



**PLANNING & ZONING COMMISSION
MEETING MINUTES**

**September 13, 2022
5:30 PM**

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

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 - Present

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- INTERNATIONAL CHOCOLATE 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.

Herrington – Consent Calendar items, even if you were not here for the public hearing you can still approve the minutes, reasoned decisions, and the zoning recommendations if you have reviewed them in the packet.

ACTION ITEMS:

- a. Meeting Minutes 7-25-2022
- b. Meeting Minutes 8-9-2022
- c. Zoning Recommendation – Froehlich Zone Change File No. ZC-22-5
- d. Zoning Recommendation – Hargrave-Hathaway Annexation File No. ANNX-22-8

Motion to approve as presented by Kimball

2nd by Steffensen

Vote Steffensen – Yes; Carey – Yes; Kimball – Yes; Davis – Yes; Ward – Yes; Schlotthauer – 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 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. **Zoning Recommendation** for the Gabourie Annexation File No. ANNX-22-9 – Ethan Porter, Associate Planner, to present a request for a recommendation to City Council on

a request for a zoning designation of Single-Family Residential (RI) on approximately .30-acres; the applicant is wanting to obtain city services. The requested action is to provide a recommendation to City Council for the zoning designation of Single-Family Residential R1 on approximately .30 acres as part of an annexation request into the City of Post Falls. It is generally located north of the Spokane River, south of Rodkey Dr. and to the west of Greensferry Rd. It is a Single-Family home sitting over the Rathdrum Prairie Aquifer and adjacent to the Spokane River. Their septic system has failed which is why they are requesting to annex into the city; City of Post Falls would be their Water and Sewer Provider. There is a "Consent to Annex Agreement" within the packet that you reviewed. The surrounding zoning is Single-Family Residential (R1), there are 2 other lots plus this one that are still in the county. He is requesting due to his septic failing and in order to connect to city services you need to be annexed which is why he made application.

Zoning Criteria:

- The Future Land Use Designation is Transitional that is surrounded by Low Density Residential. The Focus area is Milltown South, this is an existing development so the connections are there the main point for this request is to seek creative methodologies to enhance neighborhood areas and spur reinvestment.
- There are several goals and policies however the main point is Goal 8, protect and maintain Post Falls' natural resources including clean air, soils, river, and aquifer, and minimizing light and noise pollution citywide. We want to protect the adjacent Spokane River. Many of the goals and policies are already taken care of as this has already been built out. We also encourage county islands to be annexed in.
- This again is over the Aquifer and is adjacent to the Spokane River.
- Not applicable, not asking for commercial or high-density.
- Limited or neighborhood commercial and lower density residential; the closest commercial corridor is along Seltice Way, Mullan, and Highway 41.
- Not applicable, not asking for industrial.

All agencies have been routed, the Post Falls Police Department, Post Falls School District and YPL are all neutral and have no concerns; the Post Falls Highway District is in support of the annexation and Kootenai County Fire reserves comments for the permitting process.

Hampe – Can you show the boundaries again?

Ethan – The properties around it are annexed which is the existing boundary line currently.

Applicant, Fred Gabourie – I've been there since 1978, makes me a resident for 44 years. Better than most people in this town. Rodkey Subdivision was created in 1956 by Mr. Rodkey, there was only 5 houses when I moved in. Across the street Schneidmiller owned a bluegrass field of 26 acres which is now Sundance Meadows. When I moved in everything was county probably up to Plaza Dr. I think that is when they started developing that subdivision. At that time, we were all on septic, that is just what you did there wasn't city services. We always knew after speaking with the city, that when you fail you annex into the city because Panhandle Health doesn't want septic on the river anymore and I understand that. The clock has been ticking all this time I thought the owner to the east, and I were the last 2 but I guess there are 3 of us. They will probable

have to follow what I am doing sooner or later. We have been a single-family neighborhood all this time and Sundance Meadows and all around us is R1. When I came down and didn't know anything, your people in the front office are very helpful, there is a lot of paperwork involved. The engineers were good and on time my contractors worked well with them and there were no delays. The city has been ideal, couldn't have been easier really, even the lady at the far end was very helpful. There is a lot of forms and things to learn, you should really look into that. I hope you let us annex in, if not, we are hooked up to the sewer already!

Davis – I was going to ask if you were already hooded up.

Gabourie – I am, you decide what you want to do!

laughing

Gabourie – I just want to say, we have never been able to vote or do anything with Post Falls, so that is kind of exciting. We have been disenfranchised for 44years!

Testimony:

In Favor – None

Neutral – None

In Opposition – None

Comments-

Zoning Criteria:

1. Consistent with Future Land Use Map.
Commission agrees it is consistent
2. Consistent with the Goals and Policies Found in the Comprehensive Plan.
Kimball – It is infill, matches the goals and policies found in the Comprehensive Plan, and important one is to get a septic system off of the river.
3. Zoning is assigned following consideration of such items as street classification, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
Kimball – R1 matches with the traffic patterns being a residential street. Existing development is R1 around it and future land uses are called out as residential low density and geographical features it should be R1 and should be annexed into the city as such.
4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
Not applicable
5. 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.
Davis – Pretty cut and dry.
Kimball – It's about ¾ of a mile from Seltice Way.
6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.
Not applicable

Motion to recommend approval to City Council finding it meets the approval criteria found in the Post Falls Municipal Code and as outlined in our deliberations; and direct staff to prepare a reasoned decision with a zoning recommendation of R1. - Hampe

2nd by - Steffensen
Vote Hampe – Yes; Schlotthauer -Yes; Ward – Yes; Davis – Yes; Kimball – Yes; Carey –
Yes; Steffensen - Yes
Moved

5. ADMINISTRATIVE / STAFF REPORTS

None

6. COMMISSION COMMENT

None

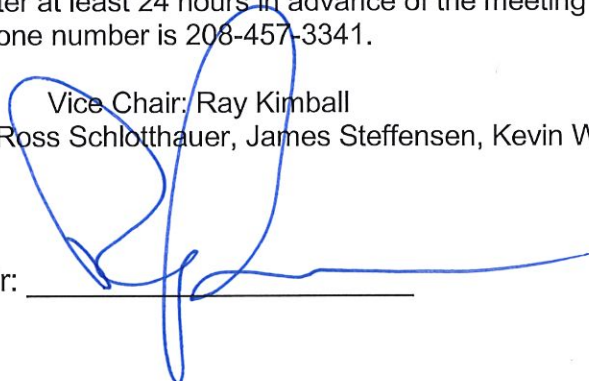
7. ADJOURNMENT 5:50PM

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: 10/11/2022

Chair: 

Attest: 