMC") § 17.12.060.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report to the Commission. He testified that the owner of the property is Robert Wilhelm represented by the Applicant Dobler Engineering. He testified that the applicant is seeking to subdivide approximately 1.11 acres into a 12-lot subdivision within the Medium Density Residential (R-2) zoning designation.

PARCEL INFORMATION:

Property Size: 1.11 acres

Current Land Use: Single-Family Home

Current Zoning: Medium Density Residential (R-2)

Proposed Land Use: The proposed subdivision will include residential uses through Twin home design.

Surrounding Land Use: The land uses to the south include Interstate 90 right-of-way. Directly west and north of the site includes single-family homes. East of the proposed subdivision is a duplex.

Surrounding Zoning Districts: All properties surrounding the site is zoned as Residential Single-Family (R-1), except the south Interstate 90 right-of-way.

Water Provider: East Greenacres Irrigation District

Sewer: City of Post Falls

Mr. Porter testified that the site is north of I-90, right along Elm Street. He explained that the current land use is a Single-Family Home, and the water services will be provided by East Greenacres Irrigation District and City of Post Falls will provide sanitary sewer. He illustrated that the existing zoning for the site is R-2 and most of the surrounding land use is R-1 Single-Family zoning. He testified that the proposals lot size and widths meet the R-2 standards for twin homes and they are providing a parking area in the southwest corner.

Mr. Porter testified regarding the review criteria, stating East Greenacres Irrigation District will provide water to the property. As to the second criteria, he stated the city has sufficient capacity and with development will need to meet city design standards. As to the third review criteria, he explained that the proposed streets are consistent with the transportation element of the comprehensive plan. He described the subdivision and proposed layout accommodate connectivity and should not have a negative impact of the local transportation system. He explained that staff has proposed condition number five that provides more detail.

Mr. Porter testified regarding the fourth review criteria, he stated that at this time there are no known soil or topographical conditions identified as hazards. As to the fifth review criteria, he attested that the proposed lots comply with the bulk and placement standards for the R-2 (Twin Home) standards. Finally, as to the last review criteria, he testified that impact fees and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to parks, public safety, streets, city water and water reclamations facilities.

Mr. Porter, in response to a question from the Commission, indicated that there is extra parking because on-street parking is limited and they designed the extra parking to help accommodate that limitation, he clarified that it is in addition to the required parking for the residences.

Gordon Dobler, Dobler Engineering, Applicant

Mr. Dobler testified that the additional parking is not required, but they wanted to do it for a couple of reasons. First, he explained they will provide the required amount of off-street parking in each unit and second, they will have shared driveways and you can see I have grouped the water meters every other property line. He illustrated that the ones that do not have a water meter will have the shared driveway and that is how we'll access the units on site. He asserted that they have minimized the impact to the on-street parking by using shared driveways and they also have used the overflow parking for the turnaround required by the Fire District. He added that because of the driveway configuration there is room for snow storage at the end of the street.

Mr. Dobler testified that the owner of the property owns the adjoining property so they will be improving Elm to city standards for the future plans for that property. He asserted that all required improvements for water, sewer and transportation are incorporated into the design. He explained that the road is private road which will be maintained by the HOA along with the parking and the frontage along Elm. He indicated that the main reason they went with the private road was not because of the standards, the right-of-way requirements would have reduced these lots to a size which would not work. He clarified that the 28-foot street meets city standards.

Public Testimony:

The hearing was opened for public testimony but none was received.

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 and to apply that information to the approval criteria contained in Post Falls Municipal Code (“PFMC”) § 17.12.060.

C. SUBDIVISION REVIEW CRITERIA: (Post Falls Municipal Code Title 17.12.060, Subsection H): No subdivision shall receive approval unless findings and conclusions are made that:

C1. 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.

The Commission determines that water service to the project would be provided by the East Greenacres Irrigation District which has adequate quantity and quality for the proposed subdivision.

C2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

The City of Post Falls has adequate capacity to provide service to the subdivision as proposed. The layout of the sanitary sewer system as proposed is adequate, subject to minor revisions needed to conform with design standards. Existing sanitary sewer is located at the north property line of the site in Elm Rd. As such, the Commission determines that the City of Post Falls has adequate capacity to provide service to the subdivision as proposed.

C3. Proposed streets are consistent with the transportation element of the comprehensive plan.

The Commission determines that: The subdivision and proposed layout accommodate connectivity and will not have a negative impact on the local transportation system. Rights-of-way and easements shall be dedicated to the City of Post falls and streets constructed as shown in the preliminary plans.

Private Roadway – The proposed private roadways shown a 28-foot width (curb face to curb face) with a sidewalk provided on one side. The proposed road cross section exceeds minimum design standards for private roadways. Parking shall be restricted to one side only. Additional parking is shown in a common tract between lots 10 and 11

Multi Modal – The proposed sidewalks within the subdivision connect to existing facilities on Elm Street and allow separated pedestrian access within the surrounding transportation network.

All new street names shall be confirmed with Kootenai County prior to construction plan approval.

C4. 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.

The Commission determines that: There are no soil or topographical conditions which have been identified as presenting hazards.

C5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.

The Commission determines that: This subdivision request is within the City of Post Falls and is in a R-2 zone. The proposed use conforms to the zoning and other requirements found in PFMC.

- C6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.**

The Commission determines that: Impact fees will be assessed on individual building permits to assist in mitigating the off-site impacts to parks, public safety, and streets.

- C7. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:**

It is the decision of the Commission that the requested subdivision can meet the City's standards, however, to meet the criteria certain conditions will need to be met. Those conditions, 1-7 listed below, when imposed will ensure that the six criteria found in PFMC 17.12.060.H are met. Based upon the evidence presented to the Commission on January 26, 2022, at a properly noticed public hearing and the record compiled in this matter, the applicant must meet the following conditions:

1. Corrections and additions, if any, to the Subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. The proposed subdivision must be completed in a single phase.
3. A Master Development Agreement shall be prepared by staff, reviewed, and signed by the parties prior to commencement of any construction. A Construction Improvement Agreement shall be completed for each phase of construction.
4. Submitted Preliminary Construction Plans were reviewed from a conceptual basis only. Final construction plans of the streets and utilities shall be reviewed and approved by the Engineering Division prior to any street or utility construction. Such plans shall also include driveway approaches and location of proposed mailboxes. Construction limits shall correspond with the improvements indicated on the Preliminary Plat.
5. Except where an exception is granted, all streetlights and roadways shall be designed and constructed in accordance with City standards.
 - No exceptions to City Standards were requested
 - A 5' sidewalk shall be provided along the north side of the identified "private road".
 - The private roadway shall be restricted to parking on one side only.
6. Final landscaping plans for the street trees will be submitted for review and approval as part of the construction plans. Street trees shall be planted by the developer in the spring and fall following construction of homes. The Urban Forester shall be notified prior to planting.
7. A homeowner's association shall be formed to provide for the maintenance and operation of the private roadway and open space / parking Tract

- D. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:**

Not Applicable, approval has been granted, subject to the conditions noted above.

- E. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:**

SUBD-0019-2021: Based upon the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Post Falls Planning and Zoning Commission that the request, Elm Place Subdivision, SUBD-0019-2021, meets the standards of City Code, and the Idaho Local Land Use

Planning Act, and is hereby approved with conditions contained herein.

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.

**River City Center Subdivision
File No. SUBD-0020-2021
Planning and Zoning Commission
Reasoned Decision**

A. INTRODUCTION:

APPLICANT: Olson Engineering

LOCATION: Southeast of the intersection Highway 41 and 12th Ave, west of October Glory St

REQUEST: Subdividing approximately 14.4 acres into 6 commercial lots.

B. RECORD CREATED:

1. A-1 Application
2. A-2 Narrative
3. A-3 Preliminary Plan
4. A-4 Auth Letter
5. A-5 Title Report
6. A-8 Will Serve
7. S-1 Staff Vicinity Map
8. S-2 Staff Zoning Map
9. S-3 Staff Future Land Use Map
10. PA-1 PFPD Comments
11. PA-2 KCFR Comments
12. PA-3 PFHD Comments
13. PZ Staff Report
14. Testimony at the January 26, 2022 hearing:

The request was heard before the Planning and Zoning Commission (hereinafter "Commission") at the January 26, 2022 public hearing, 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 request to subdivide approximately 14.4 acres into 6 lots within the Community Commercial Services (CCS) zoning designation (SUBD-0020-2021). The request is evaluated under the standards of Post Falls Municipal Code ("PFMC") § 17.12.060.

Ethan Porter, Associate Planner

Mr. Porter presented the staff report to the Commission. He testified that the owner of the property is 41 & Mullan Investments, LLC represented by the Applicant Olson Engineering. He testified that the applicant is seeking to subdivide approximately 14.4 acres into six commercial lots within the Community Commercial Services (CCS) zoning designation.

PARCEL INFORMATION:

Property Size: 14.4 acres

Current Land Use: Vacant with a portion of developed section including shops/retail uses.

Current Zoning: Community Commercial Services (CCS)

Proposed Land Use: The proposed land uses for the new lots is intended for new commercial businesses such as food services, grocery and/or retail.

Surrounding Land Use: The land uses to the east includes a single-family subdivision across October Glory St. On the south there is a commercial business next to a single-family home. Directly north is a mobile home park within Kootenai County. To the west there are commercial businesses across Highway 41.

Surrounding Zoning Districts: Properties surrounding the site include R-1 single-family to the east. South and West include CCS zoning and north is County jurisdiction that includes high density residential zoning.

Water Provider: Ross Point Water District

Sewer: City of Post Falls

Mr. Porter testified that the site is located just south of 12th Avenue and north of Mullan, to the west is Highway 41(SH41) and to the east is October Glory Street. He explained that the current land use is mostly vacant, with a developed portion that has shops and retail uses. He asserted that Ross Point Water District will provide water services and the City of Post Falls will provide sanitary sewer. He illustrated that the existing zoning for the site is CCS along SH41 and is largely surrounded by Commercial zoning except to the east there is a R1 Single Family subdivision. He noted that to the north is outside city limits in Kootenai County. He testified that the proposed subdivision plan for six commercial lots meet the standards in the official bulk and placement table for lot sizes and widths.

Mr. Porter testified regarding the review criteria, stating again that water will be provided by Ross Point Water District. As to the second criteria, he stated that the city has sufficient capacity for the proposed commercial uses and upon development will need to meet design standards as well as surcharge fees for the 12th Avenue lift station to offset future cost of force mains from the lift station to the water reclamation facility. As to the third review criteria, he explained that the proposed streets are consistent with the transportation element of the comprehensive plan. He testified that the subdivision lies next to existing developed roadways of SH41, 12th Avenue and October Glory Street. He explained that a private shared access needs to be provided for proposed lots 2 and 6 ensure adequate circulation and traffic flow. He noted that SH41 Construction along proposal's frontage is scheduled between 2023 and 2026. He asserted that 12th Avenue is classified as a Minor Collector and the intersection of 12th and SH41 is being converted into a ¾-turn restriction. He testified that October Glory Street is classified as a Local Residential Roadway that will require further installation of sidewalk and roadway illumination.

Mr. Porter testified regarding the fourth review criteria, stating that at this time there are no known soil or topographical conditions that have been identified as hazards. As to the fifth review criteria, he attested that the proposed lots comply with the bulk and placement standards for the CCS zoning designation and will need to meet city commercial standards upon development. Finally, as to the last review criteria, he testified that impact fees and cap fees will be assessed and collected on individual building permits to assist in mitigating the off-site impacts to parks, public safety, streets, city water and water reclamations facilities.

Mr. Porter testified that there is not buffer requirement between the CCS and R-1 because there is already a street there, the street acts as the buffer.

Rob Palus, Assistant City Engineer

Mr. Palus, in response to a question from the Commission about sidewalks on October Glory, testified that there is an existing sidewalk on the east side of October Glory Street from 12th Avenue up to Mullan Avenue and a substantial portion of the sidewalk is in place on the west side as well. He noted that there is a just a small gap that is missing.

Mr. Palus testified regarding Condition 9, stating that previously, in this area, we had our 12th Avenue lift station and within the last year, we moved it that lift station. He explained that the City still maintains an easement where that lift station was and we can vacate that easement as part of the new plat. He clarified that the City Water Reclamation Department would provide a letter at public hearing with the

subdivision that we have no interest or use of that property anymore and that it should be vacated with the subdivision.

Mr. Palus testified regarding the surcharge for the future force main. He explained that this property itself is not conditioned on paying the surcharge. However, he added, the other properties that would flow out to Highway 41 and then to the south, the city is collecting a surcharge as those properties annex into the city requiring the development of those properties to pay a surcharge. He explained that in calculating that surcharge, we took a portion of the cost of taking the force main from the lift station and running it all the way to the treatment plant, dividing it out by the capacity of that line and that is how much we charge. Ideally, he added, when we reach a certain threshold of flow rates that we have identified, we will have enough money built up that we can build that several miles of force main.

Mr. Palus explained the access points onto SH41 indicated that there are two access points already along SH41 and those would remain.

Daniel Brands, Olson Engineering, Applicant

Mr. Brands testified that the area of the larger undeveloped lot that extends to the highway would just be for parking, not an additional access onto SH41. He asserted that this project is already zoned commercial. He explained that there are three existing lots that are being turned into six total to make it easier for the developer to lease or sell commercial pad sites. He indicated that this is a straightforward commercial subdivision and they are not proposing to do anything different or unexpected. He explained there will be access to 12th Street from Lot 5.

Public Testimony:

The hearing was opened for public testimony but none was received.

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 and to apply that information to the approval criteria contained in Post Falls Municipal Code (“PFMC”) § 17.12.060.

C. SUBDIVISION REVIEW CRITERIA: (Post Falls Municipal Code Title 17.12.060, Subsection H): No subdivision shall receive approval unless findings and conclusions are made that:

C1. 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.

The Commission determines that water service to the project would be provided Ross Point Water District and they have adequate capacity to provide service to the project as proposed.

C2. Adequate provisions have been made for a public sewage system and that the existing municipal system can accommodate the proposed sewer flows.

The Commission determines that the City of Post Falls has adequate capacity to provide service to the subdivision as proposed. Existing sewer mains are in place along the project’s frontages with SH41, 12th Avenue and October Glory Street. The 12th Avenue Lift Station was recently reconstructed in the northeast corner of the property. The City of Post Falls has current capacity and is willing to provide service to the subdivision, as proposed. Site-specific issues would be handled at the time of Site Plan Review.

C3. Proposed streets are consistent with the transportation element of the comprehensive plan.

The Commission determines that: The subdivision lies next to existing developed roadways of SH41, 12th Avenue and October Glory Street and the proposed streets are consistent with the transportation element of the comprehensive plan.

Private Roadway/ Drive Access – A Private shared access will be needed on proposed Lots 2 and 6 to allow access to Lots 1, 3, 4 and 5 and internal circulation route to October Glory SH41, 12th Avenue and October Glory Street.

Public Roadways

- SH41 is scheduled for construction along the proposed projects frontage between 2023 and 2026, planned improvements will most likely limit site access to/from SH41 as right-in / right-out only. SH41 improvements will also include reconstruction of the Mullan Avenue / SH41 intersection to increase intersection capacity and improve safety. Site access along SH41 will need to be coordinated with the Idaho Transportation Department (ITD District 1)
- 12th Avenue is classified as a Minor Collector Roadway. The intersection of 12th Avenue and SH41 is being converted into a ¾ - turn restriction (no thru movements across SH41 or left turns onto SH41) Access to 12th Avenue would be allowed in conformance with the City Access Standards. Frontage improvements are in place.
- October Glory Street is classified as a Local Residential Roadway. The existing roadway was constructed to a 28' width standard with curb and gutter. Missing sections for sidewalk and roadway illumination will need to be installed with the subdivision. 28-foot roadways are restricted to parking on one-side only within the City Development Standards, Subdivision Improvements associated with this project should include posting of portions of October Glory Street as “no parking”.

Multi-modal facilities – A multi-modal pathway exists along the east side of SH41 from Seltice Way to 12th Ave. The State of Idaho is in the process of extending those facilities from 12th Ave. to the City of Rathdrum. These facilities will improve access to and from the site for surrounding residential properties.

C4. 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.

The Commission determines that: There are no soil or topographical conditions which have been identified as presenting hazards.

C5. The area proposed for subdivision is zoned for the proposed use and the use conforms to other requirements found in this code.

The Commission determines that: This subdivision request is within the City of Post Falls and is in a CCS zone. The proposed use conforms to the zoning and other requirements found in PFMC.

C6. The developer has made adequate plans to ensure that the community will bear no more than its fair share of costs to provide services by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to streets, parks, and other public facilities within the community. It is the expectation that, in most cases, off site mitigation will be dealt with through the obligation to pay development impact fees.

The Commission determines that: Impact fees will be assessed on individual building permits to assist in mitigating the off-site impacts to parks, public safety, and streets. There did not appear to be anything extraordinary about the plans which would not be covered by impact fees.

C7. Additional Recommended Conditions necessary to ensure compliance with the adopted standards:

It is the decision of the Commission that the requested subdivision can meet the City's standards, however, to meet the criteria certain conditions will need to be met. Those conditions, 1-9 listed below, when imposed will ensure that the six criteria found in PFMC 17.12.060.H are met. Based upon the Presentations made to the Commission on January 26, 2022, at a properly noticed public hearing, the record compiled in this matter, and the applicant must meet the following conditions:

1. Corrections and additions, if any, to the Subdivision requested by staff and/or the Planning & Zoning Commission should be completed by the applicant and reviewed by staff prior to approval by the City Council.
2. The proposed subdivision must be completed in a single phase.
3. A Master Development Agreement shall be prepared by staff, reviewed, and signed by the parties prior to commencement of any construction. A Construction Improvement Agreement shall be completed for each phase of construction.
4. Construction of services for Sewer and landscaping frontage improvements will be allowed with individual site development.
5. Construction of missing public frontage improvements: Roadway Illumination, sidewalk will be required to be constructed or bonded for prior to platting.
6. The plat shall contain language providing common shared access upon Lots 2 and 6 to the remainder of the properties
7. Final landscaping plans for the street trees will be submitted for review and approval as part of individual site plans. The Urban Forester shall be notified prior to planting.
8. Access to/from platted lots to SH41 will require approval by the Idaho Transportation Department and are subject to the States Access Standards.
9. With final platting it is recommended that City Council relinquishes the existing Lift Station Easement (75' x 75' Lift Station Easement, as shown on the Plat of Crimson King Estates, Book J Page 377 Kootenai County Records, Instrument # 2056092000) As the City has relocated the lift station, with a new easement, and the existing referenced easement is no longer needed or anticipated to be needed for its original intended purpose.

D. STEPS THE APPLICANT CAN TAKE TO OBTAIN APPROVAL:

Not Applicable, approval has been granted, subject to the conditions noted above.

E. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION:

SUBD-0020-2021: Based upon the record placed before the Commission, the testimony received at the properly noticed public hearing, and with the imposition of the above conditions, it is the conclusion of the Post Falls Planning and Zoning Commission that the request, River City Center Subdivision, SUBD-0020-2021, meets the standards of City Code, and the Idaho Local Land Use Planning Act, and is hereby approved with conditions contained herein.

[Signature Page Follows]

REASONED DECISION

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.

**CITY OF POST FALLS
STAFF REPORT**

DATE: February 18, 2022
TO: POST FALLS PLANNING & ZONING COMMISSION
FROM: JON MANLEY, PLANNING MANAGER, 457-3344, jmanley@postfallsidaho.org
SUBJECT: STAFF REPORT FOR THE FEBRAURY 22, 2022 P&Z MEETING
TITLE 18 ORDINANCE HOUSEKEEPING TEXT AMENDMENT

FILE NUMBER/NAME: TA-0001-2022 / TITLE 18 TEXT AMENDMENT

APPLICANT: City of Post Falls Planning Division

REQUESTED ACTION: The Planning Division is seeking to amend Title 18 to accomplish the following:

- Establish setbacks in PR Zone;
- Modify RV Parks in the Industrial Zone from a permitted use outright to requiring a special use permit;
- Bring Title 18 concurrent with Title 12.12.060 regarding the driveway approach width requirements;
- Exempt fencing height standards for defined areas for sports and recreation facilities;
- Require that single family and duplex buildings that are adjacent to a public street or private street, the building entrances must be clearly visible and oriented to face the public street. Deviations may be granted by the zoning administrator;
- Update ADA parking stalls to be same length as other stalls;
- Clarify the landscape buffering exemption for Single-family, two-family, and three family dwellings.

PROPOSED CHANGES: Exhibit S-1 (Draft Ordinance), details the code sections that are being requested to be modified, with the underlined text being the proposed new language and the ~~strickethrough~~ text being removed. The following is an overview of the proposed changes:

OTHER AGENCY RESPONSE & RECEIVED WRITTEN COMMENTS:

Agencies Notified:

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

MOTION OPTIONS: The Planning Commission must provide a recommendation pertaining to the requested amendment to City Council, of which at a later date, an additional Public Hearing will be heard by City Council. Should the Commission need additional information or wish to hear additional testimony, it may wish to move to continue the public hearing to a later date certain. If the Commission has heard sufficient testimony but needs additional time to deliberate and make a recommendation, it may close the public hearing and move the deliberations to a later date certain.

ATTACHMENTS:

Staff Submittals:

Exhibit S-1 Draft Title 18 Ordinance

Testimony:

Exhibit PA-1 KCFR Comments

Exhibit PA-2 DEQ Comments

Exhibit PA-3 PFHD Comments

Exhibit PC-1 Comemnt

ORDINANCE NO. [Category]

AN ORDINANCE AMENDING SECTIONS OF TITLE 18 ZONING, THE MUNICIPAL CODE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO; AMENDING 18.16.010 W. PUBLIC RESERVE ZONE; REPEALING AND REPLACING 18.20.030 LAND USE TABLE; AMENDING 18.24.020 H.1. RESIDENTIAL SURFACING; AMENDING 18.24.030 A. SINGLE FAMILY AND DUPLEX RESIDENTIAL STANDARDS; REPEALING AND REPLACING 18.24.070 PARKING; AMENDING 18.24.080 B.1. EXEMPTIONS FOR BUFFERS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SURVIVAL OF ACTIONS FOR VIOLATIONS OF PRIOR ORDINANCES; PROVIDING SEVERABILITY; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE BY SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, after recommendation of the Planning and Zoning Administrator on the hereinafter provided amendments; and

WHEREAS, a public hearing was held before the Post Falls Planning and Zoning Commission on _____, 2022 in accordance with the law, testimony taken, and recommendation of the Commission that the City Council adopt the amendments hereinafter provided; and

WHEREAS, *after public hearing on the hereinafter provided amendments, and after recommendation by the Planning and Zoning Commission*, it is deemed by the Mayor and City Council to be in the best interests of the City of Post Falls that said amendments be adopted;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Post Falls as follows:

SECTION 1. *That Post Falls Municipal Code Section 18.16.010 W is amended to read as follows:*

E. Public Reserve Zone: The Public Reserve (PR) Zone is established to accommodate existing and future public uses, such as, but not limited to, governmental, public utility, educational, recreational, cultural, water reuse, agricultural, environmental. It is anticipated that the uses allowed may be unique and may involve a combination of uses not permitted outright in any other zoning districts. The PR Zone does not allow privately-owned development.

1. Application: The PR Zone is appropriate for:
 - a. All future land use designations within the Comprehensive Plan; and
 - b. Areas with at least twenty (20) contiguous acres.
 - c. The minimum setback for all sides of property shall be ten feet (10’).

SECTION 2. *That Post Falls Municipal Code Section 18.20.030 is repealed, and a new Section 18.20.030 is enacted to read as follows:*

18.20.030: LAND USE TABLE:

P	=	Permitted use
S	=	Special use
-	=	Nonpermitted use

Land Use Category	Zoning Classifications										LBCS Code
	R1S	R1	R2	R3	LC	CCS	I	TM	CCM	RM	
Residential uses:											
Single-Family Home	P	P	P	-	S ¹	-	-	-	-	P	1101
Duplex, 2 units per structure	-	-	P	P	S	S	-	-	-	P	1102
Twinhome	-	S	P	P	S	S	-	-	-	P	
Townhome, 6 or less units per structure	-	S	S	P	P	S	-	P	P	P	
Multi-family, 3 or more units per structure	-	-	-	P	S	S	-	P	P	P	1103
Accessory dwelling unit	P	P	P	P	P	-	-	-	-	P	
Accessory residential support use (i.e., garage, shed, pool, greenhouse)	P	P	P	P	P	-	-	-	P	P	1199
Single-family incidental to a commercial/industrial use	-	-	-	-	P	P	P	P	P	P	
Single-family incidental to a religious use	P	P	P	P	P	P	P	-	-	P	
Home occupation	P	P	P	P	P	P	-	-	-	P	
Accommodations and group living:											
Congregate living, group homes	-	P	P	P	S	S	-	P	P	P	1220
Nursing homes	-	S	S	S	P	P	S	S	P	P	1230
Residential care facilities	S	S	S	S	P	P	S	S	P	P	1230

¹ See PFMC 18.16.010B.1. Residential uses may be allowed at densities permitted in the (R2) Zone by *Special Use Permit*.

Bed and breakfast inn	S	S	S	S	P	-	-	-	P	S	1310
Rooming and boarding house	-	-	-	-	P	P	-	S	P	S	1320
Hotel, motel, or tourist court	-	-	-	-	S	P	P	P	P	-	1330
General sales or services:											
Retail store	-	-	-	-	P	P	P	P	P	P	2102
Sexually oriented business	-	-	-	-	-	-	P	-	-	-	
Postal services and packaging	-	-	-	-	P	P	P	P	P	P	
Photo processing	-	-	-	-	P	P	P	P	P	P	
Outdoor vendor spaces/farmers' market or stands	-	-	-	-	P	P	S	P	P	P	
Neighborhood shopping center	-	-	-	-	P	P	P	P	P	P	2106
Destination shopping center	-	-	-	-	-	P	P	-	P	-	2107
Automobile/light truck/RV dealership	-	-	-	-	-	P	P	-	P	-	2111
Mobile home/manufactured housing dealership	-	-	-	-	-	P	P	-	P	-	2112
Motorcycle/ATV dealer	-	-	-	-	-	P	P	-	P	-	2113
Boat/marine craft dealer	-	-	-	-	-	P	P	-	P	-	2114
Auto service station (full service with garage bays)	-	-	-	-	-	P	P	P	P	-	2116
Car lot/used car dealership	-	-	-	-	-	P	P	-	-	-	2118
Furniture/home furnishings center	-	-	-	-	S	P	P	S	P	-	2121
Hardware/home improvement center	-	-	-	-	S	P	P	S	P	P	2122
Lawn and garden supplies/feed store	-	-	-	-	S	P	P	S	P	P	2123
Department store/warehouse club/superstore/big box	-	-	-	-	-	P	P	-	P	-	2124
Lumberyard/building materials store	-	-	-	-	-	P	P	-	P	-	2126

Discount store	-	-	-	-	S	P	P	-	P	P	2128
Durable consumer goods sales and service	-	-	-	-	S	P	P	P	P	P	2130
Grocery store/supermarket greater than 17,500 sq. ft	-	-	-	-	S	P	P	P	P	-	2151
Grocery store/supermarket less than 17,500 sq. ft	-	-	-	-	P	P	P	P	P	P	2151
Convenience store	-	-	-	-	P	P	P	P	P	P	2152
Convenience store with gas	-	-	-	-	S	P	P	P	P	-	
Specialty food/health food store	-	-	-	-	P	P	P	P	P	P	2153
Pharmacy/drugstore	-	-	-	-	P	P	P	P	P	-	2170
Auto supply stores	-	-	-	-	P	P	P	P	P	-	
Automotive repair services	-	-	-	-	-	P	P	P	P	-	
Automatic car wash	-	-	-	-	S	P	P	P	P	-	2171
Self-service car wash	-	-	-	-	P	P	P	-	P	-	2172
Automobile or marine service center	-	-	-	-	-	S	P	-	S	-	2174
Heavy equipment repair	-	-	-	-	-	S	P	-	-	-	
Service garage/paint shop/detailing	-	-	-	-	-	S	P	P	S	-	2175
Quick lube job	-	-	-	-	S	P	P	P	P	-	2176
Bank/savings institution	-	-	-	-	P	P	P	P	P	-	2210
Branch bank (drive-up facility)	-	-	-	-	P	P	P	P	P	-	2211
Bank ATM kiosk or remote facility	-	-	-	-	P	P	P	P	P	P	2212
Car rental agency	-	-	-	-	-	P	P	P	P	-	2331
Tractor/heavy trucks/trailer, dealership/leasing	-	-	-	-	-	S	P	-	-	-	2332
Recreational or consumer goods rental	-	-	-	-	S	P	P	P	P	P	2333
Leasing commercial/industrial machinery and equipment	-	-	-	-	-	S	P	-	-	-	2334

Building, developing, and general contracting services	-	-	-	-	S	P	P	-	-	-	7100
Professional, scientific, and technical services											
General office buildings (1 _ 4 stories)	-	-	-	-	P	P	P	P	P	S	2401
General office buildings (5+ stories)	-	-	-	-	S	P	P	P	P	-	2402
Research and Development	-	-	-	-	S	S	P	P	P	-	2416
Veterinary office	-	-	-	-	P	P	P	S	P	P	2418
Full service restaurant	-	-	-	-	P	P	P	P	P	P	2510
Cafeteria/limited service restaurant/delicatessens	-	-	-	-	P	P	P	P	P	P	2520
Drive-in restaurant	-	-	-	-	P	P	P	P	P	-	2521
Fast food restaurant	-	-	-	-	P	P	P	P	P	-	2522
Snack/nonalcoholic bar	-	-	-	-	P	P	P	P	P	P	2530
Bar/tavern/lounge	-	-	-	-	S	P	P	P	P	S	2540
Nightclub/dinner theater	-	-	-	-	S	P	P	-	P	-	2541
Parking lot (uncovered)	-	-	-	-	P	P	P	P	P	P	2650
Parking garage (covered)	-	-	-	-	S	P	P	P	P	S	2660
Municipal animal shelter/pound	-	-	-	-	-	P	P	-	P	-	2721
Kennel/boarding services/dog daycare	-	-	-	-	S	P	P	S	P	-	2722
Retail/office/residential combination (minimum 2 separate uses per structure)	-	-	-	-	P	P	S	P	P	P	2800
Industrial and manufacturing uses:											
Asphalt plant/storage	-	-	-	-	-	-	S	-	-	-	
Blast furnace and smelting	-	-	-	-	-	-	S	-	-	-	
Manufacture or storage of explosives	-	-	-	-	-	-	S	-	-	-	

Food and beverage mfg.	-	-	-	-	-	S	P	P	S	-	3110
Meat products mfg.	-	-	-	-	-	-	P	-	-	-	3111
Dairy products mfg.	-	-	-	-	-	-	P	-	-	-	3112
Grain milling products mfg.	-	-	-	-	-	-	P	-	-	-	3113
Bakery products mfg.	-	-	-	-	-	P	P	P	P	-	3114
Beverage products mfg.	-	-	-	-	-	S	P	P	P	-	3115
Tobacco products mfg.	-	-	-	-	-	S	P	-	-	-	3120
Textiles (mill products)	-	-	-	-	-	S	P	P	S	-	3130
Clothing mfg.	-	-	-	-	-	S	P	P	S	-	3131
Leather and allied products mfg.	-	-	-	-	-	S	P	S	S	-	3140
Wood products mfg., except lumber mills	-	-	-	-	-	S	P	-	S	-	3210
Sawmill	-	-	-	-	-	-	S	-	-	-	3215
Millwork/veneer/plywood mfg.	-	-	-	-	-	S	S	-	-	-	3216
Paper manufacturing	-	-	-	-	-	-	S	-	-	-	3221
Paperboard/cardboard/box mfg.	-	-	-	-	-	S	S	-	S	-	3222
Furniture and related products mfg.	-	-	-	-	-	S	P	P	S	-	3230
Petroleum refining	-	-	-	-	-	-	-	-	-	-	3311
Paving and roofing materials mfg.	-	-	-	-	-	S	P	-	-	-	3312
Rubber products mfg.	-	-	-	-	-	S	P	S	-	-	3321
Paint/varnish/lacquer mfg.	-	-	-	-	-	-	P	-	-	-	3322
Drug/pharmaceutical mfg.	-	-	-	-	-	S	P	P	S	-	3323
Plastic mfg.	-	-	-	-	-	S	P	S	-	-	3324
Industrial chemical mfg.	-	-	-	-	-	-	S	-	-	-	3325
Flat glass mfg.	-	-	-	-	-	S	P	P	-	-	3331
Glass/glassware products mfg.	-	-	-	-	-	P	P	P	-	-	3332
Cement mfg.	-	-	-	-	-	-	P	-	-	-	3333

Gypsum/plaster/concrete products mfg.	-	-	-	-	-	-	S	-	-	-	3334
Cut stone and stone products mfg.	-	-	-	-	-	-	P	-	-	-	3335
Primary metal mfg.	-	-	-	-	-	-	P	-	-	-	3340
Steel and iron foundries	-	-	-	-	-	-	S	-	-	-	3341
Steel fabrication	-	-	-	-	-	-	S	-	-	-	3342
Machinery mfg.	-	-	-	-	-	-	S	-	-	-	3350
Automobile/truck manufacturing	-	-	-	-	-	-	P	-	-	-	3351
Aircraft manufacturing	-	-	-	-	-	-	P	P	-	-	3352
Instrument/high-technology manufacturing	-	-	-	-	-	-	P	P	S	-	3353
Electrical equipment/appliance/components mfg.	-	-	-	-	-	P	P	P	P	-	3360
Heavy transportation equipment mfg. (railroad/pipeline)	-	-	-	-	-	S	P	-	-	-	3370
Miscellaneous manufacturing	-	-	-	-	-	-	P	S	S	-	3400
Salvage yard/recycle center	-	-	-	-	-	S	S	-	-	-	3519
Warehouse and storage uses:											
Mini-storage warehouse/self-storage	S	S	S	S	S	P ²	P	-	S	S	2321
Construction equipment storage facility	-	-	-	-	-	-	P	-	S	-	
Automotive impound yards	-	-	-	-	-	-	P	-	-	-	
Warehouse distribution/storage facility	-	-	-	-	-	S	P	S	S	-	3610
Warehouse-retail combination	-	-	-	-	-	P	P	P	S	-	3630
Warehouse-office combination	-	-	-	-	-	P	P	P	S	-	3640
Cold storage warehouse	-	-	-	-	-	S	P	-	S	-	3660

² Refer to Post Falls Municipal Code Section 18.24.040, subsection K for additional restrictions on the location of mini-storage facilities.

Transit warehouse/truck terminal	-	-	-	-	-	S	P	-	S	-	3670
Transportation uses:											
Air transportation	-	-	-	-	-	S	S	-	-	-	4110
Air freight transportation	-	-	-	-	-	S	S	-	-	-	4112
Airport support establishment	-	-	-	-	-	S	P	-	-	-	4113
Other air transportation (including scenic, balloon, etc.)	-	-	-	-	-	S	P	-	-	-	4115
Rail transportation stations/transit stops	-	-	-	-	-	S	P	S	S	S	4120
Local transit center-bus, special needs, and other motor vehicles stations	S	S	S	S	P	P	P	P	P	P	4133
Interurban, charter bus, and other similar establishments/transit stations	-	-	-	-	P	P	P	P	P	-	
Special purpose transit transportation (including scenic, sightseeing, etc.)	-	-	-	-	S	P	P	S	P	-	4136
Taxi and limousine service staging facility	-	-	-	-	S	P	P	-	S	-	4137
Towing and other road and ground services staging facility	-	-	-	-	S	P	P	-	S	-	4138
Truck and freight transportation services	-	-	-	-	-	-	P	S	-	-	4140
Courier and messenger services	-	-	-	-	-	P	P	P	P	-	4160
Communication uses:											
Publishing	-	-	-	-	-	P	P	P	P	-	4210
Newspapers, books, periodicals, etc.	-	-	-	-	-	P	P	P	P	-	4211
Software publisher	-	-	-	-	S	P	P	P	P	-	4212
Motion pictures and sound recording	-	-	-	-	S	P	P	P	P	-	4220
Radio and television	-	-	-	-	S	P	P	P	P	-	4231

broadcasting												
Cable networks and distribution	-	-	-	-	-	P	P	P	P	-	4232	
Wireless telecommunications	-	-	-	-	-	-	-	-	-	-	4233	
Telephone and other wired telecommunications	-	-	-	-	-	P	P	P	P	-	4234	
Information services and data processing industries	-	-	-	-	S	P	P	P	P	-	4240	
Online information services	-	-	-	-	S	P	P	P	P	-	4241	
Libraries and archives	-	-	-	-	P	P	P	P	P	S	4242	
Utility and utility services:												
Electric power	S	S	S	S	P	P	P	S	P	-	4310	
Hydroelectric	S	S	S	S	S	S	P	P	S	-	4311	
Fossil	-	-	-	-	-	-	P	-	-	-	4312	
Nuclear	-	-	-	-	-	-	-	-	-	-	4313	
Alternative energy sources	S	S	S	S	S	S	P	S	S	-	4314	
Natural gas, petroleum, fuels, etc.	S	S	S	S	S	S	P	S	S	-	4320	
Water, steam, air conditioning supply	-	-	-	-	-	S	P	P	S	-	4330	
Water Tower/Essential Public Service	P	P	P	P	P	P	P	P	P	P		
Industrial Water Supply							P	P	-	-	4332	
Hazardous waste collection and storage facility	-	-	-	-	-	-	S	-	-	-	4341	
Hazardous waste treatment and disposal	-	-	-	-	-	-	S	-	-	-	4342	
Solid waste collection and storage	-	-	-	-	-	S	P	-	S	-	4343	
Solid waste combustor or incinerator	-	-	-	-	-	-	S	-	-	-	4344	
Solid waste landfill	-	-	-	-	-	-	-	-	-	-	4345	

Septic tank and related storage and distribution services	-	-	-	-	-	S	S	-	-	-	
Arts, entertainment, tourism, and recreation:											
General arts and tourism	-	-	-	-	P	P	P	S	P	-	5000
Wedding Event and Reception	S	S	S	S	S	P	P	P	P	S	
Conference or convention center	-	-	-	-	S	P	P	S	P	-	
Community centers	S	S	S	S	S	P	P	S	P	P	
Performing arts or supporting establishment	-	-	-	-	S	P	P	S	P	P	5100
Theater, dance, or music establishment	-	-	-	-	S	P	P	S	P	P	5110
Stadiums	-	-	-	-	-	S	P	-	S	-	
Movie theater	-	-	-	-	S	P	P	S	P	P	5112
Sports team or club headquarters/facility	-	-	-	-	S	P	P	-	P	-	5120
Racetrack establishment	-	-	-	-	-	-	P	-	-	-	5130
Promoter of performing arts, sports, and similar events	-	-	-	-	P	P	P	-	P	-	5140
Agent for management services	-	-	-	-	P	P	P	-	P	-	5150
Museums and other special purpose recreational institutions	-	-	-	-	S	P	P	S	P	-	5200
Art gallery	-	-	-	-	P	P	P	S	P	P	5211
Historical or archeological institution	-	-	-	-	S	P	P	-	P	-	5220
Zoos, botanical gardens, arboretums, etc.	-	-	-	-	S	P	P	-	P	-	5230
Amusement, sports, or recreation establishment	-	-	-	-	-	P	P	-	P	P	5300
Amusement or theme park establishment	-	-	-	-	-	P	P	-	P	-	5310
Games arcade establishment	-	-	-	-	S	P	P	-	P	-	5320

Casino, bingo halls, or gambling establishment	-	-	-	-	-	P	P	-	P	-	5330
Miniature golf establishment	-	-	-	-	S	P	S	-	P	P	5340
Marina or yachting club facility operators	-	-	-	-	-	P	P	-	P	-	5360
Fitness, recreational sports, gym, or athletic club	-	-	-	-	S	P	P	P	P	P	5370
Golf course	S	S	S	S	S	S	S	-	S	-	5374
Indoor shooting or archery range	-	-	-	-	-	S	P	-	P	-	
Driving range	-	-	-	-	-	P	P	-	S	S	5376
Private (sports complex/arena/playing field)	-	-	-	-	-	P	P	S	P	S	5379
Municipal (sports complex/arena/playing field)	P	P	P	P	P	P	P	S	P	P	
Bowling, billiards, pool, etc.	-	-	-	-	S	P	P	-	P	P	5380
Skating rinks, roller skates, etc.	-	-	-	-	S	P	P	-	P	P	5390
Camps, camping, and related establishments	-	-	-	-	S	P	P	-	P	-	5400
Travel trailer (RV) park	-	-	-	-	-	S	S	-	S	-	5410
Education uses:											
Nursery and preschool	S	S	S	S	P	P	S	P	P	S	6110
Elementary school	S	S	S	S	S	P	S	-	P	S	6121
Middle school	S	S	S	S	S	P	S	-	P	S	6122
High school	S	S	S	S	S	P	S	-	P	S	6123
Adult education services	-	-	-	-	S	P	P	P	P	-	6126
Colleges and universities	-	-	-	-	S	P	P	S	P	-	6130
Technical, trade, and other specialty schools	-	-	-	-	S	P	P	P	P	-	6140
Beauty schools	-	-	-	-	S	P	P	-	P	-	6141
Business management	-	-	-	-	S	P	P	P	P	-	6142

Computer training	-	-	-	-	S	P	P	P	P	-	6143
Driving education	-	-	-	-	S	P	P	-	P	-	6144
Fine and performing arts education	-	-	-	-	S	P	P	S	P	S	6145
Flight training	-	-	-	-	-	P	P	S	P	-	6146
Sports and recreation education	-	-	-	-	P	P	P	-	P	P	6147
Public administration uses:											
Courts	-	-	-	-	S	P	P	-	P	-	6221
Correctional institutions	-	-	-	-	-	-	S	-	-	-	6222
Other governmental functions:											
Space research and technology	-	-	-	-	S	P	P	P	P	-	6320
Public safety:											
Fire and rescue	S	S	S	S	S	P	P	P	P	S	6410
Police	P	P	P	P	P	P	P	P	P	P	6420
Emergency response	S	S	S	S	S	S	S	P	P	S	6430
Public safety training facility	S	S	S	S	S	P	P	S	P	S	
City facilities	P	P	P	P	P	P	P	P	P	P	
Health and human service:											
Ambulatory or outpatient care services	-	-	-	-	S	P	P	P	P	-	6510
Clinics	-	-	-	-	S	P	P	P	P	-	6511
Family planning and outpatient care centers	-	-	-	-	S	P	P	P	P	-	6512
Medical and diagnostic laboratories	-	-	-	-	S	P	P	P	P	-	6513
Blood and organ bank	-	-	-	-	S	P	P	P	P	-	6514
Nursing, supervision, and other rehabilitative services	-	-	-	-	S	P	P	P	P	-	6520
Hospital	-	-	-	-	S	P	P	S	P	-	6530
Social assistance, welfare, and	-	-	-	-	S	P	P	S	P	P	6560

charitable services												
Child and youth services	-	-	-	-	P	P	P	S	P	P	6561	
Child daycare, commercial (more than 5 children)	-	-	-	-	P	P	P	P	P	P	6562	
Child daycare, home (up to 5 children)	P	P	P	P	S	S	-	-	S	P		
Community food bank	S	S	S	S	S	P	P	-	P	P	6563	
Emergency and relief services	-	-	-	-	P	P	P	-	P	-	6564	
Other family services	-	-	-	S	P	P	P	-	P	P	6565	
Services for elderly and disabled	-	-	-	S	S	P	P	-	P	P	6566	
Veterans affairs	-	-	-	-	P	P	P	-	P	P	6567	
Vocational rehabilitation	-	-	-	-	S	P	P	P	P	-	6568	
Work release facilities	-	-	-	-	-	S	S	-	S	-		
Religious institutions	S	S	S	S	P	P	P	S	S	S	6600	
Death care services:												
Funeral homes and services	-	-	-	-	S	P	P	-	P	-	6710	
Cremation services and cemeteries	-	-	-	-	S	P	P	-	P	-	6720	
Associations, nonprofit organizations, etc.:												
Civic, social, and fraternal organizations headquarters/facility	-	-	-	-	P	P	P	-	P	S	6830	
Mining and extraction establishments:												
Metals (iron, copper, etc.)	-	-	-	-	-	-	-	-	-	-	8200	
Nonmetallic mining	-	-	-	-	-	-	-	-	-	-	8400	
Quarrying and stone cutting establishments	-	-	-	-	-	-	S	-	-	-	8500	
Agriculture, forestry, fishing and hunting:												

Commercial crop production	P	P	P	P	P	P	P	P	P	-	-	9100
Commercial greenhouse, nursery, and floriculture	-	-	-	-	P	P	P	S	P	-	-	9140
Farm and farm labor management services	-	-	-	-	S	P	P	-	P	-	-	9210
Slaughterhouse	-	-	-	-	-	S	S	-	-	-	-	
Stockyard/dairies	-	-	-	-	-	-	-	-	-	-	-	
Cattle feedlot establishment	-	-	-	-	-	-	-	-	-	-	-	9312
Hog and pig farm	-	-	-	-	-	-	-	-	-	-	-	9330

SECTION 3. *That Post Falls Municipal Code Section 18.24.020 H.1. is amended to read as follows:*

1. Residential: All required residential access drives and parking areas must be surfaced with concrete or asphalt paving. Driveways to individual residences may not exceed a maximum of twenty percent (20%) slope, provided that any residence with a driveway in excess of fifteen percent (15%) slope must be provided with a separate access route from the front door to the edge of the paved street or sidewalk that meets the design requirements for a means of egress contained in the adopted Building Code applicable to structure. Each driveway must have a drive approach that meets city standards. Driveways to individual residences must ~~measure a minimum of fourteen feet (14') in width and twenty feet (20') in length~~ not be narrower than the approved driveway approach per PFMC Title 12.12.060: Approach Width.

SECTION 4. *That Post Falls Municipal Code Section 18.24.020: General Performance Standards, Subsection K is amended to read as follows:*

K. Fences And Walls (Excluding Retaining Walls): All walls and fences shall not exceed three feet (3') in height within the required front yard setback and nor shall they exceed six feet (6') in height in the rear and side yard setback areas, unless otherwise permitted per section [18.20.150](#) of this title. For corner lots, fences measuring six feet (6') in height along the "street side yard" can be permitted so long as such fence height does not extend into the front yard setback where the primary entrance of the residence is oriented. Corner lots which abut the side yard of an adjoining lot may not block visibility of a driveway on the adjoining lot above three feet (3'). The height and location of new fences or walls that affect visibility from existing abutting driveways shall be restricted, to provide for vision clearance measuring ten feet by ten feet (10' x 10') on the subject private property. Where new driveways are proposed adjacent to existing fences that exceed three feet (3') in height, the driveway approach shall be located no closer than fifteen feet (15') to the fence.

1. Exemption: Fencing or screening that is a customary component of a sports or recreation facility utilized to define the area or play or to protect persons from injury resulting from the play of the sport is exempt from the height requirement to the extent necessary for the fence or screen to serve its customary purpose.

SECTION 5. *That Post Falls Municipal Code Section 18.24.030: Residential Performance Standards, Subsection A is amended to read as follows:*

18.24.030: RESIDENTIAL PERFORMANCE STANDARDS:

- A. Single-Family And Duplex Residential: Single-family and duplex residential development shall conform to the following standards:
 1. When buildings are adjacent to a public street or private street, the building entrances must be clearly visible and oriented to face the public street. The *Zoning*

Administrator may grant deviations when the implementation of this criteria is practically implausible, the proposed deviation creates a better design for the community, or there has been a general attempt to meet this criterion.

12. Accessory Structures: Accessory structures in any zone shall be set back behind the front of the residence. On a corner lot the accessory structure may be placed in front of the residence on the “street side yard”.
23. Accessory Dwelling Units: *Accessory Dwelling Units* may be permitted as secondary *Dwellings* to *Single-Family Homes* subject to the following restrictions:
 - a. Only one *Accessory Dwelling Unit* is allowed on a *Lot*.
 - b. One of the residences must be owner occupied.
 - c. One additional off-street parking space must be provided.
 - d. Building materials must be consistent with the primary residence.
 - e. No more than one entrance to the *Accessory Dwelling Unit* may be visible from the street.
 - f. The *Accessory Dwelling Unit* cannot have a separate drive approach, unless drive approach is from a rear loaded alley or side street of a corner lot.
 - g. The *Accessory Dwelling Unit* (attached or detached) can be no larger than fifty percent (50%) of the living area of the primary residence and no more than one thousand (1,000) square feet.
 - h. An *Accessory Dwelling Unit* must have electricity, kitchen facilities, and sanitary facilities.
 - i. The applicant must include a detailed site plan, drawn to scale, including the proposed accessory living unit, *Setback Lines*, ingress/egress routes.
 - j. An existing accessory building that is proposed to be converted to an accessory living unit must meet the requirements of the adopted building codes.

SECTION 6. *That Post Falls Municipal Code Section 18.24.070 is repealed and a new Section 18.24.070 is adopted to read as follows:*

18.24.070: PARKING:

The following standards are applicable to and required for off street parking for newly established or substantially modified land *Uses* subject to this Code. Parking provisions do not apply to any existing building or *Structure*, or *Use*, unless there is a change of *Use* or expansion requiring additional parking. Whenever a building or *Structure* existing prior to the adoption of this Code, is enlarged in floor area, such addition must comply with current parking requirements and site improvements, without diminishing the usefulness of existing site improvements. Parking requirements and configuration must be reviewed and approved in the site plan review process. The following are general requirements that apply to off street parking in all zoning districts:

- A. Uses Not Listed: Where a proposed *Use* is not listed in this section the *Zoning Administrator* will determine parking needs based on the information provided by the applicant or *Staff*. Appeal of the *Zoning Administrator’s* determination may be applied for in accordance with provisions of this title.

- B. Lighting: Lighting used to illuminate a parking lot must be arranged to direct light and glare away from adjoining property or public *Right-of-Way*.
- C. Paving: The required number of parking and loading spaces as set forth in this section, together with driveways, aisles, and other circulation areas, must be surfaced with asphalt or concrete.
- D. Drainage: All parking and loading areas must provide for proper drainage of surface water to approved drainage areas or *Structures*. Surface drainage must be retained on site to the extent that site runoff not exceed runoff from the site in its undeveloped condition.
- E. Striping: Parking lots must be permanently striped to delineate parking spaces and circulation patterns in accordance with the adopted Building Code and related standards.
- F. Accessible Parking Standards: Accessible parking must be provided in accordance with ICC/ANSI accessibility standards.
- G. Residential Off Street Parking Requirements:

Type Of Residence		Parking Spaces
Single-family or two-family dwelling		2 for each unit (spaces within garages/carports are calculated in the overall requirement)
Multi-family (3 units or greater):		
	1 bedroom unit	1.5 for each dwelling unit
	2 or more bedroom units	2.0 for each dwelling unit
Senior housing (55 years and older) (includes senior mobile home parks)		1 for each dwelling unit
Mobile home park		2 for each unit

- H. Commercial, Office, Industrial, Technology, and Institutional Parking Requirements: Generally, nonresidential *Uses* should provide one (1) space for each two hundred fifty (250) square feet of gross floor area. For any nonresidential *Use* an absolute minimum of two (2) spaces is required.

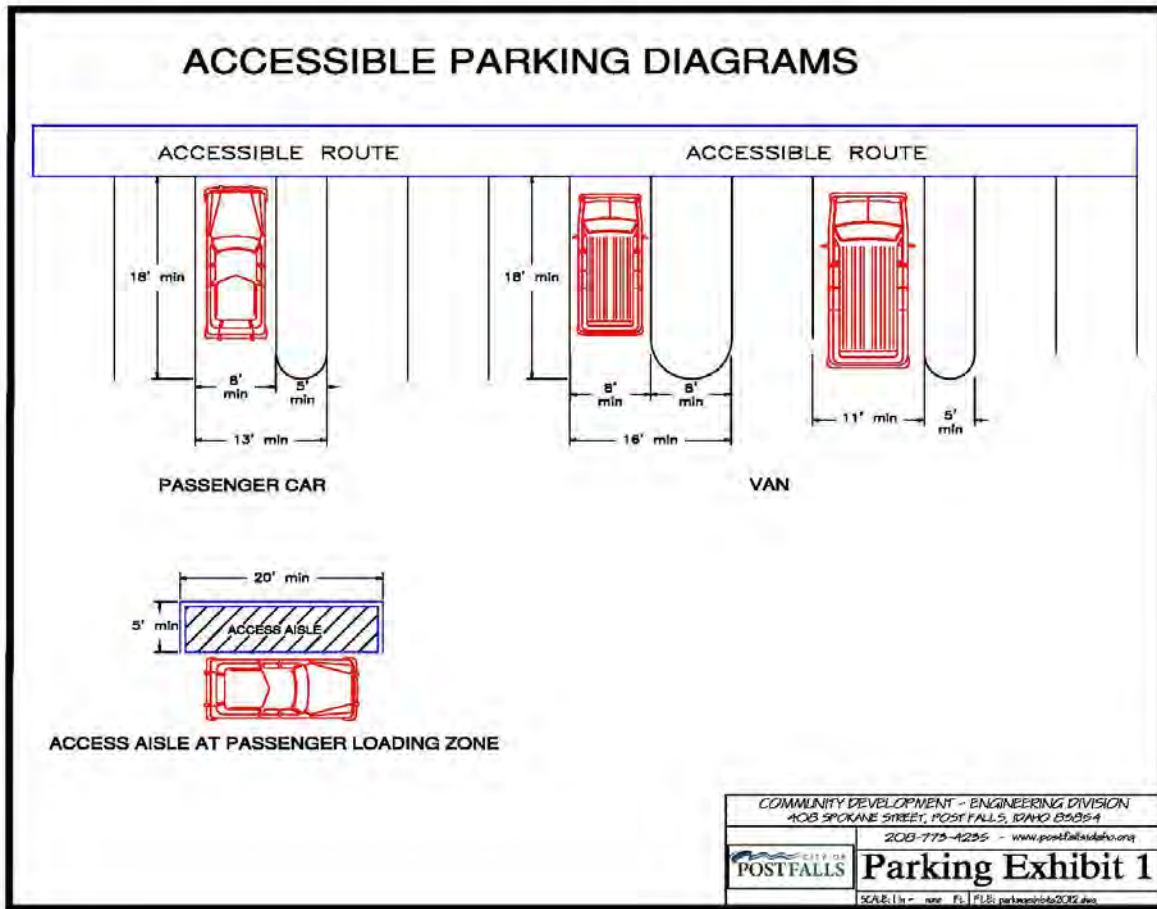
Type Of Use		Parking Spaces
Commercial, office, and industrial parking:		
	Auction business	1 space for every 100 square feet of the structure

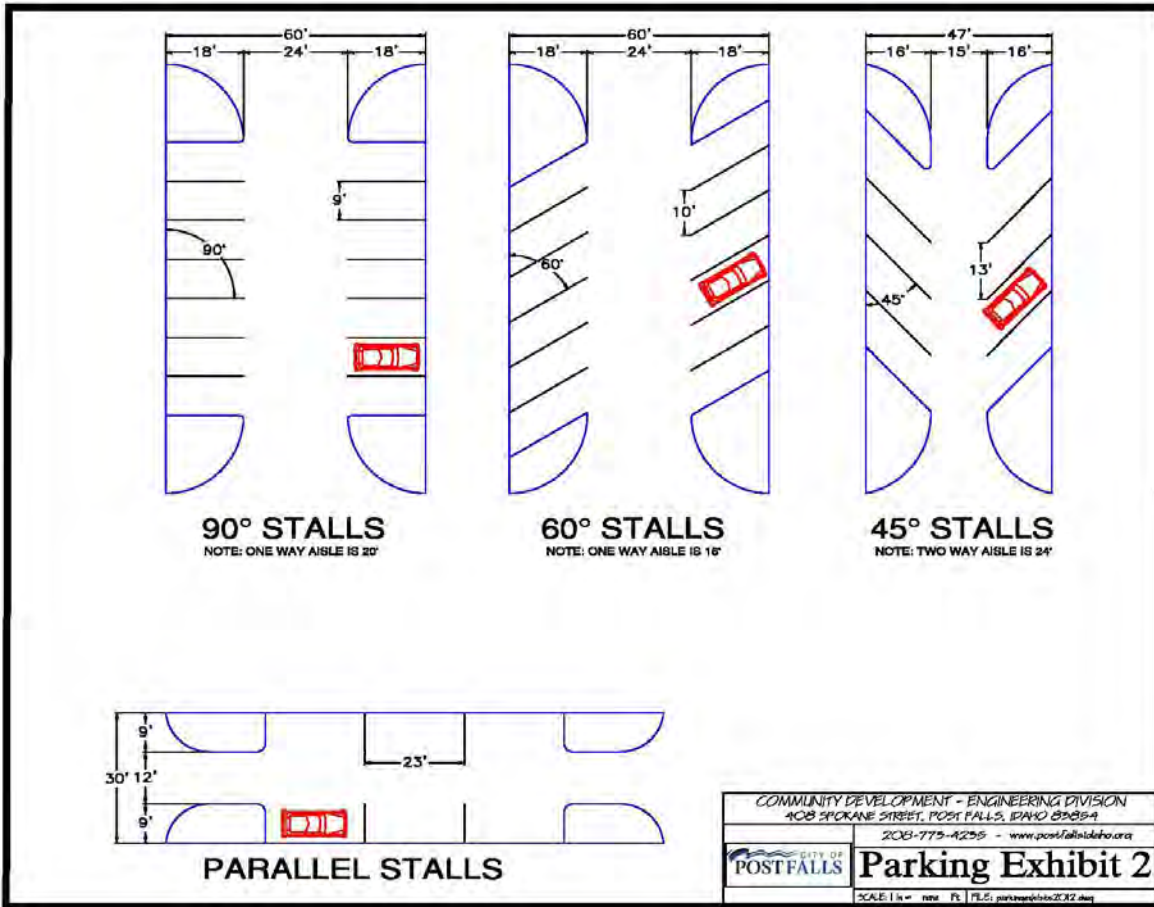
	Auction business, permanent outdoor location	10 parking spaces per acre, minimum of 20 spaces
	Hotels/motels	1 per each sleeping room, plus 1 space for each 2 employees
	Medical/dental offices	1 for every 200 square feet floor area
	Ministorage	3 spaces, plus 1 space for each 75 units
	Offices	1 per 200 square feet floor area
	Restaurants/taverns/bars	1 space per 100 square feet of floor area, or 1 space for every 2 seats, whichever is greater (includes any outdoor seating)
Industrial/manufacturing parking requirements:		1 space per 450 gross square feet
	Storage/warehouse areas in industrial buildings:	
	Up to 20,000 square feet	1 space per 2,000 square feet of floor area
	Over 20,000 square feet	1 space per 3,000 square feet floor area
Institutional:		
	Churches or assembly areas (to include funeral homes)	1 for each 5 seats
	Hospital	1 for each bed; 1 for each on duty staff employee on the busiest shift
Schools:		
	High school	1 for each 4 students and 1 for each employee
	Middle school	1 for each 25 students and 1 for each employee
	Elementary school	1 for each 40 students and 1 for each employee
	Childcare/nursery schools	2 for each classroom, not less than 6 total

1. Additional Parking Requirements: Parking for nonresidential land *Uses* must comply with the following standards in addition to other parking requirements:
 - a. Joint Use Parking: Separate nonresidential *Uses* may jointly provide and use parking spaces in a complementary manner, provided that a written agreement between joint users, approved by the *Zoning Administrator*, must be completed.
 - b. Off Street Parking Location: Off street parking must be located on the premises it is intended to serve or within one hundred fifty feet (150') thereof. Parking spaces for all detached residential *Uses* must be located on the same Lot as the use which they are intended to serve.
 - c. Multi-Tenant User Parking Space Requirements: Off street parking must be calculated for each individual *Use* requirement. The *Zoning Administrator* may reduce the total number of spaces required, taking into consideration tenant composition and complementary *Uses*. In no case should the number of spaces be less than four (4) per one thousand (1,000) square feet. A change of *Use* may require a

- reevaluation of parking requirements. A proposed subsequent *Use* may be denied if sufficient parking is not provided.
- d. Maintenance Of Parking Areas: The owner must maintain all *Parking Areas*. Maintenance must include *Landscaping*, removal of trash and weeds, and repair of signs, light standards, fences, walls, maintenance of drainage, surfacing materials, curbs, snow removal and striping.
 - e. Access: Any commercial, industrial, technology or institutional *Parking Area* must be designed in such a manner that any vehicle leaving or entering the *Parking Area* from or onto a public or private street must be traveling in a forward motion. Access driveways for *Parking Areas* or loading spaces must be located in such a way that any vehicle entering or leaving such area be clearly visible to a pedestrian or motorist approaching the access or driveway from a public or private street.
- I. Seasonal Parking in the Community Commercial Services Zone: Privately owned parcels of at least four (4) acres may be used to provide seasonal parking for recreational activities without complying with the parking standards contained in this Section if the property owner complies with the following requirements:
- 1. The *Parking Area* must be open to the public without charge.
 - 2. The *Parking Area* may only be open from April 1 through October 31 annually.
 - 3. The *Parking Area* must be located at least twenty-five feet (25') from all property lines.
 - 4. Public restrooms and solid waste collection and disposal must be provided and must be located at least twenty-five feet (25') from all property lines.
 - 5. The *Parking Area* must be closed between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m.
 - 6. Dust abatement must be applied to the *Parking Area*.
 - 7. The site must be maintained in good condition and repair, free from garbage, paper, litter, tall grasses or weeds, and other debris to prevent the *Parking Area* from becoming unsightly or a fire hazard.
- J. Parking Spaces: The following standards apply to development of *Parking Areas*:
- 1. Accessible Parking:
 - a. Parking: Parking requirements must be provided in accordance with ICC/ANSI standards and chapter 11 of the *International Building Code*, regarding number of spaces.
 - b. Maximum Slope: Parking spaces and access aisles must have a maximum slope of two percent (2%) in all directions.
 - c. Parked Vehicle Overhangs: Parked vehicle overhangs must not reduce the clear width of an accessible route to less than four feet (4').
 - 2. Parking Dimensions and Maneuvering Aisles: Parking space and maneuvering aisles

must comply with the following minimum standards. See parking diagrams of this section.





SECTION 7. That Post Falls Municipal Code Section 18.24.080: Landscaping, Subsection B.1. is amended to read as follows:

1. Exemptions. The following *Uses* are exempt from the requirements of this section: Single family, two family, and three family *Dwellings* are exempt from applying the *Buffer* stated within this section. Single tax parcels of less than ½ acre being developed with a single, two, or three family *Dwellings* are exempt from applying the *Buffer* stated within this section.

SECTION 8. All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 9. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Post Falls City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 10. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 11. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Post Falls, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Post Falls at a regular session of the City Council on _____, 2022.

APPROVED, ADOPTED and SIGNED this day of , 2022.

Ronald G. Jacobson, Mayor

ATTEST:

Shannon Howard, City Clerk

SUMMARY OF POST FALLS ORDINANCE NO. [Category]

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. [Category], Section 1 provides for amendment of 18.16.010 W. of City Code regarding the Public Reserve Zone. Section 2 provides for repeal and replacement of 18.20.030 of City Code regarding the Land Use Table. Section 3 provides for amendment of 18.24.020 H.1. of City Code regarding Residential Surfacing. Section 4 provides for amendment of 18.24.030 A. regarding Residential Performance Standards. Section 5 provides for repeal and replacement of 18.24.070 of City Code regarding Parking. Section 6 provides for amendment of 18.24.080 B.1. regarding Exemptions for Buffers. Section 7 provides for repeal of conflicting ordinances. Section 8 provides for effect of code on past actions and obligations. Section 9 provides for severability. Section 10 provides for an effective date. The full text of the summarized Ordinance No. [Category] is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the city clerk.

Shannon Howard, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am the legal advisor for the City of Post Falls, Idaho. I have examined the attached summary of Post Falls Ordinance No.[Category], and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this day of , 2022.

Warren J. Wilson, City Attorney

Kootenai County Fire & Rescue

Fire Marshal's Office

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

January 20, 2022

Amber Blanchette
Planning Administrative Specialist
amberb@postfallsidaho.org

RE: Notice to Jurisdiction Response

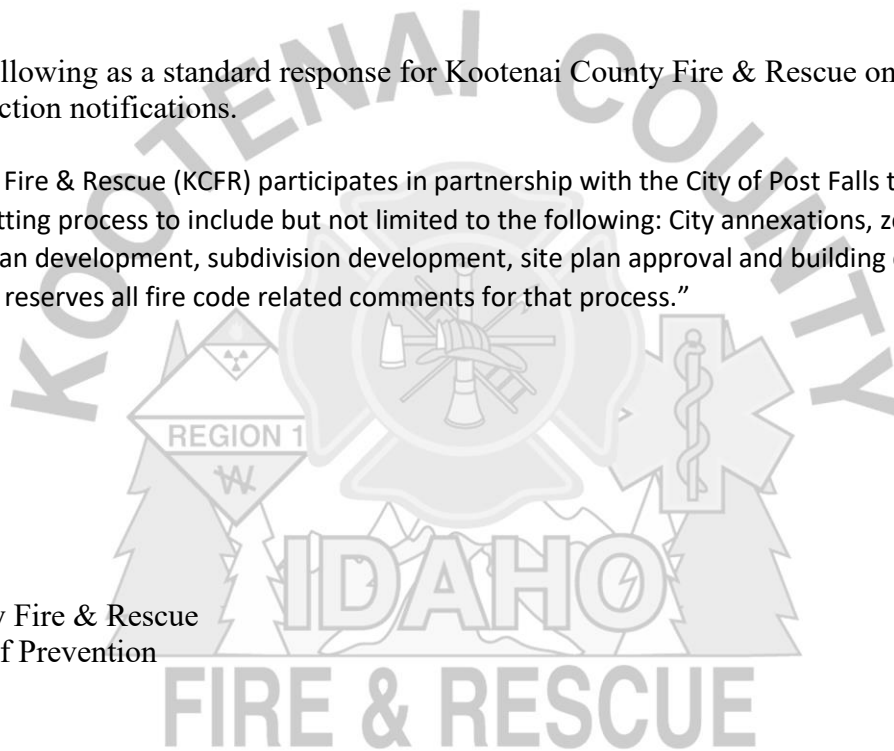
Amber,

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

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

Respectfully,

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



Amber Blanchette

From: Kristie May <Kristie.May@deq.idaho.gov>
Sent: Friday, February 4, 2022 2:18 PM
To: Amber Blanchette
Subject: RE: Title 18 Zone Code Update File No. TA-0001-2022

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

Good Afternoon,

DEQ has no environmental impact comments fro the proposed code updates.

Thank you,
Kristie

Kristie May (McEnroe) | Admin Assistant II
Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Direct: 208.666.4608
Office Line: 208.769.1422
www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Amber Blanchette <amberb@postfallsidaho.org>
Sent: Friday, February 4, 2022 9:23 AM
To: Ali Marienau <AMarienau@kmpo.net>; Andy Obermueller <aobermueller@cdapress.com>; audie.neuson@williams.com; Avista <c01_Real_Estate@avistacorp.com>; Bill Melvin <bmelvin@postfallsidaho.org>; Bill Roberson <william.roberson@itd.idaho.gov>; Brittany Stottlemire <brittany.stottlemire@avistacorp.com>; CDA GARBAGE <jennifer@cdagarbage.com>; CDA Press <BBLITZ@cdapress.com>; Charles Lane <Charles.Lane@charter.com>; CHARTER <DLwest-pnw-construction@charter.com>; Chris Riedeman <criedeman@kec.com>; Dan Ryan <danr@kootenaifire.com>; Dan Selden <danselden@hotmail.com>; Dana Marsh <dana.marsh@tdstelecom.com>; David Callahan <dcallahan@kcgov.us>; David Fair <dfair@postfallsidaho.org>; David Sauer (ZiPLY) <david.sauer@ziply.com>; Dena Naccarato <dnaccarato@273.com>; Dewey, Kristina <kristina.a.dewey@usps.gov>; Diane URA <dianepfura@gmail.com>; Dylan Owens <dylan.owens@tdstelecom.com>; Ellie Hilbert <ehilbert@cdapress.com>; Erik Ketner <eketner@phd1.idaho.gov>; Erika Auger <eauger@phd1.idaho.gov>; Erin Butler <ebutler@sd273.com>; Ethan Porter <eportner@postfallsidaho.org>; Field Herrington <fherrington@postfallsidaho.org>; Heidi <heidig@inlander.com>; Heidi Varney <hvarney@postfallsidaho.org>; J Mcmillin <jmcmillin@postfallspolice.com>; Jame Davis <jame.davis@intermaxteam.com>; Jason Faulkner <jfaulkner@postfallsidaho.org>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jennifer Poindexter <jpoindexter@postfallsidaho.org>; Jeryl Archer <jeryla@kootenaifire.com>; jhofer@kec.com; JHolderman@KEC.com; Jodi Meyer <jmeyer@postfallsidaho.org>; John Beacham <jbeacham@postfallsidaho.org>; Jonathon Manley <jmanley@postfallsidaho.org>; Judah Lopez <judah_lopez@tranacanaca.com>; Justin Miller <jmiller@postfallsidaho.org>; Keeler <keeler.white@twcable.com>; Kevin Linville <kevin.linville@tdstelecom.com>; Kirk <Kirk.Hobson@charter.com>; Kirk Hobson <kirk.hobson@twcable.com>; KMPO <Gmiles@kmpo.net>; Kootenai Electric

Amber Blanchette

From: jonie@postfallshd.com
Sent: Wednesday, February 9, 2022 2:27 PM
To: Amber Blanchette
Subject: RE: Title 18 Zone Code Update File No. TA-0001-2022

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

PFHD has no comment

Jonie Anderson
Administrative Assistant 1
Post Falls Highway District
p 208.765.3717
f 208.765.0493
contactus@postfallshd.com

From: Amber Blanchette <amberb@postfallsidaho.org>
Sent: Friday, February 4, 2022 9:23 AM
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02/12/2022

PUBLIC COMMENT

Title 18 Zone Code Update

File No. TA-0001-2022

Exhibit: 4A

Request: To amend Title 18 of the Zoning Code.

Hearing Date: February 22, 2022

Questions list:

Name: Anonymous

Address:

Email:

Please Provide Your Position on the Proposed Zone Code Update: Opposed

Comments: After reviewing plans for the addition of 32 townhomes between Seltice and Mullan, and next to CornerStone Christian Academy, it seems as though there is a lack of concern for the safety of the children who attend that school and play outside frequently. Butting up an entry way and homes to the eastern fence will result in potential danger to the students by recklessness of those who live there while driving, increased snow load being pushed on the eastern fence during winter months, and the possibility of child predators violating the 500ft law of living near a school. Though there are certain things they can only be controlled by the sellers, I feel it is the job of the city of Post Falls to protect our children in the best way possible. Please consider adjusting the current plans to allow for a wall or barrier to be placed between the eastern fence of CCA fence and the townhomes.