

City of Post Falls Growth FAQs

Is infrastructure built to handle the new growth before or after the growth occurs?

- Each development is typically required to construct, at no cost to the public, the infrastructure needed to serve the development. For instance, in a new residential subdivision, the developer is required to build all the water, wastewater, stormwater, internal streets, sidewalks, and bike paths to support the development, as well as improving the streets that border the development. Those improvements typically happen at the time of development. Additionally, the City charges a combination of impact fees and capacity fees to help offset the impacts of growth on public infrastructure. Impact and Capacity fees are charged for impacts to streets, public safety, parks and recreation, water, and wastewater. These fees are collected at the time of building permit issuance and are pooled to pay for construction of additional infrastructure improvements to meet the needs caused by growth. This means some portion of the population increase/growth will occur prior to any particular infrastructure project being built. Some believe the infrastructure should be built before allowing growth to occur. This would require existing residents to approve borrowing the funds to pay for the infrastructure or other similar financial scenario.

Are developers and new residents required to pay for all utility hookups and/or road improvements to their new neighborhood in order to minimize costs to existing local taxpayers?

- Developers and new residents are required to pay capacity or “cap” fees before connecting to the water and wastewater system in the City of Post Falls and other area cities. The current water Cap fee for a single-family residence in Post Falls is \$3,472.30. The Post Falls Wastewater Cap fee is \$5,817.00. Additionally, each new development must also pay impact fees for impacts to streets, parks and public safety based on the proportionate impact created by the new development on those areas of the public infrastructure. By way of an example, as of July 1, 2021, the impact fees for a single-family residence is \$3,721.00 for park impact fees, \$1,510.00 in street impact fees and \$452.00 in public safety fees, along with an additional \$869.00 in impact fees for multi-modal trails. Impact fees are collected at the time the building permit is issued and pooled to pay for needed improvements for each category. These fees are adjusted annually for inflation and generally receive a larger review every five years or so. All city fees are listed on the City’s website for review.

Do developers help pay for the increases in traffic caused by their developments?

- Developers are required to build the internal streets within a subdivision to city standards as well as improving the bordering external streets. These improvements are paid for by the developer. Additionally, the City charges a street impact fee. As of July 1, 2021, each new home will pay \$1,510.00 in street impact fees along with an additional \$869.00 in impact fees for multi-modal trails.

Are proper plans for infrastructure and parks in place?

- The City keeps up to date plans for improving infrastructure as growth happens. This includes a Comprehensive Plan, Wastewater Collection and Treatment Master Plans, a Water Master Plan, a Parks Master Plan, a Transportation Master Plan, and a Capital Improvement Plan. Additionally, the City is currently preparing a facilities master plan. Other taxing districts also engage in this type of master planning. The Local Land Use Planning Act (Idaho Code 67-6523 and 67-6524) does not allow cities and counties to simply halt growth. Moratoriums must be of limited duration and are only allowed when there is an “imminent peril to the public health, safety and welfare.”

Are trail corridors identified and required through new developments?

- The City of Post Falls has a trails master plan that identifies trail corridors and those trails are constructed with development. The City Council has approved an impact fee to pay for multimodal trails effective July 1, 2021 in the amount of \$869.00.

Does the City have any plans for Green/Open Space (with planted native vegetation?)

- In several of the City of Post Falls zoning districts, open space is required as a condition of development. Additionally, the City charges park impact fees for both active and “open space” areas to fund the acquisition of open space areas. The City of Post Falls also owns approximately 640 acres on the Prairie (Rathdrum owns an additional 318 acres) that will remain in agricultural uses and be irrigated with fully treated reclaimed water. The City has also acquired the approximately 580-acre Q’emiln Park/Community Forest complex south of the Spokane River for a combination of recreational and land application uses.

Is there any green space on the prairie that has been reserved for public or recreational use?

- The City of Post Falls does own 640 acres on the Prairie to be used for Wastewater Land Application and is zoned as Public Reserve. The City of Rathdrum also owns 300 acres to

be dedicated for future land application.

What can be done to preserve open space on the prairie?

- With the exception of the 640 acres the City of Post Falls owns and the 314 acres that the City of Rathdrum owns, the prairie is owned by private citizens, many of who used to farm the prairie and grow things like grass, lavender, etc. Most of this property is in the County and not within the surrounding cities at this time. Currently, some of these property owners are seeking to sell their property since they have discontinued, or are planning to discontinue, their agricultural activities. In order to preserve the open space, a person, business or agency would need to either purchase these properties to continue agricultural operations, or plan for some other type of open space activity. One option might be to establish a recreational district in Kootenai County that would acquire the land for recreational purposes.

Do developers pay an impact fee for each new dwelling unit for school facilities similar to those assessed for other purposes?

- Currently the Idaho Development Impact Fee Act (I.C Title 67, Chapter 82) does not allow for schools to collect impact fees. The City of Post Falls supports changing the law to allow for impact fees for schools.

Should growth be limited until plans for better paying jobs can be established? (Currently young people that grew up here can't afford to live here).

- The City of Post Falls actively supports business recruitment and retention efforts in Kootenai County. One of the largest issues that businesses looking to relocate to Kootenai County have is the rapidly increasing cost of residential properties for their employees. Limiting growth, thereby limiting available housing even more, will only increase this issue because local governments have no control over the demand for housing in the area.

When businesses are no longer economically viable, what is the city able to do to support the failing business or assist with job growth and/or retention of similar jobs?

- Companies become unsustainable for a number of reasons. An example might be the mills in Post Falls. The companies and underlying property are privately owned. State statute does not provide the City with the ability to financially assist private businesses. There are resources available to businesses, and the Idaho Department of Commerce and local Chamber webpages list those resources. If even with assistance, the

businesses remain unsustainable, the owners may choose to sell the property or develop the property for a different use.

What are parking space requirements for off-street parking per dwelling?

- Parking standards are different depending on zoning districts, However, outside of the downtown area, Post Falls residential zoning does require two off street parking spaces for all single-family residents and multi-family units with more than one bedroom. Senior housing units and single bedroom multi-family units require one off street parking space.

Do developers designate a certain percentage of housing units for affordable housing in exchange for being allowed an increased number of units (density)?

- Several years ago, the City of McCall adopted an ordinance requiring that developer's set aside a portion of their property for affordable housing. Following a lawsuit, the court found that the requirement was a taking of the developer's property in violation of the constitution. See, Alpine Village Co. v. City of McCall, 154 ID 930 (2013).

May municipal initiatives on ballots allow voters to have a say in annexation and zoning ordinance density and type?

- I.C. 34-1801B and 34-1801C prohibit using initiatives to change local zoning regulations.

Do the existing community members and voters' vision of how a new residential or commercial development impacts the traffic, schools, crowding, courts, jails, sewer and solid waste, and general daily quality of life take precedence of the "Property Rights" of a building developer?

- The Idaho Land Use Planning Act requires that cities and counties consider how they will protect property rights as an element of their adopted comprehensive plans. Additionally, the Local Land Use Planning Act also allows a developer who receives a denial, or an approval with conditions that the developer finds objectionable, to request a regulatory takings analysis to determine if the decision equates to a taking of the developers property that can result in the city or county being required to compensate the developer for the property.

May cities implement Mello-Roos? (This is a tax or fee that is placed on a subdivision plan upon approval that charges a percentage of the value of the tract which is used to implement capital improvements such as road and utility construction to help alleviate problems from

increased demand.)

- Mello-Roos taxes are not allowed under Idaho Code. The Idaho Legislature would have to authorize such a tax.

Can there be a statewide or countywide initiative on the ballot to create additional taxes on developers that provide adequate revenue for infrastructure (roads, traffic signals, schools, parks, hospitals, and so on)?

- A state-wide initiative is possible. Since 2018, Idaho Code 34-1801B and 34-1801C have prohibited local initiatives on land use matters.

Can there be municipal initiatives on ballots to allow voters to have a say in zoning ordinance density and type?

- I.C. 34-1801B and 34-1801C prohibit using initiatives to change local zoning regulations.

Can a city, via the voters, have the right to determine the maximum population capacity of the city?

- I.C. 34-1801B and 34-1801C prohibit using initiatives to change local zoning regulations.

Are cities able to limit the number of new dwelling units per year permitted within the city limits?

- Cities do not have authority to limit growth in this fashion. This type of limit is essentially a moratorium once the allotted number of permits have been issued. Absent an imminent threat, cities do not have the authority to implement moratoriums. Additionally, city land use decisions must comply with the Local Land Use Planning Act. I.C. 67-6511 requires that the standards for each type of building be uniform and this type of limit would treat residential permits differently depending on when they were submitted. Additionally, I.C. 67-6535 requires the denial of land use permits must be based on express standards adopted by the city so that denials are not arbitrary. I.C. 67-6519 also requires that the city advise applicants whose permit has been denied that they have a right to request a regulatory takings analysis to determine if the city's denial constitutes a compensable taking of their property. Cities are also governed by I.C. 67-6524 – Interim ordinances and moratoriums. If a governing board finds that a plan, a plan component, or an amendment to a plan is being prepared for its jurisdiction, it may adopt interim ordinances as required or authorized under this chapter, following the notice and hearing procedures provided in section 67-6509, Idaho Code. The governing board may also adopt an interim moratorium upon the issuance of selected classes of permits if, in addition to the foregoing, the governing board finds and states in writing that an imminent peril to the public health, safety, or welfare requires the adoption of an interim

moratorium. An interim ordinance or moratorium shall state a definite period of time, not to exceed one (1) calendar year, when it shall be in full force and effect. To sustain restrictions established by an interim ordinance or moratorium, a governing board must adopt a regular ordinance, following the notice and hearing procedures provided in section 67-6509, Idaho Code.”

Are elected officials who are developers and realtors required to recuse themselves on all future development decisions where, if approved, they will/may financially benefit?

- Idaho Code 67-6506 prohibits planning commission members, city councilors, and city staff members from participating in a land use proceeding in any manner if the member or a close family member or business associate has an economic interest in the outcome of the matter. Members of the Planning Commission in Post Falls also sign a code of ethics that requires them to disclose the existence of any actual or potential conflict and requires that they recuse themselves from any hearing where they have a conflict.

Can quality manufactured home parks be built to help ease the affordable home problem?

- Idaho Code 67-6509A and 67-6509B requires each City and County to allow the siting of manufactured homes in all single-family residential zoning districts (excluding historic districts) and that manufactured home parks be treated the same as site-built homes. Post Falls and the other cities in the area all comply with these requirements. However, applications for these types of uses are rarely received.

Do longtime residents pay increased taxes because of the rising cost of housing?

- No. Cities in Idaho are currently allowed to increase their budgets to account for new growth and annexations. This essentially works as a “buy in” charge paid by the new growth to help the cities pay for the services needed by the growing areas. This charge is calculated before the city determines if it should raise its budget for the rest of the existing city. Post Falls has relied on these new growth dollars and has not raised its budget for the rest of the existing city residents and businesses for 6 years. Despite that, existing residential property owners have seen a significant increase in property taxes because the legislature capped the homeowner’s exemption in 2016. This cap shifted much of the tax burden from commercial and industrial users to homeowners because the values of residential properties are increasing faster than commercial/industrial properties. The City of Post Falls supports increasing the homeowner’s exemption and indexing it for inflation to stop this tax shift along with other common-sense solutions. Some members of the Idaho legislature have proposed limiting the ability of cities to make growth pay for itself. This will only make the situation worse.

Why have residential taxes been increasing so significantly?

- The City of Post Falls has not certified a tax increase in the past five years. During this same time frame, many residential homes have seen a tax “shift” from commercial properties to residential properties due to the significant increases seen to residential market values. Just last year, 66% of residential properties saw a tax increase and 98% of commercial properties saw a tax decrease. No tax increase was taken by the city. This is not a growth issue; it is an issue created by the current methodology in Idaho Code that allows market valuation imbalances to negatively impact homeowners. The City is lobbying the State Legislature to address this tax shift by making positive changes to protect residential property owners including indexing or otherwise remedying the homeowner’s exemption, improving the circuit breaker program, capping annual increases of assessed values, and/or using a percentage of on-line sales tax dollars to relieve the property tax burden on citizens. *In 2016, as property values were beginning to rise again following the recession, the Idaho legislature capped the homeowner’s exemption at \$100,000.*