



---

**PLANNING & ZONING COMMISSION  
MEETING MINUTES**

**July 12, 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, Kimball - Present  
Schlotthauer - Excused

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:**

- NATIONAL PECAN PIE 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 – June 29, 2022, Planning and Zoning Commission Meeting
- b. Zoning Recommendation – Douglass Properties Annexation File No. ANNX-0002-2022

Motion to approve as presented Hampe

2<sup>nd</sup> by Steffensen

Vote Steffensen – Yes; Carey – Yes; Kimball – Abstain; Davis – Abstain; Ward – Yes;

Hampe - Yes

Moved

**2. CITIZEN ISSUES**

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

None

**3. UNFINISHED / OLD BUSINESS**

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

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. **Recommendation** to amend the Zoning Approval Criteria (File No. TA-22-5) in Title 18 Chapter 16 and 20 to facilitate new Zone Change criteria that are clearer and more

concise to City Council – Bob Seale, Community Development Director, to present – The requested action is to review and approve the requested amendment to Title 18 to accomplish attaining more clarity within the Zone Change review criteria. The proposed language is in line with State’s LLUPA Title 67. There are 6 current review criteria that speak to the Comp Plan with the last three typically viewed as not applicable. Staff proposes the 2 new criteria to replace the current 6 as follows:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan;
2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.

The proposed changes in Title 18 are: PFMC section 18.16.010: Establishment of Zoning Districts, third paragraph is amended to read as follows: Zoning is assigned following consideration of the criteria contained in Section 18.20.100. and in section 18.20.100 the first paragraph is amended to read: An amendment of the zoning map may consist of the amending, supplementing, changing, or repealing of the regulations, restrictions and/or boundaries of the zone classification of land by ordinance in accordance with applicable provisions of Idaho Code. Subsection C is amended to read as follows: C. Zone Map Amendment Review and Approval Criteria: At the close of the required public hearings, the Planning and Zoning Commission and the City Council will evaluate whether the requested zoning meets each of the following criteria:

1. Is the proposed zoning district consistent with the vision for the area contained in the currently adopted Post Falls Comprehensive Plan;
2. Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, the Post Falls School District.

Subsection D is added and amended to read as follows: D. In addition to the Zone Map Amendment criteria contained in subsection C of this section, the City Council will also consider the following criteria when the request is for initial zoning upon annexation:

1. Is annexation of the property in the best interest of the city (Legislative Decision).

Then the subsection C is amended and renumbered to read as follows: E. Decision.: Idaho Statutes Title 67 is where we pulled the proposed language from as it reads: Requests for an amendment to the zoning ordinance particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. After considering the comprehensive plan and other evidence gathered through the public hearing process. The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts.

All agencies have been notified and the Post Falls Highway District responded with no comment.

**Kimball** – It comes down to the demonstrable par; the burden is upon whom to demonstrate the adverse impact.

**Seale** – For example, a larger user was intended to go into an area that would never receive the type of sewer services that would be needed for that which could potentially

be considered a demonstrable adverse impact to an area. Or if the traffic volumes were higher due to putting a high intense commercial development into an area that can't handle those types of traffic volumes wouldn't work. So, who is supposed to indicate that, staff reviews all of that.

**Kimball** - So, I look at it from a project action, things that generally have impact not zoning. So, if its zoned R1 but there's 2 houses instead of 20 houses the zoning doesn't necessarily dictate the impact. We live in a world of mitigation of impact verses adverse impact, and we don't talk about any mitigation in this. We have the Fire Department here tonight and I think any new building permit has the ability to have an adverse effect on their ability to provide services because that means more call volumes. So, you can see how this will snowball quickly if someone raises their hand and says any type of zoning will slow down any response time to my house. How do we address that?

**Seale** – Looking back at the Comprehensive Plan; we went through a long public process to create it that addresses the long-term growth of the area and we tried to fit everything within it. So, it comes down to whether or not it is outside of our Master Plans; are our Master Plans reflecting the potential for zoning classifications within an area. Has it been planned for, is it prepared for that? You are correct where anyone can say it will have an effect on them and they can say they have to wait for 4 cars now to get out of their driveway. Does that meet the criteria, does it exceed what would be anticipated for that area; it comes down to the impact upon delivery of services as opposed to individuals being impacted, i.e., fire, sewer, water, school districts. Is it planned for or is it to be mitigated through the process? Most gets mitigate through the process as we are referring to our Master Plans for the overall development of those areas.

**Kimball** – Right, the City has some great Master Plans and are very in-depth and so are the Capital Improvement Plans. But not every political subdivision necessarily does, the School District struggles with planning, they do their best, but they struggle. The Highway District etc. they're all beyond the scope, the Fire Department has struggled in the past and they finally have their impact fee stuff. The questions are, who has to demonstrate the impact? Is it the Fire Department coming here and saying there is going to be a problem or is it the public that has burden or the applicant?

**Seale** – When it comes to demonstrable impact we always ask for input from the other jurisdictions and agencies and see if they have any input regarding a change to the zoning or development and they have the opportunity to provide comments. Sometimes they do have comments however, a lot of the time there is no response because it falls inline with what they've anticipated in the area. We have also had individuals of the public make comment that caused a pause in the process to seek out additional information to verify the validity of the issue or the impact of the issue. For example, the zone change off of Pleasant View that information was brought forward that it used to be a dump site. So, the question was can this be developed on? You can develop on a dump site however, there are certain remediations prior to development which lead to the applicant withdrawing the application. So, either can bring forward information that may be applicable in order to make the best decision possible.

**Kimball** – I guess I want to understand that we are not going to leave it to lay people to claim adverse impact versus those actual political subdivisions having the comment.

**Seale** – If there is something that is brought into question and is something that we need to make sure they are aware of and it's not just a blank comment. As staff we are aware of a lot of the different issues that all of the different agencies face, and we want to make

sure they are informed. It is ultimately up to the agencies to demonstrate that they can or cannot meet those services that are required.

**Hampe** – I kind of get where it's going with this conversation but, can you tell me exactly what is meant by political subdivision.

**Seale** – Herrington, would you mind defining that.

**Herrington** – The city and all cities are incorporated political subdivisions of the state of Idaho as well as most water and sewer districts are kind of a subsection of political subdivisions. Basically, any entity that provides public services.

**Hampe** – I kind of gathered that but I wanted to be clear. In the discussion with Kimball and his point of how or when it's brought to us and we ask if it demonstrates adverse impact how do we determine that. Is it from entities like the police department or is it from public comment, but we can't really say that because it could be from any of those, correct?

**Seale** – Potentially it could be, however, I would always recommend relying on the professionals within the field that happen to have expertise within that area to be able to provide comment. Staff does try and provide as much information as possible in the staff reports that relate to potential impact of zoning, annexations, etc. There have been situations where the applications never make it forward because the annexation was determined to not have services to it anytime in the near future.

**Hampe** – Which brings up a good point, by the time it's brought to Planning and Zoning or to City Council it's already been vetted and has a stamp of approval from city staff, correct?

**Seale** – Yeah, I would say majority of the time, we do meet with people that are looking to annex and sometimes they just can't meet the criteria. They do come in with proposals and there are conversations that recommend them to go a different route and they can decide whether or not to follow staff's recommendations and still try and make an argument that they meet all the criteria based on their existing proposals. Yes, we have a lot of different conversations and we wouldn't allow for an annexation or zoning application to come before the Commission or the Council without having been essentially vetted through the process. It has to meet the minimum criteria to make it that far typically and if it is making that far without staff's stamp of approval it will be noted in the staff reports that there are questions or adverse issues that we would want to address prior to development.

**Hampe** – Some of those are in conditions, I can only remember once in the years I've sat up here that the city staff didn't approve it I think it was a proposed annexation that didn't touch city at all. They still brought it forward and staff and the attorney said, this doesn't meet and that is the only time I can think of. The point is even though staff has done their homework and vetted it there is reason why it comes to us. This has to be in part from comment and from testimony it can't just rely on staff, otherwise there wouldn't be this process.

**Seale** – Right.

**Davis** – You can go back and look at a couple different times that we've had public comment that said I'm not sure if you are aware of this or not but there

**Hampe** – Yes, we have had that, yes.

**Davis** – Right, that's the process.

**Seale** – There are different situations where staff is evaluating it against the Comp Plan, and it can be somewhat general. Certain areas could be looked at a little closer and determine whether or not it meets the vision of what is considered the people. Looking at

the city as a whole, we do look at all of that these are professional staff that have been trained and educated.

**Hampe** – I just want to be sure that everyone is being heard and if this is only a matter of once it's brought to us, if there isn't an expert in the field that doesn't get up and say I don't think this will work, then we don't listen to anything else because obviously if there is public testimony and there is public comment we have to take some of that into consideration otherwise it's not really the process that it's supposed to be, right. I'm not arguing that I just want to make sure that I feel like it's understood.

**Seale** – I think what the criteria changes are providing you is a little more flexibility as you are looking at it. The older criteria, a lot of the time as you read them, you realized that the proposal had nothing to do with some of them, like industrial zoning therefore it wasn't applicable. Most of the time you were only really considering 3 criteria out of the 6 essentially. And would talk about the same points as you would with just these 2.

**Hampe** – Okay, makes sense.

**Herrington** – Going back to Kimball's comment on the demonstrable adverse impact on the delivery of services, I think the best evidence on that will be the letters from ITD, Fire, I think the burden is on those political subdivisions who provide those services to make those claims that there will be an adverse impact on their services, and I think that it's an unmitigated impact. When we consider subdivisions, we talk about impact fees and the cost of development paying for itself I think it is similar analysis there as far as if there are ways to mitigate that impact, they're going have an objection about access or something like that. There's a way to mitigate that by having them fund a roundabout or some other higher intersection. I think that is what the criteria is getting at.

**Seale** – That is a good point, the Post Falls Highway District had provided a comment for a recent annexation that restricted access onto Prairie so therefore it was conditioned that any development of the site did not enter onto Prairie.

**Kimball** – Should we add some sort of language with regards to mitigation; unmitigated adverse impact, I'm asking the question because I think it kind of leads us down a path to not consider mitigation.

**Herrington** – Other jurisdictions have added some of that unmitigated adverse impact language so that would be something to consider.

**Kimball** – For instance, Ross Point Water District have will-serve letters but most of our annexation agreements say that all water rights go to the water purveyor that's one of those things where it's an adverse impact and it's how we have taken care of it in the past. I think adding the language is appropriate it leads everyone down a path of making sure if there is an adverse impact there's mitigation involved.

**Herrington** – I think we can explore some of that language and it forward.

**Seale** – I like the idea of adding the potential use of the word unmitigated.

**Hampe** – What exactly is unmitigated?

**Seale** – As Herrington stated, impact fees help to mitigate a lot of those issues and cap fees help to mitigate future issues. So, you have a narrow little 2-lane road that can't handle a whole lot of traffic however there is a large development coming in and part of that mitigation could be road widening to allow for the additional volume of traffic. So, by widening the road to help increase the volume of traffic it can handle is mitigating the potential impact.

**Hampe** – Unmitigated, so the discussion is by adding unmitigated there's a way to correct it then that's okay. So, number 2 is that still??

**Seale** - If there's an adverse impact anticipated from a development or an annexation that can't be mitigated, that's the demonstrable adverse impact. If it could be mitigated maybe that doesn't fall under a demonstrable adverse impact so adding the word unmitigated it allows for that ability to make those modifications in order to correct the potential future problem.

**Hampe** – I understand now.

### Testimony

#### In Favor

**Neutral – Samantha Steigleder** – I am neutral, I think the language is getting a lot vaguer and I don't like that as much. I think it will make citizen comment less impactful with the additional vagueness and the way it's been talked about. We talked about what demonstrable and what it means but what does it really mean, do we need to have slide up here to show traffic statistics, do we need to go through a neighborhood and get 100 people to agree with something, or have a certain percentage of people that we ask the question say that it will have an adverse impact, so I think demonstrable at least in my line of work there has to be a goal set. I think it is increasingly vague. I also think that to the point of having the services be the ones to demonstrate the issue, they don't respond, I am sorry, but Fire always says that their issues will be looked at during the time of building permit or something. But no one else responds, not even the School District, that had to vote twice for levee. So, I would ask why we would do that because they don't respond in the regular process, why would they come up here after hours and talk about these issues. Mitigated or unmitigated how, so, yes, the road is too small, and we make them make it wider when they're building its mitigated at the time of building but if we consider impact fees that doesn't at the time of putting people in houses or apartments actually solve the problem that we don't have enough services. Maybe that impact fee isn't enough to hire another Firefighter or buy another rig or build another building so that impact fee isn't really mitigating the issues of the new building. I just think that is a little narrow. Hampe, you talked about staff recognizing the issue and if it is on the staff, it's already been talked about before it gets to public hearing right, they generally don't bring things that have issues so if it's on the staff to find the issues, I don't think that is appropriate either. The Comprehensive Plan contains the goals and policies, correct, I would love more language about what meets a goal or a policy. Others including myself have come up here and explained how it doesn't meet certain goals and policies, yet staff says it does so who wins? I would love more clear language about what are our top five goals or the most important five policies or maybe citizens have 10 policies for every 3 the city staff has. What are other cities doing in the area, this change was from a state change, I think is great we are trying to keep the laws similar. What is Rathdrum, Athol, or Hayden doing, if state laws are changing are we the only ones that are changing what we are looking at.

**Chris Wag, Fire Chief** – I think there is some misunderstanding about the Fire Departments involvement, I want you to understand we're involved from the get go on any project. So, when we get to the comment phase I think we often, due to already mitigating all of our problems our Fire Marshals when someone brings a new subdivision or a new project forward, we have been involved since step one. We have already made sure the drive lanes are wide enough and those things are done with city staff, oftentimes you never see the original plan turns into the final plan that you all approve or disapprove or recommend for approval. I think it is important for everyone to understand this isn't

something where we write a form letter at the end and say no worries it's something that we feel comfortable writing that letter because we've been involved. So, if it didn't meet the fire codes, access codes and we had significant concerns early on or there weren't enough hydrants to cover an area, or the street wasn't wide enough to get a fire apparatus down and put our jacks out for our ladder truck that all been done in the planning process long before it ever comes to you in a public hearing. I also want to remind you that impact fees do not pay for operations impact fees pay for capital new capital items only.

**In Opposition**

**Davis** – That is a good point in the sense of the number of agencies because if you throw that up there, I think you'd see a vast number of them that have been or are involved from ground zero.

**Carey** - And if they don't respond it's pretty much our assumption that they don't have any problem, or everything is okay with their department or their division.

**Seale** – Correct, that is typically how it goes. We occasionally receive notice to jurisdiction from Spokane and we will review on whether or not we want to respond. Typically, we don't unless it happens to impact our city. As a note, I have been in regular contact with the School District regarding all the annexations and applications, they do remain neutral and I have indicated that I have been working with Dena and she has provided us a letter that indicates that the School District does remain neutral but that they reserve the right to come back with a comment if they review something that is outside of their typical neutral set standing. We do work closely with them to help them find locations for land and help to talk about that with the developments that do come in. Again, this is zoning and annexation criteria, so this is very broad in terms of the delivery of public services. Most of it is not looking at development specifically that comes later at the subdivision or site plan phase. So, is it within the Post Falls Fire Districts area and do they have it planned for serving and when it comes to widening of streets that just follows those Master Plans? So, it is very broad and why keeping these general allows for that wide range of discussion but again it's a very broad decision already when you are looking at what zone to choose and whether or not to annex.

**Herrington** – I'd also like to add that the State Code is broad and most other cities and other jurisdictions do have similar codes like this. There's nothing wrong with our existing zoning criteria we're not changing to be more in line or anything like that we are just trying to simplify because right now at least in our code it is in 2 different places, it isn't consolidated into 1 area.

**Seale** - I also want to note that there were no changes to the state code we are just modifying it.

**Kimball** – Can we go to item D, the legislative part. In speaking about the demonstrable part, is more concrete of the decision however, in D I think this is where the public has their clout so to speak. Is it in the best interest of the city; I think this is where it's the subjective part not the objective part where an opinion has more weight than fact.

**Davis** – So, you are saying this section has more opportunity for impact when it comes to public comment.

**Kimball** – Right, I don't think we are necessarily stripping the power away from the public by talking about the impacts. I think this is the part where the public and the public's opinion of whether they want it or not and whether it's in the best interests of them as citizens of the city is probably their power lies.



**Comments:**

**Kimball** – In all honesty my feelings are a little mixed; I like solid criteria because I am trying to be as black and white as possible. I understand the generality and why we are doing it and it's following state code to mimic the requirements. I think we should add the unmitigated part to the language, so it gives a route forward and gives the agencies the ability to create mitigation and the ability to move something forward which is important for all the citizens. If there are problems created, then being able to mitigate them is important.

**Hampe** – I have issues understanding that we should only rely primarily on the experts; city staff, engineers, of course this has to carry a lot of weight I just feel like we are being told that we can't listen to what anybody has to say except the experts, and I don't like that.

**Cary** – Where are you hearing that?

**Davis** – I didn't hear it, but?

**Hampe** – I think the City Attorney said something to that effect.

**Herrington** – I don't think anyone is limiting comment or anything.

**Hampe** – No not comment but consideration of that comment.

**Herrington** – What I was saying was to the demonstrable adverse impact upon the delivery of services by any political subdivision. I was saying the best evidence is probably going to come from that political subdivision so, if there is an issue with the road it would be coming from ITD.

**Hampe** – I thought you said it needed to.

**Herrington** – It doesn't need to I'm just saying that is the best evidence.

**Hampe** – What I heard was obviously not correct, when I heard that I thought it was being said that that is where we need to take our consideration from.

**Herrington** – No, I was just saying that for the adverse impact, if there was going to be an adverse impact to access onto Highway 41 that letter is going to come from ITD. Which will be the best evidence that there is a demonstrable adverse impact; if ITD is saying access can't be made to this particular parcel that would be a demonstrable adverse impact. I am not saying that is all the evidence, I am saying that is likely the best source of evidence from that political subdivision. The criteria is specific to the services by a political subdivision.

**Hampe** – So, the current criteria is.

**Herrington** – The proposed.

**Hampe** – So, that's the point, you want to change it from where that is not the language to it being the language where it needs to come...

**Davis** – Again, I don't think you are saying it needs to come. The best source of that information would be from, in that case, ITD, the expert, the best source. I feel honestly in any case the best source generally comes from an expert in that field however, it does not take away from anybody's ability and I would encourage anyone to come up and speak. They always have that opportunity, is don't just come up and say I don't like apartments they cause crime, bring data, bring information. In Boise, we have seen xyz so data and information are always going to important, and citizens can bring those up. I don't think anyone is saying it can only come from experts its just in most cases or in many cases that expert information realistically should be what we're basing a lot of our decision on not all of it but a lot of it.

**Ward** – Like having a fire inspection having the guy from the convenience store show up and the chief I'd listen to the chief.

**Hampe** – I am not arguing that, what I am saying is this process is for nothing if that's what we're going to look at. If all we are going to look at is was that adverse impact shown by ITD, or by another services provider if it has to come from there and we are looking at number 2 and we say nope that was already determined it has an adverse impact and if there was no adverse impact reported by any of those agencies then number 2 is ago. I feel like it is being really restrictive.

**Seale** – I just want to say that most of what you are wanting to consider from the public comment falls under number 1. Is it consistent with the vision area contained in the comprehensive plan? Again, digging into the comprehensive plan and reading those area in particular can help guide your decision-making process.

**Herrington** – To follow up that language from 2 comes straight out of the State Code and again it is the delivery of services by a political subdivision providing public services. To the crime thing, crime is not a public service. I think you're right it is restrictive by design.

**Hampe** – Because it is supposed to be.

**Herrington** – It is for that prevision of public services.

**Hampe** – Whether I like it or not, if it's supposed to be that way then I have to play by the rules. I just want to make sure that I am not saying let's change something that is more restrictive and not something that we absolutely need to do.

**Kimball** – I can tell you as a person who stood on the other side of the podium in this jurisdiction and others, the knife cuts both ways when it comes to agency comment. If an agency makes a comment that the applicant doesn't like, they have to prove the agency is wrong or that their mitigating it. If an agency has no problems and a la person gets up there and says no there's a problem, but I don't have evidence to that effect then we should also weigh that in the same manner.

**Hampe** – I do understand what you are saying, I have had questions on traffic maybe putting high density on Highway 41 before there were improvements. Obviously, it's a mess, but the engineer has come up and talking about trips per day, etc. however, I drive down the road and it's terrible I can see it from driving down the road and people pulling out in front of others, do we really want to add to that? Maybe that kind of congestion is allowed by whatever standard there is. But does it have adverse impact, yeah, I think so. Sometimes what's allowed isn't the most comfortable thing or safest thing but its allowed, there is a minimum and a maximum and were hanging out along the maximum its not comfortable for most people. So, I've heard the engineer come up and say its allowed but you can see that it's a mess and I just sometimes have to questions whether common sense is being used.

Motion to recommend approval to City Council amending the language to include the word unmitigated with the respect to the demonstrable impact. It would read does the proposed zoning district create an unmitigated demonstrable adverse impact and the reasoning for that being explained in our deliberations earlier. - Kimball

2<sup>nd</sup> by Ward

Vote Hampe – No; Ward – Yes; Davis – Yes; Kimball – Yes; Carey – Yes; Steffensen - Yes

Moved

## 5. ADMINISTRATIVE / STAFF REPORTS

None

**6. COMMISSION COMMENT**

None

**7. ADJOURNMENT 6:26PM**

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: 7-25-22

Chair:   
\_\_\_\_\_

Attest:   
\_\_\_\_\_