

WELCOME
To a Regular Meeting of the
Coeur d'Alene City Council
Held in the Library Community Room,
located at 702 Front Avenue at 6:00 P.M.

AGENDA

VISION STATEMENT

Our vision of Coeur d'Alene is of a beautiful, safe city that promotes a high quality of life and sound economy through excellence in government.

The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Council on any other subject should plan to speak when **Item E - Public Comments** is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time.

December 2, 2025

A. CALL TO ORDER/ROLL CALL

B. INVOCATION: Amanda Nicol: Community United Methodist Church of Coeur d'Alene

C. PLEDGE OF ALLEGIANCE:

D. AMENDMENTS TO THE AGENDA: Any items added less than forty-eight (48) hours prior to the meeting are added by Council motion at this time. [Action Item.](#)

E. PUBLIC COMMENTS: (Each speaker will be allowed a maximum of 3 minutes to address the City Council on matters that relate to City government business. Please be advised that the City Council can only take official action this evening for those items listed on the agenda.)

*****ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS**

F. ANNOUNCEMENTS:

1. City Council
2. Mayor

G. CONSENT CALENDAR: Being considered routine by the City Council, these items will be enacted by one motion unless requested by a Councilmember that one or more items be removed for later discussion.

1. Approval of Council Minutes for the November 18, 2025 Council Meeting.
2. Approval of General Services/Public Works Committee Meeting Minutes from November 24, 2025.

3. Setting of the General Services/Public Works Committee Meeting at Noon on December 8, 2025.
4. Approval of Bills as Submitted.
5. Approval of **Resolution No. 25-068** -
 - a. Approval of Amendment No. 6 to the agreement with HDR Engineering, Inc., for additional professional services associated with the Solids Building Improvement Project, related to a new Electronics Operations and Maintenance Manual in the amount of \$71,044.00.

As Recommended by the General Services/Public Works Committee

H. OTHER BUSINESS:

1. Approval of invocation guidelines that allow non-profit faith-based organizations located within Kootenai County to perform invocations at the City Council meetings.
2. Acceptance of Canvassed Election Results

Pursuant to the November 4, 2025, Election

3. **Resolution No. 25-069** - Approval of a Programmatic Agreement with HUD and SHPO for Environmental Reviews for the CDBG Program.

Staff Report by: Sherrie Badertscher, CDBG Specialist

I. PUBLIC HEARING:

Please feel free to sign up in advance of the meeting to testify at <https://www.cdaid.org/signinpublic/Signinformlist> prior to 3:00 p.m. the day of the hearing.

1. **(Legislative)** - Community Development Block Grant (CDBG) Plan Year 2024, Year End Consolidated Annual Performance and Evaluation Report (CAPER).

Staff Report by: Sherrie Badertscher, CDBG Specialist

2. **(Quasi-Judicial)** - A-1-25 - Annexation of a 3.19-acre parcel and zoning the parcel R-3 (Residential at 3 units per acre), requested by the Eugene P. Haag Jr. Trust, located at: 2248 E. Stanley Hill Road, Coeur d'Alene, ID.

Staff Report by: Sean Holm, Senior Planner

- a. **Council Bill No. 25-1020** - Ordinance Approving the Annexation of a 3.19-acre parcel and zoning the parcel R-3 (Residential at 3 units per acre), requested by the Eugene P. Haag Jr. Trust, located at: 2248 E. Stanley Hill Road, Coeur d'Alene, ID.
3. **(Quasi-judicial)** Amendment No. 3 to the Coeur Terre Annexation and Development Agreement to modify Exhibit "E" changing the designation of a 10.91-acre C-17 zoned

church property in the Conceptual Master Plan from “Urban Townhomes” to “Religious Assembly”; located at Hanley Avenue and Coeur Terre Boulevard in a portion of the north ½ of the northwest ¼ of Section 33, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho. The legal description is Full Circle Tracts, Lot 2, Block 1. Requested by: The Church of Jesus Christ of Latter-day Saints.

- a. **Resolution No. 25-070** – Approving Amended Exhibit “E” to the Annexation and Development Agreement with Kootenai Land Company, *et al.*

Staff Report by: Sean Holm, Senior Planner

J. ADJOURNMENT

Coeur d'Alene

CITY COUNCIL MEETING

December 2, 2025

MEMBERS OF THE CITY COUNCIL:

Woody McEvers, Mayor
Council Members English, Evans, Gabriel, Gookin, Miller, Wood

ANNOUNCEMENTS

CONSENT CALENDAR

MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D' ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM

November 18, 2025

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Library Community Room on November 18, 2025, at 6:00 p.m., there being present the following members:

Woody McEvers, Mayor

Dan English)	Members of Council Present
Christie Wood)	
Dan Gookin)	
Amy Evans)	
Kiki Miller)	
Kenny Gabriel)	

CALL TO ORDER: Mayor McEvers called the meeting to order.

INVOCATION: Angela Gifford of the Village of Hope CDA led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember English led the pledge of allegiance.

PUBLIC COMMENTS:

Ben Wolfinger, Coeur d'Alene, representing the Friends of the Coeur d'Alene Public Golf Course Foundation, highlighted the organization's history, impact, and community partnership. Opened in 1957 as a private course accessible to the public without tax funding, it hosted over 50,400 rounds of golf this year and dispensed more than 2.4 million practice balls. The foundation, a nonprofit since 2019, focuses on keeping golf affordable and introducing youth to the sport through camps and programs. Collaborating with the City's Recreation Department and the Boys and Girls Club, they provided golf instruction, equipment, and life lessons to 249 children this summer, supported by 40 volunteers and PGA professionals. The foundation also aids local high school teams and organizes fundraising events for equipment and unforeseen costs. Mr. Wolfinger emphasized their commitment to continuing these efforts and invited the public to volunteer as coaches. Councilmember Wood asked if children registering for golf camps through the Parks and Recreation Department receive scholarships. Recreation Program Coordinator Adam Rouse explained that scholarships are rare, and camps generally charge a standard fee similar to other programs. Mr. Wolfinger noted that the foundation retains 50% of fees to support its programs, compared to the typical 70% retained by parks. Councilmember Kenny Gabriel then asked if there are enough instructors, and Wolfinger replied they always need more volunteers.

Virginia Tate, Coeur d'Alene, requested the Council's help to resolve a long-standing water hookup issue tied to a "good neighbor" agreement dating back to the 1970s, when her family ceded land

for a road to Armstrong Park in exchange for future water and sewer access. Despite installing fire hydrants, paying for engineering plans, and initiating annexation steps, she claimed that the City has repeatedly denied her ability to install a water main and recently added new requirements after accepting her annexation application fee. Ms. Tate emphasized an urgency due to low water levels and freezing conditions and asked the Council to finalize the hookup and annexation agreement to conclude the matter.

Jeff Petroskie, Post Falls, stated that he concurs with what was shared by Ms. Tate.

ANNOUNCEMENTS: Councilmember Miller expressed concern about a recent Council meeting where an agenda amendment was made to address road usage in Indian Meadows, as she questioned whether the item met the criteria for an emergency. She noted that the City Attorney advised it was up to the Council to define an emergency and therefore did not provide guidance during the meeting, and she was also advised not to give input to staff prior to the proposed meeting regarding the Indian Meadows access and through streets to the Coeur Terre development. While acknowledging that the developer and staff listened to public input, Councilmember Miller emphasized the need to consider the long-term consequences of making drastic changes based on the wishes of a few. She stated that all seven roads should have remained connectors as originally planned, linking Indian Meadows to future roads in the farmland, with no cul-de-sacs or dead ends. The utility infrastructure extends beyond the last house to these connection points, and the temporary barriers clearly indicate the roads were never intended to remain closed. Councilmember Miller warned that restricting access now creates long-term negative impacts, including reduced public safety response times, increased traffic congestion, higher insurance premium costs, and longer commutes for families. She argued that the decision prioritizes the wishes of a few over thousands of residents and businesses, causing irreparable harm to future planning. As the issue returns to Council, she requested to have a thorough public discussion on these long-term effects and consider whether revisiting the developer's plan is feasible, ensuring staff weighs in on the matter.

Councilmember Gookin thanked Councilmember Miller for raising traffic concerns and noted that traffic will be a major issue with the Coeur Terre development, which is why he voted against it. He emphasized the importance of showing residents that local government cares about established neighborhoods and their concerns. He cited Virginia Tate's situation as an example of where compassion and responsiveness are needed and urged the Council to focus on solving problems rather than creating them, particularly regarding Coeur Terre, Indian Meadows, and Ms. Tate's water hookup issue.

Councilmember Wood asked about the process for following up on Ms. Tate's water hookup issue, noting prior communication with staff. City Administrator Troy Tymesen explained that staff have spent extensive time on the matter and provided a temporary water hookup from a fire hydrant and pursued an annexation agreement since Ms. Tate does not qualify for the good neighborhood agreement policy. He clarified that communication stalled about four weeks ago and outlined complications, including infrastructure challenges and commercial kitchen installation, noting the importance of placing a city fire hydrant installed on her property and completing the annexation.

Councilmember Dan English acknowledged the complexity of balancing immediate neighborhood concerns with broader public safety needs.

Councilmember Gabriel congratulated Scott Robinson from the Fire Department on his promotion to Engineer, noting the challenging process involved. He also recognized firefighter-paramedic Cody Moore and his dog Sky for earning FEMA certification, calling both achievements significant and a source of pride for the City.

Mayor McEvers requested the appointments of Denise Yost, Mary Lee Ryba, and Kate Walker to the Arts Commission.

MOTION: Motion by Evans, seconded by Miller to appoint Denise Yost, Mary Lee Ryba, and Kate Walker to the Arts Commission. **Motion carried.**

CONSENT CALENDAR:

1. Approval of Council Minutes for the November 4, 2025 and November 10, 2025 Council Meetings.
2. Setting of the November 24, 2025 General Services/Public Works Committee Meeting.
3. Setting of public hearings for **December 2, 2025:**
 - a. (Quasi-judicial) Amendment No. 3 to the Coeur Terre Annexation and Development Agreement to modify Exhibit “E” changing the 10.91-acre C-17 zoned church property from “Urban Townhomes” to “Religious Assembly”; to be located at Hanley Avenue and Coeur Terre Boulevard in a portion of the north ½ of the northwest ¼ of Section 33, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho. The legal description is Full Circle Tracts, Lot 2, Block 1.
4. Approval of Bills as Submitted.
5. Approval of Financial Report.

MOTION: Motion by Evans, seconded by Miller to approve the Consent Calendar as presented.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye; Gabriel Aye; Gookin Aye; English Aye.
Motion carried.

RESOLUTION NO. 25-062

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, AMENDING RULE 1 – GENERAL PROVISIONS, RULE 10 – PROBATIONARY PERIOD, RULE 12 – PAY ADJUSTMENT, AND RULE 13 – TRANSFER, DEMOTION, LAYOFF, RESIGNATION, AND REINSTATEMENT, OF THE CITY OF COEUR D’ALENE PERSONNEL RULES.

STAFF REPORT: Human Resources Director Melissa Tosi presented proposed personnel rule amendments focused on probationary periods for lateral police officers, reducing their probation from 18 months to 12 months while keeping entry-level recruits at 18 months. She explained that all probationary language will be consolidated under Rule 10, with related housekeeping changes to Rules 1, 12, and 13 for clarity and consistency. The amendments also clarify the Human Resources Director’s role in appointments, changing language to “in consultation with” rather than

“approval.” Updates include removing obsolete requirements and aligning probation practices for transferred employees with those for promotions. The amendments have been reviewed by the Executive Team and sent to the Fire Union, Lake City Employees Association, and Police Association, with police administration requesting the change apply only to lateral officers.

DISCUSSION: Councilmember Evans thanked Ms. Tosi for revisiting the proposed amendments, engaging with all stakeholders, and bringing the updated recommendations back to the Council. She expressed appreciation for the extra effort involved in ensuring thorough review and collaboration.

MOTION: Motion by Evans, seconded by Miller to approve **Resolution No. 25-062**; Amending Personnel Rule 1 – General Provisions; Rule 10 – Probationary Period; Rule 12 – Pay Adjustment; and Rule 13 – Transfer, Demotion, Layoff, Resignation, and Reinstatement.

ROLL CALL: Evans Aye; Miller Aye; Gookin Aye; English Aye; Wood Aye; Gabriel Aye.
Motion carried.

RESOLUTION NO. 25-065

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH J-U-B ENGINEERS, INC., FOR THE TERTIARY MEMBRANE FILTRATION EXPANSION PROJECT PHASE 5C.3A FOR THE WASTEWATER DEPARTMENT, IN AN AMOUNT NOT TO EXCEED \$814,600.00.

STAFF REPORT: Wastewater Capital Programs Manager Mike Becker outlined the Wastewater Department’s request for a professional services contract with JUB Engineering for the design of a tertiary membrane filtration (TMF) project. The TMF facility is the final stage of wastewater treatment, removing ammonia and phosphorus before discharge into the Spokane River. The project will complete Train 6, increasing capacity from 5 to 6 million gallons per day and providing redundancy for maintenance. Originally scheduled for 2027, the expansion is needed by 2028 based on flow projections. Mr. Becker explained the technical details of the membrane system, procurement process, and JUB’s qualifications, noting that the City lacks in-house capacity for this specialized design. The negotiated contract amount is \$814,600, including a \$50,000 reserve for potential technology updates.

DISCUSSION: Councilmember English asked if the proposed TMF project differs from previous ones, and Mr. Becker explained that while the technology is similar, the new train will use updated membranes with increased capacity. Councilmember Wood asked if the project is part of the budget this year and Mr. Becker confirmed that this is already budgeted noting lessons learned about equipment delivery timelines. Mayor McEvers sought clarification if it means adding another train, and Mr. Becker stated it will add membranes to the last tank but could incorporate newer technology if feasible and cost-effective, with options presented during the design phase.

MOTION: Motion by Wood, seconded by Evans to approve **Resolution No. 25-065**; approving of a Professional Services Agreement with JUB Engineers, Inc. for Tertiary Membrane Filtration Expansion Project Phase 5C.3A in the amount of \$814,600.00.

ROLL CALL: Miller Aye; Gookin Aye; English Aye; Wood Aye; Gabriel Aye; Evans Aye.
Motion carried.

RESOLUTION NO. 25-066

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING CHANGE ORDERS #1, #2, AND #3 TO THE CONTRACT WITH SELLAND CONSTRUCTION, INC., FOR THE WASTEWATER COMPOST FACILITY MAINTENANCE PROJECT, IN THE TOTAL AMOUNT OF FIFTY-NINE THOUSAND TWO HUNDRED THIRTY-TWO AND 50/100 DOLLARS (\$59,232.50).

STAFF REPORT: Wastewater Capital Programs Manager Mike Becker reported on the completion of the compost facility project and requested Council approval of change orders. The project, which converted above-ground aeration pipes to a below-ground trench drain system, was completed on September 30. Change Order #2 addressed water pooling inside the building by adding paving work while the contractor was on-site, taking advantage of mobilization costs. Additional work included replacing nine inches of old asphalt with gravel and new asphalt. Mr. Becker noted the project was rebid due to initial budget constraints and finished under budget, with total costs at \$379,232.50 compared to the \$455,000 budget. He recommended approval of change orders totaling \$59,232.50.

DISCUSSION: Councilmember Miller asked if there would be a second change order for the compost facility project. Mr. Becker clarified that all three change orders were combined into the current presentation and confirmed that the project is complete with no additional change orders expected.

MOTION: Motion by Evans, seconded by Wood to approve **Resolution No. 25-066**; Ratifying Change Orders 1-3 for the Compost Facility Maintenance Project Contract with Selland Construction.

ROLL CALL: Gookin Aye; English Aye; Wood Aye; Gabriel Aye; Evans Aye; Miller Aye.
Motion carried.

RESOLUTION NO. 25-067

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, DECLARING, PURSUANT TO IDAHO CODE § 67-2808(2), THAT THERE IS ONLY ONE VENDOR REASONABLY AVAILABLE FOR THE PURCHASE AND INSTALLATION OF A FIRE TRAINING FACILITY AND APPROVING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF THE FACILITY FROM TAYLORD SYSTEMS LLC, IN THE AMOUNT OF \$373,820.00, USING FUNDS PROVIDED BY THE 2025 GENERAL OBLIGATION BOND.

STAFF REPORT: Fire Deputy Chief Bill Deruyter requested Council approval for sole sourcing the fabrication of a new fire training facility with Taylord Containers, a local company specializing

in building training structures from containers. He explained that the current facility, built in 2006, remains in use for repelling and live-fire training, but the new facility will integrate multiple props—such as ventilation, forcible entry, and garage door simulations—into a compact design. The structure will include two levels and a burn room, allowing realistic training scenarios that reflect modern apartment and residential layouts. Mr. Deruyter emphasized the importance of continuous firefighter training and the specialized nature of the proposed facility.

DISCUSSION: Councilmember Gabriel asked if the new fire training facility’s design offers easier maintenance and fits within the existing footprint, which Mr. Deruyter affirmed. Councilmember Wood expressed support for the project, noting the importance of modern training facilities for public safety and asked if the new structure could host Fire Ops events. Mr. Deruyter confirmed it could. Mayor McEvers inquired about the timeline, and Mr. Deruyter stated the facility should be completed by next October.

MOTION: Motion by Gabriel, seconded by Miller to approve **Resolution No. 25-067**; declaring, pursuant to Idaho Code § 67-2808(2), that there is only one vendor reasonably available for the purchase and installation of a new fire training facility, and approving a contract with Taylord Systems LLC in the amount of \$373,820.

ROLL CALL: English Aye; Wood Aye; Gabriel Aye; Evans Aye; Miller Aye; Gookin Aye.
Motion carried.

ADJOURNMENT: Motion by Gookin, seconded by Miller, that there being no other business, this meeting be adjourned. **Motion carried.**

The meeting ended at 6:59 p.m.

Woody McEvers, Mayor

ATTEST:

Jo Anne Mateski
Executive Assistant

November 24, 2025
GENERAL SERVICES/PUBLIC WORKS COMMITTEE
MINUTES
12:00 p.m., Library Community Room

COMMITTEE MEMBERS

Council Member Dan Gookin, Chairperson
Council Member Kiki Miller
Council Member Kenny Gabriel

STAFF

Jo Anne Mateski, Executive Assistant
Randy Adams, City Attorney
Renata McLeod, Municipal Services Director
Mike Becker, Capital Programs Manager
Ben Martin, Wastewater Assistant Director

Item 1. Discussion regarding invocation guidelines that allow non-profit faith-based organizations located within Kootenai County to perform invocations at the City Council meetings.

(Agenda)

Renata McLeod, Municipal Services Director, discussed the city's long-standing tradition of opening Council meetings with an invocation. She explained that a lottery system was implemented previously to ensure fairness and legal compliance, allowing applicants to register online and be randomly assigned dates. Council guidance has been that participants must be non-profit faith-based organizations located within city limits. Ms. McLeod noted that it is time to reopen the lottery and requested feedback on whether to continue the tradition, expand eligibility to include non-profit faith-based organizations within Kootenai County, or make other changes. She also confirmed that applicants must affirm certain conditions to remain within legal bounds, and invocations should be no longer than three minutes. She noted that last year's lottery system resulted in only half the meetings being covered, requiring a second round of drawings.

Councilmember Miller expressed support for continuing the tradition but recommended keeping eligibility limited to non-profit faith-based organizations within city limits, suggesting alternatives such as a moment of silence or a Councilmember to lead the invocation if no one is available. Councilmember Gabriel asked if there had been significant interest from outside the city; Ms. McLeod reported only occasional inquiries. Councilmember Gookin shared that some pastors from nearby areas have expressed interest, noting that expanding eligibility could help fill the 24 available slots.

MOTION by Gabriel, seconded by Miller, to recommend that Council discuss the invocation guidelines that allow for non-profit faith-based organizations located within Kootenai County to perform invocation at the City Council meetings, rather than restricting invocations to non-profit faith-based organizations within the City limits.

Item 2. Approval of Amendment No. 6 to the Solids Building Improvement Contract with HDR Engineering, Inc.

(Consent)

Mike Becker, Capital Programs Manager, presented a request for approval of Amendment No. 6 to the existing professional services agreement with HDR. The amendment covers additional work to convert the department's current electronic Operations and Maintenance (eO&M) manual to a new cloud-based platform, as the existing system is no longer supported and is housed on the consultant's server. HDR is already under contract for the

Solids Building O&M manual, and this amendment would expand their scope to include the full conversion. The work must be completed by April 1, 2026, to meet discharge permit requirements. The proposed amendment, which complies with Idaho Code §67-2320(4) for negotiated continuation of services, is in the amount of \$71,044.

Councilmember Gabriel inquired if the project is budgeted and Mr. Becker confirmed that they have budget authority. Councilmember Miller raised concerns about repeated amendments and emphasized the importance of public bidding. Mr. Becker explained that HDR is already under contract and best positioned to complete the work efficiently, noting the department has conducted multiple RFPs and RFQs so far this year. Councilmember Gookin asked why the manual could not be hosted on the city's server. Wastewater Assistance Director Ben Martin clarified that a cloud-based SharePoint system allows in-house updates and controlled vendor access, which is essential for operational flexibility and compliance. Ms. McLeod added that hosting externally reduces security risks. Mr. Martin confirmed that the \$71,044 cost is a one-time fee and highlighted the legal requirement for an up-to-date eO&M manual to ensure continuity of operations.

MOTION by Miller, seconded by Gabriel, to recommend that Council approve Amendment No. 6 to the City's existing Professional Services Agreement (PSA) with HDR Engineering, Inc., for additional Professional Services associated with the Solids Building Improvements Project.

Recording of the meeting can be found at: <https://www.youtube.com/watch?v=n560BUL-19o>

The meeting adjourned at 12:18 p.m.

Respectfully submitted,
Jo Anne Mateski
Executive Assistant
Recording Secretary

RESOLUTION NO. 25-068

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC., IN THE AMOUNT OF SEVENTY-ONE THOUSAND FORTY-FOUR AND NO/100 DOLLARS (\$71,044.00), FOR ADDITIONAL PROFESSIONAL SERVICES ASSOCIATED WITH THE SOLIDS BUILDING IMPROVEMENT PROJECT RELATED TO A NEW ELECTRONIC OPERATIONS AND MAINTENANCE MANUAL.

WHEREAS, pursuant to Resolution No. 20-045 adopted on the 18th day of August, 2020, the City of Coeur d'Alene entered into a Professional Services Agreement ("PSA") with HDR Engineering, Inc., for preliminary engineering design to replace the treatment facility's biosolids dewatering unit; and

WHEREAS, the PSA was intended to be amended for phases subsequent to the design phase as costs became capable of determination; and

WHEREAS, the PSA has previously been amended five times, pursuant to Resolution Nos. 21-074, 22-029, 23-042, 24-082, and 25-040 to cover final engineering and design of additional project elements, for the engineering and architectural design of the solids building expansion, for bidding, construction management services, and project oversight; for additional programming work associated with the solids-handling equipment; and

WHEREAS, a further amendment is required to authorize HDR's additional work to assist the City in developing a new Electronic Operations Maintenance (eO&M) Manual Site, replacing the outdated legacy platform, and migrating all existing eO&M data and information to the City's new Microsoft cloud-based SharePoint server; and

WHEREAS, Mike Becker, Capital Program Manager for the Wastewater Department, is recommending approval of Amendment No. 6 to the PSA in the amount of Seventy-One Thousand Forty-Four and No/100 Dollars (\$71,044.00), a copy of which is attached hereto as Exhibit "1" and incorporated herein by reference; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof that Amendment No. 6 be approved.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City hereby approves Amendment No. 6 to the Professional Services Agreement with HDR Engineering, Inc., in the amount of Seventy-One Thousand Forty-Four and No/100 Dollars (\$71,044.00) for the additional professional services associated with the Solids Building Improvement Project related to a new eO&M Manual, with the provision that the Mayor, City

Administrator, and City Attorney are hereby authorized to modify said Amendment provided that the substantive provisions of the Amendment remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such Amendment on behalf of the City.

DATED this 2nd day of December, 2025.

Woody McEvers, Mayor

ATTEST:

Renata McLeod, City Clerk

Motion by _____, Seconded by _____, to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER MILLER	Voted
COUNCIL MEMBER EVANS	Voted
COUNCIL MEMBER GOOKIN	Voted
COUNCIL MEMBER ENGLISH	Voted
COUNCIL MEMBER WOOD	Voted
COUNCIL MEMBER GABRIEL	Voted

_____ was absent. Motion _____.

CITY COUNCIL STAFF REPORT

DATE: December 2, 2025
FROM: Mike Becker, Capital Programs Manager, WW Department
SUBJECT: Amendment No. 6 to Solids Building Improvements Contract with HDR Engineering, Inc.

DECISION POINT: Should City Council approve Amendment No. 6 to the City's existing Professional Services Agreement (PSA) with HDR Engineering, Inc., for additional Professional Services associated with the Solids Building Improvements Project?

HISTORY: Wastewater Treatment Facility projects are typically long-term and progressive in nature. Because the facility must remain fully operational throughout construction, HDR Engineering, Inc., was engaged to support the City from conceptual design through construction and ultimately project close-out for the Solids Building Improvements Project.

- **August 18, 2020:** The City executed a PSA (**Res. 20-045**) with HDR for preliminary engineering design, including manufacturer prequalification and procurement of a new centrifuge.
- **December 13, 2021:** PSA Amendment No. 1 (**Res. 21-074**) was executed for HDR's final engineering and design of the centrate tank cover, odor control systems, centrate pumping, centrifuge controls, and electrical components.
- **June 27, 2022:** PSA Amendment No. 2 (**Res. 22-029**) was executed for design of the solids building expansion, enlarged biosolids loadout area, conveyors, and a second floor for future dewatering equipment. This amendment also included General Contractor prequalification, culminating in the City's award of a construction agreement to Apollo, Inc. on May 2, 2023.
- **June 6, 2023:** PSA Amendment No. 3 (**Res. 23-042**) provided HDR's professional services for bidding, construction management, and engineering oversight for the entire project.
- **October 15, 2024:** PSA Amendment No. 4 (**Res. 24-082**) authorized HDR's additional engineering and construction-phase services necessitated by a winter shutdown, as well as support for change proposal requests and work change directives.
- **August 5, 2025:** PSA Amendment No. 5 (**Res. 25-040**) was executed for HDR's additional programming work associated with the solids-handling equipment.

PSA Amendment No. 6 is now presented to authorize HDR's additional work to assist the City in developing a new Electronic Operations and Maintenance ("eO&M") Manual Site, replacing the outdated legacy platform and migrating all existing eO&M data and information to the City's new Microsoft cloud-based SharePoint server.

FINANCIAL ANALYSIS: A summary of tasks and costs completed to date are presented in Grey on the following table. Costs for this PSA Amendment #6 are shown below in Red.

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TASK	SCOPE OF SERVICE DESCRIPTION	COSTS
100	Project Management	\$21,908.00
200	Regulatory Liaison, Permits, and Approvals	\$1,472.00
300	Concepts Development and Evaluation	\$36,580.00
400	Core & Preliminary Design	\$155,296.00
500.A1	Additional Project Elements & Final Design Development (Management Reserve)	\$117,093.00
500.A2	Onsite Lidar Scanning (Survey)	\$6,004.21
500.A2	Solids Building Expansion	\$42,356.93
600	Final Contract Documents	\$14,323.00
600.A3	Final Contract (Conform) Documents (Additional)	\$29,800.00
700	Solids Building Improvements and Centrifuge Installation Bidding Administration	\$3,206.00
700.A2	Contractor Prequalification Evaluation	\$2,402.43
700.A3	Bidding Administration	\$15,000.00
800.A3	Construction Phase Services	\$299,820.00
	Additional Construction Phase Services	\$184,275.00
900.A3	Construction Phase Field Services	\$533,166.00
900.A4	Additional Construction Phase Field Services	\$168,649.00
900.A5	Additional Programming Work	\$48,409.79
1000.A3	Post Construction and Close-out Services	\$121,544.00
1000.A6	Move Existing eO&M to new Cloud Based Server	\$71,044.00

Total PSA with Amendments:

\$ 1,872,349.36

The Wastewater Department has sufficient budget authority for this amendment within the current fiscal year's Wastewater Operating Fund (031-022-4351-4200). A copy of the City's PSA Amendment and HDR's Exhibit A—Amended Scope of Services and Compensation—is attached for review

PERFORMANCE ANALYSIS: The Wastewater Department's existing eO&M Manual is currently hosted on HDR's server using the Legacy platform. This platform is outdated and no longer meets the Department's operational needs. Additionally, the City's discharge permit requires submission of an updated O&M Manual by **April 1, 2026**. As a result, the Department evaluated cloud-based platforms that could be owned and managed by the City rather than by external consultants. SharePoint was identified as the platform that best meets these requirements.

Because HDR is already contracted to complete the eO&M components of the Solids Handling Improvements Project, expanding the scope to include migration of the remaining eO&M data and information to SharePoint is considered a continuation of the existing project. This amendment complies with Idaho Code § 67-2320(4), which permits the City to negotiate a

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continuation or phased component of an existing project. This amendment meets that statutory allowance.

DECISION POINT/RECOMMENDATION: City Council should approve Amendment No. 6 to the existing Professional Services Agreement (PSA) with HDR Engineering, Inc., for the additional eO&M work associated with the Solids Building Improvements Project in the amount of **\$71,044.00**.

Amendment No. 6

EXHIBIT A

SOLIDS HANDLING IMPROVEMENTS PROJECT AT THE COEUR D'ALENE ADVANCED WASTEWATER TREATMENT FACILITY (AWTF)

FOR THE

CITY OF COEUR D'ALENE, IDAHO

SCOPE OF SERVICES, SCHEDULE, AND COMPENSATION

ORIGINAL CONTRACT – AUGUST 18, 2020

MODIFIED FOR AMENDMENT 01 – NOVEMBER 15, 2021

MODIFIED FOR AMENDMENT 02 – JUNE 3, 2022

MODIFIED FOR AMENDMENT 03 – JUNE 6, 2023

MODIFIED FOR AMENDMENT 04 – AUGUST 30, 2024

MODIFIED FOR AMENDMENT 05 – JUNE 27, 2024

MODIFIED FOR AMENDMENT 06 – NOVEMBER 14, 2025

ADDITIONAL PROGRAMMING WORK

Introduction – Scope of Services

The Scope of Services is for HDR Engineering, Inc. ("HDR") to provide preliminary engineering design, detailed design, bidding, and construction services to the City of Coeur d'Alene, Idaho ("CITY") related to improvements to the solids handling system at the Coeur d'Alene Advanced Wastewater Treatment Facility (AWTF). Currently, the City operates a single centrifuge with a belt filter press as a standby dewatering unit. The improvements will include the replacement of the existing belt filter press with a new dewatering centrifuge, manufacturer control panel and associated polymer and odor control equipment, as well as planning for other Solids Handling Building improvements that may, or may not, be implemented in conjunction with provision of the new dewatering equipment depending upon decision making in the course of project development.

The scope of services identified below is based on the 2019 partial condition assessment of the wastewater treatment plant that was completed as an initial step of the 2018 Wastewater Treatment Facility Plan Update, the 2018 Wastewater Treatment Facility Plan Update, the January 2018 Evaluation of Solids Handling Facilities conducted at the partial condition assessment, and discussions with the City Management and Operations Staff.

The project is further defined as facilities to replace the existing belt press and associated system components with a new high solids dewatering centrifuge system including new emulsion polymer feed from the City's new emulsion polymer feed system. It is anticipated that these facilities will generally include the following:

- Core Project Item— Demolition of the existing belt press, solids feed, and polymer feed in the existing belt press area of the Dewatering Room on the upper level of the Solids Handling Building.
- Core Project Item— Installation of one (1) new City pre-qualified and pre-purchased centrifuge.
- Core Project Item— Installation of new electrical and control equipment in a new conditioned area of the electrical room, or if additional space is needed an extension of the electrical room or use of the existing dry polymer (aging tank) storage room.
- Core Project Item— Connection of exhaust air from the centrifuge and liquid/solids discharges to the existing odor control and ventilation system.
- Core Project Item— Connection of the new dewatering equipment to the existing emulsion polymer feed system.
- Core Project Item – Evaluation of the electrical and structural requirements for the condition when both centrifuges are running simultaneously in parallel.
- Management Reserve Item— Evaluation of additional building space to allow for a larger electrical room on the upper level of the Solids Handling Building and addition of emulsion polymer storage. The building addition and storage facilities will be an additive item to the centrifuge purchase and installation project.
- Management Reserve Item – Design of additional odor control collection and treatment to support the Solids Handling Building addition and solids loadout facilities.
- Management Reserve Item - Additional assistance with the procurement of the centrifuge, including coordination with the City and centrifuge manufacturers on equipment testing requirements. Review, scoring, and responding to qualification statements, bench scale testing reports, and bid proposals from centrifuge manufacturers. Held discussions and provided recommendation information for selection of centrifuge equipment.
- Management Reserve Item - Additional services associated with the centrifuge pre-construction services including review City pre-purchased centrifuge mechanical and electrical shop drawings for compliance with the requirements of the procurement documents. Up to 2 resubmittals for each submittal is assumed, distribute reviewed submittals to the City and centrifuge manufacturer, evaluate and respond to up to three (3) RFIs from the centrifuge manufacturer.

- Management Reserve Item - Evaluation of modifications to the existing solids loadout room to include a full enclosure of the loadout facility to enable odor control for this area.
- Management Reserve Item - Evaluation of odor control alternatives for the centrate storage tank and selection of the preferred alternative for potential addition of odor control for the facility.
- Management Reserve Item - Evaluation of the Solids Handling Building odor control facilities alternatives, including the solids loadout and centrate storage, for adding odor control to the new and existing systems at the Solids Handling Building as an additive item to the centrifuge purchase and installation project.
- Management Reserve Item – Onsite Lidar Scanning of Centrate Storage Tank and Solids Handling Building and post-processing of data as further described below.
- Management Reserve Item – Additional Design for Solids Building Expansion to house future dewatering equipment as further described below.
- Contractor Pre-Qualification Evaluation as further described below.
- Additional Design Item via Addendum – Design of new Odor Control Fan for Digester 5 overflow box, associated ductwork, electrical components, and necessary demolition.

Assumptions

The Scope of Services for design and bidding services is based on the following assumptions:

- The design and bidding services are based on the preparation of one (1) construction pre-qualification package, one (1) centrifuge pre-qualification package, one (1) pre-purchase package for procurement of a single centrifuge via pre-procurement and one (1) construction installation package for removal of the existing belt filter press in the Solids Handling Building upper level and installation of the City-supplied centrifuge system in the same location as the demolished belt filter press.
- The results from the Concepts Development and Evaluation Task Series 300 may result in changes to the scope and fee necessary if the Project scope changes.
- HDR standard AutoDesk CADD format and 6-digit specifications standards will be used for drawings and technical specifications.
- The City's standard Agreement and HDR developed pre-qualification and bidding documents will be utilized for this project. HDR will assist in the development of these documents.
- HDR's Master Specification system will be used for all technical specification sections.
- The centrifuge pre-purchase will be expedited on a fast-track basis immediately following the completion of the Concepts Development and Evaluation Task.

- A preliminary structural analysis of the Solids Handling Building will be completed to determine whether the new centrifuge will require additional structural modifications. A more thorough analysis will be completed as part of the detailed design scope. This scope assumes the detailed analysis will confirm no significant issues will be associated with the installation of the centrifuge.
- A preliminary electrical evaluation will be conducted to determine whether the new centrifuge equipment can be connected to the existing electrical service equipment at the Solids Handling Building. A new Centrifuge switchboard and Control Panel will be added on the upper level either in a new electrical room addition or existing electrical room.
- The new centrifuge equipment will be provided with a vendor-furnished PLC. A new City PLC will not be required. The City's existing SCADA system will communicate to the vendor-furnished PLC via a network connection.
- Notice of Award will be provided to the Contractor no later than May 4, 2023.
- Construction will occur from mid-June 2023 through mid-June 2024.

A summary list of the tasks and task descriptions are presented below.

- Task Series 100 – Project Management
- Task Series 200 – Regulatory Liaison, Permits, and Approvals
- Task Series 300 – Concepts Development and Evaluation
- Task Series 400 – Core Project Preliminary and Final Design
- Task Series 500 – Additional Project Elements Preliminary and Final Design (Management Reserve)
- Task Series 600 – Final Contract Documents
- Task Series 700 – Solids Building Improvements and Centrifuge Installation Bidding Administration
- Task Series 800 – Construction Phase Services
- Task Series 900 – Construction Phase Field Services
- Task 1000 – Commissioning and Close-out Services

Scope of Services

Task Series 100 – Project Management

Objective:

Provide project management activities over project duration, including planning, organizing and monitoring project team activities, preparing and monitoring bidding document production standards, attending meetings, budget management, and liaison with City.

ACTIVITY 101.1 ACTIVITY TEAM MANAGEMENT AND PROJECT CONTROL

- Budget and invoice management.
- Schedule monitoring and update for project development.
- Resource management and allocation based on project schedules and activities.
- Production coordination.
- Monthly progress report submitted to City with each payment request.

Key Understandings and Assumptions:

The following is understood or assumed:

- Work for this amendment will be completed by April 1, 2026. We have budgeted 21 hours for Project Management.
- Direct expenses incurred by engineering/office staff for travel, subsistence, printing, photocopying, and telephone conferences will be billed to City.

Task 1000 – Commissioning and Close-out Services

ACTIVITY 1001.2 ELECTRONIC O&M MANUAL UPDATE

Upgrade eOM Manual Software

HDR will provide technical support to upgrade the existing eOM system to the SharePoint software platform as the current platform is no longer supported. CDA will stand up a cloud-based Microsoft SharePoint site to house the new eOM manual. This new platform will require CDA to obtain an MS 360 on-line subscription for the server site. HDR's software deployment team will help CDA develop a new eOM on the SharePoint site. This site will house all eOM Manual information once created.

- HDR will provide technical guidance assisting CDA IT in creating the new SharePoint eOM manual site.

Move existing eOM data to new cloud-based server

After the eOM manual software is upgraded, HDR will stand up the new SharePoint eOM Manual on the new cloud-based server. HDR will assist CDA IT personnel in creating a copy of the current Legacy eOM Manual. This task will include assisting IT in obtaining copies of the following information:

- All SQL Server information pertaining to the eOM manual in Word format.
- A copy of the Uploads folder which houses all existing eOM Manual linked materials.

HDR will utilize this information to populate templates and import these templates into the new eOM manual housed on the MS cloud server.

HDR will develop navigational tools to match the existing legacy manual.

Key Understandings and Assumptions:

The following is understood or assumed:

- CDA IT will allow HDR to access the eOM manual servers as required to import the eOM content and supporting documents.
- There are no additional Software license or fees required for this work. CDA will obtain the MS 360 on-line subscription.
- New eOM manual training is included. Training will consist of a two-hour presentation for eOM users/developers and for IT personnel.
- No new content is provided in this upgrade other than new content developed for the Solids Improvements project.
- Owner and Consultant will work together to schedule the work effort including eOM Manual site creation, downloading and uploading of content to the required servers.
- During the upgrade process, the Owner will be able to view the progress of the project within their SharePoint platform.
- Owner will not be able to edit the eOM manual during the update process. These permissions must be controlled by Owners IT staff.
- Additional assistance updating the eOM manual content may be provided by the Consultant on a time and materials basis. This fee is in addition to the estimates below.
- Budget for this effort includes 20 hours of Senior Operations support, 268 hours of operations and EIT support, and 30 hours of Sharepoint IT support.

Compensation

Consultant's total compensation for professional services provided pursuant to this amendment, including labor and overhead costs and expenses, sub-consultant compensation, sub-consultant mark-up, and Consultant's additional fixed fee for services in Amendment No. 6 shall be **\$71,044.00** and the amended Total Fixed Fee shall be **\$1,872,349.36**

Total compensation for services in Amendment No. 6, shall be **\$71,044.00** and the total Agreement shall be amended not exceed **\$1,872,349.36** written authorization by City.

AMENDMENT NO. 6
to
PROFESSIONAL SERVICES AGREEMENT
Between
CITY OF COEUR D’ALENE and HDR ENGINEERING, INC.
For
SOLID HANDLING IMPROVEMENTS PROJECT

This Amendment to the Professional Services Agreement is made and entered into the 2nd day of December, 2025, between the City of Coeur d’Alene, Kootenai County, Idaho, a municipal corporation organized and existing under the laws of the state of Idaho, hereinafter referred to as the “City,” and HDR Engineering, Inc., a Nebraska corporation, with its principal place of business at 412 E. Parkcenter Blvd., Suite 100, Boise, Idaho 83706, hereinafter referred to as the “Consultant,” pursuant to the terms and conditions as set forth herein.

W I T N E S S E T H:

WHEREAS, the Consultant is available and is willing to provide personnel and services to prepare the final design elements, cost estimates, construction sequencing, plans and specifications, additional shop drawings, technical submittals, and additional programming and electronic operations and maintenance manual work for the Solids Handling Improvements Project as described herein within Amendment No. 6, and

WHEREAS, Section 10 of the Professional Services Agreement allows for modifications to the scope of services to be provided by the Consultant for additional reasonable compensation.

NOW, THEREFORE, in consideration of the terms, conditions and covenants of performance contained or incorporated herein, the City and the Consultant agree that the Professional Services Agreement entered into on the 18th day of August, 2020, and Amendment No. 1 – November 15, 2021, and Amendment No. 2 – July 5, 2022, and Amendment No. 3 – June 6, 2023, and Amendment No. 4 – October 15, 2024, and Amendment No. 5 – August 5, 2025, shall be amended as follows:

Section 1. Scope of Services

The scope of services is amended to include the scope of services, schedule, and compensation as described in Exhibit “A” hereto, entitled: Solids Handling Improvements Project at the Coeur d’Alene Advanced Wastewater Treatment Facility (AWTF) for the City of Coeur d’Alene, Idaho, Scope of Services, Schedule, and Compensation, Modified for Amendment No. 06 – November 14, 2025.

Section 2. Compensation

For services described in this Amendment, the Consultant's total compensation for professional services, including labor and overhead costs and expenses, sub-consultant compensation, and sub-consultant mark-up, shall be Seventy-one Thousand Forty-four and no/100 Dollars (\$71,044.00). This brings the total compensation under the Professional Services Agreement, Amendment No. 1, and Amendment No. 2, and Amendment No. 3, and Amendment No. 4, and Amendment No. 5 and Amendment No. 6 to One Million Eight Hundred Seventy-two Thousand Three Hundred forty-nine and 36/100 Dollars (\$1,872,349.36) for the Solids Handling Improvements Project.

CITY OF COEUR D'ALENE

HDR ENGINEERING, INC.

Woody McEvers, Mayor

Kate Eldridge, Vice President

ATTEST:

ATTEST:

Renata McLeod, City Clerk

Zelma Z. Miller, Department Accountant

OTHER BUSINESS

CITY COUNCIL MEETING STAFF REPORT

DATE: DECEMBER 2, 2025
FROM: RENATA MCLEOD, CITY CLERK/MUNICIPAL SERVICES DIRECTOR
RANDY ADAMS, CITY ATTORNEY/LEGAL SERVICES DIRECTOR
SUBJECT: CLARIFICATION TO MOTION ON INVOCATION SYSTEM

DECISION POINT: Should Council invocation system be modified to allow non-profit faith-based organizations within Kootenai County, instead of only within the City limits, to provide invocations at the City Council meetings?

HISTORY: In 2022, Council had several discussions regarding the continuance of the tradition of having an invocation at City Council meetings and determined to continue the tradition. At Council's June 7, 2022, meeting, discussion ensued regarding invocations and a motion was made and approved unanimously as follows: Motion by Gookin, seconded by Wood, to continue the custom of invocations before Council meetings by incorporating a lottery system and allowing all established churches within Kootenai County the opportunity to give an invocation. On July 27, 2022, Councilmember Wood and Gookin hosted a meeting with area members of the faith community to seek input. As a result of that meeting, additional guidance was proposed and, at the August 16, 2022, Council Meeting, Council approved a motion that the invocations guidelines would allow any non-profit faith-based organization within the City of Coeur d'Alene to provide the invocation, allowing for the single exception of the Coeur d'Alene Tribe which has a significant presence in the City.

Mayor-elect Dan Gookin has requested that Council have a discussion regarding the invocation limitation to non-profit faith-based organizations within the City limits as opposed to Kootenai County-wide applicants. Over the past year, the City received 12 qualified registrants, which resulted in needing to run the lottery twice and many applicants provided two invocations this year. The online lottery system is easy and efficient, and can allow for the option of allowing two invocations a year from organizations within the City or to open the system to organizations throughout Kootenai County. Additionally, the online, lottery system meets constitutional muster by not discriminating based on viewpoint.

The electronic registration will continue to be subject to the following guidelines, pursuant to legal precedent:

- Invocations may contain sectarian language---in other words, the prayer can be specific to a specific religion, faith, person, etc.
- An invocation may not seek to proselytize (convert) anyone.
- An invocation may not disparage other faiths.
- An invocation may not refer to punishment, secular or spiritual, for those with different beliefs.
- An invocation may not reflect partisanship or a political bias.
- The invocation will not be edited or approved by the City.

- Invocations should be solemn and respectful in tone.

FINANCIAL: There is no financial impact, other than IT staff time to amend the website registration, run an electronic lottery program, and staff time to publish the list.

DECISION POINT/RECOMMENDATION: Council should decide whether to approve or reject invocation guidelines that allow for non-profit faith-based organizations located within Kootenai County to perform invocations at the City Council meetings, rather than restricting invocations to organizations within the City limits.

MEMO TO COUNCIL

DATE: December 2, 2025
FROM: Renata McLeod, City Clerk
RE: November 4, 2025 Election: Canvass of Votes

In accordance with Idaho Code 50-412, the Canvass of Votes has been approved and distributed by the Kootenai County Clerk Jennifer Locke. The City must enter the canvass of votes into the Council Minutes. Therefore, the attached certified Canvass of Vote is presented for your information and placement into the meeting minutes.

Idaho Code: 50-412. CANVASSING VOTES — DETERMINING RESULTS OF ELECTION. The county commissioners, within ten (10) days following any election, shall meet for the purpose of canvassing the results of the election. Upon receipt of tabulation of votes prepared by the election judges and clerks, and the canvass as herein provided, the results of both shall be entered in the minutes of city council proceedings. Results of election shall be determined as follows: in the case of a single office to be filled, the candidate with the highest number of votes shall be declared elected; in the case where more than one (1) office is to be filled, that number of candidates receiving the highest number of votes, equal to the number of offices to be filled, shall be declared elected.

DECISION POINT/RECOMMENDATION: The City Council should accept the canvassed election results from the November 4, 2025 Election, as presented by Kootenai County, with the results being reflected in the minutes of this meeting.

Coeur d'Alene Mayor
Vote For 1

	Dan Cookin	Debbie Loffman	Woody McEvers	John Pulsipher	Over Votes	Under Votes	Total Registered Voters	Total Votes Cast
	NON	NON	NON	NON				
Precinct 205	0	0	0	0	0	0	1,573	0
Precinct 322	165	228	102	72	0	7	2,063	567
Precinct 401	99	147	83	49	0	0	1,318	378
Precinct 402	114	147	48	47	0	6	1,569	356
Precinct 403	182	132	103	52	1	5	1,836	449
Precinct 404	153	127	129	55	0	0	1,493	494
Precinct 405	151	106	119	78	0	1	1,742	454
Precinct 406	220	115	85	38	0	2	1,361	458
Precinct 407	219	113	126	38	0	2	1,532	496
Precinct 408	117	132	107	52	0	4	1,538	408
Precinct 409	129	132	141	46	0	3	1,413	448
Precinct 410	227	165	166	67	0	4	1,452	625
Precinct 411	130	106	88	50	0	1	1,455	374
Precinct 412	141	139	143	41	0	5	1,376	464
Precinct 413	107	95	111	40	0	5	1,603	353
Precinct 414	107	123	88	46	0	2	1,495	366
Precinct 415	115	101	100	47	0	2	1,385	363
Precinct 416	183	90	159	64	0	1	1,273	496
Precinct 417	171	112	157	47	1	6	1,483	487
Precinct 418	208	108	180	50	0	8	1,446	546
Precinct 419	184	109	157	48	0	1	1,416	498

Coeur d'Alene Mayor
Vote For 1

	Dan Cookin	Debbie Loffman	Woody McEvers	John Pulsipher	Over Votes	Under Votes	Total Registered Voters	Total Votes Cast
	NON	NON	NON	NON				
Precinct 420	103	88	102	40	0	1	1,320	333
Precinct 517	60	59	33	15	0	0	1,353	167
Precinct 520	0	0	0	0	0	0	1,583	0
Contest Total	3,265	2,674	2,527	1,084	2	66	35,847	9,550

Coeur d'Alene City Council Seat 2
Vote For 1

	Amy Evans NON	Jeff "Doc" Larson NON	Over Votes	Under Votes	Total Registered Voters	Total Votes Cast
Precinct 205	0	0	0	0	1,573	0
Precinct 322	233	279	0	82	2,063	512
Precinct 401	167	158	0	53	1,318	325
Precinct 402	152	161	0	49	1,569	313
Precinct 403	245	150	0	60	1,636	395
Precinct 404	247	178	0	39	1,483	425
Precinct 405	227	179	1	48	1,742	406
Precinct 406	215	186	0	59	1,361	401
Precinct 407	298	153	0	49	1,532	449
Precinct 408	217	164	0	31	1,538	381
Precinct 409	252	167	0	32	1,413	419
Precinct 410	326	235	0	68	1,452	561
Precinct 411	208	137	0	32	1,455	343
Precinct 412	254	160	0	55	1,375	414
Precinct 413	193	118	0	47	1,603	311
Precinct 414	188	142	0	38	1,495	330
Precinct 415	193	133	0	39	1,355	326
Precinct 416	330	137	0	30	1,273	467
Precinct 417	314	133	0	47	1,483	447
Precinct 418	380	137	0	37	1,446	517
Precinct 419	339	133	0	27	1,416	472

Coeur d'Alene City Council Seat 2
Vote For 1

	Amy Evans NON	Jeff "Doc" Larson NON	Over Votes	Under Votes	Total Registered Voters	Total Votes Cast
Precinct 420	186	108	0	31	1,320	303
Precinct 517	89	59	0	19	1,353	148
Precinct 520	0	0	0	0	1,583	0
Contest Total	5,258	3,407	1	952	35,847	8,665

Coeur d'Alene City Council Seat 6
Vote For 1

	Bill Brooks	JD Ciaridge	Kiki Miller	Over Votes	Under Votes	Total Registered Voters	Total Votes Cast
	NON	NON	NON				
Precinct 205	0	0	0	0	0	1,573	0
Precinct 322	64	282	207	0	21	2,063	553
Precinct 401	45	181	149	0	3	1,318	375
Precinct 402	44	179	132	0	7	1,569	355
Precinct 403	46	172	232	0	5	1,636	450
Precinct 404	55	174	229	0	7	1,483	457
Precinct 405	54	187	205	0	9	1,742	446
Precinct 406	59	191	198	0	12	1,381	448
Precinct 407	67	144	275	0	12	1,532	486
Precinct 408	66	156	182	0	8	1,538	404
Precinct 409	64	178	198	1	10	1,413	440
Precinct 410	83	197	327	0	22	1,452	907
Precinct 411	66	127	175	0	7	1,455	368
Precinct 412	49	178	226	0	16	1,375	453
Precinct 413	58	123	157	1	19	1,603	338
Precinct 414	56	137	161	0	14	1,495	354
Precinct 415	45	128	181	0	11	1,385	354
Precinct 416	65	114	308	0	10	1,273	487
Precinct 417	53	127	294	0	20	1,483	474
Precinct 418	58	122	358	0	16	1,446	538
Precinct 419	52	124	318	0	5	1,416	494

Coeur d'Alene City Council Seat 6
Vote For 1

	Bill Brooks	JD Ciaridge	Kiki Miller	Over Votes	Under Votes	Total Registered Voters	Total Votes Cast
	NON	NON	NON				
Precinct 420	41	97	190	1	5	1,320	328
Precinct 517	27	72	61	0	7	1,353	160
Precinct 520	0	0	0	0	0	1,583	0
Contest Total	1,217	3,390	4,762	3	246	35,847	9,369

**CITY COUNCIL
STAFF REPORT**

DATE: DECEMBER 2, 2025
FROM: SHERRIE BADERTSCHER, COMMUNITY DEVELOPMENT SPECIALIST
HILARY PATTERSON, COMMUNITY PLANNING DIRECTOR
SUBJECT: APPROVE THE HISTORIC PRESERVATION PROGRAMMATIC AGREEMENT
FOR CDBG PROJECTS

DECISION POINT: Should the City Council approve the Part 50/58 Programmatic Agreement (PA) related to Section 106 Historic Preservation compliance with the U.S. Department of Housing and Urban Development (HUD)?

HISTORY: The City of Coeur d'Alene receives an annual direct allocation of CDBG funds from HUD's Community Development Block Grant (CDBG). HUD requires compliance with the National Environmental Policy Act (NEPA) and an Environmental Review (ER) must be completed before any project funds may be committed or spent. The purpose of the ER is to protect both the natural environment and the environmental health and safety of those assisted with grant funds. As part of the ER, the Idaho State Historic Preservation Officer (SHPO) must be consulted on projects not exempt from review. HUD and Responsible Entities in the State of Idaho have participated in the development of the Programmatic Agreement (PA) and have determined that the development of a single PA for all HUD Programs in the state of Idaho would foster consistency and efficiency in activities which have minimal or no potential to adversely affect historic properties.

PERFORMANCE ANALYSIS: Approving the PA will streamline the ER process in regard to Historic Preservation consultation for the CDBG program which currently can take up to 30 days. By being a signatory on the PA, staff will be able to complete environmental reviews more quickly and commit funds to projects in a more timely matter for projects listed in the PA's Appendix A, Excluded Activities. Most of the projects in the City's popular Emergency Minor Home Repair and Accessibility Improvement Program (EMRAP) are listed as excluded activities in the PA. Staff presented the PA to the City's Historic Preservation Commission on November 12, receiving support from Commissioners, and conducted outreach to Kootenai County Historic Preservation Commission, Coeur d'Alene Tribe, and the Museum of North Idaho.

FINANCIAL ANALYSIS: Approving the PA will have no direct financial impact yet will allow staff to spend less time on the environmental review process and more time managing the projects themselves.

DECISION POINT/ RECOMMENDATION: The City Council should approve the Programmatic Agreement between HUD, SHPO, General Local Governments acting as Responsible Entities, and the Advisory Council on Historic Preservation for Review of HUD-Assisted Projects and Programs Subject to 24 CFR Part 50 and Part 58 in the State of Idaho.

RESOLUTION NO. 25-069

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE PROGRAMMATIC AGREEMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), THE IDAHO STATE HISTORIC PRESERVATION OFFICE (SHPO), GENERAL LOCAL GOVERNMENTS ACTING AS RESPONSIBLE ENTITIES, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS.

WHEREAS, the Community Development Specialist of the City of Coeur d'Alene has recommended that the City of Coeur d'Alene enter into a Programmatic Agreement with the U.S. Department of Housing and Urban Development (HUD), the Idaho State Historic Preservation Office (SHPO), General Local Governments acting as Responsible Entities, and the Advisory Council on Historic Preservation for review of HUD-assisted projects and programs subject to 24 CFR Part 50 and Part 58 in the State of Idaho, pursuant to terms and conditions set forth in an Agreement, a copy of which is attached hereto as Exhibit "1" and by reference made a part hereof; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to enter into such Agreement.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City enter into a Programmatic Agreement, in substantially the form attached hereto as Exhibit "1" and incorporated herein by reference with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said Agreement to the extent the substantive provisions of the Agreement remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such Agreement on behalf of the City.

DATED this 2nd day of December, 2025.

Woody McEvers, Mayor

ATTEST:

Renata McLeod, City Clerk

Motion by , Seconded by , to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER WOOD Voted

COUNCIL MEMBER GABRIEL Voted

COUNCIL MEMBER GOOKIN Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER ENGLISH Voted

was absent. Motion .

PROGRAMMATIC AGREEMENT
 among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
 and
THE IDAHO STATE HISTORIC PRESERVATION OFFICER
 and
CERTAIN IDAHO UNITS OF STATE AND GENERAL LOCAL GOVERNMENT
ACTING AS RESPONSIBLE ENTITIES
 and
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
 for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
 in
THE STATE OF IDAHO

WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) through various offices, including the Offices of the Assistant Secretaries for Housing—Federal Housing Commissioner (Housing), Public and Indian Housing (PIH), Community Planning and Development (CPD), and Office of Lead Hazard Control and Healthy Homes (OLHCHH) provides grant funding, mortgage insurance and other assistance (“HUD Programs”) to a range of entities within the State of Idaho; and

WHEREAS, HUD Programs are authorized by various statutes that require environmental compliance under one of two HUD environmental regulations, 24 CFR Part 50 or 24 CFR Part 58; and

WHEREAS, 24 CFR Part 50 requires HUD program officials to conduct environmental review of the activities it proposes to assist and ensure compliance with Section 106 of the National Historic Preservation Act of 1966 (hereinafter NHPA; 54 U.S.C. § 306108), and its implementing regulations 36 CFR Part 800; and

WHEREAS, HUD has the legal responsibility to defend the process and outcomes of the Section 106 review of individual undertakings subject to 24 CFR Part 50 before a court of law; and

WHEREAS, HUD programs that are subject to Part 50 include, but are not limited to: mortgage insurance per Sections 203(b), 207, 211, 213, 220, 221(d)(3), 221(d)(4), 223(a)(7), 223(f), 231, 232, 241(a) and 242 of the National Housing Act of 1934, Section 202 of the Housing Act of 1959, Section 811 of the Cranston-Gonzalez National Affordable Housing Act of 1990; Project Based Rental Assistance Renewal and Transfer programs; Rental Assistance Demonstration Programs, HUD administered programs under the American Recovery and Investment Act of 2009 that require accelerated processing timelines; programs authorized by the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*) (other than title VIII) or section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a) when the tribe declines Part 58 assumption authority; and projects subject to Part 58 where

the Responsible Entities (RE) does not have the capacity, or where HUD takes over the environmental review as per 24 CFR 58.11; and

WHEREAS, 24 CFR Part 58 authorizes over 3,000 State, local and tribal governments to assume HUD's environmental compliance responsibilities as Responsible Entities, including obligations as agency official under Section 106 of the NHPA and its implementing regulations 36 CFR Part 800, and the state of Idaho and certain units of general local government in the state of Idaho have assumed those responsibilities for the projects and programs included in this Programmatic Agreement (PA); and

WHEREAS, Participating REs have the legal responsibility to defend the process and outcomes of the Section 106 review of individual undertakings subject to 24 CFR Part 58 before a court of law; and

WHEREAS, HUD programs that are subject to Part 58 include, but are not limited to: the Community Development Block Grant (CDBG) Program, under Title I of the Housing and Community Development Act of 1974, as amended; Community Development Block Grant - Disaster Recovery (CDBG-DR) and Community Development Block Grant - Coronavirus (CDBG-CV) under various acts including the Disaster Relief Appropriations Act of 2013, Further Continuing and Security Assistance Appropriations Act, 2017, Consolidated Appropriations Act, 2017, Continuing Appropriations Act, 2018; Supplemental Appropriations for Disaster Relief Requirements Act, 2017, Bipartisan Budget Act of 2018, Additional Supplemental Appropriations for Disaster Relief Act, 2019; Coronavirus Aid, Relief, and Economic Security (CARES) Act; HOME Investment Partnerships (HOME) Program, under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990 (HOME Investment Partnership Act); Emergency Solutions Shelter Grant (ESG) Program and Continuum of Care (CoC) Program, under Subtitles B and C, respectively, of Title IV of the Stewart B. McKinney-Vento Homeless Assistance Act; Housing Opportunities for Persons with AIDS (HOPWA) program, under the AIDS Housing Opportunity Act, as amended by the Housing and Community Development Act of 1992; and Projects financed with competitive awards of Supportive Housing Program (SHP) funds, under former Title IV, subtitle C, of the Stewart B. McKinney-Vento Act; Self-Help Homeownership Opportunity Program (SHOP) under Section 11 of the Housing Opportunity Program Extension Act of 1996; and the Neighborhood Stabilization Program (NSP) established under the Housing and Economic Recovery Act of 2008 (P.L. 110-289) (HERA) and continued under the American Recovery and Reinvestment Act of 2009 (P.L. 111-005) (Recovery Act) and the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L. 111-203) (Dodd-Frank); public housing and the Project-based Voucher Program under title 1 of the United States Housing Act of 1937; the Indian Community Development Block Grant (ICDBG) under the Housing and Community Development Act of 1974, as amended; the Indian Housing Block Grant (IHBG) Program under the Native American Housing and Self Determination Act of 1996 (NAHASDA); loan guarantees for Indian housing under Section 184 of the Housing and Community Development Act of 1992; the Risk Share Program under Section 542(c) of the Housing and Community Development Act of 1992; and other programs that may be authorized from time to time with activities of a similar nature to those covered under this agreement; and

WHEREAS, HUD program officials and Responsible Entities review activities that include, but are not limited to, acquisition, leasing, repair, rehabilitation, improvement, demolition, conversion, new construction, lead hazard reduction, accessibility improvements, land-banking, and disposition of

residential and non-residential properties, streetscape and landscape improvements, and infrastructure repair, replacement and new construction, each of which is an undertaking (Undertaking) as defined pursuant to 36 C.F.R. 800.16(y); and

WHEREAS, the implementation of HUD Programs may have an effect upon properties listed in or eligible for listing in the National Register of Historic Places (National Register); and

WHEREAS, many HUD-assisted activities have minimal or no potential to adversely affect historic properties; and

WHEREAS, HUD, through its Office of Environment and Energy, may coordinate development of a statewide PA on behalf of itself and participating Responsible Entities that covers undertakings subject to 24 CFR Part 50 and 24 CFR Part 58.; and

WHEREAS, HUD and Responsible Entities in the State of Idaho have participated in development of the PA and, pursuant to 36 CFR 800.14(b)(2), have determined that development of a single PA for all HUD Programs in the state of Idaho would foster consistency and efficiency in review of undertakings unlikely to cause adverse effects and allow more time for consideration of projects with a potential for adverse effects; and

WHEREAS, HUD, the Responsible Entities, and State Historic Preservation Office (SHPO) agree that when the PA would supersede a previously executed programmatic agreement that addressed only Part 58 or Part 50 programs, they will amend the previous programmatic agreement to expire on the date this PA becomes effective. This commitment does not apply to HUD Addendum agreements to the FEMA PA for Presidentially declared disasters; and

WHEREAS, HUD, on behalf of itself and participating Responsible Entities, has invited, by email correspondence to the tribal leadership and Tribal Historic Preservation Officer, when available, the 11 Federally recognized tribes listed in Appendix E to consult in the development of this PA, in recognition of the unique government-to-government relationship between the Federal government and federally-recognized Indian tribes, and all those tribes who participated in the consultation to develop this Agreement are invited to be concurring parties; and no tribes accepted the invitation to participate in this PA; and

WHEREAS, this PA is not applicable to undertakings located on or affecting historic properties on tribal lands; and

WHEREAS, HUD and Responsible Entities will continue to conduct outreach and will actively seek and request the comments and participation of Indian tribes that attach religious and cultural significance to historic properties that may be affected by undertakings assisted under the terms of this PA; and

WHEREAS, HUD and the participating Responsible Entities acknowledge that Indian tribes possess special expertise in assessing the National Register eligibility of properties with religious and cultural significance to them; and

WHEREAS, HUD, on behalf of itself and participating Responsible Entities, has invited 11 Federally recognized interested Tribes, the State of Idaho, the Idaho Housing Finance Association (IHFA), and forty Certified Local Governments (CLG), as listed in Appendix E, to consult in the development of this draft PA, and the IHFA and 7 CLGs accepted , 1 CLG declined, and the State, remaining CLGs and Tribes did not respond to the invitation to participate and consult in development of this PA; and

WHEREAS, HUD, on behalf of itself and participating Responsible Entities, has invited the public to review and comment on the draft PA via legal notices published in local newspapers from December 2022 through February 2023, with 30-day public comment periods, taking into account the nature and complexity of the undertaking and its effects on historic properties, and the likely interest of the public in the undertaking and received no comments; and

WHEREAS, the Advisory Council on Historic Preservation (ACHP) issued in 1995 and revised in 2006 a "Policy Statement on Affordable Housing and Historic Preservation" that addresses implementation principles for Section 106 compliance, and those principles have been utilized in developing this PA; and

WHEREAS, in accordance with 36 C.F.R. § 800.14(b)(2), HUD, on behalf of itself and participating Responsible Entities, has notified the ACHP and invited the ACHP to participate in the development of this PA and the ACHP is participating; and

NOW, THEREFORE, HUD and the participating Responsible Entities, SHPO, and ACHP agree that HUD PIH, CPD, OHHLHC and Housing Programs in the State of Idaho shall be administered in accordance with the following stipulations in order to take into account the effects of these undertakings on historic properties and satisfy Section 106 responsibilities.

STIPULATIONS

HUD and the participating Responsible Entities shall ensure the following:

I. ROLES AND RESPONSIBILITIES OF HUD AND RESPONSIBLE ENTITIES (REs)

The HUD official and participating Responsible Entity's Certifying Officer shall serve as Agency Official for the review of undertakings subject to their jurisdiction. Where "Agency Official" is used throughout the PA, it refers to the HUD official or Responsible Entity's Certifying Officer that has assumed the role of Agency Official for purposes of Section 106. A chart in Appendix D indicates whether 24 CFR Part 50 or 24 CFR Part 58 applies to the HUD programs listed in the chart.

A. HUD

1. HUD, through its Office of Environment and Energy in CPD, shall coordinate the initial execution of the PA and subsequent execution by additional Responsible Entities, and coordinate amendments to the PA.
2. HUD, through its Office of Environment and Energy, shall conduct statewide consultation about the PA among ACHP, Responsible Entities, SHPO, federally recognized Indian tribes, interested statewide groups and the public.
3. HUD program staff shall serve as Agency Official for conducting Section 106 review of individual undertakings subject to 24 CFR Part 50.
4. HUD shall not have the legal responsibility to represent or defend the process and outcomes of the Section 106 review of individual undertakings subject to 24 CFR Part 58 before a court of law. That responsibility is assumed by the Responsible Entity under 24 CFR Part 58.
5. If HUD receives undertaking-specific complaints regarding a Responsible Entity's implementation of Stipulations II-IX of this PA, HUD will follow agency policy described at 24 CFR 58.77(b) by referring all such inquiries and complaints to the Responsible Entity and its Certifying Officer and consider such comments in HUD's established agency-wide and program-specific risk-assessment and monitoring procedures. As appropriate, HUD may provide technical assistance to help the RE fulfill its responsibilities under this PA.

B. State Historic Preservation Office (SHPO)

1. The State Historic Preservation Office (SHPO) reflects the interests of the State and its citizens in the identification and preservation of their cultural heritage.
2. The SHPO advises and assists HUD in carrying out its Section 106 responsibilities and cooperates with HUD, local governments, as well as interested organizations and individuals, to ensure that historic properties are taken into consideration during federal project planning and development.

C. Responsible Entities (REs)

1. The Certifying Officer of a Responsible Entity that has assumed HUD's environmental review responsibilities as provided by 24 CFR 58.4 and signed this PA shall conduct the Section 106 review in accordance with this PA as the Agency Official.

2. REs that are not initial Signatories to the PA may sign and use the PA after its initial execution by following the adoption protocol found at Appendix C and executing a Signatory page.
3. Participating REs shall not have the legal responsibility to represent or defend the process and outcomes of the Section 106 review of individual undertakings subject to 24 CFR Part 50 before a court of law, including those that are located within their geographic jurisdiction. That responsibility is assumed by HUD under 24 CFR Part 50.

C. Designation of Lead Agency Official in HUD-assisted Projects

1. If a project includes assistance subject to 24 CFR Part 58 and Part 50, the two (or more) Agency Officials may agree to have one Agency Official serve as the lead Agency Official and complete one Section 106 review on behalf of both entities. If the Lead Agency Official is a signatory to the PA, they may use the provisions of the PA for the review. The Agency Officials shall document the lead agency PA in writing and share it with consulting parties.

D. Adoption of Another Federal Agency's Review

1. If a Federal agency or other entity acting under another Federal program has previously completed a Section 106 review and approved an Undertaking within the past five (5) years, the Agency Official has no obligation to complete a Section 106 review regarding that same Undertaking, provided that the Agency Official:
 - a. Adopts the findings and determinations of the previous Section 106 review;
 - b. Confirms that the scope and effect, as defined by 36 C.F.R. § 800.16(i), and the area of potential effects of its Undertaking are the same as the scope and effect and the area of potential effects of the previously reviewed Undertaking;
 - c. Determines that the previous review was completed in compliance with Section 106, and any existing applicable program alternatives;
 - d. Documents its findings and determinations in the HUD Environmental Review Online System (HEROS) or other administrative record and confirms in the record that all requirements of Section 106 for the Undertaking have been satisfied. If the Agency Official, in consultation with the SHPO, determines that the previous Section 106 review was insufficient or involved interagency disagreements about eligibility, effect, and/or resolution, the Agency Official shall conduct a new Section 106 review in accordance with the Stipulations of this PA.

E. Delegation to HUD Applicants or Lenders to Initiate Section 106 Consultation

1. HUD, through the Office of Environment and Energy (OEE), may authorize applicants to initiate consultation with SHPO pursuant to 36 CFR 800.2(c)(4).
2. OEE has issued a [Delegation Memo](#) that authorizes certain approved lenders applying for Federal Housing Administration (FHA) financing to initiate consultation with SHPO. Lenders must follow the requirements of the memo and may use the provisions of this PA, including Exclusions in Stipulation II and Appendix A. If the memo expires, it can no longer be used.
3. When required, HUD must conduct consultation with tribes; this cannot be delegated to lenders.

II. ACTIVITIES NOT REQUIRING REVIEW

The following types of activities have little or no potential to adversely affect historic properties and are excluded from further review under Section 106. To document and conclude the review, the Agency Official shall note in HEROS or other administrative record the applicability of one or more of the Exclusions. For the purposes of this PA, single-family residential structures are defined as one-unit.

- A. Activities that are Excluded and/or Categorically Excluded and not subject to related laws under [24 CFR 50.19\(b\)](#) when the HUD official is the Agency Official because these are generally administrative or service activities and do not physically impact a site.
- B. Activities that are Excluded under [24 CFR 58.34](#) and/or Categorically Excluded and not subject to related laws under [24 CFR 58.35\(b\)](#) when the RE's Certifying Officer is the Agency Official because they are generally administrative or service activities that do not impact a physical site.
- C. Refinancing without demolition, rehabilitation or new construction, and no physical activities beyond maintenance as defined in HUD Notice [CPD-16-02](#), "Guidance for Categorizing an Activity as Maintenance for Compliance with HUD Environmental Regulations, 24 CFR Parts 50 and 58"
- D. Leasing without demolition, rehabilitation or construction, and no physical activities beyond maintenance as defined in HUD Notice [CPD-16-02](#), "Guidance for Categorizing an Activity as Maintenance for Compliance with HUD Environmental Regulations, 24 CFR Parts 50 and 58".
- E. Undertakings without ground disturbance that involve properties, including mobile homes, that are less than 45 years old, unless the property is located within or adjacent to a NRHP or locally listed historic district, or in an area that consists primarily of buildings that were constructed more than 45 years ago, or could meet National Register Criterion Consideration G as being of exceptional significance.
- F. Undertakings that are limited to the interior rehabilitation or modification of interior spaces within single family (1 unit) or duplex (2 units) residential structures, where such work will not be clearly visible from the exterior of the structure.
- G. Undertakings consisting solely of activities listed in Appendix A Excluded Activities.

III. STANDARD SECTION 106 REVIEW OF PROJECTS NOT EXCLUDED IN STIPULATION II

For all projects with activities that do NOT meet the criteria in Stipulation II, the Agency Official shall conduct reviews in accordance with Subpart B of [36 CFR 800](#) and Stipulations IV through IX of this PA, which provide additional guidance on meeting Subpart B in review of HUD-assisted projects.

IV. IDENTIFICATION AND EVALUATION OF HISTORIC PROPERTIES

- A. The Agency Official shall define and document the Area of Potential Effects (APE) and identify historic properties within the APE that may be directly or indirectly affected by the project. If contractors or subcontractors are utilized, they must meet the appropriate SOI qualified professional qualifications. For purposes of this PA, when an Undertaking consists solely of the rehabilitation of the interior features of an individual building, the APE will be limited to the individual building and parcel. For each Undertaking, the Agency Official shall review existing information, including the records of the SHPO, to determine if any historic properties are

located within the APE, including properties listed in or eligible for listing in the National Register individually or as contributing elements of a historic district, properties with a Determination of Eligibility (DOE) from the Secretary of the Interior (SOI), properties determined eligible for the National Register through a previous Section 106 review, or properties designated in state SHPO and local historic survey and inventory records. For any properties in the APE that have not been listed or previously determined eligible for listing in the National Register, the Agency Official shall make a recommendation on NRHP-eligibility and effect finding and forward the information to the SHPO. The Official must evaluate properties in the APE that are forty- five (45) years old or older to determine if they are eligible for the National Register, and offer the SHPO, consulting tribes and other consulting parties the opportunity to review and comment on this evaluation and determination of eligibility per 36 CFR 800.4(c)

- B. The Agency Official shall use HUD Notice CPD-12-006 and the May 5, 2015, HUD policy memo that adopts the Notice for Part 50 reviews for guidance on when and how to consult with Indian tribes and NHOs about sites of religious and cultural significance to tribes, including archeological sites that may be considered historic properties.

V. DOCUMENTATION

- A. Documentation required for consultation per the provisions of this PA shall meet the requirements in 36 CFR § 800.11 and may include but may not be limited to: written descriptions of the project and affected historic properties (if any); project plans; reports demonstrating that properties are eligible (or not) for listing in the National Register; evaluations of effect; alternatives analysis; maps showing specific project locations and APEs; and, clear photographs.
- B. All documentation generated for review purposes under the terms of this PA shall meet the state of Idaho's requirements (see the latest edition of Consulting with the Idaho State Historic Preservation Office).

VI. TIMEFRAMES

- A. The SHPO shall have 30 days to review and respond to an adequately documented request for comment and concurrence on a finding or determination. If the SHPO does not respond within 30 days of receipt of the request for concurrence, the consultation shall be considered complete. If the SHPO later reenters the consultation, the Agency Official may continue the consultation without being required to reconsider previous findings or recommendations.
- B. If the SHPO requests additional or missing information in order to meet documentation requirements under V. above, SHPO shall have thirty (30) days from receipt of the additional information to respond.
- C. When findings are submitted to the SHPO, the Agency Official shall also circulate the findings to consulting parties for comment or objection within 30 days.

VII. CONSULTING PARTIES AND PUBLIC INVOLVEMENT

- A. The Agency Official shall identify and invite the participation of consulting parties and the public as appropriate to the scale of the undertaking and the scope of Federal involvement. Projects with anticipated adverse effects and/or controversial projects will likely warrant broader consultation. Parties that may have a consultative role in the Section 106 process include but are not limited to the following: Federally recognized Indian tribes; Tribal Historic Preservation Officers; representatives of local governments; county and municipal historic preservation

commissions including those established under the Certified Local Governments (CLG) program; local residents' groups; and applicants for federal assistance. The Agency Official shall also identify and invite the participation of other consulting parties, defined as those individuals and organizations with a demonstrated interest due to the nature of their legal or economic relation to the undertaking, or their concern for the undertaking's effects on historic properties; and, Other consulting parties can include: county and municipal historic preservation commissions, including those established under the Certified Local Governments (CLG) program; local residents groups; neighborhood associations; and other similar organizations.

- B. The Agency Official shall identify and invite the participation of the public as appropriate to the scale of the undertaking and the scope of Federal involvement. Projects with anticipated adverse effects and/or controversial projects may warrant broader consultation.
- C. The Agency Official shall follow HUD Notice CPD-12-006 "Process for Tribal Consultation in Projects That Are Reviewed Under 24 CFR Part 58" and the May 5, 2015, HUD policy memo that adopts the Notice for Part 50 reviews.
- D. If an undertaking may adversely affect a National Historic Landmark, the Agency Official shall request the ACHP and the Secretary of the Interior to participate in consultation to resolve any adverse effects, as outlined in 36 CFR § 800.10.

VIII. POST REVIEW DISCOVERIES

If, during the implementation of an undertaking, a previously unidentified property that may be eligible for inclusion in the National Register is encountered, or a known historic property may be affected in an unanticipated manner, the Agency Official shall follow 36 C.F.R. § 800.13(b).

- A. In the event that previously unidentified archeological sites or human remains are discovered during project construction, that portion of the project shall stop work immediately, and the project manager shall take appropriate steps to secure the site immediately and shall notify the Agency Official within 48 hours. The Agency Official shall immediately notify the SHPO/THPO, Tribes, and other relevant consulting parties including descendent communities.
- B. If human remains are discovered, they shall be respectfully covered over and protected. The project manager shall notify the Agency Official, SHPO, THPO, and other consulting party signatories. In addition, the project manager shall immediately notify local and/or state law enforcement authorities including medical examiner, coroner, state police, etc., pursuant to Title 27 Chapter 5 of the Idaho State Statute (Idaho Code § 27-501 through § 27-504).
- C. The Agency Official shall consult with the SHPO, THPO and Tribes or other descendent community representatives to determine if the discovered site appears eligible for the National Register. If it appears eligible, the Agency Official shall submit a treatment plan for the avoidance, protection, information recovery, or destruction without data recovery to the SHPO for review and comment. The treatment plan shall be consistent with the ACHP's Section 106 Archaeology Guidance and in consultation with the Idaho State Historic Preservation Office. If human remains may be or are discovered, the identification and treatment plan shall be informed by the principles within the ACHP's 2023 Policy Statement on Burial Sites, Human Remains and Funerary Objects, including appropriate consultation with descendent communities. Avoidance and preservation in place is the preferred option for treating human remains.
- D. The Agency Official shall notify relevant consulting parties of the unanticipated discovery and

provide the proposed treatment plan for their comment. Construction work in the area of the discovery shall not continue until the plan has been accepted by SHPO/THPO and implemented. If objections to proposed treatment plans cannot be resolved the ACHP shall be consulted as per Stipulation XI.

- E. All human burial sites in the state of Idaho are protected under [local/state law § 27-502 and § 27-503], and any undertaking that may affect a human burial site shall comply with provisions of [local/state law§ 27-502 and § 27-503], the terms of this PA notwithstanding.

IX. DISASTERS AND EMERGENCY REVIEW PROCEDURES

The Agency Official from time to time may review undertakings in response to disasters, including, but not limited to, floods, tornadoes, earthquakes, windstorms, fires, and public health emergencies.

A. Exclusions from Review

- 1. Immediate rescue and salvage operations conducted to save life or property are Excluded from Section 106 review requirements per 36 C.F.R. § 800.12(d).

B. Expedited Review

- 1. During operations which respond to a disaster or emergency situation declared by the President, a tribal government, or the Governor of a State, or which respond to other immediate threats to life or property, the Agency Official may conduct expedited reviews of emergency undertakings that occur within 30 days of the disaster declaration or within 30 days of the completion of emergency event pursuant to 36 C.F.R. § 800.12(b). SHPO shall respond to a request for comment within 7 days or within 30 days of the completion of emergency event. If a disaster is declared by an RE's chief executive officer or legislative body under 36 C.F.R. § 800.12(c), the Agency Official may follow the same process, unless the ACHP or SHPO objects to the action within the 7 days.
- 2. Should the Agency Official determine that it is necessary to extend the expedited review period for emergency undertakings beyond 30 days, the Agency Official may request an extension in writing from ACHP and notify SHPO and participating Tribe(s).

C. Review Under Separate Programmatic Agreement for Disasters

- 1. An RE with an executed and valid programmatic agreement for CDBG-DR funds or a HUD Addendum to the FEMA PA for Idaho for disaster recovery activities may use the provisions of that agreement and successor agreements to expedite review of undertakings that respond to Presidentially declared disasters.

X. MONITORING, REPORTING, AND TRAINING

- A. The Agency Official shall provide the signatory parties with an Annual Report in February of each year summarizing all projects that were reviewed under this PA, notify signatory parties of any programs that may have been authorized during the reporting period, and whether undertakings covered by newly authorized programs are activities compatible (or not) with the PA, and if requested by the signatory party, shall schedule a meeting with them to discuss the Report. Data for the Annual Report may be derived from HEROS.

B. This Annual Report shall include:

1. A list of projects that used the Exclusions in Stipulation II and Appendix A of the PA to conclude Section 106 without further consultation, categorized by street address (or name) and town, city, etc. and Exclusions used.
2. A summary of updates amendments made to Appendix D Chart of Program Applicability, if any.
3. A summary of staff and consultant training held.
4. A summary of staff and consultant training proposed for the following year.
5. A summary of the views of the Agency Official or Responsible Entity regarding the effectiveness of the PA and suggestions for additional actions that could be considered for inclusion in the Excluded Activities list.

C. Upon a written request from one or more of the Signatories of the PA or once a year, HUD will conduct training workshops, or webinars to assist Agency Officials, Recipients, and consultants to understand the technical requirements of the PA. The SHPO will participate in the training workshops or webinars at the request of HUD, as available.

XI. DISPUTE RESOLUTION

At any time during the implementation of the measures stipulated in this PA, should an objection to any measure or manner of implementation be raised by a consulting party or a member of the public, the Agency Official shall take the objection into account and consult with the objecting party and the SHPO to resolve the issue.

- A. The Agency Official shall represent itself in all matters of dispute resolution that pertain specifically to this PA.
- B. The responsibilities of the signatories to carry out all other actions subject to the terms of this PA that are not the subject of the dispute shall remain in effect.
- C. If the Agency Official determines that the objection cannot be resolved, they shall forward all documentation relevant to the dispute to the ACHP and request their recommendations or comments. The Agency Official shall take into account the ACHP's recommendations or formal comments in reaching a final decision regarding the dispute.
- D. If the ACHP does not provide its advice regarding the dispute within 30 days, the Agency Official may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the Agency Official shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the PA and provide them and the ACHP with a copy of such written response.

XII. AMENDMENTS

- A. Any signatory party may submit a written request to HUD, through its Office of Environment and Energy in CPD, that this PA be amended. HUD will notify the other signatories and consult with them. With the exception of requests made under XII.B. below, amendments shall only be considered if requested in writing and must be approved in writing by all signatory parties that are participating in the PA at the time.
- B. Appendix A Excluded Activities may be updated without requiring an amendment to the body of this PA at the request of an Agency Official who is a Signatory to the PA. HUD, on its own behalf or on behalf of another Signatory, shall notify the Signatories of the intent to modify Appendix A and shall provide a draft of the updated Appendix to all signatory parties. If no other Signatory objects in writing within 30 days of receipt of the proposed modification, HUD shall date and sign the amended Appendix and provide a copy of the amended Appendix to the other Signatories. Such an amended Appendix A shall go into effect on the date HUD transmits the amended Appendix to the other Signatories. If a Signatory objects to the proposed amendment to Appendix A, HUD shall continue consultation to reach consensus, and if not resolved, the amendment shall not be implemented.

XIII. TERMINATION

- A. A signatory may terminate their participation in this PA by providing written notice describing the reason(s) for termination to the other parties. If the SHPO or ACHP terminates, the PA with all Agency Officials is terminated. If a Responsible Entity Agency Official terminates, the PA is terminated only for activities subject to that Agency Official's Section 106 review under 24 CFR Part 58 and remains in effect for other participating Agency Officials. If HUD, represented by the Assistant Secretary for Community Planning and Development, terminates, the PA is terminated only for activities subject to HUD's Section 106 review under 24 CFR Part 50 in Idaho, and remains in effect for other participating Agency Officials' activities under 24 CFR Part 58.
- B. This PA shall remain in effect for at least 30 days from the receipt of notice to terminate. The Office of Environment and Energy in CPD, the SHPO, the Agency Official, and the ACHP shall consult prior to actual termination to resolve the written reasons for termination and if possible, to amend the PA accordingly or seek other actions that would prevent termination.
- C. In the event that an Agency Official terminates their participation in this PA and prior to work continuing on any Undertaking, the Agency Official shall comply with 36 CFR Part 800 for all undertakings that would have been subject to this PA.

XIV. DURATION

- A. This PA shall remain in force for ten years from the date that the ACHP signs the PA, unless it is terminated or superseded by another PA.
- B. This PA may be terminated by the execution of a subsequent PA pursuant to 36 CFR § 800.14(b) that explicitly terminates or supersedes this PA.
- C. Within six months prior to the expiration of this PA, the SHPO, ACHP, and Agency Officials who are signatory parties to the PA at that time shall consult to consider terms for a new PA,

extension, and/or amendment of the terms of the existing PA, or allow the PA to expire.

- D. The signatories may agree to extend this PA to cover additional calendar years, or portions thereof, through an amendment in accordance with Stipulation XII.A, provided that the original PA has not expired.

XV. EXECUTION AND IMPLEMENTATION

This PA may be executed in counterparts, each with separate signature pages. After signature by HUD, SHPO, the initial participating Responsible Entities, and the ACHP, the PA will become effective on the date it is signed by the ACHP. Responsible Entities that sign later must follow the Protocol in Appendix B. The PA will become effective for them on the date on which the Responsible Entity signs the PA and submits their signature page to HUD, through its Office of Environment and Energy, the SHPO and ACHP.

Execution of this PA and implementation of its terms provides evidence that HUD and participating Responsible Entities have considered the effects of the undertakings subject to this PA on historic properties and afforded the ACHP an opportunity to comment.

PROGRAMMATIC AGREEMENT
 among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
 and
IDAHO STATE HISTORIC PRESERVATION OFFICER
 and
CERTAIN IDAHO UNITS OF STATE AND GENERAL LOCAL GOVERNMENT
ACTING AS RESPONSIBLE ENTITIES
 and
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
 for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
 in
THE STATE OF IDAHO

Signatory Party:

Advisory Council on Historic Preservation



By: Reid J. Nelson
Executive Director

9.8.2023

Date:

PROGRAMMATIC AGREEMENT
 among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
 and
IDAHO STATE HISTORIC PRESERVATION OFFICER
 and
CERTAIN IDAHO UNITS OF STATE AND GENERAL LOCAL GOVERNMENT
ACTING AS RESPONSIBLE ENTITIES
 and
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
 for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
 in
THE STATE OF IDAHO

Signatory Party:

U.S. Department of Housing and Urban Development

GDAS Claudette Fernandez
 Digitally signed by GDAS
 Claudette Fernandez
 Date: 2023.08.17 19:05:56
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By: Claudette Fernandez,
 General Deputy Assistant Secretary
 for Community Planning and Development

Date:

Department of Housing and Urban Development

Contact for Office of Environment and Energy:


Name: Brian Sturdivant
 Regional Environmental Officer

Contact Information:

brian.sturdivant@hud.gov
 909 First Ave, Suite 260
 Seattle, WA 98104-1000

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
and
CERTAIN IDAHO UNITS OF STATE AND GENERAL LOCAL GOVERNMENT
ACTING AS RESPONSIBLE ENTITIES
and
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:
Idaho State Historic Preservation Office


By: Janet Gallimore
Idaho State Historic Preservation Officer


Date:

Updated Idaho 50-58 PA July 18, 2023
Part 50/58 Section 106 Programmatic Agreement

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
and
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THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:

Idaho Housing and Finance Association



By: Cory Phelps
Vice President, Project Finance

8/29/2023

Date:

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
and
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ACTING AS RESPONSIBLE ENTITIES
and
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:
City of Boise, Idaho



By: Maureen Brewer
Senior Manager, Housing and Community Development
City of Boise


8-30-23

Date:

Updated Idaho 50-58 PA July 18, 2023
Part 50/58 Section 106 Programmatic Agreement

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
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and
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for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:
City of Lewiston, Idaho

By: 
Mayor, City of Lewiston


Date:

Updated Idaho 50-58 PA July 18, 2023
Part 50/58 Section 106 Programmatic Agreement

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
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for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:
City of Meridian, Idaho



By: Daniel Torres
Economic Development Administrator
City of Meridian




Date:

Updated Idaho 50-58 PA July 18, 2023
Part 50/58 Section 106 Programmatic Agreement

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
and
CERTAIN IDAHO UNITS OF STATE AND GENERAL LOCAL GOVERNMENT
ACTING AS RESPONSIBLE ENTITIES
and
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:
City of Nampa, Idaho





By: Robyn Sellers
Economic Development Director
City of Nampa

8/29/23
Date:

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
and
CERTAIN IDAHO UNITS OF STATE AND GENERAL LOCAL GOVERNMENT
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for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:
City of Pocatello, Idaho


By: Brian Blad
Mayor, City of Pocatello


Date:

ADMINISTRATIVE APPROVAL

Updated Idaho 50-58 PA July 18, 2023
Part 50/58 Section 106 Programmatic Agreement

APPENDIX A EXCLUDED ACTIVITIES

In accordance with Stipulation II.G above, undertakings that are comprised solely and entirely of the following activities require no further Section 106 review. Applicability of the exclusion must be documented in HEROS or other administrative record.

For purposes of this Agreement, the term “**in-kind replacement**” is defined as the installation of a new element that duplicates the material, dimensions, design, configuration and detailing of the original element. Additionally, “**minimal ground disturbance**” is defined as a maximum 6-inch vertical area over a maximum of 0.25 acres horizontally.

1. Site Work

- a. Streets, driveways, alleys, and parking areas. Repair and restriping of existing concrete or asphalt surfaces and parking areas provided that no changes are made in width, surface, vertical alignment, or drainage.
- b. Curbs, gutters, sidewalks, retaining walls. Repair of existing concrete or asphalt surfaces, or in-kind replacement of brick, rock, or stone materials for curbs, gutters, sidewalks, and retaining walls. Repair of mortar must follow the National Park Service Preservation Brief #2: *Repointing Mortar Joints in Historic Masonry Buildings*.
- c. Site improvements. Repair or in-kind repair/replacement of site improvements, including, but not limited to fences, landscaping, and steps.
- d. Underground Utilities. Repair or replacement of existing water, sewer, natural gas, electric or telecommunication lines and in-place repair of septic systems if it occurs in or adjacent to the existing trench and provided there is no substantial earth moving. Directional boring of new/replacement utility lines within previously disturbed soils.
- e. Above Ground Utilities.
 - i. Repair or replacement of existing wires, anchors, crossarms, and other miscellaneous hardware on existing overhead lines;
 - ii. Does not include pole replacement and installation outside city limits or water tower replacement.
- f. Street lighting and traffic signals. Repair and replacement of non-historic streetlights, traffic signals, and traffic signs, outside of a listed or eligible historic district.
- g. Park and playground equipment. Installation, repair or replacement of park and playground equipment, with minimal ground disturbance, excluding buildings.
- h. Temporary structures. Installation of temporary construction-related structures including scaffolding, barriers, screening, fences, protective walkways, signage, office trailers or restrooms.
- i. Test holes and wells. Test borings, well drilling and perc tests that do not require a temporary or permanent new access road to the site.

- j. Generators. Temporary installation of generators, and permanent installation of generators that are placed inside existing non-residential buildings or that occupy an area under 50 square feet behind the building they serve.
- k. Plantings.
 - i. Planting of grass, shrubs, bushes, and trees.
 - ii. Removal of vegetation or hazard trees

2. Exterior Rehabilitation

- a. Exterior repairs. In-kind repair of porches, porch screens, exterior siding, doors, balustrades, stairs or other trim.
- b. Windows.
 - i. Historic Windows: Caulking, weatherstripping, reglazing and repainting of windows; installation of new window jambs or jamb liners; and the repair or replacement of windowpanes.
 - ii. Storm windows: installation of storm windows (exterior, interior, metal or wood) provided they match the historic shape and size of the historic prime windows and that the meeting rail coincides with that of the prime window.
 - iii. Non-historic Windows: Repair of non-historic windows, and addition of storm windows, and replacement with new windows sized to fit the original window openings.
 - iv. Screens: repair or in-kind replacement of window screens.
- c. Exterior Painting.
 - i. Exterior painting of previously painted surfaces.
 - ii. Removal of exterior paint by non-destructive means, using lead-safe work practices (see 24 C.F.R. Part 35.1330 (a) (4), and § 35.1350), limited to hand scraping, low-pressure water less than 400 PSI, heat plates, hot air guns, or chemical paint removers provided that the removal method is consistent with §35.140 Prohibited methods of paint removal, and National Park Service Preservation Briefs #10: *Exterior Paint Problems on Historic Woodwork*, and #37: *Appropriate Methods for Reducing Lead-Paint Hazards in Historic Housing*.
- d. Roofing.
 - i. Repair or in-kind replacement of roof cladding and sheeting, flashing, gutters, soffits, and downspouts with no change in roof pitch or configuration. Color should be sympathetic to the historic appearance of the building.
 - ii. Installation of new roofing or reflective roof coatings on a flat-roofed building with a parapet, such that the roofing material or flashing is not visible from any public right-of-way.
 - iii. Upgrades from inappropriate roofing material to historically appropriate roofing. E.g., metal roof to a wood shingle roof or a white 3-tab roof to an architectural shingle.
- e. Awnings. Repair or in-kind replacement of awnings. Does not include awning system.

- f. Hardware. Repair or replacement in-kind of historic hardware (dead bolts, door hinges, latches and locks, window latches, locks and hinges and door peepholes).
- g. Basement bulkhead doors. Replacement or repair of basement bulkhead doors and installation of basement bulkhead doors that are not on the front elevation.
- h. Mothballing. Securing or mothballing a property by boarding over window and door openings, making temporary roof repairs, and/or ventilating the building in accordance with National Park Service Preservation Brief 31: *Mothballing Historic Buildings*.
- i. Accessibility Ramps. Graded ground paths that provide access to a building and repair of existing ramps.
- j. Foundations.
 - i. Below-grade repair of brick or stone foundations that does not include applying weatherproofing or sealers, and
 - ii. Repairs to all other types of foundations.
- k. Attic Vents. Repair or in-kind replacement of historic attic vents in original openings or installation of new attic vents painted to match gable.
- l. Chimneys.
 - i. Repair or in-kind replacement of chimney liners provided that the work does not affect the exterior of the chimney.
 - ii. Installation of spark-arresting chimney caps.
- m. Mobile homes.
 - i. Replacement of deteriorated or severely damaged mobile homes with new mobile homes on existing pads with existing utility hook-ups.
 - ii. Repair or replacement of skirting
 - iii. Repair or replacement of siding
 - iv. Insulation
 - v. Interior rehabilitation

3. Interior Rehabilitation

This section does not apply to single-family residences (one-unit) or duplexes (two units), which are excluded from review of interior alterations per Stipulation II.F.

- a. Surfaces. Repair or in-kind replacement of interior surface treatment, such as walls, ceilings, plaster and woodwork.
- b. Floors and stairs. Repair and in-kind replacement of flooring and stairs, replacement or installation of carpet, and installation or repair of concrete basement floor in an existing basement. If covering historic features, such as wood floors, then carpet or sheet goods (linoleum or vinyl) shall be installed in a reversible manner, either through tacking or with an underlayment so historic floors shall not be irreversibly damaged.
- c. Asbestos abatement. Abatement or control of asbestos that does not involve removal or alteration of interior features.

- d. Bath and kitchen fixtures. Repair or replacement of bathroom and kitchen equipment and fixtures with compatible items.
- e. Lighting. Replacement or modification of non-historic lights and lighting systems when historic features such as decorative chandeliers and other distinctive light fixtures are retained.
- f. Accessibility. Modification of a bathroom or kitchen for handicapped access within the walls of the existing bathroom or kitchen. Installation of wedges and removal of thresholds to facilitate access through door openings. Included are bathroom improvements for handicapped access, provided the work is contained within the existing restroom walls.
- g. Lead-Based Paint hazard mitigation. Interior lead hazard mitigation and abatement using lead-safe work practices (see 24 C.F.R. Part 35.1330 (a) (4), and § 35.1350), when it is limited to washing, scraping and repainting, wallpapering, and chemical stripping of lead-painted surfaces, installation of new window jambs or jamb liners, installation of metal panning in window wells, and replacement of non-significant flat stock trim, provided that the work is consistent with §35.140 Prohibited methods of paint removal and National Park Service Preservation Brief #37: *Appropriate Methods for Reducing Lead-Paint Hazards in Historic Housing*.

4. Mechanical Systems

- a. Installation, replacement or repair of plumbing, HVAC systems and units, water heaters, furnaces, electrical wiring, and fire protection systems, provided that the proposed work does not include structural alterations or the removal of historic features such as decorative cast iron radiators or other distinctive features.
- b. Placement and installation of exterior HVAC mechanical units and vents that are not on/adjacent to the primary elevation. This does not include rooftop systems.

5. Energy Conservation Measures

- a. Insulation of roofs, crawl spaces, ceilings, attics, floors and around pipes/ducts as long as these measures do not induce, retain, or introduce moisture into a building, utilization of spray foam insulation is not covered under this agreement and must be reviewed in accordance with 36 CFR Part 800.
- b. Caulking and weather stripping consistent with appearance of the building.
- c. Installation of radiant barriers in unoccupied attic spaces.
- d. Installation of solar panels not visible from the public right-of-way.

APPENDIX B DEFINITIONS

Adverse Effect: An effect on a historic property occurs when an undertaking may alter the characteristics of a historic property that qualify it for inclusion in the National Register of Historic Places in a manner that diminishes the integrity of the property's location, design, setting, materials, workmanship, feeling, or association (36 CFR § 800.5(A)(1)).

Advisory Council on Historic Preservation (ACHP): is an independent federal agency established pursuant to Section 201 of NHPA. ACHP has issued federal regulations for complying with section 106 of NHPA and must afford an opportunity to comment on federal, federally assisted, or federally licensed undertakings that may affect historic properties.

Agency Official: The HUD official or RE's Certifying Officer that has assumed the role of Agency Official for purposes of Section 106. A chart in Appendix D indicates whether 24 CFR Part 50 or 24 CFR Part 58 applies to the HUD programs listed in the chart.

Area of Potential Effects: The geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking. (36 CFR 800.16).

Character Defining Features: include overall shape of the building, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment (e.g., setting, auditory and olfactory). (National Park Service Preservation Brief #17, *Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character*).

Effect: On a historic property occurs when an undertaking may alter the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register (36 CFR § 800.16(i)).

Excluded Activities: These activities have limited potential to affect historic properties and only require review by the Agency Official. They are excluded from further review by the SHPO, although they may be contacted for advice and guidance.

Historic Property: Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria. (36 CFR 800.16)

In-kind: Using the same material type, design, dimension, texture, color, detailing, and exterior appearance to repair or replace a portion of a historic building material.

Minimal Ground Disturbance: is defined as a maximum 6-inch vertical area over a maximum of 0.25 acres horizontally.

National Register of Historic Places (National Register): Is a list of districts, sites, buildings, structures, and objects found to be significant in American history, architecture, archaeology, engineering, and culture by the Keeper of the National Register on behalf of the Secretary of the Interior (36 CFR § 60).

Preservation Briefs: Preservation Briefs provide information on preserving, rehabilitating, and restoring historic buildings. These National Parks Service (NPS) Publications help historic building owners recognize and resolve common problems prior to work. These publications are available online at <https://www.nps.gov/orgs/1739/preservation-briefs.htm>

Secretary of the Interior's Standards (SOI) for Treatment of Historic Properties (36 CFR § 68): The Standards offer four distinct approaches to the treatment of historic properties—preservation, rehabilitation, restoration, and reconstruction—with accompanying Guidelines for each and are available online at: <https://www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm>

Single Family Residences: For the purposes of this agreement, the definition of single-family residence is defined as one-unit.

State Historic Preservation Officer (SHPO): Is the official appointed or designated by the Governor pursuant to Section 101(b)(1) of the National Historic Preservation Act to administer the state Historic Preservation program. In Idaho, the Idaho State Historical Society Director is the SHPO.

Temporary: Refers to a building or structure that will be removed within two (2) years of placement.

Undertaking: Refers to a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval.

APPENDIX C

Protocol for Responsible Entities to Adopt the HUD Statewide Part 50/58 Programmatic Agreement

Background

HUD assisted projects require a historic preservation compliance review, otherwise known as a Section 106 review, which requires federal agencies to consider any impacts their projects may have on historic properties. This review process can be completed as outlined in 36 CFR 800 for individual projects, or a Programmatic Agreement (PA) may be developed as an alternative to expedite the review process for multiple projects. HUD has developed a model statewide PA that applies to HUD projects administered under both 24 CFR Part 58 and Part 50, when the unit of local government is the Responsible Entity (RE) mandated to ensure compliance with the National Environmental Policy Act and all related laws and authorities under Part 58, including Section 106, and Part 50, when HUD officials conduct the environmental review. The PA includes a list of project activities that are excluded from further review, provided the stipulations in the PA are met.

Individual Responsible Entities (REs) can opt to sign the PA and use its streamlining measures in their Section 106 reviews. Participation in the PA is voluntary, and an RE is always free to develop its own separate, individual PA or conduct reviews with the standard Section 106 process. To take advantage of the stipulations in the PA, an RE must be a party to the PA which can be achieved through implementing the protocols below.

HUD environmental regulations [24 CFR Part 58] require states and units of general local government to assume responsibility for environmental review of some HUD-assisted projects, like CDBG, HOME, Public Housing, and Continuum of Care (CoC). These Responsible Entities (REs) act as the federal agency in carrying out environmental reviews, including Section 106 reviews.

HUD has developed a template PA that covers Part 58 projects, as well as those subject to HUD's environmental regulations at 24 CFR Part 50 which requires HUD officials to conduct environmental review for some projects, like FHA mortgage financing of multifamily and healthcare projects. The PA contains a list of activities that are so unlikely to cause adverse effects to historic properties that they are excluded from further Section 106 review and was drafted by HUD in consultation. Examples of excluded activities include work on most buildings under 45 years old, roof repair, and kitchen and bath renovation. In order to take advantage of the Exclusions, an RE must be a party to the PA. During development of the PA, HUD through its Office of Environment and Energy, facilitated consultation with statewide historic preservation organizations and federally recognized Indian tribes. REs who signed at the initial stage conducted outreach to the public and potentially interested parties in their jurisdiction about the PA, their intention to sign it as well as to solicit comments on the draft. Documentation of that outreach effort, and comments, were provided to HUD. The draft PA was revised based on comments received from HUD's outreach as well as that of the REs. Once the PA is executed by HUD, ACHP, SHPO and the initial RE signatories, the PA is executed and cannot be modified, except as outlined in Stipulations XII and XIII of the PA. Listed below are the following guidelines that should be used when an RE seeks to adopt the HUD Statewide Part 50/58 PA and use it to expedite Section 106 reviews conducted under Part 58.

Protocol to Adopt the HUD Statewide PA

Initiation

- An RE should notify the HUD Regional Environmental Officer or Field Environmental Officer in the Office of Environment and Energy (OEE) of their interest in adopting the PA for their jurisdiction. An RE may sign on to the PA during the initial consultation and execution of the PA or adopt the PA at a subsequent date. HUD is available to support and discuss the PA process with REs and assist them throughout the adoption process as necessary.

Public Outreach

- HUD through its Office of Environment and Energy will facilitate consultation with statewide historic preservation organizations and federally recognized Indian Tribes during the initial development of the PA in the state. Before they adopt the PA, REs must inform other potentially interested parties in their jurisdiction about the PA, such as their interest in adopting it. Such parties may include, but are not limited to, local historic preservation review commissions (whether or not the city participates in the SHPO's Certified Local Governments (CLG) program), and local historic preservation organizations, and the general public in the community. This can be done by notice, letter, meeting, or other means. The RE must document their public outreach. The RE must inform the general public. This can be done by notice on a local government website, in a local newspaper, or by other means. RE must consider any comments received in its decision on whether to sign the PA.

Execution of the 50/58 PA

- The RE must provide HUD with documentation of their public outreach. If insufficient, HUD will provide TA to RE on additional outreach required. HUD will provide the documentation to the SHPO when submitting the executed signature page to them.

Adoption of PA

- HUD will provide a signature page for each eligible RE.
- Some REs will participate in the initial consultation on the PA and will submit their signature page as part of the initial execution of the PA by HUD and multiple REs. The PA will become effective for a signatory RE after the ACHP has signed the PA.
- Some REs will provide their signature page to HUD after the initial execution of the PA. In that case, the RE may begin using the PA process for reviews effective the date of submission of the signed signature page by the RE to HUD OEE.
- On behalf of the REs, HUD Office of Environment and Energy or the REO/FEO will notify SHPO, ACHP and Tribes of new signatories to the PA.
- HUD will post the RE signature pages on the Section 106 Agreements section of the HUD Historic Preservation page at <https://www.hudexchange.info/environmental-review/historic-preservation/section-106-agreements/>

Annual Report

- Per stipulation VI of the PA, the RE must prepare an Annual Report with a narrative and statistical overview of the actions taken by the RE in the previous year to implement the terms of the PA. HUD will provide data from HEROS on the RE's projects during the year. The RE must provide the report to the HUD Office of Environment and Energy Region 10, the SHPO, and the ACHP. Any of the parties may request a follow-up discussion of the report and its recommendations.
- REs are encouraged to use HEROS when preparing their Part 58 reviews to facilitate the preparation of the annual report required as per the PA.

For more information contact your HUD Regional Environmental Officer or Field Environmental Officer for your state. A list is available here:<https://www.hudexchange.info/programs/environmental-review/hud-environmental-staff-contacts/#region-x-regional-and-field-environmental-officers>

APPENDIX D
CHART OF THE APPLICABILITY OF PART 50 AND PART 58 TO HUD PROGRAMS

APPLICABILITY OF PART 50 AND PART 58 TO HUD PROGRAMS			
Office of Multifamily Housing			
The Office of Multifamily Housing provides mortgage insurance programs for apartment buildings as well as capital advance funds to construct low-income housing for elderly and disabled residents. Projects labeled apartments would typically be a Multifamily Housing program, except public housing.			
Program	Description	Part 50	Part 58
Section 221(d)(4)	New Construction or substantial rehabilitation of multifamily rental housing.	X	
Section 223(a)(7)	Refinance of HUD-insured multifamily projects with no substantial rehabilitation. No further Section 106 review due to No Potential to Cause Effects determination. If action involves purchase, Section 106 review is required.	X	
Section 207/223(f)	Purchase or refinance of existing multifamily rental housing with some, but not substantial, rehabilitation. In 223(f) refinance, if work does not exceed Maintenance, no further Section 106 review due to No Potential to Cause Effects determination.	X	
Section 241(a)	Addition or Rehabilitation to an existing FHA-insured project. These loans typically involve a significant construction component.	X	
213 Cooperative	New Construction, substantial rehabilitation, or purchase of Cooperative Housing.	X	
542(c) Risk Share Program,	Credit enhancements for state and local housing finance agencies for new construction, substantial rehabilitation, refinancing, and housing for the elderly.		X
Section 202/811	Capital advance to construct new Housing for elderly and disabled persons.	X	
Project-based Section 8 Renewals	Capital repairs and Rehabilitation of existing projects.	X	
Section 8 Transfer of Project-based Subsidy	Transfers of rental assistance (including Section 8(bb)) to existing property with no repairs, existing properties with rehab, or new construction.	X	
Mark to Market	Reduces rents to market levels, can include rehabilitation.	X	
Rental Assistance Demonstration Program (RAD)	This Office of Housing Program converts public housing to private funding that is used to rehabilitate, remove, and/or construct improved public housing.	X*	X*
* See page 117 of HUD Notice H-2019-09 PIH-2019-23 (HA) (RAD Notice Rev.4)			

Office of Healthcare Programs			
Office of Healthcare Programs offers mortgage insurance programs for residential healthcare facilities and hospitals. Projects labelled “LEAN,” Office of Residential Healthcare Facilities, Office of Hospital Facilities, Nursing Home, Assisted Living, or Hospital are typically Office of Healthcare Programs projects.			
Program	Description	Part 50	Part 58
Section 232 or 242 /223(f)	Purchase or refinance—Often involves repairs, but not substantial rehabilitation.	X	
Section 232 or 242 /223(a)(7)	Refinance of HUD-insured projects with no substantial rehabilitation.	X	
Section 232 or 242 New Construction, Substantial Rehabilitation	Projects under these sections have a significant construction component.	X	
Section 232/241(a)	Addition or Rehabilitation to an existing FHA-insured project. These loans typically involve a significant construction component.	X	
Office of Community Planning and Development			
The Office of Community Planning and Development provides grants to assist states, communities, and non-profit organizations to foster community development, affordable housing, and economic development.			
Program	Description	Part 50	Part 58
Community Development Block Grants (CDBG)	Formula grants to states and localities to support neighborhood revitalization, economic development and improved community facilities and services for low and moderate income persons.		X
CDBG— Disaster Recovery (CDBG-DR)	Grants for activities that support recovery from Presidentially declared disasters.		X
CDBG – Mitigation (CDBG-MIT)	Grants for activities to mitigate future disaster risks in areas impacted by Presidentially declared disasters.		X
HOME	Grants to increase affordable housing opportunities for low- and very-low-income households.		X
Housing Trust Fund	Grants for the construction, rehabilitation, and preservation of rental homes and for homeownership for extremely low- and very low-income families, including homeless families. Activities must meet Secretary of the Interior’s Standards for Rehabilitation. Parts 50 and 58 do not apply.		

Program	Description	Part 50	Part 58
HOPWA	Grants to provide housing assistance and related supportive services to meet the housing needs of low-income persons living with HIV/AIDS and their families.		X
Neighborhood Stabilization Program 1	Formula grants for the purpose of providing emergency assistance to stabilize communities with high rates of abandoned and foreclosed home. *		X
Neighborhood Stabilization Program 2	Competitive grants to states, local governments and non-profits for the purpose of providing emergency assistance to stabilize communities with high rates of abandoned and foreclosed homes. *	X	X
Neighborhood Stabilization Program 3	Formula grants for the purpose of providing emergency assistance to stabilize communities with high rates of abandoned and foreclosed homes. *		X
Pay for Success	Financing model that provides flexibility to local governments to implement evidence-based solutions to end homelessness.	X	
Continuum of Care (CoC)	CoC grants address shelter and social needs of people experiencing homelessness.		X
SHOP	Self-Help Homeownership Opportunity Program funds sites for volunteer-based home construction programs		X
Section 108 Loan Guarantee Program	Allows local governments to leverage portions of their CDBG funds into federally guaranteed loans for economic development, housing, public facility, and infrastructure.		X
Veterans Housing Rehabilitation and Modification Pilot Program (VHRMP)	Grants to nonprofit organizations to rehabilitate the primary residences of low-income veterans living with disabilities.	X	
Youth Homelessness Demonstration Program (YHDP)	Grant program designed to reduce the number of youth experiencing homelessness.		X
* Legacy program that reallocates repaid funds.			
Office of Lead Hazard Control and Healthy Homes			
The Office of Lead Hazard Control and Healthy Homes promotes preventive and corrective actions to address health and safety issues in the home environment.			
Program	Description	Part 50	Part 58
Lead-Based Paint Hazard Reduction and Healthy Homes Supplemental Program	Grants to state, county, tribal, and local governments to identify and control lead-based paint/dust/soil hazards in privately-owned rental or owner-occupied housing. Healthy Homes Supplemental grant funds identify and		X

Program	Description	Part 50	Part 58
	eliminate housing-based health and safety hazards in the same homes.		
Healthy Homes Production Program for Tribal Housing	Grants to federally recognized tribes for evaluation and reduction/elimination of housing-based health and safety hazards in private low-income rental or owner-occupied housing.		X
Older Adult Home Modification Program	Grants to make safety and functional home modification repairs of low-income elderly homeowners.	X	
Healthy Homes and Weatherization Cooperation Demonstration Program	Grants to identify effective strategies for coordination between Lead/Healthy Homes and DOE Weatherization programs that maximize program efficiencies and benefits to occupants.	X	
Office of Public and Indian Housing: Office of Public Housing			
The Office of Public Housing supports local public housing authorities that own and manage public housing properties.			
Program	Description	Part 50	Part 58
Public Housing Capital Funds	Funding for capital improvements to public housing, with activities that may include maintenance, rehabilitation, demolition, construction, and leasing.		X
Public Housing Operation Funds	Funding for the operation and management of public housing units, including maintenance and rehabilitation		X
Lead Based Paint Capital Funds (LBPCF)	Funding to identify and eliminate LBP hazards in public housing by carrying out risk assessments, abatement, and interim controls.		X
Moving to Work (MTW) Block Grant	Funding to increase affordable housing choices for low-income families, that may include acquisition, leasing, operations, rehabilitation, maintenance, demolition, and construction.		X
Choice Neighborhoods Initiative (CNI)	Planning and Implementation grants to transform distressed public housing into mixed-income neighborhoods, with activities that may include disposition, rehabilitation, maintenance, demolition, and construction.		X
HOPE VI	Funding to revitalize public housing projects in poor condition into mixed-income developments, largely based on New Urbanism, with activities that may include planning, design, acquisition, disposition, rehabilitation, maintenance, demolition, and construction.		X
HOPE VI Main Street Program	Funding to rejuvenate older, downtowns in smaller communities (50,000 or fewer) with activities that may include acquisition, rehabilitation, maintenance,	X	

Program	Description	Part 50	Part 58
	demolition, and construction. Must meet the Secretary of the Interior's Standards for Rehabilitation.		
Project Based Vouchers (PBV)	PBVs may be placed into existing housing or new construction, after a one-time environmental review covering the entire scope has been completed for the aggregated project, which may include acquisition, demolition, rehabilitation, maintenance, construction, leasing, and operations. The environmental review must be completed prior to the HAP or AHAP.		X
Tenant-based Section 8 rental assistance	Tenant-based vouchers allow tenants to choose their own housing in the private market. Excluded from environmental review including Section 106	NA	NA
Housing Choice Voucher (HCV) Homeownership Program	HCV Homeownership Program allows families assisted under the HCV program to use their voucher to buy a home and receive monthly assistance in meeting homeownership expenses; activities may include acquisition and related expenses that result in the transfer of title.		X
Energy Performance Contract (EPC) Program	Financing technique using energy/utility cost savings from reduced energy consumption to repay the cost of installing Energy Conservation Measures, with activities that may include rehabilitation maintenance, and construction.		X
Rental Assistance Demonstration Program (RAD)	This Office of Housing Program converts public housing to private funding that is used to rehabilitate, remove, and/or construct improved public housing.	X*	X*
Section 18 actions, including demolition and/or disposition	Section 18 authorizes a PHA to demolish and/or dispose of public housing with HUD approval if the units meet certain criteria. The review needs to encompass the maximum anticipated known project scope, and may include maintenance, rehabilitation, and construction.		X
Mixed-Finance Public Housing	Mixed finance developments include public housing units owned in whole or in part by an entity other than a PHA and are generally part of mixed-income developments; activities may include, acquisition, leasing, operations, rehabilitation, maintenance, demolition, and construction.		X

Office of Public and Indian Housing: Office of Native American Programs (ONAP)			
The Office of Native American Programs administers housing and community development programs that benefit American Indian and Alaska Native tribal governments, tribal members, the Department of Hawaiian Home Lands, Native Hawaiians, and other Native American organizations.			
Program	Description	Part 50	Part 58
Indian Housing Block Grant (IHBG)	IHBG is a formula grant that provides a range of affordable housing activities on Indian reservations and Indian areas, including housing development, assistance to housing developed under the Indian Housing Program, housing services to eligible families and individuals, crime prevention and safety, and model activities that provide creative approaches to solving affordable housing problems.		X
Indian Community Development Block Grant (ICDBG)	ICDBG provides direct grants for use in developing viable Indian and Alaska Native Communities, including decent housing, a suitable living environment, and economic opportunities, primarily for low- and moderate-income persons.	X	X
Section 184 Loan Guarantee	The Section 184 Indian Home Loan Guarantee Program is a home mortgage product specifically designed for American Indian and Alaska Native families, Alaska villages, tribes, or tribally designated housing entities.		X
Title VI	Title VI is a financial tool that allows federally recognized tribes and Tribally Designated Housing Entities (TDHE) to finance affordable housing activities. Activities may include rehabilitating housing, building infrastructure, construction community facilities, and acquiring land to use for housing.		X
Native Hawaiian Housing Block Grants	Funding for eligible affordable housing activities for low- income Native Hawaiians eligible to reside on Hawaiian home lands.		X
Section 184A Loan Guarantees	Loan guarantees 100% of the unpaid principal and interest due on an eligible loan on Hawaiian home lands.	X	
* See page 117 of HUD Notice H-2019-09 PIH-2019-23 (HA) (RAD Notice Rev.4)			

N.B. HUD programs include but are not limited to the programs listed in this Chart

APPENDIX E
LIST OF FEDERALLY RECOGNIZED TRIBES
AND CERTIFIED LOCAL GOVERNMENTS
CONSULTED IN DEVELOPMENT OF THIS PROGRAMMATIC AGREEMENT
February 2023

FEDERALLY RECOGNIZED TRIBES CONSULTED

Coeur D'Alene Tribe
 Confederated Salish and Kootenai Tribes of the Flathead Reservation
 Confederated Tribes of the Warm Springs Reservation of Oregon
 Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
 Kalispel Indian Community of the Kalispel Reservation
 Kootenai Tribe of Idaho
 Nez Perce Tribe
 Northwestern Band of Shoshoni Nation
 Shoshone Tribe of the Wind River Reservation, Wyoming
 Shoshone-Bannock Tribes of the Fort Hall Reservation
 Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada

FEDERALLY RECOGNIZED TRIBES THAT ACCEPTED OR DID NOT ACCEPT

none

LIST OF CERTIFIED LOCAL GOVERNMENTS CONSULTED

Ada County	Hailey	Owyhee County
Adams County	Hayden	Payette
American Falls	Idaho City	Pocatello
City of Boise	Idaho County	Power County
City of Caldwell	Idaho Falls	Priest River
City of Cambridge	Ketchum	Rupert
Canyon County	Kootenai County	Sandpoint
Clearwater County	Latah County	State of Idaho
Coeur d'Alene	Lewiston	Teton County
Eagle	McCall	Twin Falls
Elmore County	Meridian	Twin Falls County
Franklin County	Moscow	Wallace
Gem County	Nampa	Washington County
	Oneida County	Weiser

ACCEPTED

Idaho Housing Finance Association
 City of Boise
 Lewiston
 Meridian
 Nampa
 Pocatello

PROGRAMMATIC AGREEMENT
among
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE
and
IDAHO STATE HISTORIC PRESERVATION OFFICER
and
CERTAIN IDAHO UNITS OF STATE AND GENERAL LOCAL GOVERNMENT
ACTING AS RESPONSIBLE ENTITIES
and
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
for
THE REVIEW OF HUD-ASSISTED PROJECTS AND PROGRAMS SUBJECT TO
24 CFR PART 50 and PART 58
in
THE STATE OF IDAHO

Signatory Party:
City of Coeur d'Alene, Idaho

By: Woody McEvers
Mayor, City of Coeur d'Alene

Date:

PUBLIC HEARINGS

**CITY COUNCIL
STAFF REPORT**

DATE: DECEMBER 2, 2025

**FROM: SHERRIE BADERTSCHER, COMMUNITY DEVELOPMENT SPECIALIST
HILARY PATTERSON, COMMUNITY PLANNING DIRECTOR**

**SUBJECT: APPROVING THE SUBMITTAL OF THE 2024 CDBG CONSOLIDATED
ANNUAL PERFORMANCE & EVALUATION REPORT (CAPER) TO HUD**

DECISION POINT:

Should the City Council hold a public hearing and approve the submittal of the Community Development Block Grant (CDBG) Plan Year 2024 Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD)?

HISTORY: The City of Coeur d’Alene receives an annual direct allocation of CDBG funds. Every year the City is required to complete a CAPER, allowing the public at least 15 days to share public comment. The CAPER provides an overview of the past year’s project outcomes and spending priorities. The 2024 CAPER highlights accomplishments that took place October 1, 2024 to September 30, 2025 utilizing Plan Year 2024 funds, as well as funds expended from Plan Years 2022 and 2023 during this reporting timeframe.

The Plan Year 2024 (PY24) CAPER was posted to the City’s website on November 14, 2025, along with information on how to provide comments. The CAPER may be viewed online at cdaid.org/cdbg and a hard copy was made available at City Hall. Public comment was noticed from November 17, through December 2, 2025. Today’s Public Hearing and 15 days of public comment were advertised to the public in the following ways: Coeur d’Alene Press Legal Notice, Press Release, Website Updates, Facebook Post, CDA-TV Slide, and emails to 190+ CDBG stakeholders.

PERFORMANCE ANALYSIS: The summary of accomplishments and financials during PY24 are included in the 2024 CAPER Executive Summary and 2024 CAPER Financials. Authorizing this item will allow staff to submit the PY24 CAPER to HUD for official review.

FINANCIAL ANALYSIS: CAPER EXECUTIVE SUMMARY. For PY24, the City received entitlement funding of \$296,418. The City established five (5) guiding goals in the 2023-2027 Consolidated Plan: 1) Maintain and Increase Housing Stock (both ownership and rentals); 2) Public Facility and Infrastructure Projects; 3) Public Services; 4) Homelessness Assistance; and 5) Economic Development. Funded goals for PY24 included Affordable For Sale and For Rent Housing (including Owner Occupied Housing Rehab), Public Services, and Public Facility and Infrastructure Projects, all aimed at supporting low- and moderate-income (LMI) residents of Coeur d’Alene.

Project Funding	Projects	Status
\$10,000	Lake City Center's "Home Delivered Meals" Grant	<i>Completed</i>
\$141,491	Emergency Minor Home Repair and Accessibility Improvement Program (EMRAP)	*8 Rehab Projects Completed with PY24 Funds: \$42,002 (additional 3 in process/\$14,000 of funds committed, \$36,000 remaining for future projects) Activity Delivery Costs: \$49,423
\$85,644	Community Opportunity Grants: 2 Public Facility Grants Awarded 1 Public Service Grant Awarded *Includes Public Service activities capped at 15% annual allocation	TESH, Inc.– IT Server, A/C, Irrigation Cap projects \$29,454 <i>IT Server & A/C projects Completed</i> <i>Irrigation Cap project in process</i> Safe Passage - Safe House Roof Replacement/Kitchen Remodel \$21,728 <i>Completed</i> United Way North Idaho-Childcare Scholarship Program \$34,462 <i>Completed</i>
\$59,283	Administration: Employee wages and benefits, advertising, supplies and fees, brochures, training, travel. <i>Subject to 20% cap of annual allocation</i>	<i>Completed</i>

Completed Activities Originating in PY24 Include:

\$14,113.35 to TESH, Inc. (PY22 funding) – IT Server Upgrade and HVAC Projects (Public Facility and Infrastructure goal).

\$1,950.00 to Safe Passage (PY22 Funding) – Radon Mitigation System at their "Safe House" (Public Facility and Infrastructure goal).

\$12,406.14 to Safe Passage (PY24 Funding) – "Safe House" Projects (Public Facility and Infrastructure goal).

\$4,400.00 to St. Vincent de Paul (PY22 funding) - H.E.L.P. Center Radon Mitigation System (Public Facility and Infrastructure goal).

*\$57,090.57 to the Emergency Minor Home Repair and Accessibility Improvement Program (EMRAP) (PY24 funding) – 10 EMRAP projects were initiated and completed in PY24. Overall, 16 projects were completed in PY24 and includes six (6) projects (\$37,000) which started in PY23 and completed in PY24, and three (3) PY24 projects which are still in process (\$14,000). (Maintain and Increase Housing Stock goal). Total spent on all EMRAP projects completed during PY24: \$94,090.57 (as shown on CAPER Attachment; PR26 report).

\$49,423.71 in EMRAP Activity Delivery Costs (PY24 funding) – Costs Attributed to the Management of EMRAP Projects.

The City also completed additional projects in PY24 which originated and were funded using prior year allocations as follows:

\$76,848.00 to Safe Passage (PY23 Funding) – Kitchen Remodel, Roof Replacement, and Emergency Housing related to their “Safe House” (Public Facility and Infrastructure, and Homelessness Assistance goals).

\$31,386.46 spent on the 21st Street Sidewalk Accessibility project (PY18-PY22 funding) (Public Facility and Infrastructure goal).

Overall, the City spent \$388,363.23 of grant funds in PY24 on projects that spanned multiple Plan Years from 2022-2024.

2024 CAPER FINANCIALS

A Total of \$207,577.82 was Drawn Down for Projects from PY24 Funds:

- Safe Passage “Safe House” projects: \$12,406.14
- United Way North Idaho Childcare Scholarship Project: \$34,462.00
- Eight (8) EMRAP projects: \$42,002.97
- Home Delivered Meals: \$10,000.00
- General Administration: \$59,283.00
- EMRAP Activity Delivery Costs: \$49,423.71

PY24 Remaining Grant Funds \$88,840.18:

- TESH, INC.: \$29,454.00 (Committed)
- EMRAP Projects: \$50,064.32 (\$14,000 committed to activities)
- Community Opportunity Grant (COG) Funds: \$9,321.86 (Reallocated to projects in PY25)

DECISION POINT/ RECOMMENDATION:

The City Council should approve the submittal of the Plan Year 2024 CAPER to HUD for official review.



1

CDBG Public Hearing

**Consolidated Annual Performance
and Evaluation Report**

2024 CAPER



2

Coeur d'Alene's CDBG History

- CDBG is a grant from the U.S. Housing and Urban Development Agency to support low- to moderate-income (LMI) households through specific allowable activities; these projects usually support LMI housing but can include public facility improvements and public service projects.
- The City first became eligible to receive funds in 2007.
- Each year, the City is required to complete a CAPER which highlights accomplishments which took place during the plan year. Plan Year 2024 covers the period of Oct 1, 2024, through Sep 30, 2025.



3

Citizen Participation

- Draft CAPER Posted to the City's Website
- Legal Notice Published in CDA Press
- Press Release
- Facebook Post
- CDA-TV Slide
- Emails to 190+ Stakeholders
- Tonight's Public Hearing



4

PY 2024 Goals Met

Goals MET in PY 2024:

- Maintain and Increase Housing Stock (Housing Rehab-EMRAP Projects)
- Public Facilities
- Public Services
- Homelessness Assistance (as part of Public Facility Improvements)

Goal NOT MET in PY 2024:

- Economic Development (No projects funded)



7

Project Funding	Projects	Project Status
\$10,000	Lake City Center's "Home Delivered Meals" Grant	<i>Completed</i>
\$141,491	Emergency Minor Home Repair and Accessibility Improvement Program (EMRAP)	*8 Home Rehabilitation Projects Completed with PY24 Funds: \$42,002 (additional 3 in process/\$14,000 in funds committed, \$36,000 remaining) Activity Delivery Costs: \$49,423
\$85,644	Community Opportunity Grants: 2 Public Facility Grants Awarded 1 Public Service Grant Awarded *Includes Public Service activities capped at 15% annual allocation	TESH, INC.– IT Server, A/C, Irrigation Cap projects \$29,454 <i>IT Server & A/C projects Completed</i> <i>Irrigation Cap project in process</i> Safe Passage - Safe House Roof Replacement/Kitchen Remodel \$21,728 <i>Completed</i> United Way North Idaho-Childcare Scholarship Program \$34,462 <i>Completed</i>
\$59,283	Administration: Employee wages and benefits, advertising, supplies and fees, brochures, training, travel. Subject to 20% cap of annual allocation budget.	<i>Completed</i>
Total PY 2024 CDBG Allocation: \$296,418		

8



Lake City Center Grant \$10,000



“Home Delivered Meals” serves over 350 Coeur d’Alene seniors monthly with their home-delivered meals program.

Serves individuals 60 years of age or older who are frail or homebound due to illness or incapacitating disability.



9

Additional PY2024 Successes

Completed Activities in 2024 with PY22, PY23, & PY24 Funds:

- **\$14,113.35** to **TESH, Inc.** (PY22 funding) – IT Server Upgrade and HVAC Projects
- **\$1,950.00** to **Safe Passage** (PY22 Funding) – Radon Mitigation System at their “Safe House”
- **\$12,406.14** to **Safe Passage** (PY24 Funding) – “Safe House” projects
- **\$4,400.00** to **St. Vincent de Paul** (PY22 funding) - H.E.L.P. Center Radon Mitigation Project
- **\$94,090.00** for **16 EMRAP** projects completed during PY24 utilizing \$57,090 of PY24, and \$37,000 of PY23 funds.



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PY2024 Successes *continued...*

Completed Activities in 2024 with PY22, PY23, & PY24 Funds:

- **\$49,423.71** in EMRAP **Activity Delivery Costs** (PY24 funding) – For the management of EMRAP projects
- **\$59,283.00** for **General Administration** (PY24 funding) - Costs of administering the CDBG program
- **\$76,848.00** to **Safe Passage** (PY23 Funding) – Kitchen Remodel, Roof Replacement, and Emergency Housing related to their “Safe House” Rehabilitation
- **\$31,386.46** spent on the **21st Street Sidewalk Accessibility** project (PY18-PY22 funding)

Overall, the City expended \$388,363.23 of grant funds in PY24



11

2024 EMRAP Projects

16 Emergency Minor Home Repair and Accessibility Improvement Program (EMRAP) Projects Completed in Plan Year 2024

Accessible Front Entrance Ramp

2 Re-roofs

2 Furnace Replacements

Water Heater Replacement

Water Main Replacement

HVAC Repairs

Sidewalk Replacement

Hazardous Tree Removal

Water Damage-New Subfloor and LVP

Sewer Main Replacement

2 Radon Mitigation Systems

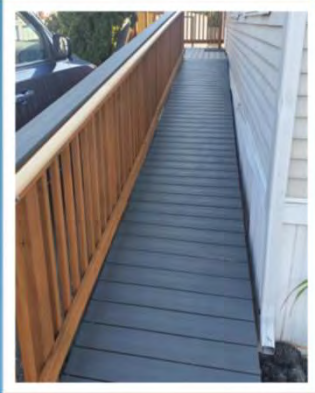
A/C and Heat Pump Replacement

Rebuild Front Entrance Stairs

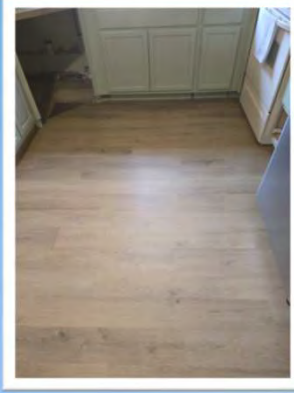


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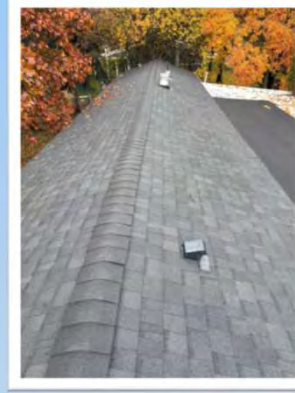
EMRAP Projects Completed



Accessible Ramp



LVP Flooring



Re-Roof

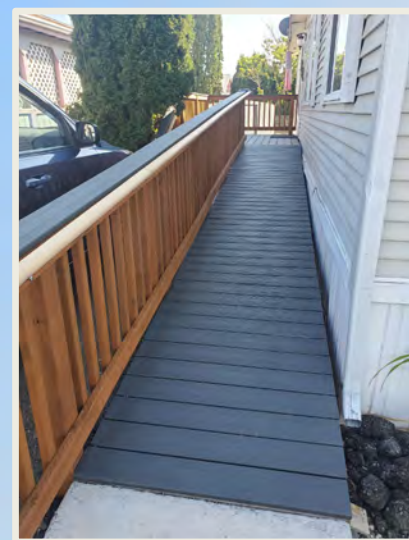


13

EMRAP Spotlight



← **Before**
&
After →



Front Entrance Accessible Ramp

14

EMRAP Spotlight



← Before

Sidewalk Replacement

After →




15

Council Actions

- Receive Public Comments on the 2024 CAPER
- Approve Submittal of Plan Year 2024 CAPER to HUD for Official Review




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PUBLIC HEARING

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STAFF REPORT

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CITY COUNCIL STAFF REPORT

FROM: SEAN E. HOLM, SENIOR PLANNER
DATE: DECEMBER 2, 2025
SUBJECT: A-1-25: REQUEST FOR R-3 ZONING IN CONJUNCTION WITH
ANNEXATION FOR A 3.19 ACRE PARCEL (HILLSIDE)
LOCATION: PROPERTY IS LOCATED AT 2248 E. STANLEY HILL ROAD

APPLICANT:
Eugene P. Haag, Jr. Trust
2248 E Stanley Hill Road
Coeur d'Alene, ID 83814

ENGINEER:
Olson Engineering
1649 N Nicholson Center St #102
Post Falls, ID 83854

DECISION POINT:

Should the City Council approve or deny the annexation request for 3.19 acres from County Agricultural-Suburban to City R-3 in the Hillside Overlay?

BACKGROUND INFORMATION:

The Planning and Zoning Commission recommends City Council adopt R-3 zoning in conjunction with annexation should Council decide to approve the request. This determination was made at a regularly scheduled meeting held on September 9, 2025 by a 6-to-1 vote. At the same hearing, the Planning and Zoning Commission approved a subdivision request allowing the creation of five single family lots (1 preexisting home onsite and 4 new hillside lots), and to construct and connect E. Lilly Drive as a city right-of-way (ROW) that would connect to the east segment of Lilly Drive under as part of the subdivision request (item S-1-25). The subdivision approval is contingent upon City Council approval of the annexation request.

The 3.19-acre property is currently zoned Agricultural-Suburban in Kootenai County and is proposed for annexation with R-3 zoning and Hillside Overlay (A-1-25). The site contains a single-family residence and is within the City's Area of City Impact (ACI).

The applicant proposes to subdivide the property into five lots, ranging from 0.26 to 0.43 acres, with the existing residence on a 1.40-acre lot, resulting in a density of 1.57 units per acre. The proposed lot with the existing residence to the north is hillside-exempt (<15% slope), while the four new lots are subject to the Hillside Overlay.

A new public street connecting the east and west terminus of Lilly Drive will provide access, along with city water and sewer extensions.

HISTORY:

This is the third annexation attempt for the subject property by the owner. Previous requests in 2005 in item A-7-05) and in 2021 in items A-2-21, PUD-2-21, and S-2-21 (annexation, PUD and subdivision requests) were unsuccessful.

The most recent annexation request went before City Council on July 20, 2021. The request included zoning in conjunction with annexation from County Agricultural Suburban to City R-3 (Residential) with a Planned Unit Development (PUD) and a five-lot, two-tract preliminary plat (A-2-21, PUD-2-21, S-2-21). Following public testimony, the Council had a split vote and the final decision to deny without prejudice was made by the Mayor. Factors in the decision were the Comprehensive Plan (which is now replaced by the new 2022-2042 Comprehensive Plan), community needs, stormwater drainage issues, an onsite spring, and traffic concerns. Although public facilities were adequate, the Council denied the request without prejudice by a 4-3 vote.

The applicant has addressed stormwater and onsite spring concerns with the current request. The associated subdivision request does not include a PUD. Lilly Drive would connect through to the east as was intended per the Ponderosa Terrace plat for the lots located in the unincorporated County on Lilly Drive east of the subject property.

SUMMARY OF FACTS:

The following facts align with the facts listed in the draft Findings and Order worksheet for the City Council's consideration. These facts can be modified and added to as part of the motion associated with the Findings and Order.

A1. All public hearing notice requirements have been met for item A-1-25.

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on November 15, 2025 seventeen days prior to the hearing.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on November 20, 2025, twelve days prior to the hearing.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Seventy-Nine (79) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on November 14, 2025.
- Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the

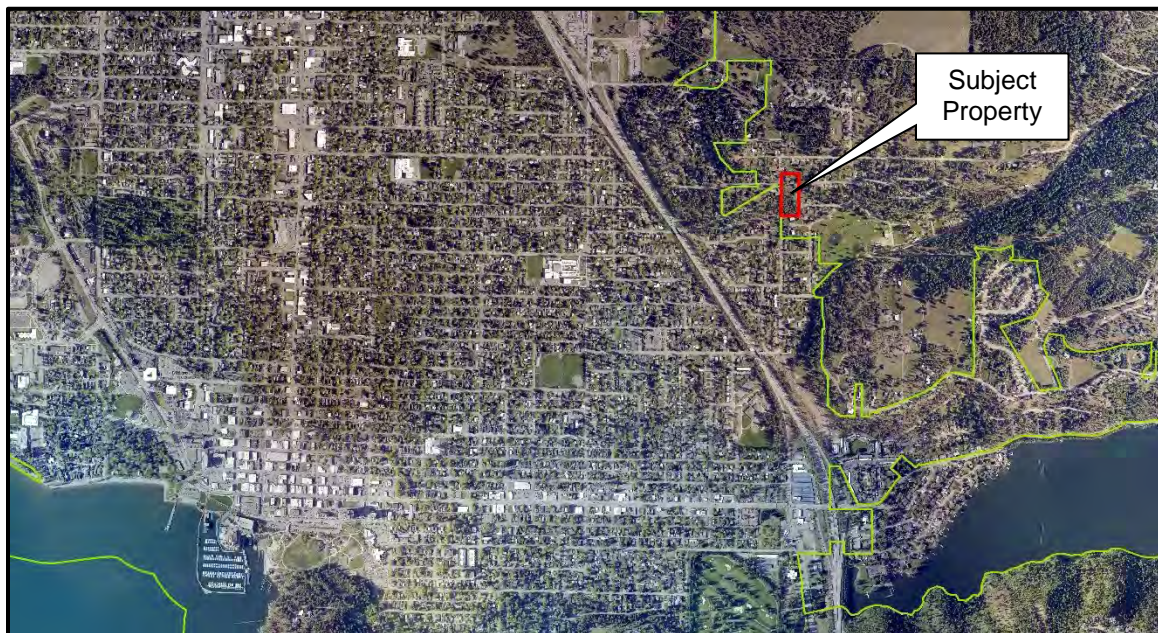
manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on November 14, 2025, eighteen days prior to the hearing.

- Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on November 14, 2025.

- A2.** Public testimony will be received at a public hearing on December 2, 2025.
- A3.** The subject site is located in an unincorporated area of Kootenai County, with the total area of the subject property measuring 3.19 acres and is currently zoned AG-Suburban.
- A4.** The subject property is currently developed as a large lot single family home. If approved, the project would include the existing home on a lot, four (4) hillside residential lots, and a future public street connection and dedication of Lilly Drive between the existing termini.
- A5.** The Comprehensive Plan Future Land Use Map designation is the Single Family Neighborhood Place type. Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails. Compatible Zoning is listed as R-1, **R-3**, R-5, and R-8; MH-8
- A6.** Staff identified Comprehensive Plan goals and objectives for particular consideration by the City Council on pages 16 and 17 of this staff report. See the Attachment 2 for the full list of Comprehensive Plan goals and objectives.
- A7.** The Comprehensive Plan lists the area under consideration as Hillside. Hillside areas are important due to their scenic qualities and provide recreational opportunities. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts to the environment and ensure the safety of people and structures.
- A8.** City utilities and facilities are available to serve the project site, if annexed. All departments have indicated the ability to serve the project with the additional conditions as stated at the end of the staff report.

- A9.** The property is sloped, and single-family homes are the dominant land use nearby. The natural features of the site are consistent with the natural features of the surrounding properties. Hillside code will apply to four of the five proposed lots.
- A10.** The Planning and Zoning Commission held a public hearing on September 9, 2025. Following testimony, the Commission voted 6-to-1 to recommend R-3 zoning if the City Council approves of the annexation request and approved the subdivision request (item S-1-25), contingent on City Council approval of the annexation. The Commission found that the requested annexation and subdivision were consistent with surrounding development patterns, the request would improve fire protection and looping of the water system, and that the potential increase in traffic would be outweighed by the public benefits, including continuation of Lilly Drive which was intended to connect per the Ponderosa Terrace plat.
- A11.** The Subdivision request approved by the Planning and Zoning Commission in item S-1-25 is contingent upon the annexation request being approved by the City Council.

PROPERTY LOCATION MAP:



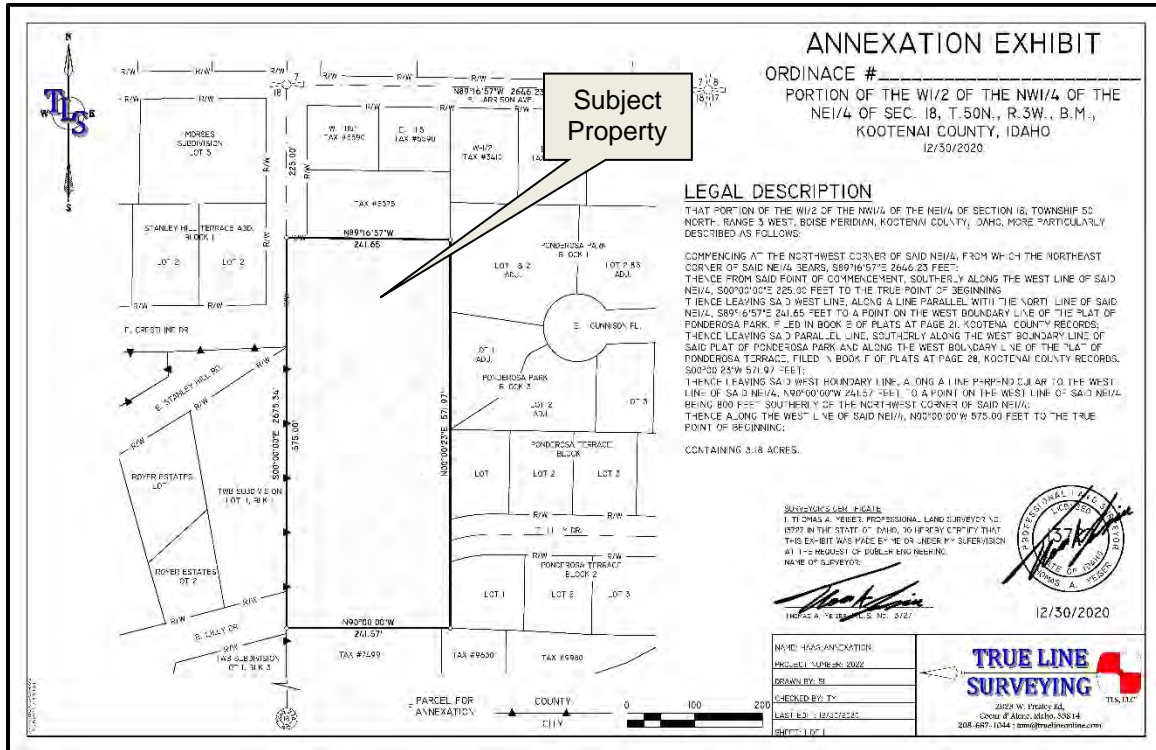
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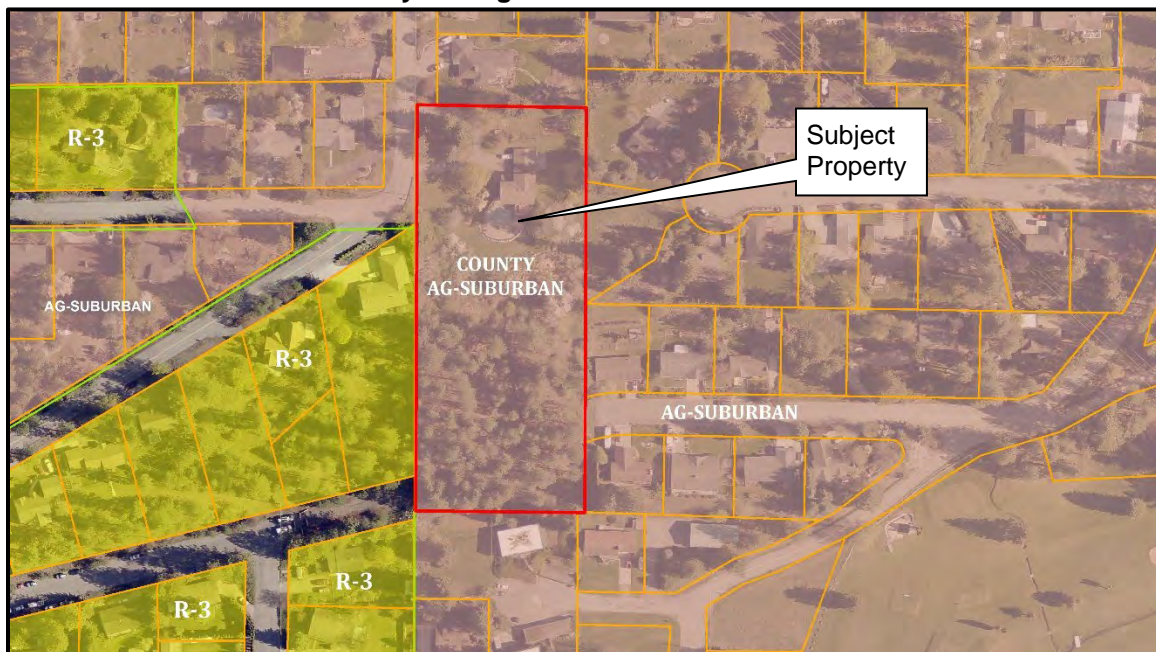
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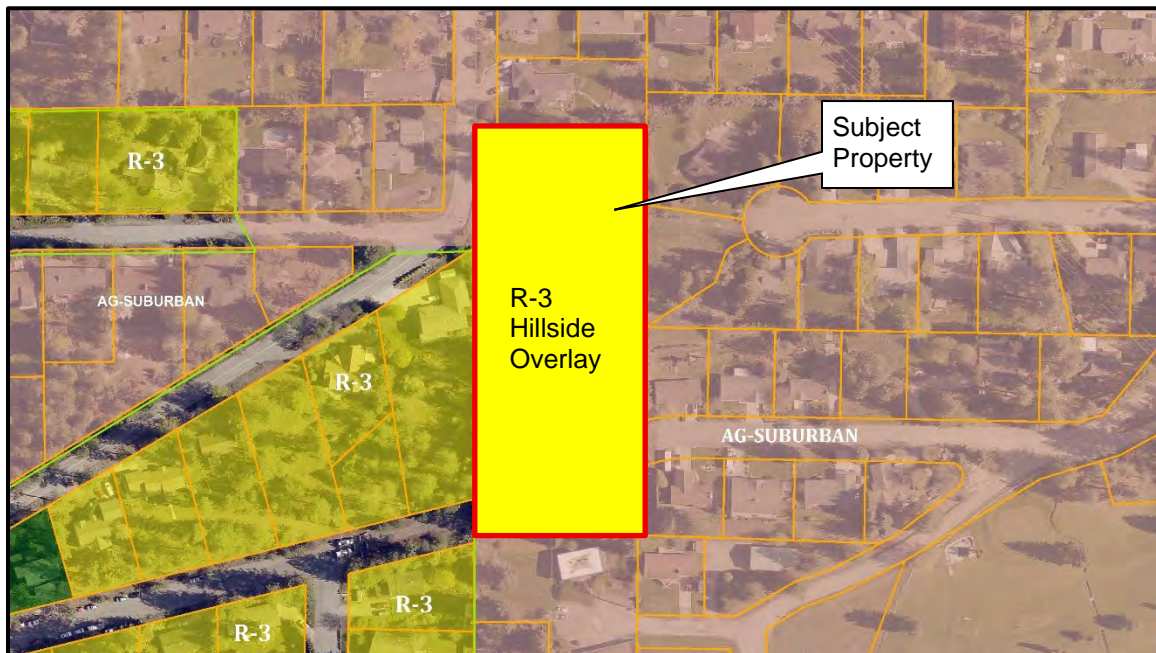
ANNEXATION MAP:



EXISTING ZONING MAP: County Zoning Districts



PROPOSED ZONING MAP:



The proposed R-3 zoning and Hillside Overlay are shown on the map above. The proposed zoning district is consistent with the existing zoning of the surrounding properties in the vicinity of the subject property to the west within the Coeur d'Alene city limits. The property is surrounded by County Ag-Suburban zoning to the northwest, north, east and south. Approval of the requested R-3 zoning in conjunction with annexation would allow the following potential uses of the property. Note that the requirements listed below are required at the time of building permit. Further, based on prior feedback in previous hearings concerning hillsides and cisterns, the applicant commissioned and provided a Geotech report identifying soils, construction recommendations, and was used to support engineering calculations to show allowed disturbance for each proposed hillside parcel.

PROPOSED R-3 ZONING DISTRICT:

This district is intended as a residential area that permits single family detached housing at a density of 3 dwelling units per gross acre. This district is intended for those areas of the city that are developed at this density or are preferably developed at this density because of factors such as vehicular access, topography, flood hazard and landslide hazard.

R-3 Zoning District:

Principal permitted uses in an R-3 district shall be as follows:

- single family housing
- home occupations as defined in Sec. 17.06.705
- essential services (underground)
- civic administrative offices
- neighborhood recreation
- public recreation

Permitted uses by special use permit in an R-3 district shall be as follows:

- community assembly
- community education
- community organization
- convenience sales
- essential service (above ground)

- noncommercial kennel
- religious assembly
- bed & breakfast facility
- per. 17.08.500
- commercial film production

Accessory Uses:

- carport, garage and storage structures (attached or detached)
- private recreation facility (enclosed or unenclosed)
- outside storage when incidental to the principal use.
- temporary construction yard.
- temporary real estate office.
- accessory dwelling unit

17.05.050: SITE PERFORMANCE STANDARDS; MAXIMUM HEIGHT:

Maximum height requirements in an R-3 District shall be as follows:

Structure Type	Structure Location	
	In Buildable Area For Principal Facilities	In Rear Yard
Principal structure	32 feet ¹	n/a
For public recreation, community education or religious assembly activities	45 feet ¹	n/a
Detached accessory building including garages and carports	32 feet ¹	With low or no slope roof: 14 feet With medium to high slope roof: 18 feet

17.05.075: SITE PERFORMANCE STANDARDS; MINIMUM YARD:

- A. Minimum yard requirements for residential activities in an R-3 District shall be as follows:
1. Front: The front yard requirement shall be twenty feet (20').
 2. Side, Interior: The interior side yard requirement shall be five feet (5'). If there is no alley or other legal access behind a lot, each lot shall have at least one side yard of ten-foot (10') minimum.
 3. Side, Street: The street side yard requirement shall be ten feet (10').
 4. Rear: The rear yard requirement shall be twenty-five feet (25'). However, the required rear yard will be reduced by one-half (1/2) when adjacent to public open space
- B. There will be no permanent structures erected within the corner cutoff areas.
- C. Extensions into yards are permitted in accordance with section 17.06.495 of this title.

PROPOSED HILLSIDE OVERLAY:

17.08.900: TITLE AND PURPOSE:

The title of this article shall be the HILLSIDE OVERLAY ORDINANCE. The purpose of these regulations is to establish a Hillside Overlay Zone and to prescribe procedures whereby the development of lands within the Hillside Overlay Zone occurs in such a manner as to protect the natural and topographic development character and identity of these areas, environmental resources, the aesthetic qualities and restorative value of lands, and the public health, safety, and general welfare by ensuring that development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, that it prevents surface water degradation, severe cutting or scarring, and to reduce the risk of catastrophic wildfire in the wildland-urban interface. It

is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the visual character and the nature of the City. (Ord. 3091 §2, 2003)

17.08.905: APPLICABILITY:

The provisions of this article shall apply to all land within the Hillside Overlay Zone as shown in exhibit A of this section and to all lands annexed into the City limits after May 1, 2005. Lands with an average slope of less than fifteen percent (15%), within the Hillside Overlay Zone, are exempt from these regulations.

17.08.915: GENERAL REQUIREMENTS:

A. **Geotechnical Studies:** Prior to development a geotechnical study indicating that the site is suitable for the proposed use and development shall be prepared by a geotechnical engineer and shall be submitted and approved by the city. The study shall include the following information:

1. Project description to include location, topography, drainage, vegetation, discussion of previous work and discussion of field exploration methods, if any.
2. Site geology, to include site geologic maps, description of bedrock and surface materials, including artificial fill, locations of any faults, folds, etc., and geologic structural data including bedding, jointing and shear zones, soil depth and soil structure. The analysis shall indicate the degree of risk for landslides and/or slumping.
3. Discussion of any off site geologic conditions that may pose a potential hazard to the site, or that may be affected by on site development.
4. Suitability of site for proposed development from a geotechnical standpoint.
5. Specific recommendations for site preparation, foundation design and construction, slope stability, potential for slope sloughing and raveling, ground water, surface and subsurface drainage control, fill placement and compaction, retaining walls, and other design criteria necessary to mitigate geologic hazards.
6. Additional studies and supportive data shall include cross sections showing subsurface structure, graphic logs with subsurface exploration, results of laboratory tests and references, if deemed necessary by the engineer or geologist to establish whether an area to be affected by the proposed development is stable.
7. Signature and registration number of the engineer.
8. Additional information or analyses as necessary to evaluate the site.
9. Recommendations for inspections during construction by the geotechnical engineer.

B. Wildland-Urban Interface: Wildfire mitigation goals for each development shall be determined by the city prior to development, and shall be achieved using the applicable sections of the Kootenai County wildland-urban interface fire mitigation plan, 2000 urban-wildland interface code and National Fire Protection Association (NFPA) standards as guidelines. (Ord. 3160 §2, 2003: Ord. 3091 §5, 2003)

17.08.920: GRADING AND EROSION CONTROL:

Prior to development, grading and erosion control plans conforming to the following requirements shall be submitted and approved by the city. Erosion control measures conforming to best management practices (BMPs) approved by the city, or identified in the DEQ manual entitled "Catalog Of Storm-Water Best Management Practices For Idaho Cities And Counties", shall be required.

A. **Plans:** All grading and erosion control plans shall include the following:

1. Property boundaries.
2. All existing natural and manmade features and facilities within twenty feet (20') of the area to be disturbed, including, but not limited to, streets, utilities, easements, topography, structures, and drainage channels.
3. Existing and proposed finish contours of the areas to be disturbed, at two foot (2') vertical intervals. However, this requirement can be waived when the finished ground surface elevation does not vary by more than two feet (2') from the ground surface elevation prior to the proposed development.
4. Location of all proposed improvements, including paving, structures, utilities, landscaped areas, flatwork, and storm water control facilities.
5. Existing and proposed drainage patterns, including ridgelines and tributary drainage areas.
6. Storm water control facilities, including invert elevations, slopes, length, cross sections, and sizes. Construction details shall be shown for grassed infiltration areas, and/or detention/retention facilities.
7. Existing and proposed drainage easements.
8. Details for temporary and permanent erosion control measures.
9. Revegetation measures.
10. Plans shall be stamped and signed by a professional engineer or landscape architect, licensed in the state of Idaho. However, plans for public improvements shall be stamped and signed by a professional engineer licensed in the state of Idaho.

B. **Review By Geotechnical Engineer:** The project geotechnical engineer shall provide written proof of review and compliance to all grading plans. All grading shall conform to the most current adopted building code and the recommendations of the geotechnical engineer.

C. **Installation Of Temporary Erosion Control:** Temporary erosion control measures shall be installed and functional prior to start of any grading and/or land disturbing activity. They shall be maintained in a functional condition until the permanent measures are installed.

D. **Retention In Natural State:** All development shall retain an area or areas equal to twenty five percent (25%) of the total parcel **plus** the percentage figure of the average slope of the total parcel, in its natural state. Lands to be retained in a natural state shall be protected from damage through the use of temporary construction fencing or the functional equivalent.

For example, on a twenty-five thousand (25,000) square foot lot with an average slope of twenty nine percent (29%), $25\% + 29\% = 54\%$ of the total lot area shall be retained in a natural state. In this example a maximum of eleven thousand five hundred (11,500) square feet could be disturbed. Also, see exhibit 17.08.940A of this chapter.

Lots less than twenty-five thousand (25,000) square feet, legally created prior to adoption of this article, shall be required to retain an area equal to fifty percent (50%) of the area calculated by the above formula. In the above example, on a lot created prior to this article, a twenty-four thousand nine hundred ninety-nine (24,999) square foot lot would need to leave twenty seven percent (27%) retained in the natural state. The area that could be disturbed would be a maximum of eighteen thousand two hundred forty-nine (18,249) square feet.

E. Grading: All cut slopes shall be constructed in such a manner so that sloughing or raveling is minimized. The maximum allowable vertical height of any cut or fill slope shall be thirty feet (30'). The maximum inclination of fill slopes shall be two to one (2:1) (horizontal to vertical). For public roadways, the maximum allowable vertical height for cut and fill slopes in combination shall be sixty feet (60').

F. Temporary Erosion Control For Slopes With Erodable Surface Materials: All slopes with erodable surface material shall be protected with erosion control netting, blankets, or functional equivalent. Netting or blankets shall only be used in conjunction with organic mulch such as straw or wood fiber. The blanket must be applied so that it is in complete contact with the soil so that erosion does not occur beneath it. Erosion netting or blankets shall be securely anchored to the slope in accordance with manufacturer's recommendations. Temporary slope erosion control measures shall be installed upon completion of slope grading if permanent erosion control measures are not completed at the same time.

G. Revegetation Requirements: All areas with erodable surface materials that are graded and not paved shall be revegetated. The vegetation used for these areas shall be native or similar species that will reduce the visual impact of the slope and provide long term slope stabilization. All revegetation measures shall be installed, inspected by the city, and approved prior to the issuance of a certificate of occupancy, or other time as determined by the city. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.

H. Maintenance Of Erosion Control Measures: All measures installed for the purposes of long term erosion control, including, but not limited to, vegetative cover, rock walls, and landscaping, shall be maintained in perpetuity on all areas which have been disturbed, including public rights of way. The applicant shall indicate the mechanisms in place to ensure maintenance of these measures.

I. Security: After an erosion control plan for a building site is approved by the city and prior to issuance of a building permit, the applicant shall provide a performance bond or other security in the amount of one hundred fifty percent (150%) of the value of the erosion control measures shown on the approved plan. The city attorney shall approve all security. The financial guarantee instrument shall be in effect for a period of at least one year from the project completion date. All or a portion of the security retained by the city may be withheld for a period up to three (3) years beyond the one-year maintenance period if it has been determined by the city that the site has not been sufficiently stabilized against erosion.

J. Inspections And Final Report: Prior to the acceptance of a subdivision by the city or issuance of a certificate of occupancy for individual structures, the project geotechnical engineer shall provide a final report indicating that the project was constructed in accordance with their recommendations, and that all recommended inspections were conducted by the project geotechnical engineer.

K. Protecting Bare Soil During Development: All surfaces where bare soil is exposed during clearing and grading operations, including spoil piles, shall be covered or otherwise protected from erosion.

L. Construction Ways And Vehicles: Stabilized construction entrances and driveways shall be required for all construction sites to minimize sediment tracking onto roadways. Parking of vehicles shall be restricted to paved or stabilized areas. (Ord. 3160 §3, 2003; Ord. 3091 §6, 2003)

A-1-25 ANNEXATION FINDINGS:

REQUIRED FINDINGS FOR ANNEXATION:

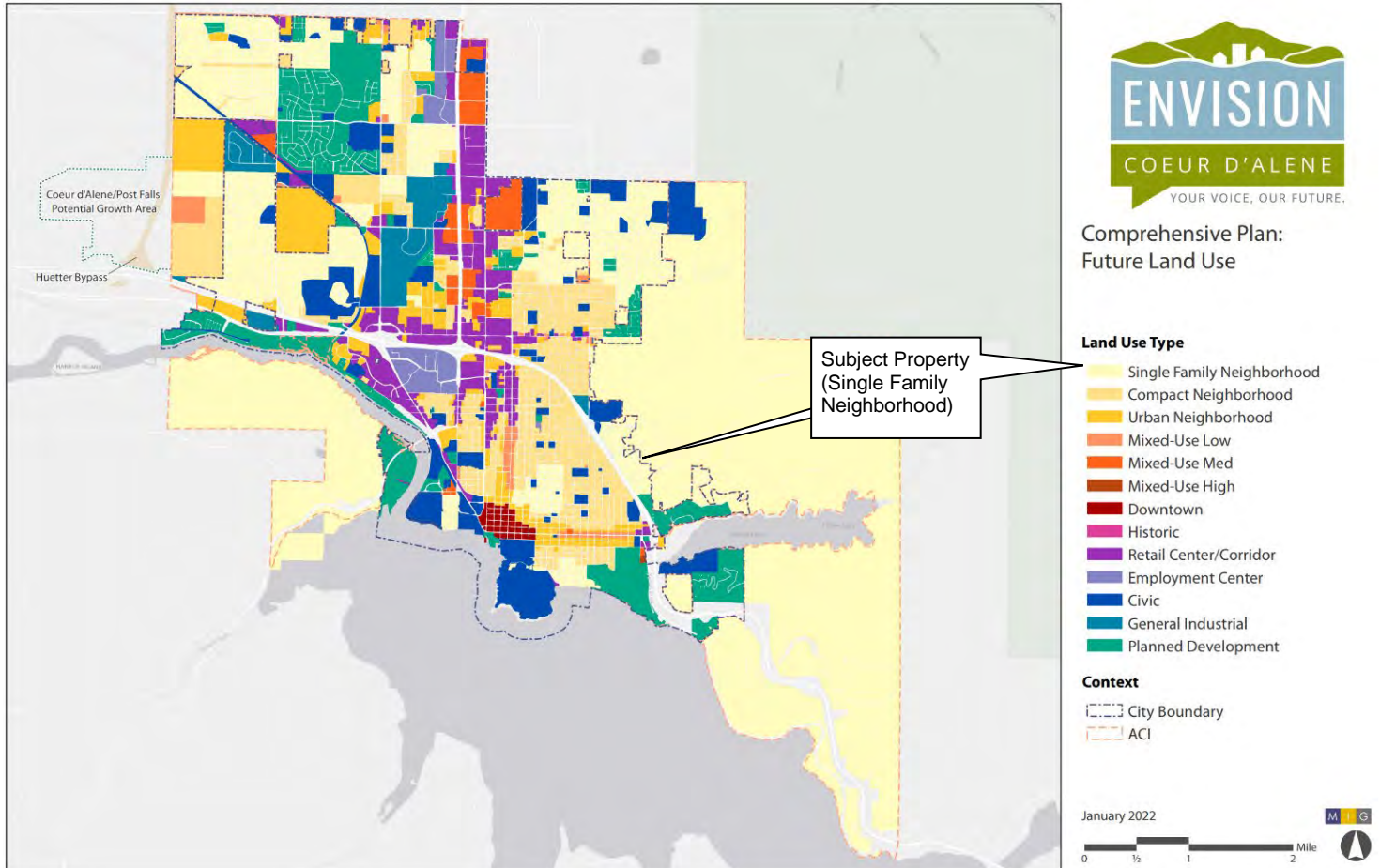
Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

Using the information provided below, the summary of facts in item A5, A6 and A7, and the testimony from the hearing, make finding B1 using the attached findings worksheet.

2022-2042 COMPREHENSIVE PLAN- LAND USE CATEGORY:

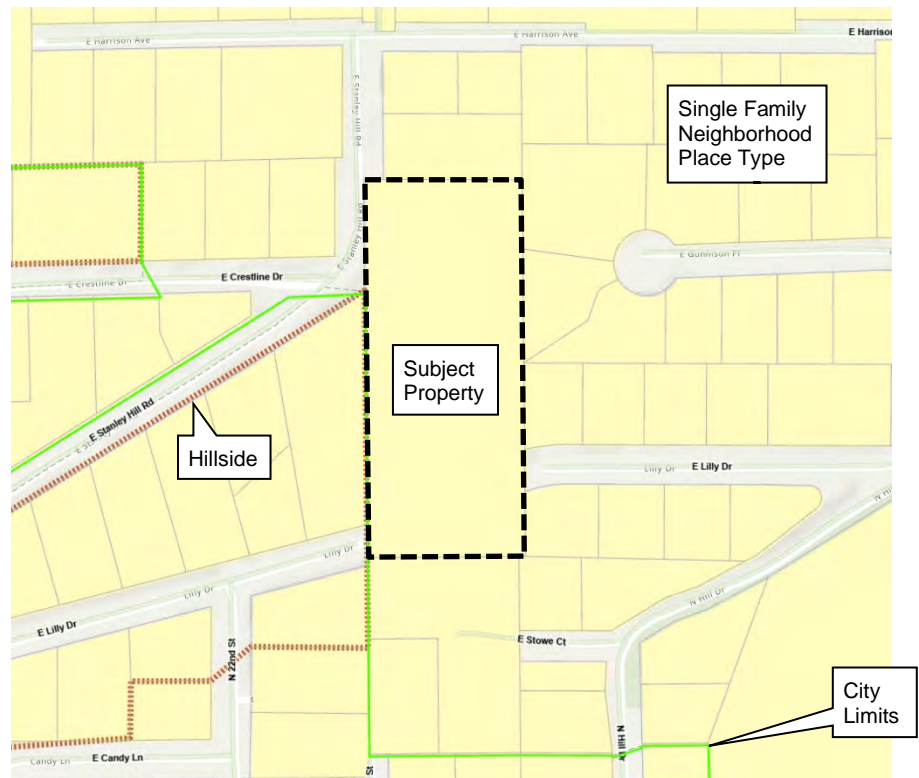
- The subject property is within city limits.
- The City's 2022-2042 Comprehensive Plan categorizes this parcel as Single-Family Neighborhood Place Type.

Future Land Use Map (City Context):



Comprehensive Plan: Future Land Use

Land Use Type



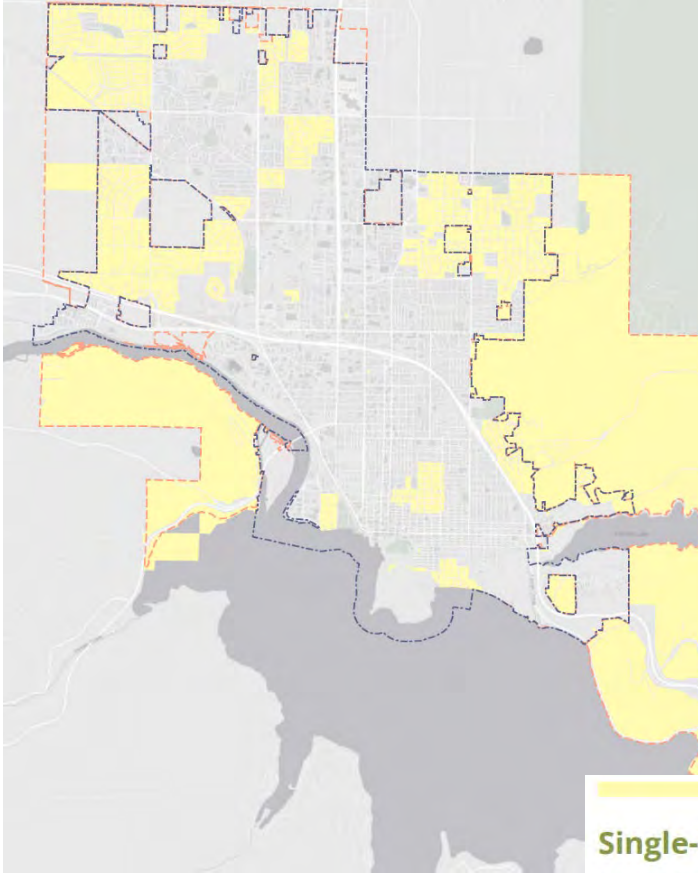
Place Types:

Place types in this plan represent the form of future development, as envisioned by the residents of Coeur d'Alene. These place-types will in turn provide the policy-level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, *and allowed uses*.

Single-Family Neighborhood

Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails.

Compatible Zoning: R-1, **R-3**, R-5, and R-8; MH-8



Single-Family Neighborhood



Key Characteristics

Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails.

Transportation

- Neighborhood streets for local access connected by collectors

Typical Uses

- Primary: Single-family residential
- Secondary: Civic uses, neighborhood parks and recreation facilities

Building Types

- 1-2 story detached houses

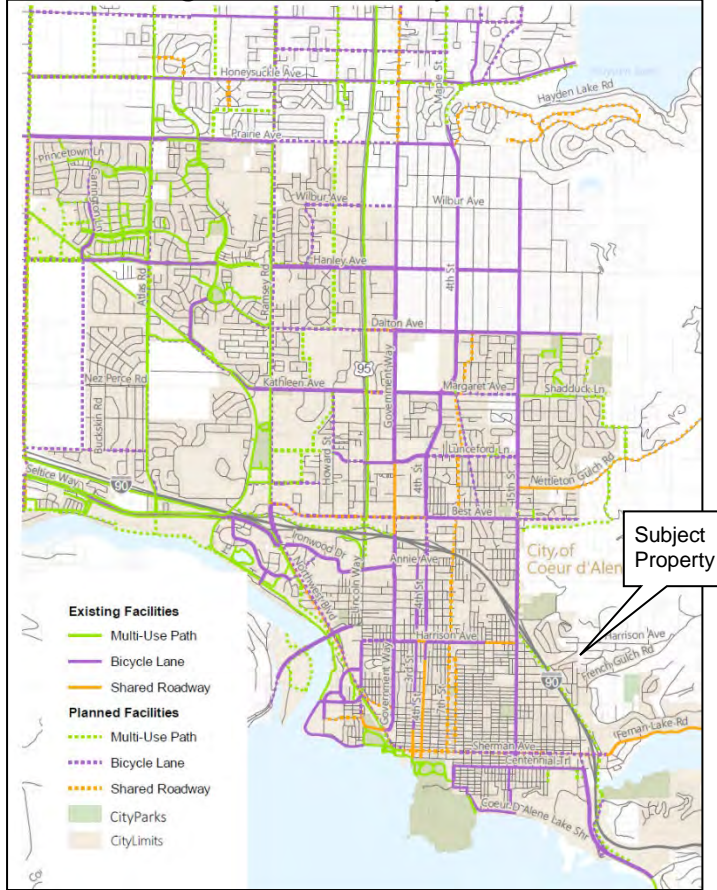
Compatible Zoning

- R-1, R-3, R-5, and R-8; MH-8

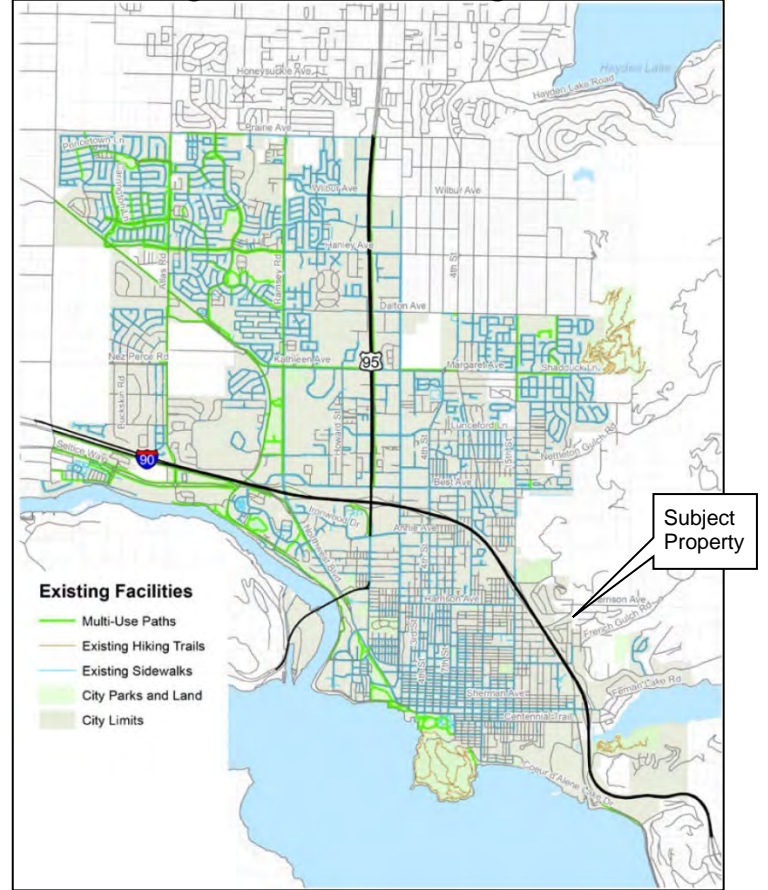


Transportation

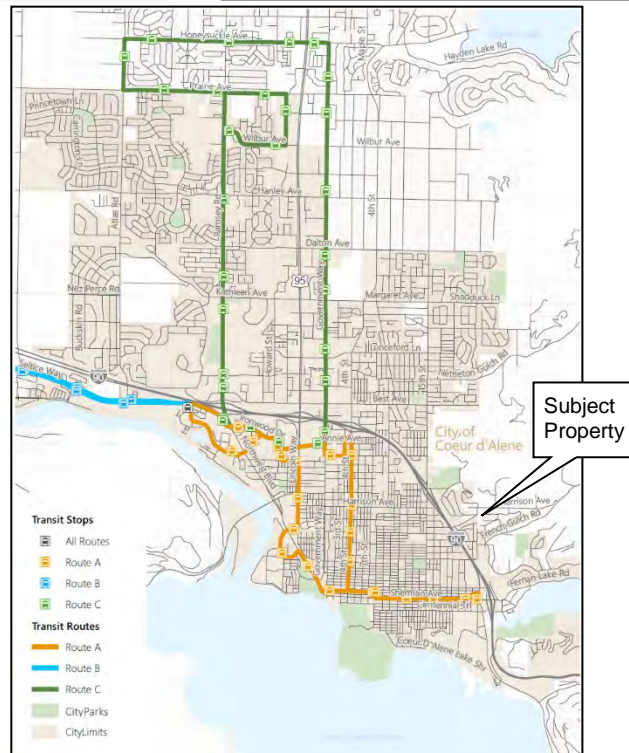
Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



Hillsides

The terrain surrounding the City frames the unique setting of Coeur d'Alene and helps define the physical image. Best Hill, Canfield Mountain, and Tubbs Hill are recognized as unique landmarks for the City of Coeur d'Alene and its neighbors. Lakeview Hill, Blackwell Hill and the slopes above Fernan Lake are also important assets to the community. These hillsides are not only important due to their scenic qualities but provide recreational opportunities as well. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts to the environment and ensure the safety of people and structures.

Policy Framework (Goals and Objectives)

The following goals and objectives are a curated list picked by staff. The full list from the 2022 Comprehensive Plan is attached for review:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Environment & Recreation

Goal ER 3: Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

Objective ER 3.1: Preserve and expand the number of street trees within city rights-of-way.

Objective ER 3.2: Protect and enhance the urban forest, including wooded areas, street trees, and “heritage” trees that beautify neighborhoods and integrate nature with the city.

Objective ER 3.3: Minimize the risk of fire in wooded areas that also include, or may include residential uses.

Objective ER 3.4: Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Health & Safety

Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

Evaluation: *The City Council will need to determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.*

Finding B2: **That public facilities and utilities (are) (are not) available and adequate for the proposed use.**

Using the information provided below, the summary of facts in A8, and the testimony from the hearing, make finding B2 using the attached findings worksheet.

STORMWATER:

Stormwater will be addressed as the area proposed for annexation develops. All stormwater must be contained on-site. With this being in a hillside area, stormwater management will be more challenging, both during construction and post-construction. A stormwater management plan, conforming to all requirements of the City, shall be submitted and approved prior to the start of any construction.

-Submitted by Chris Bosley, City Engineer

STREETS:

The subject site is currently undeveloped except for the existing home accessed by E. Stanley Hill Rd. The site has frontage on Lilly Drive, both to the west and the east. The property also has frontage on Stanley Hill Road. No improvements will be required for Stanley Hill Road. Lilly Drive must be constructed to City of Coeur d'Alene standards. Due to topography, a sidewalk will only be required on the north side of Lilly Drive. The site plan submitted generally meets the City's requirements. The Streets and Engineering Department has no objection to this annexation request.

-Submitted by Chris Bosley, City Engineer

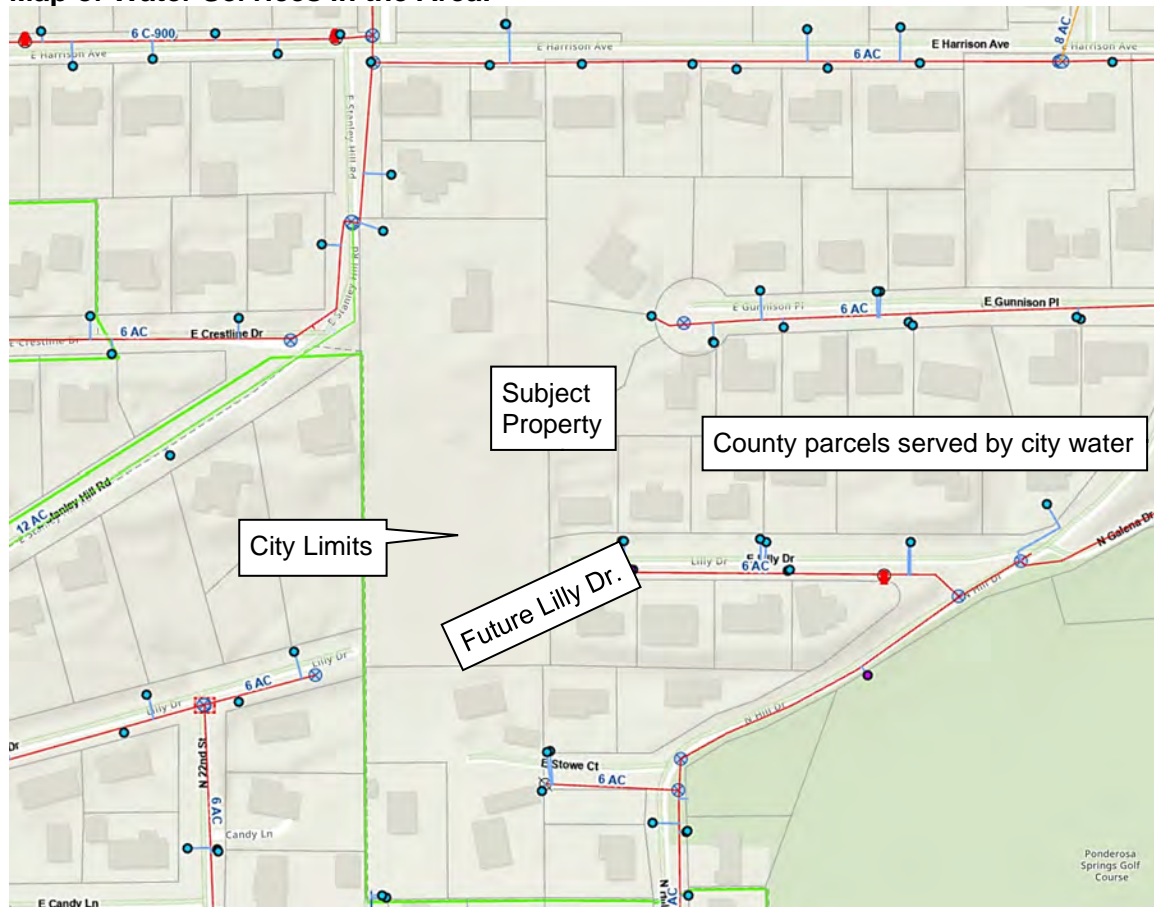
WATER:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposal. There are 6" water mains on E Lilly Dr. on both sides of the property. This area of the water system is located on the Elm St. Boosted zone which may require the customer to install a Pressure Reducing Valve on the main water service as it enters the building.

-Submitted by Glen Poelstra, Assistant Water Department Director

It should be noted that the lots in Ponderosa Terrace to the east on Lilly Drive are located in the unincorporated County but are on City water. Immediately after the subdivision was platted in the County in 1978, they requested City water service in 1979. As part of receiving city water, they signed annexation waivers and have restrictive covenants in place.

Map of Water Services in the Area:



Note: Attached are two documents: Restrictive Covenants and a Workorder for Ponderosa Terrace. The first describes limitations for property outside of city limits that were required as a condition to be served by city water. Of note, #8 states that the owners would not oppose a lawful annexation request. This restrictive covenant runs for 25 years and continues unless the majority of owners agree to change the agreement. The Water department stated that these documents are all they have on record.

SEWER:

The nearest public sanitary sewer is located on Lilly Drive to the west of subject property. At no cost to the City, a public sewer extension conforming to City Standards and Policies will be required prior issuance of any building permits. The Subject Property is within the City of Coeur d'Alene Area of City Impact (ACI) and in accordance with the 2023 Sewer Master Plan; the City's Wastewater Utility presently has the wastewater system capacity and willingness to serve this annexation request as proposed.

-Submitted by Larry Parsons, Utility Project Manager

FIRE:

The proposed road connection along Lilly Street enhances Fire Department response times to areas beyond the city limits. Additionally, it provides access to a second fire hydrant location along Lilly Street, improving fire protection coverage. The completion of Lilly Street provides faster emergency services to Hill Street and Galena Avenue and further optimizes access and response capabilities in the surrounding area.

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance.

-Submitted by Craig Etherton, Deputy Fire Marshal

POLICE:

The Coeur d'Alene Police Department has reviewed the proposed annexation (A-1-25) and subdivision (S-1-25) requests for the "Haag Estates" property at 2248 E. Stanley Hill Road. The proposed extension of Lilly Drive to connect the east and west termini is anticipated to increase traffic flow by creating a more direct route through the neighborhood to areas east of the current road gap. However, the addition of five residential lots is not expected to be inconsistent with the existing neighborhood character. While some community concerns may arise, the Police Department has no objections to the proposed annexation or subdivision.

-Submitted by David Hagar, Patrol Captain

Evaluation: *The City Council will need to determine, based on the information before them, whether or not the public facilities and utilities are adequate for the request.*

Finding B3: **That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.**

Using the information provided below, the summary of facts in item A9, and the testimony from the hearing, make finding B3 using the attached findings worksheet.

PHYSICAL CHARACTERISTICS:

The site slopes to the south and there is an approximately one-hundred and twenty-foot drop in elevation on the subject property (See topography map on the following page). Site photos are provided on the next few pages showing the existing conditions.

The subject property would be annexed into the city under the city's Hillside Regulations with potential development requiring average lot slope for determination of validity. The site is currently densely treed.

TOPOGRAPHIC MAP:



SITE PHOTO - 1: View from E. Stanley Hill Road of the home looking east. Hillside slope can be seen to the south (right side of picture).



SITE PHOTO - 2: Looking east into E. Lilly Dr. This is approximately 160' prior to the edge of asphalt that terminates at the western edge of the subject property.



SITE PHOTO - 3: Terminus of E. Lilly Dr. on the southwestern side of the Haag property.



SITE PHOTO - 4: Terminus of E. Stanley Hill Road from the eastern side of the subject property.



SITE PHOTO - 5: Interior view from the subject property looking north showing the existing home and uphill slope.



SITE PHOTO - 6: Abandoned cistern on subject property (since removed).



Evaluation: *The City Council will need to determine, based on the information before them, whether or not the physical characteristics of the site make it suitable for the request at this time.*

Finding B4: **That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.**

Using the information provided below, the summary of facts in item A3, A4, and A9, and the testimony from the hearing, make finding B4 using the attached findings worksheet.

TRAFFIC:

The subject property is bordered primarily by Lilly Drive where future construction is anticipated, which is a local residential street. Traffic from this proposed development is estimated to provide a very minimal increase in peak hour trips to Lilly Drive and may improve traffic circulation for nearby residents. However, residents along the existing Lilly Drive dead-end will undoubtedly experience an increase in traffic. The Streets & Engineering Department has no objection to the annexation and subdivision plat as proposed.

-Submitted by Chris Bosley, City Engineer

NEIGHBORHOOD CHARACTER:

The subject property is situated in a transitional area between established low density residential neighborhoods within the City of Coeur d'Alene to the west and rural/suburban lands in Kootenai County to the north, east, and south. The surrounding neighborhood is characterized by low-density single-family residential development on larger lots, with a mix of gently rolling to steep hillside topography that contributes to scenic views and natural features typical of the region's wildland-urban interface.

To the west, adjacent properties within city limits are zoned R-3 and developed with single-family homes on lots generally ranging from 0.25 to 0.5 acres, featuring conventional suburban layouts with public streets, sidewalks, and access to city utilities. These areas exhibit a cohesive residential character with well-maintained lawns, mature trees, and minimal commercial intrusion, aligning with the R-3 district's intent for densities up to 3 units per acre while respecting topographic constraints.

To the northwest, north, east, and south, properties remain in Kootenai County's Agricultural-Suburban zoning, supporting rural-residential uses on larger parcels (typically 1-5 acres) with private wells, septic systems, and limited infrastructure. However, parcels directly adjacent to E. Lilly Dr. and E. Gunnison Pl. in the county generally measure 0.25 to 0.5 acres in size.

The subject site's hillside location emphasizes the need for development that preserves visual and environmental qualities, such as minimizing cuts/fills, retaining natural vegetation (per Hillside Overlay requirements of at least 25% + average slope percentage in natural state), and integrating wildfire mitigation measures. The proposed R-3 zoning and Hillside Overlay would ensure compatibility by limiting density, requiring

geotechnical studies, erosion control, and revegetation to blend with the neighborhood's character.

Overall, the neighborhood's character is defined by single-family homes in a hillside setting, balancing urban accessibility with natural preservation. Annexation with R-3 zoning would extend this pattern eastward, promoting infill development that protects against incompatible rural sprawl while addressing past concerns about topography and drainage.

GENERALIZED LAND USE PATTERN:



Evaluation: *The City Council will need to determine, based on the information before them, whether or not the proposal would adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and)/(or) existing land uses.*

ORDINANCES & STANDARDS USED FOR EVALUATION:

- 2022-2042 Comprehensive Plan
- KMPO Transportation Plan
- Municipal Code
- Idaho Code
- Wastewater Treatment Facility Plan
- Water and Sewer Service Policies
- Urban Forestry Standards
- Transportation and Traffic Engineering Handbook, I.T.E.
- Manual on Uniform Traffic Control Devices
- 2021 Parks Master Plan
- 2017 Trails and Bikeways Master Plan

RECOMMENDATIONS FOR CONDITIONS TO INCLUDE IN AN ANNEXATION AGREEMENT:

Fire:

1. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
2. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

Water:

3. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
4. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

Wastewater:

5. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
6. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

ACTION ALTERNATIVES:

The City Council must review the annexation request (A-1-25) and the associated zoning proposal (R-3 with Hillside Overlay) and make findings to approve, deny, or deny without prejudice the request. Any conditions would be included in the Annexation Agreement.

Attachments:

- 1-Applicant's Application and Narrative
- 2-Comprehensive Plan Policy pick list
- 3-Restrictive Covenants & Workorder for Water Service (1978-79)

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APPLICANT'S APPLICATION

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ANNEXATION APPLICATION

STAFF USE ONLY

Date Submitted: _____ Received by: _____ Fee paid: _____ Project # A-1-25

REQUIRED SUBMITTALS

**Public Hearing with the Planning Commission and City Council required*

Application Fee: \$ 2,000.00

Publication Fee: \$ 300.00

Mailing Fee (x2): \$ 1.00 per address + \$ 28.00
(The City's standard mailing list has 28 addresses per public hearing)

A COMPLETE APPLICATION is required at time of application submittal, as determined and accepted by the Planning Department located at <http://cdaid.org/1105/departments/planning/application-forms>.

☒ **Completed application form**

☐ **Application, Publication, and Mailing Fees**

☒ **Map:** Conforming to State of Idaho requirements (see attached example), and legal description of the property for which annexation is requested. Once approved by the City Surveyor, and City Council approval of the annexation, two (2) additional copies will be required. The map may be drawn from record information (existing plats/survey). If in the opinion of the City Surveyor, the record information is not adequate, a new record of survey may be required. **(*the record of survey must show bearings and distances for the exterior boundaries, the existing city limits, the proposed city limits, and a narrative description of the property boundaries taken from the Record of Survey).**

☒ **Letter:** Addressed to the Mayor and City Council stating that you are requesting annexation into the City of Coeur d'Alene, and that you understand there are annexation fees and an annexation agreement that will be negotiated. ****Please note that a mutually acceptable annexation agreement must be negotiated and executed within six (6) months from the date of City Council approval of the zoning designation, or any previous approvals will be null and void.**

☐ **Title Report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company. The report(s) shall be a full Title Report and include the Listing Packet.

☐ **Mailing labels provided by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:

1. All property owners within 300ft of the external boundaries. *** Non-owners list no longer required***
2. All property owners within the subject property boundaries. (Including the applicant's property)
3. A copy of the tax map showing the 300ft mailing boundary around the subject property.

☒ **A written narrative:** Including zoning, how proposal relates to the 2022-2042 Comprehensive Plan Category, Neighborhood Area, applicable Special Areas and appropriate Goals and Policies, and how they support your request.

☒ **A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.

☒ **A vicinity map:** To scale, showing property lines, thoroughfares, existing and proposed zoning, etc.

☒ **Record of Survey:** showing bearings/distances for the exterior boundaries including any linkages needed for contiguity. The existing city limits, the proposed city limits, city limits of nearby cities, when appropriate and a narrative description of the property boundaries taken for the Record of Survey.

☐ **Submittal documents:** Applications will not be accepted unless all application items on the form are submitted both with original documents and an electronic copy.

DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY:

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posed on the property is also required and must be returned to the Planning Department.

APPLICATION INFORMATION

PROPERTY OWNER: Eugene P Haag Jr Trust		
MAILING ADDRESS: 2248 E Stanley Hill Rd		
CITY: Coeur d'Alene	STATE: ID	ZIP: 83814
PHONE: 208-699-9185	FAX:	EMAIL: ephaagjr@gmail.com
APPLICANT OR CONSULTANT: Olson Engineering		STATUS: <input checked="" type="checkbox"/> ENGINEER <input type="checkbox"/> OTHER
MAILING ADDRESS: 1649 N Nicholson Center St #102		
CITY: Post Falls	STATE: ID	ZIP: 83854
PHONE: 509-953-0401	FAX:	EMAIL: gj@oecivil.com

FILING CAPACITY

- ☐ Recorded property owner as to of _____
☐ Purchasing (under contract) as of _____
☐ The Lessee/Renter as of _____
☒ Authorized agent of any of the foregoing, duly authorized in writing. (Written authorization must be attached)

SITE INFORMATION:

PROPERTY LOCATION OR ADDRESS OF PROPERTY:	2248 E Stanley Hill Rd
EXISTING ZONING (CHECK ALL THAT APPLY):	
Ag. Zone <input type="checkbox"/> AS <input checked="" type="checkbox"/> RR <input type="checkbox"/> C <input type="checkbox"/> LI <input type="checkbox"/> I <input type="checkbox"/> M <input type="checkbox"/> R <input type="checkbox"/> HDR <input type="checkbox"/>	
EXISTING CITY ZONING (CHECK ALL THAT APPLY):	
R-1 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-5 <input type="checkbox"/> R-8 <input type="checkbox"/> R-12 <input type="checkbox"/> R-17 <input type="checkbox"/> MH-8 <input type="checkbox"/> NC <input type="checkbox"/> C-17 <input type="checkbox"/> C-17L <input type="checkbox"/> CC <input type="checkbox"/> DC <input type="checkbox"/> LM <input type="checkbox"/> M <input type="checkbox"/> NW <input type="checkbox"/>	

TAX PARCEL #: 50N03W180850	EXISTING ZONING: Agricultural Suburban	ADJACENT ZONING: R-3 to west, AS for remainder
GROSS AREA/ACRES: 3.19 acres	CURRENT LAND USE: one single-family residence	ADJACENT LAND USE: SF residential except small MF complex to south
DESCRIPTION OF PROJECT/REASON FOR REQUEST:		
This is a proposed 5 lot subdivision that will be connecting two dead ends of Lilly Dr. that can be annexed into city of CDA.		
Water and sewer infrastructure will be included for this project.		

COMPREHENSIVE PLAN DESIGNATIONS:

PROPERTY NOT CURRENTLY LOCATED WITHIN THE CITY PLANNING AREA MUST RECEIVE A 2022-2042 COMPREHENSIVE PLAN DESIGNATION ALONG WITH THE NEW ZONING CLASSIFICATION.
CITY COMPREHENSIVE PLAN CATEGORY (PAGE 43): Single-Family Neighborhood
NEIGHBORHOOD AREA (PAGES 44-53): Single-Family Neighborhood
SPECIAL AREAS (PAGES 61-68) Urban Forest & Hillside

Note: The 2022-2042 Comprehensive Plan is available

https://www.cdaid.org/files/Planning/2042CompPlan/Coeur%20d'Alene_2042CompPlan.pdf

CERTIFICATION OF APPLICANT:

I, _____, being duly sworn, attests that he/she is the applicant of this
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed: _____

(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this _____ day of _____, 20____.

Notary Public for Idaho Residing at: _____

My commission expires: _____

Signed: _____

(notary)

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: _____ Telephone No.: _____

Address: _____

Signed by Owner: _____

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this _____ day of _____, 20____.

Notary Public for Idaho Residing at: _____

My commission expires: _____

Signed: _____

(notary)

For multiple applicants or owners of record, please submit multiple copies of this page.

I (We) the undersigned do hereby make petition for annexation and zone classification of the property described in this petition, and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS _____ DAY OF _____ 20 _____

NOTIFICATION OF ADDITIONAL FEES:

The cost to prepare certain documents necessary to obtain annexation approval and the actual cost of the land surveyor's review of the legal description and map will be billed to the applicant/owner.

The legal preparation fee for Annexation Agreement will a base fee of \$800.00 and actual labor costs, if needed.

An annexation fee will be negotiated as part of the Annexation Agreement – the fee is based on \$1,133.00/dwelling unit or equivalency.

IDAHO STATE TAX REGULATIONS REGARDING THE LEGAL DESCRIPTION AND MAP FOR ANNEXATIONS

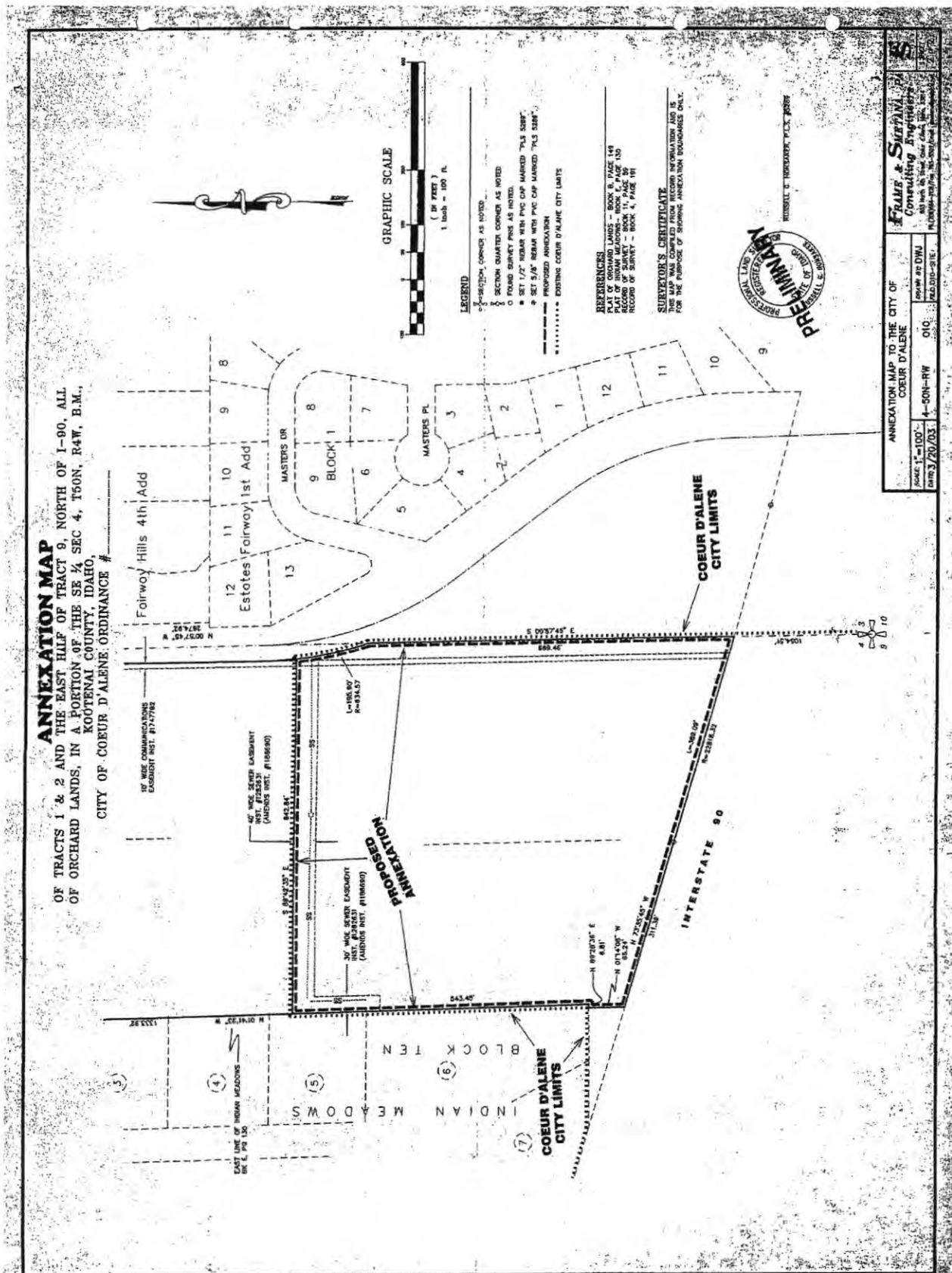
REGULATION 2215:

- a. The following documentation shall be filed with the County Assessor, County Recorder, and Tax Commission no later than ten (10) days following the effective date of an action creating a new district or municipal boundary, or altering an existing district or municipal boundary.
 - i. *A legal description which plainly and clearly defines the boundary of a new district or municipality, or the altered portion of an existing district or municipality with a copy of the ordinance, or order effecting the formation or alteration.*
 - ii. *A copy of a map prepared in a draftsman-like manner or a record of survey, as defined by Idaho Code Chapter 19, Title 55, which matches the legal description.*
- b. "Legal description" means a narrative which describes by metes and bounds, a definite boundary of an area of land that can be mapped on a tax code area map, and shall include:
 - i. *Section, township, range, and meridian.*
 - ii. *An "initial point," being a government surveyed corner, such as a section corner, quarter corner, meander corner, or mineral survey corner.*
 - iii. *A true "point of beginning," defined by bearings and distances from the initial point, that begins the new or altered district or municipal boundary.*
 - iv. *Bearings and distances that continuously define an area boundary with a closure accuracy of at least 1 part in 5,000. Variations from closure requirements of this subsection may be approved when verified documentation is provided:*
 - (a) *When boundaries follow mountain ranges, rivers, lakes, canals, etc. that are clearly delineated on published U.S. Geological Survey quadrangle maps at scale 1:24,000 or, if not available, at scale 1:62,500; or*
 - (b) *When references to cardinal direction, government survey distances, and section or aliquot part corners are used and modern survey information is not available; or*
 - (c) *When legislatively established boundaries are defined by Idaho Code, a duplication and reference to that section of the code shall be provided.*

Identification of an existing district boundary, which shall duplicate the metes and bounds of the existing district, or shall reference the same as, "formerly known as." For example, "thence N88°58'32" E 2635.42 feet (formerly East 2640 feet) along south line of Section 27, the boundary of the Acme District as enacted by Ordinance 2173."

- c. "Map prepared in a draftsman-like manner" means an original graphic representation or precise copy matching the accompanying legal description and drafted to scale using standard mechanical drawing instruments or a computer. The map shall include:
 - i. *Section, township, range, and meridian identifications.*
 - ii. *North arrow, bar scale, and title block.*
 - iii. *District name and ordinance number or order date.*
 - iv. *Bearing and distance annotation between boundary points.*
 - v. *Clearly defined boundary lines of the newly formed district or altered district, together with reference to the existing boundary where contiguous.*
 - vi. *District boundaries delineated on recorded surveys, engineer drawings, or U.S. Geological Survey Quadrangle maps are also acceptable. General hunting and fishing, city street, or non-scaled maps will not be accepted.*
- d. "Contiguous" means being in actual contact or touching along a boundary or at a point.

EXAMPLE OF REQUIRED ANNEXATION MAP



May 22, 2025

ANNEXATION AND SUBDIVISION NARRATIVE FOR GENE HAAG PROPERTY (AIN:113841)

Olson Engineering, on behalf of Gene Haag, is proposing to annex his 3.18-acre property into the City of Coeur d'Alene. The property has been turned down for annexation multiple times before in part due to opposition from the neighbors. Our understanding is that this will be the first time that annexation is being proposed with a public street connecting the two dead ends of Lilly Dr.

Mr. Haag's goal is to create four additional building lots for his children on the lower, forested portion of the subject property. See attached Conceptual Subdivision Plan. The new lots range in size from 0.26 to 0.43 acres. The remainder lot with Mr. Haag's existing home would be 1.40 acres. There would be 5 total lots at a density of 1.57 lots per acre. The project would likely be built in one phase likely in the 2026-2028 timeframe.

This project is currently zoned as Agricultural Suburban (county). The adjacent zoning is R-3 (city) and Agricultural Suburban so it would be logical for this parcel to also be zoned as R-3.

Water and gravity sewer extensions would be constructed to serve the property. Lilly Drive would be completed to provide access to the property. The City water system would benefit from the elimination of two dead-end lines on each side of Lilly. City and County fire protection would benefit from the elimination of two dead-end streets, one of which has no turnaround. The public would benefit from the creation of a public sidewalk and the elimination of ongoing trespassing on an informal trail connecting both sides of Lilly.

Per the Geotechnical Evaluation report an existing drainage pipe discharging water was found on site. No existing stream or spring was encountered on site. The discharge from the existing pipe will be redirected, as shown in an exhibit included with this submittal.

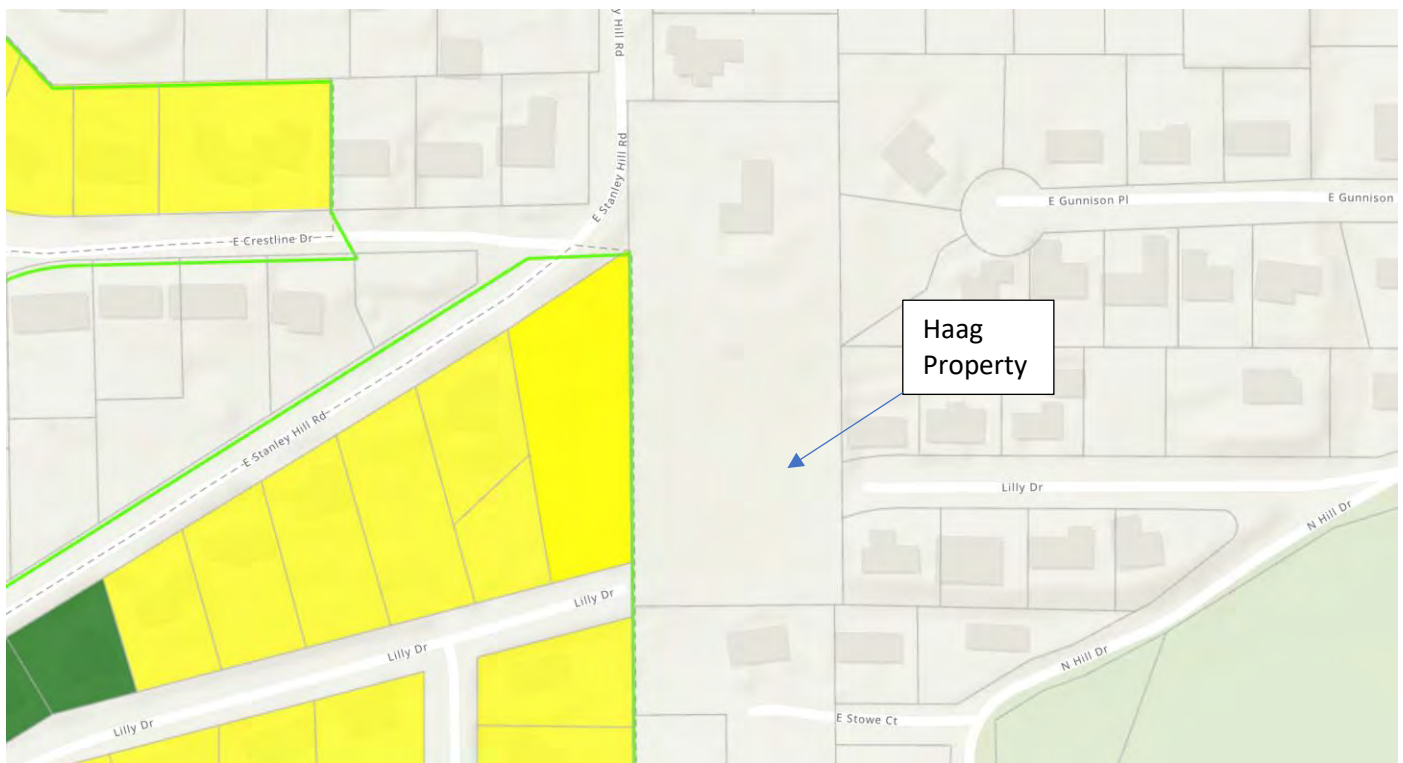
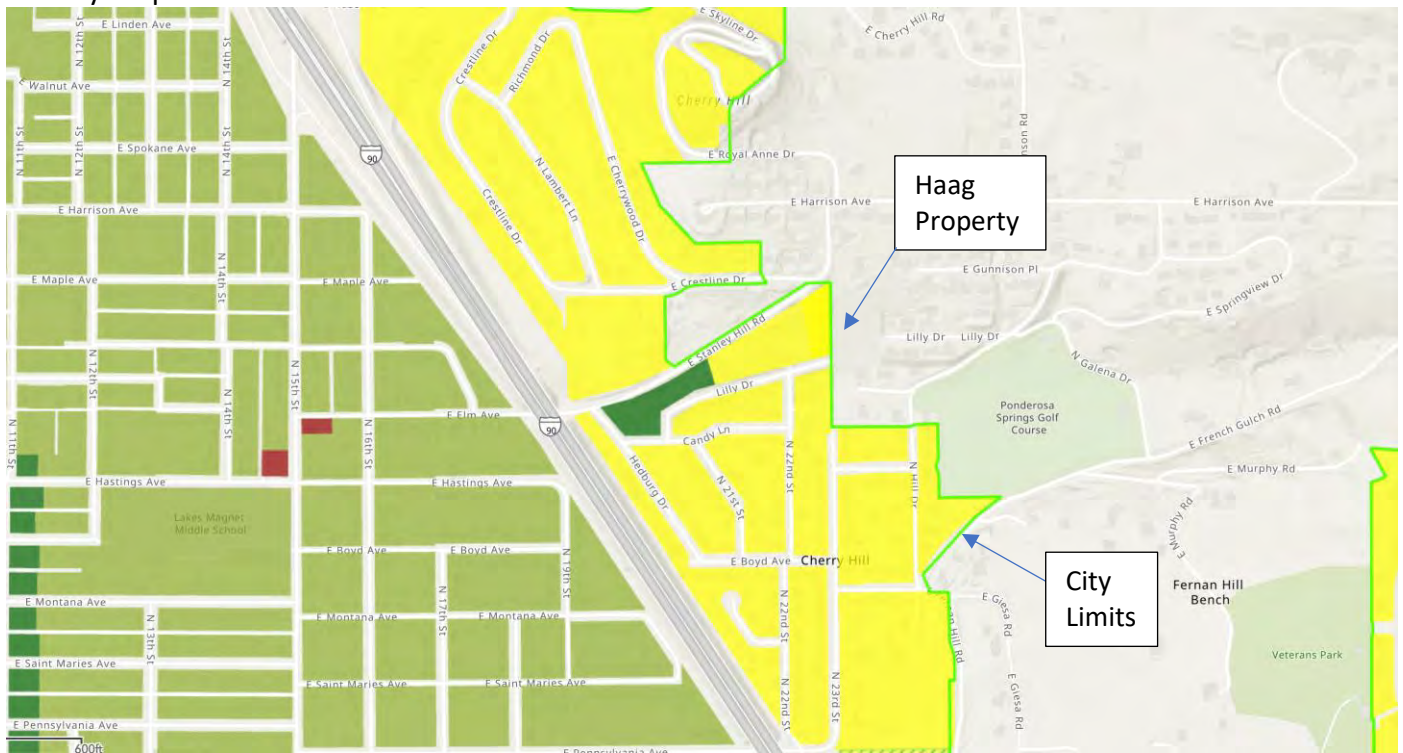
This property is currently located in the 2022-2042 Comprehensive Plan future land use map. It is under the Single-Family neighborhood plan category, and it contains special area designations for the urban forest and hillsides. The property will meet the requirements of the Hillside Overlay Zone in the City of CDA code.

Applicable Goals from the 2022-2042 Comprehensive Plan include:

- *Goal CI 3: Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.* The additional lots will allow Gene's children to become property owners.
- *Goal GD 3: Support the development of a multimodal transportation system for all users.* The annexation and subdivision would complete Lilly Dr and make it legal for pedestrians to walk through.
- *Goal GD 5: Implement principles of environmental design in planning projects:* The project will be built in accordance with the Hillside Ordinance and will have less impact on the urban forest from the previous PUD version which would have required additional disturbance to create "useful open space".

- **Goal HS 3: Continue to provide exceptional police, fire, and emergency services.** The completion of Lilly Drive, elimination of dead ends, and additional looping of the water system will enhance emergency access and the ability to fight fires in the area.

Vicinity Maps:



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Comp Plan Goals & Objectives

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COMPREHENSIVE PLAN GOALS AND OBJECTIVES

Community & Identity



Goal CI 1

Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.



OBJECTIVE CI 1.1

Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.



Goal CI 2

Maintain a high quality of life for residents and businesses that make Coeur d'Alene a great place to live and visit.



OBJECTIVE CI 2.1

Maintain the community's friendly, welcoming atmosphere and its smalltown feel.



OBJECTIVE CI 2.2

Support programs that preserve historical collections, key community features, cultural heritage, and traditions.



Goal CI 3

Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households.



OBJECTIVE CI 3.1

Support efforts to preserve existing housing stock and provide opportunities for new affordable and workforce housing.



Goal CI 4

Coeur d'Alene is a community that works to support cultural awareness, diversity and inclusiveness.



OBJECTIVE CI 4.1

Recognize cultural and economic connections to the Coeur d'Alene Tribe, acknowledging that this area is their ancestral homeland.



OBJECTIVE CI 4.2

Create an environment that supports and embraces diversity in arts, culture, food, and self-expression.



OBJECTIVE CI 4.3

Promote human rights, civil rights, respect, and dignity for all in Coeur d'Alene.

Education & Learning



Goal EL 3

Provide an educational environment that provides open access to resources for all people.



OBJECTIVE EL 3.2

Provide abundant opportunities for and access to lifelong learning, fostering mastery of new skills, academic enrichment, mentoring programs, and personal growth.



OBJECTIVE EL 3.3

Support educators in developing and maintaining high standards to attract, recruit, and retain enthusiastic, talented, and caring teachers and staff.

**Goal EL 4**

Support partnerships and collaborations focused on quality education and enhanced funding opportunities for school facilities and operations.

**OBJECTIVE EL 4.1**

Collaborate with the school district (SD 271) to help identify future locations for new or expanded school facilities and funding mechanisms as development occurs to meet Coeur d'Alene's growing population.

**OBJECTIVE EL 4.2**

Enhance partnerships among local higher education institutions and vocational schools, offering an expanded number of degrees and increased diversity in graduate level education options with combined campus, classroom, research, and scholarship resources that meet the changing needs of the region.

Environment & Recreation**Goal ER 1**

Preserve and enhance the beauty and health of Coeur d'Alene's natural environment.

**OBJECTIVE ER 1.1**

Manage shoreline development to address stormwater management and improve water quality.

**OBJECTIVE ER 1.2**

Improve the water quality of Coeur d'Alene Lake and Spokane River by reducing the use of fertilizers, pesticides, herbicides, and managing aquatic invasive plant and fish species.

**OBJECTIVE ER 1.3**

Enhance and improve lake and river habitat and riparian zones, while maintaining waterways and shorelines that are distinctive features of the community.

**OBJECTIVE ER 1.4**

Reduce water consumption for landscaping throughout the city.

**Goal ER 2**

Provide diverse recreation options.

**OBJECTIVE ER 2.2**

Encourage publicly-owned and/or private recreation facilities for citizens of all ages. This includes sports fields and facilities (both outdoor and indoor), hiking and biking pathways, open space, passive recreation, and water access for people and motorized and non-motorized watercraft.

**OBJECTIVE ER 2.3**

Encourage and maintain public access to mountains, natural areas, parks, and trails that are easily accessible by walking and biking.

**Goal ER 3**

Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

**OBJECTIVE ER 3.1**

Preserve and expand the number of street trees within city rights-of-way.

**OBJECTIVE ER 3.2**

Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

**OBJECTIVE ER 3.3**

Minimize the risk of fire in wooded areas that also include, or may include residential uses.

**OBJECTIVE ER 3.4**

Protect the natural and topographic character, identity, and aesthetic quality of hillsides.



Goal ER 4

Reduce the environmental impact of Coeur d'Alene.



OBJECTIVE ER 4.1

Minimize potential pollution problems such as air, land, water, or hazardous materials.



OBJECTIVE ER 4.2

Improve the existing compost and recycling program.

Growth & Development



Goal GD 1

Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.



OBJECTIVE GD 1.1

Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.



OBJECTIVE GD 1.3

Promote mixed use development and small-scale commercial uses to ensure that neighborhoods have services within walking and biking distance.



OBJECTIVE GD 1.4

Increase pedestrian walkability and access within commercial development.



OBJECTIVE GD 1.5

Recognize neighborhood and district identities.



OBJECTIVE GD 1.6

Revitalize existing and create new business districts to promote opportunities for jobs, services, and housing, and ensure maximum economic development potential throughout the community.



OBJECTIVE GD 1.7

Increase physical and visual access to the lakes and rivers.



OBJECTIVE GD 1.8

Support and expand community urban farming opportunities.



Goal GD 2

Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.



OBJECTIVE GD 2.1

Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.



OBJECTIVE GD 2.2

Ensure that City and technology services meet the needs of the community.



Goal GD 3

Support the development of a multimodal transportation system for all users.



OBJECTIVE GD 3.1

Provide accessible, safe, and efficient traffic circulation for motorized, bicycle and pedestrian modes of transportation.



OBJECTIVE GD 3.2

Provide an accessible, safe, efficient multimodal public transportation system including bus stop amenities designed to maximize the user experience.



Goal GD 4

Protect the visual and historic qualities of Coeur d'Alene



OBJECTIVE GD 4.1

Encourage the protection of historic buildings and sites.

- ☐ **Goal GD 5**
Implement principles of environmental design in planning projects.

- ☐ **OBJECTIVE GD 5.1**
Minimize glare, light trespass, and skyglow from outdoor lighting.

Health & Safety

- ☐ **Goal HS 1**
Support social, mental, and physical health in Coeur d'Alene and the greater region.

- ☐ **OBJECTIVE HS 1.1**
Provide safe programs and facilities for the community's youth to gather, connect, and take part in healthy social activities and youth-centered endeavors.
- ☐ **OBJECTIVE HS 1.2**
Expand services for the city's aging population and other at-risk groups that provide access to education, promote healthy lifestyles, and offer programs that improve quality of life.
- ☐ **OBJECTIVE HS 1.3**
Increase access and awareness to education and prevention programs, and recreational activities.

- ☐ **Goal HS 3**
Continue to provide exceptional police, fire, and emergency services.

- ☐ **OBJECTIVE HS 3.2**
Enhance regional cooperation to provide fast, reliable emergency services.
- ☐ **OBJECTIVE HS 3.3**
Collaborate with partners to increase one on one services.

Jobs & Economy

- ☐ **Goal JE 1**
Retain, grow, and attract businesses

- ☐ **OBJECTIVE JE 1.1**
Actively engage with community partners in economic development efforts.
- ☐ **OBJECTIVE JE 1.2**
Foster a pro-business culture that supports economic growth.

- ☐ **Goal JE 3**
Enhance the Startup Ecosystem

- ☐ **OBJECTIVE JE 3.1**
Convene a startup working group of business leaders, workforce providers, and economic development professionals and to define needs.
- ☐ **OBJECTIVE JE 3.2**
Develop public-private partnerships to develop the types of office space and amenities desired by startups.
- ☐ **OBJECTIVE JE 3.3**
Promote access to the outdoors for workers and workers who telecommute.
- ☐ **OBJECTIVE JE 3.4**
Expand partnerships with North Idaho College, such as opportunities to use the community maker space and rapid prototyping (North Idaho College Venture Center and Gizmo) facilities.



Restrictive Covenants & Work Order for Water Service

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783528

is recorded at the request of

NOV 30 1978

RESTRICTIVE COVENANTS

FOR

PONDEROSA TERRACE SUBDIVISION

1. No lot shall be used except for residential purposes. No building shall be erected to exceed $1\frac{1}{2}$ stories in height and a private garage for not more than three (3) cars. No dwellings, buildings or other structures can be moved onto the lot, new construction being required.
2. No buildings, house or other structures shall be built, constructed or erected on said premises unless the same be for residential purposes and contain a minimum of 1000 square feet of ground floor area in the main structure, exclusive of open porches or garages. No shed type, flat roof residence shall be permitted.
3. All new construction commenced shall have the exterior completed within six (6) months.
4. All sewage disposal installations will comply with the Panhandle Health District's code.
5. No fence higher than three (3) feet shall be put on the sideline between the street and the building line, nor shall said property ever be enclosed or fenced by any structure exceeding six (6) feet in height.
6. No noxious, illegal or offensive use of property shall be permitted.
7. No livestock of any kind, except dogs and cats, may be maintained upon the premises or housed therein and in no event shall any kennel be maintained.
8. At such time as the City of Coeur d' Alene in the future proceeds under law to annex any or all of the property within this plat to the City of Coeur d' Alene, the owners of said property shall not oppose such annexation to the City of Coeur d' Alene (and shall cooperate to the fullest extent with the City in the annexation of such property.)

All parties who take conveyance of any property located in Ponderosa Terrace Subdivision, accept the same subject to the easements, restrictions and conditions above set forth, and for themselves and their heirs covenant that they will forever faithfully observe and perform said several restrictions and conditions.

The foregoing restrictions shall remain in full force and effect for a period of twenty-five (25) years from the date hereof and then until such time as the majority of the then owners of all the in said Subdivision desire and agree to change these restrictions in whole or in part.

STATE OF IDAHO, COUNTY OF

On this 30th day of November, 1978
before me, a Notary Public in and for said State, personally appeared:

William C. Turner

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Notary Public,

Residing at Coeur d'Alene

Idaho.

Work Order No. C-22-79

Budget No. 595.013

Unencumbered	<u>City</u>	<u>Applicant</u>
Budgeted Amount \$	8606	8260

Superintendent *DR* 3/15/79 Engineering *J. G. Wells* 4-11-79

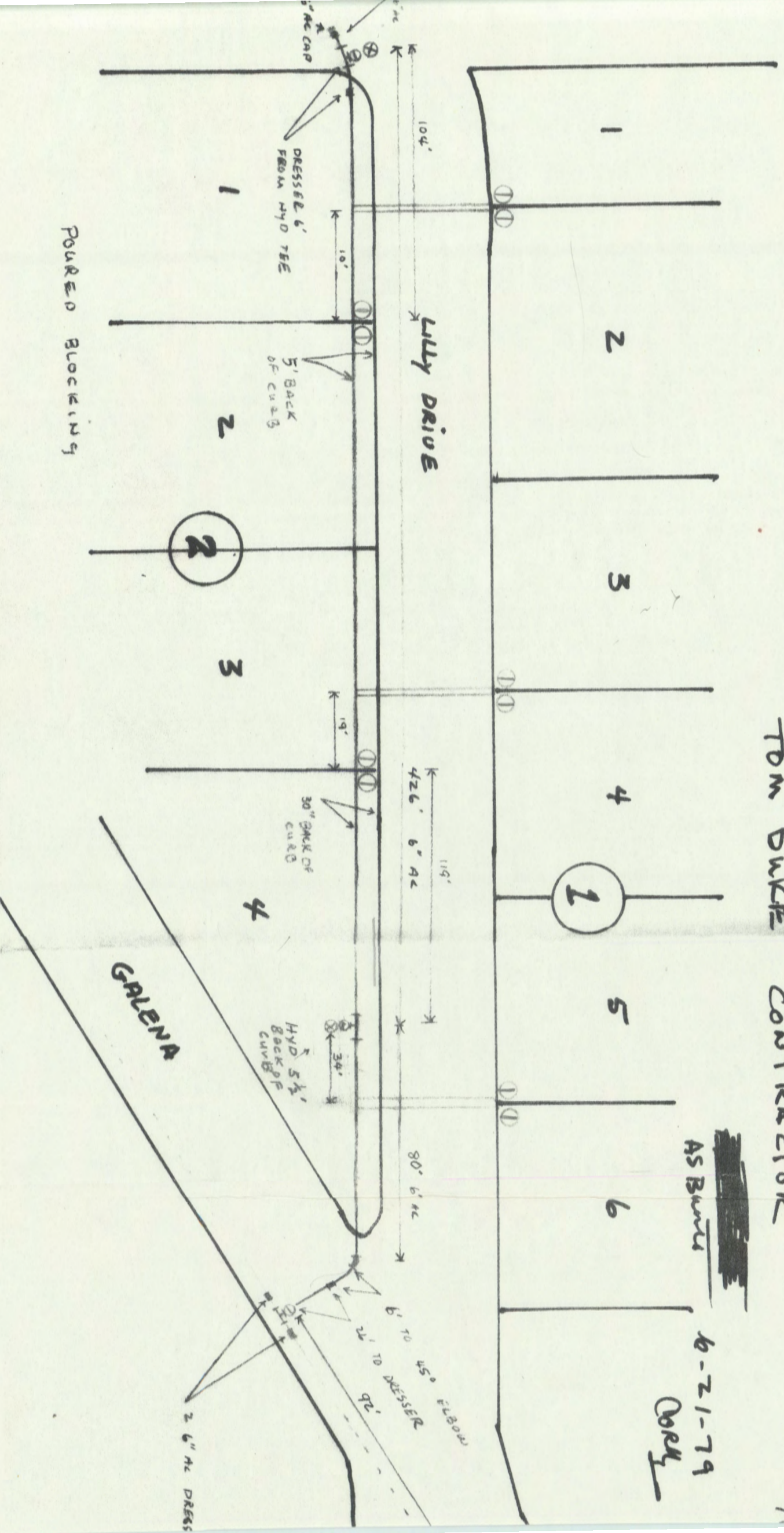
PONDEROSA TERRACE

TOM DUKE CONTRACTOR

~~AS BUILT~~

6-21-79

COPEL



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PUBLIC COMMENTS

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From: [Angela Montes](#)
To: [CLARK, TRACI](#)
Subject: Public Hearing - Tuesday, Sept. 9 - concern
Date: Thursday, September 4, 2025 3:37:27 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attn: Planning and Zoning Commission,

I am writing to you regarding the request for parcel annexation to create 5 lots called the Haag Estates (Item A-1-25 & S-1-25).

I purchased the property at 2546 Lilly Dr. September of 2022. One of the main deciding factors for my choice in purchasing this property was the fact that it was a dead end street, which afforded us a semblance of extra privacy. We don't have just anyone driving through our street, and anyone playing at Ponderosa golf course or eating at the Capones restaurant tends to access those locations via French Gulch road.

My concern if this annexation and subsequent lots to build the Haag Estates is approved is that Lilly Dr will be opened and connected to the other side which will create a thoroughfare of traffic on our street. Opening Lilly Dr. makes it much easier for anyone coming from the north end of 15th St (exiting I90) to access the Ponderosa Golf course and Capones restaurant as well as the other dead end streets along Hill Dr and properties along French Gulch Rd via Galena Dr. I have a good view of the golf course and I know how busy it gets from the time the snow melts until first snow. A high percentage of that traffic will be accessing the golf course via Lilly Dr. as soon as most people realize it is open and also as soon as Google maps and any other gps is updated to reflect that occurrence. I strongly oppose this request if this is the plan. Now, if a gate were to be placed at the location where Lilly Dr dead ends on our portion of the street and only the fire department had access to that gate perhaps with pedestrian access for those neighbors that walk their dogs, maybe that would be acceptable. This would mean that access to Haag Estates would be from the west side of Lilly Dr. only. I am only attempting to provide a solution if it is the fire departments request to open the street for faster access to our area. However, if the intent is to merely connect both sides of Lilly Dr and leave them open to thru traffic, then I am in strong opposition of that.

Thank you for your consideration,

Bonnie Montes-Uresti
Dove Family Trust

From: [Ashleigh Lindemann](#)
To: [CLARK, TRACI](#)
Subject: Planning & Zoning -2248 E Stanley Hill Rd.
Date: Wednesday, September 3, 2025 3:01:15 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Planning and Zoning Committee,

I am writing to express my support for the proposed division of the private property located at 2248 E. Stanley Hill Rd owned by Eugene P Haag Jr Trust (Haag Estates). As a community member, I believe that allowing this property to be subdivided aligns with both the character and the future growth of our community. The proposed division appears to comply with current zoning regulations and land use plans, and it presents an opportunity for responsible development that can enhance the neighborhood without compromising its integrity. Whether the intent is to create additional housing, improve land use, or facilitate more efficient ownership, I believe this request is in the best interest of the surrounding area. I respectfully encourage the committee to approve this division request and consider the potential benefits it could bring to our community in terms of additional housing options for close family members, improved land management/fire fighting capabilities, and increased property value. Thank you for your time and consideration.

Ashleigh Lindemann
208-659-8209

From: [Barbara Daugharty.m.d.](#)
To: [CLARK, TRACI](#)
Subject: Haag Living Trust
Date: Wednesday, August 27, 2025 5:35:17 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing in opposition to this proposed development. This has come up in the past and was turned down. I live adjacent to this property and foresee that it will increase traffic to this area dramatically not only on Stanley Hill Road but also on the the junction of this road and fifteenth street. It will adversely affect my home and the homes adjacent. Unfortunately I am out of town and unable to attend the meeting. Thank you. Barbara Daugharty. 2272 East Stanley Hill Road.

[Sent from AT&T Yahoo Mail for iPhone](#)

From: [Bennett Cunningham](#)
To: [CLARK, TRACI](#)
Cc: ephaagjr@gmail.com
Subject: Letter of Support for the Haag Estates
Date: Saturday, September 6, 2025 8:08:26 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Planning and Zoning Committee,

I am writing in support of the proposed project on the Haag Estates. I believe this development will provide many benefits for both the family involved and the surrounding community.

First and foremost, the cost of housing has made it difficult for many families who grew up in this community to return and remain close to their roots. This project would give the Haag family the financial means to move back, allowing their children to live near family again.

I also believe strongly in the right for private property owners to develop their land in a manner that is consistent with existing zoning. It is not fair for neighboring residents to treat private land as their own personal dog park or recreation space, particularly when prior attempts to post "No Trespassing" signs were ignored or even vandalized. This is both a liability and safety issue that should not continue.

Additionally, this project stands to improve public safety for the broader community. From my understanding, fire and emergency services would be able to reach homes on E. Lilly Drive more quickly. The added access would also reduce traffic up Stanley Hill, as those who live near Lilly Drive would have a more direct route home. Enhanced emergency access and improved circulation benefit everyone.

In short, this project is consistent with zoning, addresses safety and liability concerns, supports family stability in the community, and offers measurable benefits for emergency response and local traffic flow. For all these reasons, I fully support its approval.

Thank you for your consideration.

Sincerely,

Bennett Cunningham

From: [Brendon Hill](#)
To: [CLARK, TRACI](#)
Cc: ephaagjr@gmail.com
Subject: Proposed Parcel split
Date: Tuesday, September 2, 2025 3:37:23 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Planning and Zoning Committee,

I am writing to express my support for the proposed division of the private property located at 2248 E. Stanley Hill Rd owned by Eugene P Haag Jr Trust (Haag Estates). As a community member, I believe that allowing this property to be subdivided aligns with both the character and the future growth of our community.

The proposed division appears to comply with current zoning regulations and land use plans, and it presents an opportunity for responsible development that can enhance the neighborhood without compromising its integrity. Whether the intent is to create additional housing, improve land use, or facilitate more efficient ownership, I believe this request is in the best interest of the surrounding area.

I respectfully encourage the committee to approve this division request and consider the potential benefits it could bring to our community in terms of additional housing options for close family members, improved land management/fire fighting capabilities, and increased property value.

Thank you for your time and consideration.

Sincerely,
Brendon K. Hill
1615 W Switchgrass Lane #201
Coeur d'Alene, ID 83815

Mailing: 285 W Prairie Shopping CTR PMB 266, Hayden, ID 83835

(208) 620-7299
brendonh@bullseye-mechanical.com

From: [Devon Haag](#)
To: [CLARK, TRACI](#)
Cc: [Gene Haag](#)
Subject: 2248 E Stanley Hill Rd- Haag Estates
Date: Tuesday, September 2, 2025 1:00:05 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Traci Clark,

I am writing to express my strong support for the proposed development of a portion of my father's land, which is held within the Eugene P. Haag Jr. Trust (Haag Estates), at 2248 E Stanley Hill Road.

As a single-income family, the possibility of developing this land offers us a rare and life-changing opportunity, the ability to build an affordable home, return to the place where I was raised, and provide a safe, grounded upbringing for our newborn child. Idaho's skyrocketing housing costs have made it increasingly difficult for working families like ours to stay rooted in the communities we love. Being able to develop part of this property is one of the only viable paths we have toward homeownership.

This land isn't just an asset on paper, it's part of our family history. It's where I grew up, where generations have gathered, and where we hope to raise the next. I want my child to experience the same kind of childhood I was blessed with: the freedom of the outdoors, the comfort of being near grandparents, and the lasting bonds that come from growing up close to family. Moving back home would mean more than just a roof over our heads, it would mean stability, support, and a sense of belonging that no housing market can price.

Additionally, the proposed development includes the construction of an access road, which we believe could significantly improve emergency and firefighting access to the area, a meaningful benefit for the broader community in light of Idaho's growing wildfire risks.

We also have real concerns about unauthorized public access to this private land. There have been numerous instances of strangers walking their dogs and wandering through the backyard, while our family, including young children, were present. This lack of privacy is unsettling and unacceptable. Development would help establish proper boundaries, reduce trespassing, and better protect the safety and privacy of our family.

We are not seeking to drastically change the land, only to make it livable for the next generation. The Eugene P. Haag Jr. Trust (Haag Estates) was established with family in mind, and we want to honor that legacy by continuing to live, grow, and contribute to the place we call home.

I respectfully urge you to consider how deeply important this development is, not only to our family's future but to the preservation of a multi-generational Idaho story. I am unable to attend the meeting on September 9th, 2025.

Thank you for your time and thoughtful consideration.

Sincerely,

Devon Dahlman (Haag)

From: [Donna Phillips](#)
To: [CLARK, TRACI](#)
Subject: RE: PUBLIC NOTICE FOR CITY COUNCIL ON DECEMBER 2, 2025
Date: Friday, November 14, 2025 9:58:40 AM
Attachments: [image001.png](#)

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Good Morning,

The City of Hayden has no comments with regard to the request identified below. Thank you.

Donna Phillips, GISP

Community Development Director

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, November 14, 2025 9:44 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: FW: PUBLIC NOTICE FOR CITY COUNCIL ON DECEMBER 2, 2025

Greetings,

Attached is a copy of the public hearing notice for the CITY COUNCIL **DECEMBER 2, 2025, at 6:00.**

If you have any comments, please let me know.

Traci Clark
Administrative Assistant
Planning Department, City of Coeur d'Alene

208.769-2240
tclark@cdaid.org



From: [Doug Rupiper](#)
To: [CLARK, TRACI](#)
Cc: Ephaagjr@gmail.com
Subject: Haag Estates 2248 E Stanley Hill Road
Date: Wednesday, September 3, 2025 5:09:31 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I would like to express my strong support for the annexation request for Haag Estates, located at 2248 E. Stanley Hill Road, Coeur d'Alene.

Granting this request will:

- Turn an underutilized parcel into an attractive, professionally maintained property that enhances the character of our neighborhood.
- Add sidewalks and safe, legal access for residents, improving walkability and fostering a greater sense of connection within the community.
- Provide more reliable access for fire and emergency responders, strengthening overall public safety.
- Contribute to the long-term value and appropriate use of the property, benefiting both local residents and the broader city/county tax base.

This proposal is a thoughtful step forward for our community, and I respectfully encourage its approval.

Thank you,

Doug Rupiper

From: [Emma Bartlett](#)
To: [CLARK, TRACI](#)
Cc: [Juliaaaa](#)
Subject: Haag Estates Subdivision
Date: Sunday, September 7, 2025 11:26:17 AM

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Dear Members of the Planning and Zoning Committee,

I am writing to express my support for the proposed development of the property at 2248 E Stanley Hill Road, owned by Eugene P Haag Jr Trust (Haag Estates). After careful consideration, I believe this project has the potential to be a valuable addition to our neighborhood.

The development of Haag Estates presents an opportunity to enhance our community without disrupting the qualities that make it special. I am particularly encouraged by the prospect of improved land management practices, which can contribute to the overall health and beauty of our area. Furthermore, the project's plans for enhanced fire fighting capabilities are a significant benefit, offering increased safety and security for all residents.

I urge you to give Haag Estates your full support for the requested subdivision. I am confident that this project will be a positive force for our neighborhood, and I appreciate your time and dedication to making informed decisions that benefit our community.

Sincerely,

Emma Bartlett

From: gaylaf@roadrunner.com
To: [CLARK, TRACI](#)
Cc: ["Jeffffleming@roadrunner.com"](mailto:Jeffffleming@roadrunner.com)
Subject: RE: ITEM: A-1-25 & S-1-25
Date: Sunday, August 31, 2025 8:33:33 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning Department,

We, the Fleming Family Trust residing at 2211 Crestline Drive, want to express opposition to the proposed annexation of the 2248 E. Stanley Hill Road property as we feel our property, and other nearby residential properties, may also be annexed by the City of Coeur d'Alene, either through this current process, or in a future annexation attempt. One of our criteria for buying this house in 2004, was that it was not part of an incorporated city. We would like it to remain within the jurisdiction of Kootenai County only and fear there is an increased likelihood the City of Coeur d'Alene may be emboldened to annex other areas of our neighborhood if the annexation of the Haag property succeeds.

Jeffrey and Gayla Fleming

From: [Robert Beachler](#)
To: [CLARK, TRACI](#)
Subject: RE: PUBLIC NOTICE FOR CITY COUNCIL ON DECEMBER 2, 2025
Date: Monday, November 17, 2025 6:28:10 AM
Attachments: [image001.png](#)

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No Comment from the Idaho Transportation Department.

Robert Beachler
District 1 Planning Program Manager
Idaho Transportation Department
600 W. Prairie Ave
Coeur d'Alene, ID 83815
robert.beachler@itd.idaho.gov
(208) 772-1216
Office Hours M-TH 6-4:30

From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, November 14, 2025 9:44 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: FW: PUBLIC NOTICE FOR CITY COUNCIL ON DECEMBER 2, 2025

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Greetings,

Attached is a copy of the public hearing notice for the CITY COUNCIL **DECEMBER 2, 2025, at 6:00.**

If you have any comments, please let me know.

Traci Clark
Administrative Assistant
Planning Department, City of Coeur d'Alene

208.769-2240
tclark@cdaid.org



September 1st, 2025

Planning and Zoning Commission
City of Coeur d'Alene
710 E. Mullan Ave
Coeur d'Alene, ID 83814

Support for Subdivision of Family Property at 2248 E Stanley Hill Road, CDA, ID, 83814

Dear Planning Department,

I am writing to formally express my full support for my father, Eugene Haag, in his request to subdivide our family property located at 2248 E Stanley Hill Road, CDA, ID, 83814.

This subdivision represents a meaningful and practical step for our family for several reasons:

1. **Affordability and Housing Access**

Subdividing the family property would give me, and my siblings, a rare and meaningful opportunity to return to our hometown and establish homeownership, something that has become increasingly out of reach due to current market prices. It would allow us to live closer to family, contribute to the local community, and invest long-term in the place that helped shape who we are.

2. **Family Safety and Animal Welfare**

The property currently serves as a secure area for our family dog, who is protected by an installed electric fence system. This enclosed space ensures their safety and keeps them from wandering onto neighboring properties or public roads. Subdividing the land will allow us to maintain this controlled, safe environment for our pets while still responsibly managing the land.

3. **Clarifying Private vs. Public Use**

Although portions of the land remain undeveloped, it is important to emphasize that this property is privately owned and maintained for private use. Subdivision does not change this status, but it can help eliminate confusion that sometimes arises when people assume open space equates to public access. Making clear, documented boundaries will help protect the integrity of the property and reduce the potential for trespassing or misuse.

4. **Long-Term Stewardship and Investment in the Community**

By subdividing and remaining on the land, our family will continue to be active participants in the neighborhood. We have a vested interest in maintaining the property, contributing to the safety and appearance of the area, and supporting the long-term development goals of Coeur D Alene.

We respectfully ask the city to consider this request not only as a matter of family necessity but also as a proactive solution that supports community stability, responsible land use, and long-term local residency.

Sincerely,
Jillian Haag

From: [Joy O'Brien](#)
To: [CLARK, TRACI](#)
Subject: In Support of Haag Estates Zoning Change
Date: Sunday, September 7, 2025 10:21:49 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning and Zoning Commission,

I am writing in support of the proposed zoning change for Haag Estates at 2248 E. Stanley Hill Road. I understand that change can bring questions or concerns, and I want to share why I believe this project will benefit both the Haag family and the surrounding neighborhood.

First, the improvements being proposed — sidewalks, better emergency access, and consistent upkeep — will strengthen the neighborhood, not diminish it. Far from reducing property values, well-planned and well-maintained projects like this typically increase them by making the area more attractive, walkable, and safe. A tidy, updated property adds to the appeal of nearby homes and reflects well on the community as a whole.

Concerns about traffic are understandable, but in this case the impact will be minimal. The project is not a large-scale development or high-density expansion. It is simply intended to create housing for the Haag family's children — four homes in total — so that they can live and work in the community where they were raised. That level of growth will hardly alter traffic patterns but will meaningfully add to the sense of stability and community that makes Coeur d'Alene special.

I also believe this project helps address one of our city's pressing needs: attainable housing for local families and employees. Too often, younger generations are priced out of the market and forced to leave. Allowing a family to provide homes for their children on their own land is a commonsense, compassionate way to keep those connections strong. Multi-generational living not only supports families but also enriches the neighborhood by ensuring long-term commitment to the area.

In my view, this proposal balances family needs, neighborhood safety, and community growth in a thoughtful and intentional way. I encourage you to approve the zoning change, knowing it will serve both the immediate residents and the larger Coeur d'Alene community.

Thank you for your time and careful consideration.

Warm regards,
Joy O'Brien

From: [Hughes Judy](#)
To: [CLARK, TRACI](#)
Subject: A-1-25 & S-1-25
Date: Wednesday, September 3, 2025 11:48:36 AM

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2248 E Stanley Hill Road RE: Annexation to the city and Haag Estates

Traffic would be much less impactful if Haag estates access/exits on the city side, not back into the county side of East Lilly dr.

1. The two neighborhoods are entirely different. On the East County side the homes live and play on that street, no sidewalks, many East Lilly Dr homes don't have backyards so the street is very pedestrian. However on the city (west side) the Lilly Dr is barely used. It is also the most direct route.

2. the intersection of East Lilly onto Hill Drive is already dangerous. It does not make sense to add more traffic to East Lilly Dr.

Come for a walk here for 5 minutes you will instantly understand why the traffic from Haag Estates needs to go to the West CITY side of Lilly Drive.

The most direct route out of Haag estates to access everything is to drive straight out the west City side. If you let them send traffic East onto the county side consider all their cartrips, snowplows, deliveries etc for the next hundreds of years to go the long way around through very residential living.

Thankyou for your consideration,

Judy Hughes
2514 Lilly Drive
Coeur D Alene, ID

From: [Julia Haag](#)
To: [CLARK, TRACI](#)
Cc: [Gene Haag](#)
Subject: Letter of Support for the Haag Estates Subdivision
Date: Sunday, September 7, 2025 1:30:37 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Traci Clark and Associates,

I am writing to express my strong support for the proposed subdivision of Eugene Haag's property at 2248 E Stanley Hill Road. As one of Eugene's children, the approval of this proposal would give me the opportunity to build a home and establish a permanent residence in the place where I was raised.

Given the current housing market, finding an affordable home in Coeur d'Alene has become increasingly difficult. This subdivision would offer a rare opportunity for me to build a home and raise my family on the very land where I grew up. It would allow my children to experience the same supportive and connected community I was fortunate to grow up in, while also remaining close to extended family.

This proposal brings important practical advantages. The construction of a connecting road between East and West Lilly would improve emergency response times by providing better access for fire and rescue vehicles. It would also ease traffic congestion on Stanley Hill Road and provide more efficient access for residents of E Lilly Drive.

Additionally, the current lack of zoning and defined boundaries has created ongoing safety and liability concerns. Over the years, we've experienced repeated trespassing, including individuals walking through our property—even directly through our yard while we and our children were home. Despite having numerous "No Trespassing" signs posted, the issues persist, with signs regularly being torn down, vandalized, or even shot at. The proposed subdivision and road would help resolve these issues by providing a designated public space, such as a sidewalk, that encourages responsible and legal use of the area—ultimately protecting both property owners and pedestrians.

I sincerely hope you will consider the many personal and community-wide benefits of this proposal. Thank you for your time and thoughtful consideration.

Kind regards,
Julia Haag

From: [Keegan Kime](#)
To: [CLARK, TRACI](#)
Subject: 2248 E. Stanley Hill Rd Comments
Date: Monday, September 1, 2025 3:08:34 PM

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To Whom This May Concern,

My Wife and I live directly to the east of this proposed annexation and development. We strongly oppose this annexation and proposed development for several reasons. Many of the reasons this planning commission and city council have already stated in the previous decisions made in both 2005 and 2021. According to public record there were 19 requirements laid out by the city in 2021 we have seen no evidence that even a single requirement has been met as of this date.

The four conditions of primary concern to us are the control of the natural spring that runs through the property, the control of the storm water from the property during and after construction, the proper and safe grading of the property according to the Hillside Ordinance and the construction of a private driveways instead of connecting Lilly Drive. Being the immediate abutting property it is of significant concern to us that all of these be managed properly as they could cause substantial negative impact or damage to our property.

The city engineer stated in 2021 that the city did not wish to connect the east and west portions of Lilly Drive we strongly urge the city to maintain this position. Many of the resident purchased homes on East Lilly because it is a dead end and the majority of us do not wish to see the two streets connected. The east portion of Lilly Drive is a very quiet and peaceful block the connection of the two streets would disturb this peace and lower property values for the existing residents. Additionally connecting the two streets will exacerbate the confusion in regards to public works jurisdiction that already exists.

The formation of an HOA runs counter to the culture of this neighborhood made up of many who intentionally chose to live outside city limits. It also appears that this development seeks annexation into The City of Coeur d'Alene in order to avoid sanitary restrictions placed on development by the Panhandle Health District and Kootenai County. It was argued on behalf of the development that these new lots would be less dense than the average neighborhood lot. While that maybe true you cannot retroactively apply 1970's construction standards to a modern development the same way you cannot apply the standards of 2025 to homes built in the last century. That argument like many factors in regards to this development run counter to common sense and logic.

Additionally we must state for the record that as the abutting property using the front of our property or any area of our property as a staging area for construction/arborist crews will under no circumstance be tolerated. If the workers from this development purposefully or mistakenly trespasses onto our property we will have no choice but to involve the Kootenai County Sheriff. This statement is being made due to a significant history of trespassing by unknown individuals onto our property from 2248 E. Stanley Hill Road.

Due to the general lack of upkeep of the property we have no confidence that this property will be developed responsibly nor respectfully. We regularly deal with trespassers that trespass onto our property through 2248 E. Stanley Hill assuming it is a park. They commonly state that they believed it was a park until the stumble onto our property which is more clearly looked after. There is a abundance of dead and overgrown plants, small abandoned structures, and general refuse visible on the property from afar.

We have no intention of halting development or stopping the owner from doing what they wish to with their property we only wish to see it done in a responsible and respectful manner. As one of the immediate neighbors for two years we do not have any reason to believe that this will be the case. We

respectfully ask the planning commission and city council to consider the families that currently live in the neighborhood not the people that might possibly live here eventually.

Sincerely,

Keegan and Kelsey Kime
E Lilly Drive

From: [Kelsey Haag](#)
To: [CLARK, TRACI](#)
Cc: [Gene Haag](#)
Subject: Eugene P Haag Jr Trust (Haag Estates)
Date: Sunday, September 7, 2025 10:48:20 PM

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Kelsey Haag

4441 East Fairmount Street
Tucson, Arizona
kelsey_jh@yahoo.com
September 7, 2025

Coeur d'Alene Planning and Zoning Commission
710 Mullan Avenue
Coeur d'Alene, ID 83814

Re: Support for Eugene P Haag Jr Trust (Haag Estates) – September 9, 2025 meeting

Dear Members of the Planning and Zoning Commission,

I am writing to express support for the subdivision and annexation of the property belonging to my father, Eugene P Haag Jr., at 2248 East Stanley Hill Road, Coeur d'Alene, Idaho, 83814.

On the Commission's website it is stated that, *"The Commission seeks to promote orderly growth, preserve the quality of Coeur d'Alene, protect the environment, promote economic prosperity, protect property rights, and foster the safety of its residents."* Approving this parcel change for our family property would directly meet several of these goals.

Orderly Growth – The property that would be developed would serve our direct family, not a business or corporation trying to take over land. Most of us siblings who plan to develop and move back will not do so at the same exact time. The neighborhood will have an opportunity to grow and adjust slowly and orderly.

Promote Economic Prosperity – I moved away from CDA many years ago as a young adult, with the intention of moving back. As years have gone by, the cost of living has increased, and my teacher's salary has not kept up. Moving back to the place that I have called home since 2003 has seemed out of reach. Allowing the Haag Estates to be subdivided would give many of us Haag siblings – including myself – an opportunity to return in a way that financially makes more sense. This, in turn, gives us a chance to feed into the city's economy in ways that may not have been financially doable without having a piece of our father's property to start the process.

Foster the Safety of Residents – For as long as I can remember, community members living around my father's property have used his land as their personal park. Even as recently as this summer when I was visiting, I saw people walk through his property, despite "No Trespassing" signs being posted for many years. Allowing this property to be annexed and developed would create even clearer property lines, providing for greater safety of all involved—neighbors and owners alike.

For my family, this decision represents not only a chance to return home and continue a family legacy that is 22 years in the making, but also an opportunity to contribute meaningfully to the community we love. I respectfully ask for your support of this request, and I thank you for your thoughtful consideration and the important work you do for the residents of Coeur d'Alene.

Sincerely,
Kelsey Haag

From: [Kim Stevenson](#)
To: [CLARK, TRACI](#)
Subject: ITEM: A-1-25 & S-1-25
Date: Friday, September 12, 2025 1:30:26 PM
Attachments: [image001.png](#)

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Good Afternoon,

I know this is past the deadline but I thought I would email you anyway.

The Coeur d'Alene Airport has no comment on either item.

Thanks and have a great weekend,

Kim

 **Kim Stevenson**
Compliance Administrator
Coeur d'Alene Airport
208-446-1861

From: [Martinez, Leo](#)
To: [CLARK, TRACI](#)
Subject: PUBLIC NOTICE FOR PLANNING & ZONING ON SEPTEMBER 9, 2025
Date: Monday, August 25, 2025 12:48:14 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[public notice .pdf](#)

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Traci,

Phillips 66 does not have any utilities within your attached project vicinity.
(Response 13089)



Leo Martinez

Associate, Operations Support • Real Estate Services

O: 805-541-8912 | F: 805-538-6204
18781 El Camino Real | Atascadero, CA 93422
Leo.Martinez@phillips66.com



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From: CLARK, TRACI <TCLARK@cdaid.org>
Sent: Friday, August 22, 2025 8:52 AM
To: CLARK, TRACI <TCLARK@cdaid.org>
Subject: [EXTERNAL]PUBLIC NOTICE FOR PLANNING & ZONING ON SEPTEMBER 9, 2025

This Message Is From an External Sender

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[Report Suspicious](#)

Greetings,

Attached is a copy of the public hearing notice for the **PLANNING & ZONING** on **TUESDAY, SEPTEMBER 9, 2025, at 5:30.**

If you have any comments, please let me know.

Traci Clark
Administrative Assistant
Planning Department, City of Coeur d'Alene

208.769-2240

tclark@cdaid.org



Lindsay Matthey

Oklahoma City, OK | 208-916-0164 | lindsayhaag1@gmail.com

August 27, 2025

Dear Traci Clark and Associates,

I am writing to express my support for the subdivision of Eugene P Haag Jr's property at 2248 E Stanley Hill Road, Coeur D Alene, ID 83814 scheduled to be discussed on September 9th, 2025. I am one of Eugene's six children and was raised on the property in question. It has always been a dear wish of mine to return to CDA and raise my family there. Regrettably, real estate prices have reached new heights, where my husband, an active-duty soldier, and I cannot afford to make this transition to be close to family. Through the generosity of my father and the council's approval of the subdivision, my husband and I would be able to move back to the area and raise our future children in this wonderful community.

Additionally, it is the constitutional right of every citizen of the United States to possess, use, transfer, and exclude others from their property. The constitution's protection of our property rights is the cornerstone of individual liberties and our free market economy. Protected in this, is the right for private property development consistent with zoning around the property. My father's interest is solely to create a space for his children to return home.

This is also a safety issue. While growing up, there were several instances where strangers walked through the property while my siblings and I were outside playing. Several attempts have been made through the years to post "no trespassing" signs. All of which have been vandalized or removed without permission. As I understand it, people continue to use the property as their personal park. I vehemently oppose this and would like to draw the council's attention to the fact that approving the zoning of this property would improve safety and reduce liability. With zoning approval, fire and emergency services would be able to reach the homes on E Lilly Drive faster, residents of the neighborhood would be able to utilize the area with the addition of sidewalks legally, and it would decrease traffic on the surrounding streets through the creation of the thoroughfare.

Lastly, approving this zoning will bring skilled workers to Coeur D Alene. In my family, there are educators, engineers, business owners, and medical professionals who are eager to return to the area and contribute to the growing economy. I myself am months away from graduating with my doctorate in physical therapy and would be honored to come home and work with my fellow Idaho natives.

I would implore you to deeply consider the benefits of zoning this property and question why others oppose it when they have no right to. Thank you for your consideration. I look forward to hearing about your decision.

Sincerely,

Lindsay Matthey

From: [Marissa Abbott](#)
To: [CLARK, TRACI](#)
Cc: [Shawn Abbott](#)
Subject: 9/9/25 meeting regarding Eugene and Nancy Haag Living Trust
Date: Monday, September 8, 2025 2:44:12 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello!

I wanted to write regarding my thoughts about the meeting tomorrow about the Eugene and Nancy Haag Living Trust request. Our little neighborhood is home to many different animals who are safe from busy streets and overpopulation. It is also a retreat for those of us who have chosen to live here, as it has few through streets and a collection of homeowners who care and so take care of their space.

Recently, work was completed in preparation for the request being presented yesterday, as you know which left my property in a very different state than when I purchased the land. If this is a small view into the future of what this change will mean for our neighborhood, I am very against this proposal and concerns for my property, my neighborhood, and the many animals who live here. The grass and land was greatly destroyed in two areas on my property, and although I was offered seed, it does not change the fact that someone was working on my land, without my permission and changed in such a way that reduced my enjoyment as well as the many animals that previously hid and ate the grass that was present.

I am greatly concerned about the changes that might occur when Lily is connected. It has been lovely walking through the trail and having the quiet in our backyard. I fear the traffic might be substantial if this road is connected.

I will additionally lose many trees which border my property with the Haag property. Part of the attraction of Stanley Hill is the wonderful, established trees. 3 units on one acre of land will greatly change the landscape of our area.

In summation, I have great concern about the request being considered and would ask that the zoning remain as it is.

Thank you for your time!

Marissa Abbott

From: [M](#)
To: [CLARK, TRACI](#)
Subject: Approval for 2248 E Stanley Hill Rd
Date: Friday, September 5, 2025 1:47:02 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Traci,

I'm sending this email to state that I support the zoning change for 2248 E Stanley Hill RD, (Haag Estates). I live close by and I believe this would be a healthy, positive change for our neighborhood.

This plan would increase the aesthetic value of the property while keeping a quality residential environment, instead of just being the way it is. The inclusion of sidewalks would provide clear, safe walking areas for those in our community as well as providing easier, quicker access for emergency personnel, should the need ever arise.

Again, I believe this is a positive and intelligent change, and I hope that you will approve it.

Sincerely,

Michael C.

From: [Michelle Bartlett](#)
To: [CLARK, TRACI](#)
Cc: ephaagjr@gmail.com
Subject: Eugene P Haag Jr trust
Date: Sunday, September 7, 2025 3:59:00 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Planning and Zoning Committee,

I am writing to express my support for the proposed division of the private property located at 2248 E. Stanley Hill Rd owned by Eugene P Haag Jr Trust (Haag Estates). As a community member living in this neighborhood, I believe that allowing this property to be subdivided aligns with both the character and the future growth of our community.

The proposed division appears to comply with current zoning regulations and land use plans, and it presents an opportunity for responsible development that can enhance the neighborhood without compromising its integrity. Whether the intent is to create additional housing, improve land use, or facilitate more efficient ownership, I believe this request is in the best interest of the surrounding area.

I respectfully encourage the committee to approve this division request and consider the potential benefits it could bring to our community in terms of additional housing options for close family members, improved land management/fire fighting capabilities, and increased property value. We desperately need housing that is affordable for our children and first time home buyers to keep our community strong. I support homeowners rights that facilitate these important goals.

Thank you for your time and consideration.

Sincerely,

Michelle Bartlett

From: [CLARK, TRACI](#)
To: [CLARK, TRACI](#)
Subject: phone call regarding re Haag trust from Jill Mikael
Date: Tuesday, November 18, 2025 11:53:22 AM

I received a phone call from a neighbor she cannot make the hearing, and she did not want to write a comment:

Jill called and voiced her concerns regarding the Haag Trust. She is against the annexation.

She believes there would be too much traffic if Lilly would become connected. The folks going to the golf course

would use Lilly as a short cut. She is also worried the property could not be able to sustain 4 additional homes

Because of the soil being very soft and steep.

Jill Mikael

From: [Samantha Hill](#)
To: [CLARK, TRACI](#)
Cc: ephaag@gmail.com
Subject: Request for Approval of Property Division; Sep 9 Meeting
Date: Tuesday, September 2, 2025 3:40:54 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Planning and Zoning Committee,

I am writing to respectfully request your consideration and approval of a proposed plan to divide a private property located at 2248 E. Stanley Hill Rd, which belongs to my family friend, Eugene P Haag Jr Trust (Haag Estates).

I want to note that I grew up in the Coeur D'Alene community, but I am not currently a member. However, as a close family friend, I would directly benefit from this proposed change because it would allow my best friend—Lindsay Haag—to live closer. This opportunity would strengthen family ties, provide stability, and support the community by ensuring that property remains well cared for by those with a vested personal interest in it.

The proposed division appears to comply with current zoning regulations and land use plans, and it presents an opportunity for responsible development that can enhance the neighborhood without compromising its integrity. Whether the intent is to create additional housing, improve land use, or facilitate more efficient ownership, I believe this request is in the best interest of the surrounding area.

I respectfully encourage the committee to approve this division request and consider the potential benefits it could bring to the community in terms of additional housing options for close family members, improved land management and fire-fighting capabilities, and fostering a stronger, more connected neighborhood.

Thank you for your time and thoughtful consideration.

Sincerely,

Samantha Grace Larson
2141 S Stephen Ave Apt 102
Boise, ID
sghill1123@gmail.com
208-964-0291
09-02-2025

From: [SHAE OWENS](#)
To: [CLARK, TRACI](#)
Cc: ephaagjr@gmail.com
Subject: Eugene P Haag Jr Trust (Haag Estates)
Date: Sunday, September 7, 2025 11:48:13 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I writing to state my support for approval of the Haag 3.19-acre parcel from County Agriculture Suburban to City R-3 (Residential at 3 units per acre) and development of 5 lots.

As a member of this community for over 25 years who lives in this area (Elton Lane), we find ourselves in a similar position. We are landowners, and yet have been historically been denied the ability to take a similar path in order to create an opportunity for affordable housing that would allow our children to stay in the area they were born and raised.

As I understand the project, the proposed development brings value to that neighborhood, decreases inappropriate public use of private property (a problem we encounter as well in this area), has potential to improve traffic flow and improve fire fighting capabilities.

In summary, I believe the nature of this project is a reasonable proposal for development in this particular geographic area that makes more sense than many of the projects that have manifested in this community.

Thank you,
Chad and Shae Owens
1778 N Elton Ln.
Coeur d'Alene, ID 83814
208-661-3365

Shae

From: [Suzan Rheault](#)
To: [CLARK, TRACI](#)
Subject: Proposed Haag Estates
Date: Wednesday, September 3, 2025 1:45:56 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To: City Planning Commission
Re: proposed Development at 2248 E Stanley Hill Road, Coeur d'Alene, ID 83814
Opposition to Through Street Connection.

I understand the city needs to provide housing to meet the growth in the Community. I am strongly opposed to the proposed plan to extend a through street into our cul-de-sac as part of the Haag Estates.

Concerns:

*Safety Risks- Cul-de-sacs are designed to be safe, low-traffic residential streets. A through street would bring cut-through traffic, higher speeds, and danger to children, pedestrians and cyclists.

* Neighborhood Character- The quiet and private nature of the cul-de-sac would be permanently damaged, undermining why many residents chose to live here.

*Property Impacts- Increased traffic, noise, and reduced safety will negatively affect property values and quality of life.

*Better Alternatives Exist- The development can be served by alternative access points, or pedestrian/bicycle connections, without opening the cul-de-sac to through traffic.

I respectfully urge the Planning Commission to reject the proposed through street connection and require the developer to revise the design to protect safety, livability, and integrity of our neighborhood.

Suzan Rheault
2514 Lilly Drive
Coeur D alene, ID 83814

From: [Thomas Smart](#)
To: [CLARK, TRACI](#)
Subject: Planning and Zoning
Date: Sunday, September 7, 2025 10:21:40 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning and Zoning Commission,

I am writing to express my support for the proposed zoning change for the Haag Estates property at 2248 E. Stanley Hill Road. As a resident of Coeur d'Alene, I believe this proposal represents a thoughtful step forward for both the property owner and the surrounding community.

One of the most important aspects of this project is that it ensures the land will be put to good use for families who want to live here. Too often, land remains underdeveloped or is turned into projects that don't reflect the needs of the people who call this community home. In this case, the owner's vision is to provide homes for his children, keeping families together and creating opportunities for younger generations to stay in Coeur d'Alene. At a time when attainable housing is one of the city's most pressing challenges, this is an approach that deserves support.

The proposal also adds infrastructure improvements that will directly benefit neighbors. Sidewalks will give the community a safe and much-needed way to walk and connect — something especially valuable for children, families, and anyone who enjoys being outdoors. Equally important, the project enhances access for emergency vehicles, which is a practical improvement that could make a difference in critical situations. These aren't small changes; they are investments in safety, connectivity, and quality of life.

Another reason I support this zoning change is that it encourages responsible growth. Coeur d'Alene is a city that continues to grow, and we need solutions that balance development with respect for existing neighborhoods. This proposal is not about high-density expansion or large-scale disruption — it is about a family property being carefully adapted to meet the needs of both the owners and the surrounding community. It represents the kind of growth that preserves the character of our neighborhoods while also addressing real challenges.

I sincerely hope you will view this project as an opportunity to strengthen our community. It respects the property owner's rights, meets critical needs like safety and housing, and enhances the character of the neighborhood. For all of these reasons, I strongly encourage you to approve the proposed zoning change.

Thank you for considering the broader value this project brings to Coeur d'Alene.

Warm regards,
Thomas Smart
Sent from my iPhone

From: [Tyson Larson](#)
To: [CLARK, TRACI](#)
Cc: ephaag@gmail.com
Subject: Endorsement of Property Division Request; Sep 9 Meeting
Date: Tuesday, September 2, 2025 3:54:11 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Committee,

I am writing in support of the request to divide the property located at 2248 E. Stanley Hill Rd, currently owned by Eugene P Haag Jr Trust (Haag Estates).

Although I am not a resident of the Coeur D'Alene community, I have a close connection to the family and understand how meaningful this request is for them. Allowing this division would give his children and grandchildren the chance to live nearby, keeping family close and ensuring the property remains in the care of those who value it deeply.

This proposal respects existing zoning requirements and aligns with broader land use goals. It offers a thoughtful approach to growth—supporting additional family housing, improving access for land management and fire protection, and ultimately contributing to a more connected and resilient neighborhood.

I kindly ask the committee to look favorably on this request and recognize the benefits it can bring, not only to the family but to the surrounding community as well.

Thank you for your time and consideration.

Respectfully,
Tyson DeShawn Larson
2141 S Stephen Ave Apt 102
Boise, ID
tysonlarson6@gmail.com
208-957-0802
09-02-2025

From: [w.burton](#)
To: [CLARK, TRACI](#)
Subject: Haag Estates annexation support
Date: Saturday, September 6, 2025 8:29:24 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning,

I'm writing as a neighbor and concerned citizen to show my support for the zoning change request for the Haag Estates annexation. This update looks like a good idea and improves the current use quite a bit. My understanding is that currently the property doesn't serve much purpose. With this improvement it will have much better aesthetics and feel more like a neighborhood.

Since the plan includes sidewalks there will finally be a safe and legal way to walk through the property instead of cutting across the without permission . Access for fire and emergency services will be drastically improved to this local area which is something everyone should support. Finally the ability to add housing and improve the aesthetics helps the neighbors property value and potentially gives access to land for affordable housing.

For these reasons, I fully support this request and hope you'll approve it.

Take care,

Wayne Burton
C:936-446-9967

A decorative border composed of a repeating pattern of light purple and dark purple diamonds, arranged in a rectangular frame around the central text.

Planning & Zoning Findings

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**COEUR D'ALENE PLANNING AND ZONING COMMISSION
FINDINGS AND ORDER**

A-1-25

INTRODUCTION

This matter came before the Planning and Zoning Commission on September 9, 2025, to consider A-1-25, a request for zoning prior to annexation of 3.19 acres from County Ag Suburban to City Residential R-3.

APPLICANT: Olson Engineering

OWNER: Eugene P. Haag, Jr. Trust

LOCATION: 2248 E. Stanely Hill Road, Coeur d'Alene, Idaho 83814

A. FINDINGS OF FACT:

The Planning & Zoning Commission finds that the following facts, A1 through A9 have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

A1. All public hearing notice requirements have been met for item A-1-25.

- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on August 23, 2025, seventeen days prior to the hearing.
- Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on August 22, 2025, eighteen days prior to the hearing.
- Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Fifty-two (52) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on August 22, 2025.
- Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on August 22, 2025, eighteen days prior to the hearing.
- Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on August 22, 2025.

A2. Public testimony was received at a public hearing on September 9, 2025.

- A3.** The subject site is located in an unincorporated area of Kootenai County, with the total area of the subject property measuring 3.19 acres and is currently zoned AG-Suburban.
- A4.** The subject property is currently developed as a large lot single family home. If approved, the project would include the existing home on a lot, four (4) hillside residential lots, and a future public street connection and dedication of Lilly Drive between the existing termini.
- A5.** The Comprehensive Plan Future Land Use Map designation is the Single Family Neighborhood Place type. Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails. Compatible Zoning is listed as R-1, R-3, R-5, R-8, and MH-8.
- A6.** The following Comprehensive Plan goals and objectives are applicable to this request for annexation in conjunction with R-3 zoning:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Environment & Recreation

Goal ER 3: Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

Objective ER 3.1: Preserve and expand the number of street trees within city rights-of-way.

Objective ER 3.2: Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

Objective ER 3.3: Minimize the risk of fire in wooded areas that also include, or may include residential uses.

Objective ER 3.4: Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Health & Safety

Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

- A7.** The Comprehensive Plan lists the area under consideration as Hillside. Hillsides are important due to their scenic qualities and provide recreational opportunities. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire

community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts to the environment and ensure the safety of people and structures. If annexed, the property would be subject to the Hillside Ordinance.

- A8.** The property is sloped, and single-family homes are the dominant land use nearby. The natural features of the site are consistent with the natural features of the surrounding properties. Hillside code will apply to four of the five proposed lots.
- A9.** City utilities and facilities are available to serve the project site, if annexed. All departments have indicated the ability to serve the project with the additional conditions as stated at the end of the staff report.

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the Planning Commission makes the following Conclusions of Law.

- B1. That this proposal **is** in conformance with the Comprehensive Plan policies.
- B2. That public facilities and utilities **are** available and adequate for the proposed use.
- B3. That the physical characteristics of the site **do** make it suitable for the request at this time.
- B4. That the proposal **would not** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **and** existing land uses.

C. DECISION

The Planning and Zoning Commission, pursuant to the foregoing Findings of Fact and Conclusions of Law, has determined that the requested zoning **does** comply with the required evaluation criteria and recommends that the City Council **adopt the R-3 zoning with the following conditions to be included in an Annexation Agreement** for Council consideration of the annexation request:

Planning:

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

Fire:

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
3. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

Water:

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.

5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

Wastewater:


6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

Motion by commissioner Fleming, seconded by commissioner McCracken, to adopt the foregoing Findings and Order and recommend adoption of the R-3 zoning with conditions in conjunction with the requested annexation.

ROLL CALL:

COMMISSION MEMBER INGALLS	Voted	Nay
COMMISSION MEMBER JAMTAAS	Voted	Aye
COMMISSION MEMBER WARD	Voted	Aye
COMMISSION MEMBER FLEMING	Voted	Aye
COMMISSION MEMBER MCCracken	Voted	Aye
COMMISSION MEMBER COPPESS	Voted	Aye
CHAIRMAN MESSINA	Voted	Aye

Motion to recommend adoption with conditions carried by a 6 to 1 vote.


CHAIRMAN TOM MESSINA

Dated: September 19, 2025



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**COEUR D'ALENE CITY COUNCIL
FINDINGS AND ORDER**

A-1-25

INTRODUCTION

This matter came before the City Council on December 2, 2025, to consider A-1-25, a request for zoning in conjunction with annexation of 3.19 acres from County Ag Suburban to City Residential R-3.

APPLICANT: Olson Engineering

OWNER: Eugene P. Haag, Jr. Trust

LOCATION: 2248 E. Stanely Hill Road Coeur d'Alene, Idaho 83814

A. FINDINGS OF FACT:

The City Council finds that the following facts, A1 through A11 have been established on a more probable than not basis, as shown on the record before it and on the testimony presented at the public hearing.

- A1.** All public hearing notice requirements have been met for item A-1-25.
- Notice of the public hearing must be published in the official newspaper of the City at least fifteen (15) days prior to the hearing. Idaho Code § 67-6509(a). The Notice was published on November 15, 2025 seventeen days prior to the hearing.
 - Notice of the public hearing must be posted on the premises no less than one (1) week prior to the hearing. Idaho Code § 67-6511(2)(b). The Notice was posted on the property on November 20, 2025, twelve days prior to the hearing.
 - Notice of the public hearing must be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered. Idaho Code § 67-6511(2)(b). Seventy-Nine (79) notices were mailed to all property owners of record within three hundred feet (300') of the subject property on November 14, 2025.
 - Notice of the public hearing must be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing. Idaho Code § 67-6509(a). The Notice was sent to all political subdivisions providing services within the planning jurisdiction, including school districts on November 14, 2025, eighteen days prior to the hearing.
 - Notice of the public hearing must be given to a pipeline company operating any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point within one thousand (1,000) feet of the external boundaries of the land being considered, provided that the pipeline company is in compliance with section 62-1104, Idaho Code. Idaho Code § 67-6511(2)(b). The Notice was sent to pipeline companies providing services within 1,000 feet of the subject property on November 14, 2025.
- A2.** Public testimony was received at a public hearing on December 2, 2025.

- A3.** The subject site is located in an unincorporated area of Kootenai County, with the total area of the subject property measuring 3.19 acres and is currently zoned AG-Suburban.
- A4.** The subject property is currently developed as a large lot single family home. If approved, the project would include the existing home on a lot, four (4) hillside residential lots, and a future public street connection and dedication of Lilly Drive between the existing termini.
- A5.** The Comprehensive Plan Future Land Use Map designation is the Single Family Neighborhood Place type. Single-Family Neighborhood places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails. Compatible Zoning is listed as R-1, R-3, R-5, and R-8; MH-8
- A6.** The following Comprehensive Plan goals and objectives are applicable to this request for annexation in conjunction with R-3 zoning:

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Environment & Recreation

Goal ER 3: Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

Objective ER 3.1: Preserve and expand the number of street trees within city rights-of-way.

Objective ER 3.2: Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

Objective ER 3.3: Minimize the risk of fire in wooded areas that also include, or may include residential uses.

Objective ER 3.4: Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Health & Safety

Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

(The City Council may adopt these and/or other Plan Goals and Objectives as findings – see attached worksheet)

- A7.** The Comprehensive Plan lists the area under consideration as Hillside. Hillsides are important due to their scenic qualities and provide recreational opportunities. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts to the environment and ensure the safety of people and structures.
- A8.** City utilities and facilities are available to serve the project site, if annexed. All departments have indicated the ability to serve the project with the additional conditions as stated at the end of the staff report.
- A9.** The property is sloped, and single-family homes are the dominant land use nearby. The natural features of the site are consistent with the natural features of the surrounding properties. Hillside code will apply to four of the five proposed lots.
- A10.** The Planning and Zoning Commission held a public hearing on September 9, 2025. Following testimony, the Commission voted 6-to-1 to recommend R-3 zoning if the City Council approves of the annexation request and approved the subdivision request (item S-1-25), contingent on City Council approval of the annexation. The Commission found that the requested annexation and subdivision were consistent with surrounding development patterns, the request would improve fire protection and looping of the water system, and that the potential increase in traffic would be outweighed by the public benefits, including continuation of Lilly Drive which was intended to connect per the Ponderosa Terrace plat.
- A11.** The Subdivision request approved by the Planning and Zoning Commission in item S-1-25 is contingent upon the annexation request being approved by the City Council.

(The City Council should add other facts here which it finds are relevant to its decision.)

B. CONCLUSIONS OF LAW:

Based on the foregoing Findings of Fact, the City Council makes the following Conclusions of Law.

- B1.** That this proposal **(is) (is not)** in conformance with the Comprehensive Plan policies.
- B2.** That public facilities and utilities **(are) (are not)** available and adequate for the proposed use.
- B3.** That the physical characteristics of the site **(do) (do not)** make it suitable for the request at this time.
- B4.** That the proposal **(would) (would not)** adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, **(and) (or)** existing land uses.

C. DECISION

The City Council, pursuant to the foregoing Findings of Fact and Conclusions of Law, **(approves) (denies) (denies without prejudice)** the requested R-3 zoning in conjunction with annexation with the following conditions to include in the annexation agreement:

Planning:

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

Fire:

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
3. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

Water:

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

Wastewater:

6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

(The City Council may include additional conditions for the annexation agreement.)

Motion by Councilmember , seconded by Councilmember , to **(approve) (deny) (deny without prejudice)** the requested R-3 zoning in conjunction with annexation.

ROLL CALL:

GOOKIN	Voted (Aye) (Nay)
EVANS	Voted (Aye) (Nay)
MILLER	Voted (Aye) (Nay)
WOOD	Voted (Aye) (Nay)
ENGLISH	Voted (Aye) (Nay)
GABRIEL	Voted (Aye) (Nay)

Motion to (approve) (deny) (deny without prejudice) carried by a to vote.

MINUTES

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**PLANNING & ZONING COMMISSION
MINUTES
LOWER LEVEL – LIBRARY COMMUNITY ROOM
702 E. FRONT AVENUE
SEPTEMBER 9, 2025**

COMMISSIONERS PRESENT:

Tom Messina, Chairman
Jon Ingalls, Vice Chair
Phil Ward
Mark Coppess
Lynn Fleming
Kris Jantaas
Sarah McCracken

STAFF MEMBERS PRESENT:

Hilary Patterson, Community Planning Director
Sean Holm, Senior Planner
Randy Adams, City Attorney
Chris Bosley, City Engineer
Traci Clark, Administrative Assistant

COMMISSIONERS ABSENT:

CALL TO ORDER:

The meeting was called to order by Chairman Messina at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Commissioner Ingalls, seconded by Commissioner Coppess, to approve the minutes of the Planning & Zoning Commission meeting on August 12, 2025. Motion carried.

PUBLIC COMMENTS:

None.

STAFF COMMENTS:

Hilary Patterson, Community Planning Director, provided the following comments:

- We did not receive any applications that would require a public hearing next month. We will try to go ahead and schedule a workshop to continue some discussions on possible code amendments.
- She will be presenting next Tuesday with Walter Burns, who is the chairman of the Historic Preservation Commission, to NIBCA, which is the North Idaho Building Contractors Association, Joint Government Group. They want to hear about the Historic Preservation Commission efforts.

COMMISSION COMMENTS:

None.

PUBLIC HEARINGS: *ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM.**

1. Applicant: Eugene P. Haag Jr. Trust
 Location: 2248 E. Stanley Hill Rd.
 Request:
 A. A Proposed 3.18-acre Annexation from County Agriculture Suburban to City R-3 (residential at 3 units per acre)
 LEGISLATIVE **(A-1-25)**
 B. A 5-lot Subdivision known as Haag Estates
 QUASI-JUDICIAL **(S-1-25)**

A-1-25:

Mr. Holm, Senior Planner, provided the following statements on Item A: **A Proposed 3.18-acre Annexation from County Agriculture Suburban to City R-3 (residential at 3 units per acre) (A-1-25).**

The 3.19-acre property is currently zoned Agricultural-Suburban in Kootenai County and is proposed for annexation with R-3 zoning and Hillside Overlay (A-1-25). The site contains a single-family residence and is within the City's Area of City Impact (ACI).

The applicant proposes to subdivide the property into five lots, ranging from 0.26 to 0.43 acres, with the existing residence on a 1.40-acre lot, resulting in a density of 1.57 units per acre. The proposed lot with the existing residence to the north is hillside-exempt (<15% slope), while the four new lots are subject to the Hillside Overlay.

A new public street connecting the east and west terminus of Lilly Drive will provide access, along with city water and sewer extensions.

This is the third annexation attempt. Previous annexation requests were in 2005 (item A-7-05) and in 2021. Both requests were denied. In 2021, the applicant requested annexation of the 3.19-acre subject property with R-3 zoning, a Planned Unit Development (PUD), and a five-lot, two-tract preliminary plat (A-2-21, PUD-2-21, S-2-21). On June 8, 2021, the Planning Commission held a public hearing for the proposal. For comparison, the 2021 request included a Planned Unit Development (PUD) with private driveways and open space, whereas the current request proposes a public street and no PUD.

Mr. Holm noted there are four findings that must be made, Findings B1-B4.

The first finding is Finding B1, that this proposal (is) (is not) in conformance with the Comprehensive Plan policies. The Comprehensive Plan includes Place Types that represent the form of future development, as envisioned by the residents of Coeur d'Alene. These place-types will in turn provide the policy-level guidance that will inform the City's Development Ordinance. Each Place Type corresponds to multiple zoning districts that will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses. The Place Type for this request is Single-Family Neighborhood which are places are the lower density housing areas across Coeur d'Alene where most of the city's residents live, primarily in single-family homes on larger lots. Supporting uses typically include neighborhood parks and recreation facilities connected by trails. Compatible Zoning includes R-1, R-3, R-5, R-8, and MH-8.

From the policy and framework portion of the Comprehensive Plan, staff curated a list of goals and objectives from the Comprehensive Plan for this annexation request. Goals CI 1 under Community &

Identity, Goal ER3 from Environment & Recreation and four objectives under that goal, and Goals GD 1 and GD 2 under Growth & Development. Staff included the full worksheet for the commission to review.

The Comprehensive Plan also includes Special Areas. The two special areas that apply to this request are Recreation and Natural Areas and Hillsides.

Recreation and Natural Areas are identified as areas that have specific goals and policies that encourage the preservation of Coeur d'Alene's unique natural resources. Hillsides include the terrain surrounding the City. The hillsides help frame the unique setting of Coeur d'Alene and define the physical image. Best Hill, Canfield Mountain, and Tubbs Hill are recognized as unique landmarks for the City of Coeur d'Alene and its neighbors. Lakeview Hill, Blackwell Hill and the slopes above Fernan Lake are also important assets to the community. These hillsides are not only important due to their scenic qualities but provide recreational opportunities as well. In 2003, the City enacted a Hillside Ordinance to protect the hillsides and preserve the visual asset they represent to the entire community. The Ordinance contains guidelines for development on these fragile areas to minimize impacts on the environment and ensure the safety of people and structures.

The next finding is Findings B2, that the design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties. City Staff from Streets and Engineering, Water, Police, Fire, Parks, and Wastewater departments have reviewed the application request in regard to public utilities and public facilities. Each department has indicated that there are public facilities and public utilities available and adequate for the proposed annexation with zoning to R-3.

Findings B3, that the location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing streets, public facilities, and services. The physical characteristics of the site are that the site slopes to the south and there is an approximately one-hundred and twenty-foot drop in elevation on the subject property (see topography map). Site photos are provided on the next few slides showing the existing conditions. The subject property would be annexed into the city under the city's Hillside Regulations with potential development requiring average lot slope for determination of validity. The site is currently densely treed.

Mr. Holm stated there was a cistern on the property. The cistern has now been removed.

Findings B4, that the proposal (would) (would not) adversely affects the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses. The City Engineer, Chris Bosley, provided comments on traffic. The subject property is bordered primarily by Lilly Drive where future construction is anticipated, which is a local residential street. Traffic from this proposed development is estimated to provide a very minimal increase in peak hour trips to Lilly Drive and may improve traffic circulation for nearby residents. However, residents along the existing Lilly Drive dead-end will undoubtedly experience an increase in traffic. The Streets & Engineering Department has no objection to the annexation and subdivision plat as proposed.

Mr. Holm commented on neighborhood character. Overall, the neighborhood's character is defined by single-family homes in a hillside setting, balancing urban accessibility with natural preservation. Annexation with R-3 zoning would extend this pattern eastward, promoting infill development that protects against incompatible rural sprawl while addressing past concerns about topography and drainage.

Mr. Holm noted the seven recommended conditions to include in an annexation agreement.

Planning:

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

Fire:

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
3. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

Water:

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

Wastewater:

6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

Commissioner Coppess asked about the annexation of this property. He is surprised that when he looks at Stanley Hill, it is not already in the city. Is the applicant's home on City water and sewer? Does the City police department go up there when they get calls?

Mr. Holm replied that he is not an expert if the home is on city utilities. He does know that there are some water extensions and sewer extensions outside of city limits. One of the conditions is the water line will need to be connected to the other side of Lilly Drive. He is assuming that the water is on the other side of Lilly and that they can create a loop system, which will help everybody in the long run.

Commissioner Coppess asked if there is a set of qualifiers for annexation that we could use as a basis to understand whether this meets the city's requirements.

Mr. Holm's replied this is a state requirement. There are different categories of annexation. In this case, the applicant has asked for annexation rather than the city forcing annexation. This is also not a leapfrog case. The property is bordering the city. One of the other criteria is if the annexation of land is orderly and there is a requirement to conduct a hearing, which we are participating in tonight.

Commissioner Coppess stated the utilities are right there. It's a matter of cost and support. It seems more efficient to annex this in order to close a loop that's right now not connected for water.

Mr. Holm read the Water Department's comments:

There is adequate capacity in the public water system to support domestic, irrigation and fire flow for the proposal. There are six-inch water mains on Lilly on both sides of the property. The area of the water system is located on the Elm Street boosted zone, which may require the customer to install a pressure-reducing valve on the main water service as it enters the building. That's where it dead ends, and would be a good connection to loop the system.

Commissioner Coppess asked if annexation of the property into the city, zoning it R-3, and making it look like the surrounding properties would be a burden.

Mr. Holm replied it's not an undue burden. The development is taken on by the developer. The city taxpayer will not be paying for the extensions of utilities and the roadway. It would be taken on by the applicant.

Commissioner Coppess commented he had read a letter from a neighbor who was concerned about trees that would be taken down on her property and the applicant's property. He understands the trees will be removed from the property where the street will now connect on Lilly Drive. Can you explain how many trees can be removed from the property?

Mr. Holm replied there is no requirement to remove trees from the city's standpoint to make the streets more accessible just the streets themselves coming through. The city has always been a Tree City USA. We try to encourage people to save trees. This property is subject to the Hillside Overlay District if annexed. There is a limited amount of disturbance that's allowed. The footprint of the homes and the driveways, those trees can be removed without replacement. If there is a tree that is blocking their view, and they remove it, it will need to be replaced. There will be no trees removed from the neighbor's property.

Chairman Messina stated the Hillside Ordinance will dictate what the homeowner will be allowed to build on his property, the color of the homes, etc. and they will need to discuss with city staff as well.

Commissioner McCracken asked if any street trees will be planted along Lilly Drive.

Mr. Holm replied because it's a hillside, there is some slope there. On the south side, there is a tiny notch which would restrict dealing with stormwater as well as putting sidewalks on both sides. It meets the subdivision design standards. Staff met with the applicant and determined that a public sidewalk would be required on the north side of Lilly rather than on both sides due to the slope and right-of-way. Most of the trees will go away within the right-of-way. The Urban Forester will come in and determine if trees need to be replanted.

Commissioner Ingalls commented he would like to speak about the annexation part. The commission has findings to make tonight, such as how it affects the neighborhood. There is a Comprehensive Plan element GD 1.5 that talks about recognizing the neighborhood that should be included. The applicant has come to us three times before. At those prior meetings the neighbors stated they would be really affected, and they did not want Lilly Drive to be connected. Council raised concerns about the protection of the existing neighborhood as well. There is steep topography, stormwater drainage, traffic. He wants to know if Eastside Highway District has been contacted and what would be the grade of the road. The portion of the road to the west has been abandoned. Who would repair it and bring that up to city standard?

Ms. Patterson stated for the annexation request for this evening the commission's only role is to make a recommendation if the zoning is appropriate. The city council will determine if the annexation is appropriate.

Decision Point:

Mr. Holm noted the action alternatives this evening for the annexation request. The Planning Commission must evaluate the annexation request (A-1-25) and associated zoning proposal (R-3 with Hillside Overlay) and provide separate findings to recommend that the City Council adopt the requested R-3 zoning (Hillside Overlay) with or without conditions to be included in the Annexation Agreement or reject the requested R-3 zoning (Hillside Overlay). The City Council will make the final decision at a subsequent public hearing.

S-1-25:

Mr. Holm provided the analysis and findings for the subdivision request, **Item B: A 5-lot Subdivision known as Haag Estates (S-1-25)**.

The applicant is requesting approval of a five-lot preliminary plat on 3.19 acres, "Haag Estates", contingent on the concurrent annexation request (A-1-25) also presented at this meeting. The Planning and Zoning Commission will recommend approval, denial, or denial without prejudice of the annexation to the City Council, which makes the final decision.

Mr. Holm noted there are four findings that must be made for a subdivision, Findings B1-B4.

Findings B1: That all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer.

Findings B2: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate.

Findings B3: That the proposed preliminary plat (does) (does not) comply with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.

Findings B4: The lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

For Findings B1, all of the general preliminary plat requirements (have) (have not) been met as attested to by the City Engineer. The City Engineer who is here tonight has attested that the preliminary plans submitted contain all of the general preliminary plat elements required by the Municipal Code.

For Findings B2, that the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities (are) (are not) adequate. City staff has indicated that there are adequate public services and facilities. This is a hillside area and is not downtown. I have showed you the transportation maps. Some of those elements are not available. Sidewalks are shown on the north side of Lilly drive. There are seven recommended conditions. The preliminary plat shows the future lots and disturbed areas for the hillside requirement and slopes for each lot. Mr. Holm stated that lot #5 which is the existing home is less than 15% slope as determined by the applicant's engineer, which would make that lot hillside exempt.

Finding B3 is that the proposed preliminary plat does or does not comply with all of the subdivision design standards in Chapter 16.15 and the improvements standards of Chapter 16.40. City Engineer Chris Bosley reviewed those and stated that those design standards have been vetted for compliance, obviously subject to being on a hillside. One of the conditions the Fire Department has achieved is a maximum 8% slope. Fire access still needs to be there to get to any emergency.

Finding B4 for a subdivision, is if the lots proposed in the preliminary plat do or do not meet the requirement of the applicable zoning district. This is what Ms. Patterson was speaking about; does it meet the R-3 requirement for the subdivision as it's proposed? The minimum lot size in an R-3 district is 11,515 square feet. The smallest lot, which is on the very southern end that where there still slope there because

it's required to meet the Hillside Code. According to the applicant's engineer, there is room enough for disturbance and still have that be developed up to a maximum of 18,812 square feet for the lots that are to the south, while the lot with the existing single-family home would retain almost 61,000 square feet. There is a minimum frontage of 75' along a public street, which is why in the last iteration, Commissioner Ingalls, when it was a PUD, that's how they proposed it was not frontage requirement through the PUD as a deviation to the standards they used driveways to get to the lots rather than building a public street. All setbacks in Hillside Code must be met.

Per Planning Commission and City Council feedback of prior subdivision and annexation hearing requests, the applicant team provided a Geotech study that includes slope calculations and disturbance results showing hillside overlay code could be met. The following table shows the slope to undisturbed ratio for the five proposed lots:

GRADING TABLE			
LOTS	AVERAGE SLOPE	SLOPE(+25%)	PERCENT OF PROPERTY LEFT NATURAL
1	25%	50%	54%
2	24%	49%	59%
3	22%	47%	57%
4	20%	45%	58%
5	12.5%	EXEMPT FROM HILLSIDE REQUIREMENTS	
*ALL LOTS MEET HILLSIDE OVERLAY RETENTION IN NATURAL STATE REQUIREMENTS			

Mr. Holm stated lots 1-4 have an average slope over 15%, and are thus subject to the Hillside Ordinance. They also must provide the 25% retention area automatically. Every lot must do that in the hillside to do the calculation of what must be left natural for each of those lots.

Mr. Holm noted the seven recommended conditions for the subdivision request.

Planning:

1. Prior to final plat recordation, the applicant must remove the non-functional cistern(s) and remediate the disturbance. Doing this will accomplish two things: First, ending the easement for irrigation water that exists for land that has been subdivided in the county and is no longer a viable source of water, and second, would allow for the projected disturbance for future homesites.

Fire:

2. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
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4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

Wastewater:

6. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
7. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

Decision Point:

Mr. Holm noted the action alternatives this evening. The Planning and Zoning Commission will need to consider this subdivision request concurrent with the annexation in conjunction with zoning request, and make separate findings to approve, approve with conditions, deny, or deny without prejudice.

Mr. Holm concluded his presentation.

Commissioner Ward stated this is the third time this has been brought forward to Planning and Zoning. Everything to the east of Lilly Drive is in the County and should be 2 acres and should be AG zoning. He doesn't know how that changed. The homes look much more comparable in size to what's being proposed by this development, is that correct?

Mr. Holm replied maybe the misunderstanding is that it is a more recent ordinance that happened after the homes were built. These were subdivided in the county and approved the way that they are. In 2022, the code in the county came to be for the larger lot sizes.

Commissioner Ward asked if he received the Geotech report?

Mr. Holm replied yes, he did receive the report.

Commissioner Ingalls commented he is lost tonight. If the commission is only looking at making a recommendation on zoning and whether R-3 is appropriate or not, he does not have a problem with R-3. What he struggles with are the findings. Such as B4, whether it negatively affects the neighborhood. If we are looking at what the zoning should be, why are we talking about the effect on the neighborhood, and why do we make these findings if we're only looking at zoning? He lives on a cul-de-sac, and he knows what it feels like. He does not want that to go away. Why are the findings not applicable?

Mr. Adams, City Attorney, replied, they are applicable. He stated they are required by statute because the density of development does affect the neighborhood and does affect traffic. You must decide whether the R-3 as opposed to R-17 or R-1 is the appropriate zoning for this area.

Commissioner McCracken stated this zoning is compatible with the neighborhood zoning. Just like when we are looking at the PUD, and determining if it is compatible with the traffic and the neighborhood.

Commissioner Fleming commented we are also looking at what is still in the county and will remain in the county with no effect from this development. The Ag Suburban areas that are currently Lilly Drive and Gunnison Place, those lots are small. They are consistent with the R-3 zone. This looks like it would tuck in nicely against the current Lilly on the east side. We are going to affect traffic. They will have another exit if there is a forest fire or if there is an accident at the end of the road and they can't get through. There will be a benefit to connecting the east and west ends of Lilly. She would want to be able to get out if a fire happened. She saw what happened during the Pacific Palisades fire. Some neighbors have the feeling that that the city will make them be annexed. That will not happen.

Commissioner McCracken stated when you separate the issues, the zoning is compatible, and the land use is compatible with the neighboring adjacencies. When you get to the PUD, there are other elements playing into that. If we annexed, the zoning would be R-3.

Chris Bosley, City Engineer, stated a single-family development generated between eight and ten trips a day. However, connecting Lilly Drive will draw more traffic. Connecting Lilly Drive will provide better

emergency access and would be better for snow plowing. He has not contacted the East Highway District regarding the snow plowing. In the past it has been a handshake deal as to who plows what streets because it doesn't make sense for us to get to the city limits and stop and backout. He spoke with the Street Department Director about how we would direct plow crews. He stated he would likely take them all the way out to the end of Lilly Drive. He has not had a conversation with Ben Weymouth, with the Eastside Highway District, to make sure that they understand that it would be more beneficial for us to take that, since we're doing the rest of Lilly Drive. We do not like dead ends. Currently, that's likely plowed at least a couple times a year by Eastside Highway District, but that would be something that we would likely take over. One of the comments that he did read from the public was about cut-through traffic to the golf course. He measured that on a map and anybody coming from Elm Ave underneath I-90 from 15th Street coming in from that direction, because that seems like the way that most people would be going anyone who would be tempted to take Lilly would be coming in from that direction to get to the golf course. It would be about 200 feet shorter to Ponderosa Golf Course. It may not be as direct. It's hard to tell if anyone would make that trip to make those turns to go that way.

Commissioner Ingalls asked if this gets approved, the section of Lilly, maybe 150 feet or a little more, from the barricades there to the project limits is kind of a no man's land right now. It's in bad shape. It hasn't been maintained for decades. How would that be repaired? It needs to be rebuilt, could we add that on as a condition tonight?

Mr. Bosley replied, it certainly could be a condition. Likely once all construction is done, we would take a look to see if it needed some sort of overlay or something. We wouldn't touch it before all the construction is done. If it was a condition he would talk to the legal department and have the developer address it, or this would be something the city would look at later.

Commissioner Ward asked hypothetically whether people could use Lilly as a cut through to get to the golf course. Now, most people I know, when he drives up Stanley Hill, he will drive up to the end and cross over. How much of a magnet would that really be? Other than the golf course, is there that much development that would lead people to use as a shortcut?

Mr. Bosley stated it's unnatural. People are creatures of habit. They will probably continue to go the golf course on the same route that they have always driven, unless they are curious or know the road and want to take a different route to get there. It doesn't seem to be a huge draw for cut through traffic.

Commissioner Jamtaas asked the people that live east of Lilly now, north of the golf course, would they connectivity of Lilly provide any reason for them to look at that as a shortcut going west towards I-90?

Mr. Bosely replied for those that live on Lilly yes, they will not have to go up to Stanley Drive and down the big hill. He can not estimate how much traffic is generated by a certain development, but once a connection is made, traffic models aren't going to predict what people will do because we can't predict human behavior.

Commissioner Coppess asked the two street names Lilly and the gap between them, just from an urban design standpoint, whether it was eminent domain or maybe the owner did not want to develop at the time. Was there an intent to join up those streets, and maybe the folks that live in the cul-de-sac might be aware that one day the two streets would be joined?

Mr. Bosely replied he was not in the city at the time, and he does not know what caused the disjunction between Lilly Drive. He does assume that it was meant to go through someday. These streets aren't just cul-de-sacs. Lilly Drive (east) does have a right of way for cul-de-sac. It was platted with a cul-de-sac, but he does not believe it was built with a cul-de-sac. The plat map shows lot lines.

Public Testimony Open:

Eric Olson was sworn in and introduced himself. He is an engineer at Olson Engineering, and he represents

Mr. Haag. He stated that Mr. Haag wishes to annex and subdivide his parcel for the benefit of his family. There have been changes that have happened since 2005 and 2021. Growth in the city, housing needs, and fire protection. The 2005 application brought this forward with the completion of Lilly Drive and was shot down at that time. In 2021 the PUD version was presented. There was a driveway coming off the end of the east side of Lilly and another driveway off the west side. This failed as well with City Council stating the reason it didn't make it through is because it didn't show any benefit to the city. He stated the public road is logical. Lilly Drive was meant to be completed. City staff would prefer this as well.

Mr. Olson pointed to a plat map on the screen for the Ponderosa Terrace. If there was a cul-de-sac, the map would show a circle, and it does not. The map is drawn with a radius, and to show a street veering towards the other side of Lilly Drive. There is an asterisk on the map that reads "This easement is to be vacated upon extension of the road." That road was meant to be extended. Lilly Drive was meant to be completed. The benefits of completing Lilly Drive, as he reads the City Fire Marshal's comment: *The proposed road connection along Lilly Street enhances fire department response times to areas beyond city limits. Additionally, it provides access to a second fire hydrant location along Lilly Street improving fire protection coverage. The completion of Lilly Street provides faster emergency services to Hill Street and Galena Ave and further optimizes access and response capabilities in the surrounding area.* Mr. Olson states this will provide a way out for vehicles on the County side of Lilly, should that portion of Lilly be blocked, they will have a way to get out with their vehicle. There is currently no turnaround at the end of Lilly drive on the County side, which is not good for emergency vehicles. The main water extension will be required to serve this subdivision and be tied into the existing main on east Lilly Drive. Both ends of the water main on Lilly Drive must be tied together. This project would connect two dead-ends, water lines, providing increased water circulation, flow capacity and pressure during high use periods. He states yes, there will be increased traffic on Lilly Drive, but it was meant to be connected. County residents on the east side of Lilly Drive will experience more traffic but will benefit from reduced travel time to and from destinations along I-90. Residents trespass regularly on the subject property because it's a useful pedestrian connection. There is a beaten path on the property from this use. Someone has trespassed and installed signs and poop containers for their dogs without notifying Mr. Haag or getting his approval. It appears there is a need for a pedestrian connection.

Mr. Olson shared information about the geotechnical evaluation: Surface & Groundwater. Nine test pits that were dug on Mr. Haag's property, with the following results and recommendations:

- Groundwater was not encountered in test holes
- Groundwater may yet be encountered during construction...capture and divert
- Surface water was found discharging from a pipe from neighboring property
- "Based on our observations and the information provided by the civil engineer, it does not appear that the free-flowing surface water represents a naturally occurring stream or spring."
- "The existing drainage pipe discharge should be evaluated by the civil engineer to redirect this discharge to an appropriate receiving location."

Chairman Messina asked if there has been a conversation with the neighbor regarding the discharge from the pipe, as this would be a concern down the road.

Mr. Olson replied, Mr. Haag was contemplating that conversation. He reviewed the title report and there is no easement associated with any discharge from a neighboring property.

Mr. Olson continued with his presentation and stated he has met all four findings. The neighborhood character and existing land uses will remain similar with the addition of four new single-family lots of similar size to the surrounding area which is all R-3 zoning within the city. A legal walking connection will enhance connectivity between neighborhoods. The cross section of the proposed Lilly Drive extension. It matches the width on either side, which is 36 feet back of curb. There will be a six-foot planter strip on the north side adjacent to a five-foot sidewalk. In summary of benefits to the city: there will be better fire protection, water circulation, traffic circulation, sidewalk construction, no construction cost to the city, increased tax base, the city will control the development through the Hillside Ordinance versus potential county development. He does recognize that potential county development would be an uphill battle, they would have to convince

them to rezone the whole area to match what's built out there. This would be a restricted residential zoning instead of an Ag Suburban. If it's in the city, the city controls this. The Hillside Ordinance has a lot more teeth than what the county has, and this will create housing opportunities.

Commissioner Fleming asked on the existing lot 5, is that also going to go onto sewer and water from the city?

Mr. Olson replied it was already on water, and it would connect to the sewer.

Mr. Olson concluded his presentation.

Mr. Haag, the applicant, introduced himself and was sworn in. He stated it's kind of nerve wracking sitting here listening to everything and knowing the neighbors are upset. He does not want that at all. He really wants a place so his kids can move back to Coeur d'Alene. He has one son that lives here and the other five kids had to move out of town and seek employment opportunities where the housing is less expensive. He could give them the land so they can build a home. He is not a developer and not looking to make money. It's going to cost him money because his kids aren't going to pay him for the lots to build on. He would like to use his own property for his family and not have people trespassing and walking their dogs. He also would not want water drained onto his property that he didn't even know about. His intention is to do right with his kids.

Dale Dennis introduced himself and was sworn in. He stated he is not against the subdivision and supports people developing their property. He is against the subdivision in its concept and design proposed to connect Lilly Drive. He read the comments from the packet and the ones that were in favor, and they were from Mr. Haag's children and people that do not even live here. There are nine homes on Lilly Drive that will be directly affected if Lilly connects. Why would the commission consider approving this to accommodate four new homes. This will cause traffic hazards. Both Gunnison Place and Stowe Court are cul-de-sacs. The last request in 2021, which was a PUD, the design still had the cul-de-sac on Lilly Drive, and it should be approved that way.

Lauren Hayden introduced herself and was sworn in. She stated there is nothing in the Comprehensive Plan that she can find that bases annexation and zone change out of a desire to provide building lots for his children. Logically the property should be left Ag Suburban. Mr. Olson states that trespassing would be eliminated by pushing through Lilly, connecting the two ends, is silly. Annexation does not stop trespassing; fences stop trespassing and there are no fences that she has seen on the property. She is concerned about the presence of water on the property, she doesn't know where the discharge pipe is located but the water in the pipe must come from somewhere. Mr. Olson states they will capture it and redirect it. How will that happen? If you push through Lilly there will be more vehicular traffic where there has been none. This will make it unsafe. There have been no wildfires in the 21 years that she has seen. She would like this request to be denied.

Chris Cheely introduced himself and was sworn in. He stated he was born in Coeur d'Alene and has seen lots of changes in the city. There have been challenges of water pressure and volume and the benefit to the city of being able to loop that is tremendous. As Commissioner Fleming pointed out with the fires in Hawaii and Pacific Palisades, it makes sense to connect Lilly Drive to have another way out and not have an outlet blocked. Apparently from the beginning the road should have been connected. Mr. Haag is not a contentious man. He has known him for a long time. At the end of day, we're looking for ways to improve water, and EMS connection. The city will be able to manage the Hillside Ordinance. He is in favor of the request.

Janice Houghton introduced herself and was sworn in. She stated she has lived on Lilly since 1987. She has always felt bad when he was denied in the past and he can't do anything on his own land. Yes, we all use the land to walk through. Because nobody wanted to see it get littered, friends of hers put up the dog poop bags. We appreciate him letting us walk through the property and she has never seen no trespassing signs and there are no fences. He has never denied us access to his property. She bought her property because of the dead-end road. It's safe and she has never committed any crime in the neighborhood. We do not have people speeding or any traffic issues. She is curious as to why he wants to punch the road through now when he

didn't ask for that before. She does not have any water pressure issues. Her sprinkler heads are always blowing out. She is asking for the matter of safety and for peace and quiet and the rights of the people that bought these properties because of the dead-end road. She does not think the benefits outweigh the impact it will have and it will devalue her property.

Applicant Rebuttal:

Mr. Olson said he wanted to address the concern about the unsafe intersection at Hill Street and Lilly Drive. He hasn't studied that, but if Lilly Drive was connected you can still go around the other way. Mr. Haag has previously installed no trespassing signs to no avail; they have been taken down. Mr. Haag does not want to punch the road through. He has been advised by City staff and himself to do this and have the application successfully go through the process. Mr. Haag really doesn't want to pay for the road extension, water and sewer as they will be very expensive. He can respect the water pressure is high on Lilly Drive already, but his is a connection that will benefit the whole area. There is a lot of elevation, when you go down 100 feet in elevation, that's 40 pounds of PSI of water pressure. It may not benefit Lilly, but he thinks there will be some benefit in the lower portions of the pressure zone that it serves. The benefit of the road connecting on Lilly will decrease travel time for the residents that do live on Lilly. Yes, it could gain more traffic with the public. The east side of Lilly is not a cul-de-sac it is a dead end.

Commissioner McCracken asked on the parcel, is there an easement for Lilly Drive?

Mr. Olson replied no, there is just the marking on the survey saying about a potential connection. Both plats showed the road there. Ponderosa Terrace plat noted the road extension. This plat also left it open right-of-way, but it does not explicitly state it.

Chairman Messina stated besides having Lilly go through, have you looked at perhaps having it accessible for emergency reasons, fire and EMT, maybe a bollard-type system at the end? It does stop the flow of traffic. If the city says you should or it is recommended from streets, would that be an acceptable alternative?

Mr. Olson replied he did see a comment on one of the letters that was sent regarding that subject. He does not think it would make a difference to the applicant. Personally, himself or Mr. Bosley who is making that decision, he would not suggest the gate. Yes, it placates the neighbors and make them happier. The fire protection is still there but now you would have to open a gate to get through the street.

Chairman Messina asked Ms. Patterson regarding the turnaround for fire.

Ms. Patterson stated when staff met with Mr. Haag the city wanted to see the full connection because the roads were intended to connect, and the city thought all the benefits would be there. The city understands there would be some increased traffic. The gated bollard-type system does not work very well on a public street; the turnaround for a fire truck on a public street does not work very well. In addition to the property being platted, as Mr. Olson indicated, the road is named the same as the county had intended for the two ends of Lilly to be connected. We have roads in the city that continue through and have different names, and these roads do not continue through (yet), and they are named the same. There was an intention all along that it would connect once this property was developed. For those reasons, staff felt strongly to have the street connection.

Public testimony closed.

Commission discussion:

Commissioner Coppess asked Mr. Adams, what makes the annexation viable in the State of Idaho? He thinks his understanding of Mr. Holm is the interest in the city and the owners there is some form of percentage that is required for land and owners. In this case, he thinks it's 100% because there's just one owner, which makes it simple. To that it comes down to the benefits of the city and whether the city thinks that this is viable for the city's long-term benefits.

Mr. Adams replied, you do have that right. City Council will make the decision as to whether annexation, in any case in the best interest of the city. Council has a wide discretion on that.

Commissioner McCracken stated the annexation really is more straight forward. The zoning is compatible with the adjacent properties on both sides, even though the county has it as a suburban agriculture zone. The lot sizes are very similar. The land use is very similar. The comprehensive plan on which we can all pick our own ways that might fit in. The facilities and utilities are available. We have talked about all the other specifics. Of the characteristics of the neighborhood, we get a little sidetracked when we start talking about the actual subdivision. All the city departments have said the R-3 is compatible. The piece that gets a little sticky but maybe we have loaded that into the annexation agreement is maybe why we are getting stuck or something. She thinks these are hard when we chat about these findings together, because these are two separate decisions. The annexation is a recommendation to city council. If the annexation gets shot down by city council, the subdivision one goes away automatically.

Mr. Adams replied yes, the commission's duty is to decide on what zoning will be if it is to be annexed. There will be an annexation agreement. These conditions are something that the commission would recommend to the City Council that in the annexation agreement. These conditions that are listed on pages 3 and 4 of the findings are from the departments. They are requesting that the commission recommend to council, if it annexes, to include these conditions in the annexation agreement.

Commissioner McCracken stated the purpose of the annexation is to recommend it, from our perspective, is to recommend a zoning, and with a zoning recommendation we that that R-3 would be compatible it doesn't really matter if Lilly is connect or not. To say that the lot size is compatible with R-3 it might make a difference on how this is divided but not necessarily the zoning it comes into the city with, because it could just get annexed in the city and subdivided at a later date.

Mr. Adams stated that is true. The city departments are saying if you're going to annex this property, Lilly should go through and if you don't want Lilly to go through, maybe you don't want to annex the property. It is certainly up to the commission to decide which of these conditions, if any, to recommend to council. He thinks this is the appropriate stage to make those recommendations or not.

Chairman Messina stated if for some reason, whoever makes the findings wants to add a condition stating Lilly does not go through, they can add that to the annexation agreement.

Mr. Adams replied, the commission can make a condition to the annexation or recommend a condition to the City Council, the Council can make the decision whether they want the condition or not.

Commissioner McCracken commented on the seven conditions listed and have some of the requirements of the subdivision, but they do not have all the requirements. She feels like it is a little disconnected. With the subdivision, there's the details of the sidewalks and the street trees and all of that and we have some of these requirements here. This feels off on this one. She suspects that the conditions for the annexation for the zoning would apply regardless of what the development would be on that property.

Mr. Adams stated he suspects that the conditions for the annexation for the zoning would apply regardless of what the development would be on that property whether it's this subdivision these are conditions that should just go with the property.

Chairman Messina commented the annexation is taking a piece of property and bringing it into the city. That's one separate issue. On the other side, which we have in front of us, depending on how that does, the tree removal and the Hillside Ordinance and all the construction that goes into the findings that we must deal with and that's what will happen on that end. We are looking at a piece of property that is in the county, bringing it into the city with the zoning that is being recommended, and then the rest of the findings. We have more conditions in the PUD. That is because there is more that's going to go on with that.

Commissioner Ward stated we are mixing stuff together that does not need to be. If we don't approve one,

you can forget the other. If we are not willing to annex this. It is a matter of geographically if it fits in and meets with our master plan. Now, except for the fact this was denied before, which kind of concerns him, this fully complies with annexation requirements. As far as zoning is concerned, that's a separate issue, but he thinks we need to deal with the annexation first and decide whether we're going to recommend it or not.

Commissioner Fleming stated the zoning to the west is very evidently R-3. To the south is R-3. It doesn't quack like a duck, but the ag suburban had been distorted on Lilly. There are not two and three and four acre lots. We have what constitutionally are R-3, it's just that it's in the county. They have got to run to catch up with us. She would agree that we meet all the annexation, and she thinks that it would be a safer solution if the city controlled it. There are a lot of trees there. It's a forest. It needs to be thinned. She doesn't know why we would deny it. It meets all of the boxes for annexation.

Mr. Jamtaas commented that the reason that we would deny it is just because it would change the lifestyle of people had lived east of this property for many years. He does not know if that's a reason to deny it. This is a smart plan. There is a lot of change. The connectivity to that road allows for four more homes to be developed that are going to look and feel a lot like seven homes that are to the east. He has not heard anything that would make him believe that this will be a major traffic issue, although there will be some. He does not see the traffic as a big change, big enough to deny the owner the ability to develop his property, which he thinks is the right that he has.

Commissioner Ingalls stated he might be the minority opinion he would like to explain his struggle, and he does support staff. The application points out some benefits, but he is struggling, and Mr. Holm's staff report laid out the details on why the City Council denied this twice. He wished the cul-de-sac version had been supported. The folks from the neighborhood came up and spoke they talked about the steep topography and that hasn't changed. The Council mentioned concerns about stormwater. Those issues haven't changed. The traffic issues, the shortcuts that will create for these neighborhoods. The bottom line for him is version 3.0, in his opinion, is more disruptive to the neighborhood than the cul-de-sac version 2.0. He cannot support this project because of this.

Commissioner McCracken asked Ms. Patterson about the water and sewer connection regarding the other side of Lilly Drive is serviced by City of Coeur d'Alene with water but not sewer is that correct?

Ms. Patterson replied yes, that is correct.

Commissioner McCracken stated we do talk sometimes about these donut holes in the city where we are surrounded by county. Do we have any history on the way that was planned out when those were built out. She does struggle with both sides of this application. The water was put on Lilly Drive it seems like Lilly Drive it seems like the city was going to be annex that into the city at some point and connect Lilly Drive.

Ms. Patterson replied she was not here when the water was connected. There was some agreement for the water. Some of the septic systems are failing up in that area too. We do have several areas outside the city limits that we have extended our water system; some have agreed to consent to annexation in the future. To reassure the neighbors here, the city is not going out and annexing any properties.

Chairman Messina stated he understands what Commissioner Ingalls stated and made some valid points about protecting the neighborhood. Is there a benefit for fire and emergency to neighborhood? Yes, and the through streets for snow plowing.

Mr. Adams replied, yes. If you go back to what Commissioner McCracken stated, the question for the commission is what is the proper zoning if it is annexed? Council decides whether to annex it or not. Your recommendation is, what should the zoning be? Not whether the road goes through or not. Any of these things occur in the development. That may be part of the subdivision.

Commissioner Ingalls stated he would like to make a motion to recommend to council that we annex this at R-3 with the seven recommendations plus an eight that says Lilly not be connected.

Ms. Patterson stated that it will not work if you do not have Lilly Drive go through. This would have to be a PUD and a private street because you would have not have the frontage requirements and everything would change related to the subdivision.

Mr. Adams commented on the way to handle this is to simply deal with zoning first. Then move on to the subdivision.

Commission Ingalls stated he would like to withdraw his motion.

Commissioner Coppess asked why the city council had not approved the PUD last time this came forward?

Motion by Commissioner Fleming, seconded by Commissioner Ward, to approve item A-1-25 annexation to City Council. Motion Carried.

ROLL CALL:

Commissioner Fleming	Voted	Aye
Commissioner Jamtaas	Voted	Aye
Commissioner Ingalls	Voted	Nay
Commissioner Coppess	Voted	Aye
Chairman Messina	Voted	Aye
Commissioner Ward	Voted	Aye
Commissioner McCracken	Voted	Aye

Motion to approve carried by a 6 to 1 vote.

Mr. Adams stated he looked up the minutes from the City Council meeting on July 20, 2021 and replied to Commissioner Coppess that it was a 3 to 3 vote and the mayor breaking the tie to deny the annexation. According to the minutes of the meeting, the three council members who voted against the annexation simply said that they didn't see how it benefited the city to annex the property.

Commissioner Jamtaas asked if the owners of the homes where disclosed the information and understand that Lilly was intended to go through?

Commissioner McCracken commented that the sellers, if they are aware, would have potentially disclosed that. The title commitment should have showed the notes on the plat if they went through a title company for their sale, which is exactly what Mr. Olson had on the screen. That would have been signed off by the buyer of property on their title commitment. Whether they noticed the little asterisks or read into the plat on the survey is another thing, but it was on the survey when those lots were originally divided.

Motion by Commissioner McCracken, seconded by Commissioner Coppess, to approve item S-1-25 with conditions. Motion Carried.

ROLL CALL:

Commissioner Ward	Voted	Aye
Commissioner Jamtaas	Voted	Aye
Commissioner McCracken	Voted	Aye
Commissioner Fleming	Voted	Aye
Chairman Messina	Voted	Aye
Commissioner Coppess	Voted	Aye
Commissioner Ingalls	Voted	Aye

Motion to approve carried by a 7 to 0 vote.

Commissioner Coppess commented this will be up to the city planning staff a to try and make sure this is conforming with all the requirements needed to cross the T's and dot the I's for environmental concerns and all the engineering stuff. It makes it much easier knowing that all those things have been addressed for us to look at it from a holistic standpoint. He would like to thank staffs for all their efforts.

DRAFT

ADJOURNMENT:

Motion by Commissioner Fleming, seconded by Commissioner Ward, to adjourn. Motion carried.

The meeting was adjourned at 8:06 p.m.

Prepared by Traci Clark, Administrative Assistant

DRAFT

City Council Meeting



December 2, 2025

1

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

APPLICANT:

Eugene P. Haag, Jr. Trust
2248 E Stanley Hill Road
Coeur d'Alene, ID 83814

ENGINEER:

Olson Engineering
1649 N Nicholson Center St #102
Post Falls, ID 83854

2

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)3.19 acres)**LOCATION:**

2248 E. Stanley Hill Road

LEGAL NOTICE:

- Published in CDA Press
- Mailed to property owners
- Posted to subject property

3

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)**REQUEST**

The applicant is requesting approval of the following decision that will require findings to be made. The applicant is requesting:

- **A-1-21:** The annexation of 3.19 acres in conjunction with zoning approval from County Agricultural-Suburban to the R-3 zoning district in the Hillside Overlay.

4

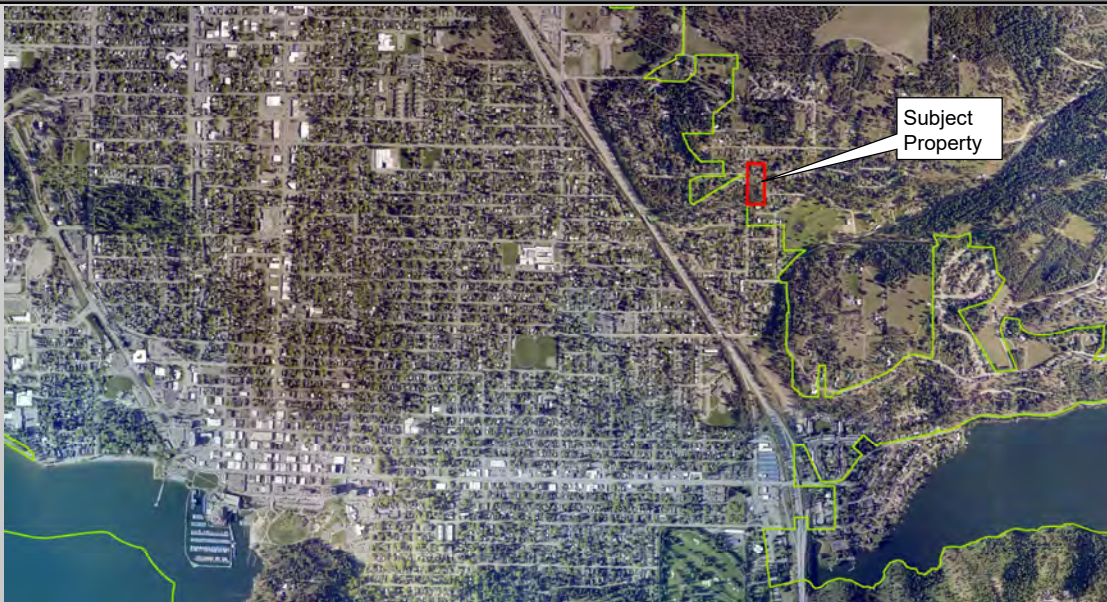
Haag Estates Annexation & Subdivision



**Background
Information**

5

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres) LOCATION MAP



6

**A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
AERIAL PHOTO**



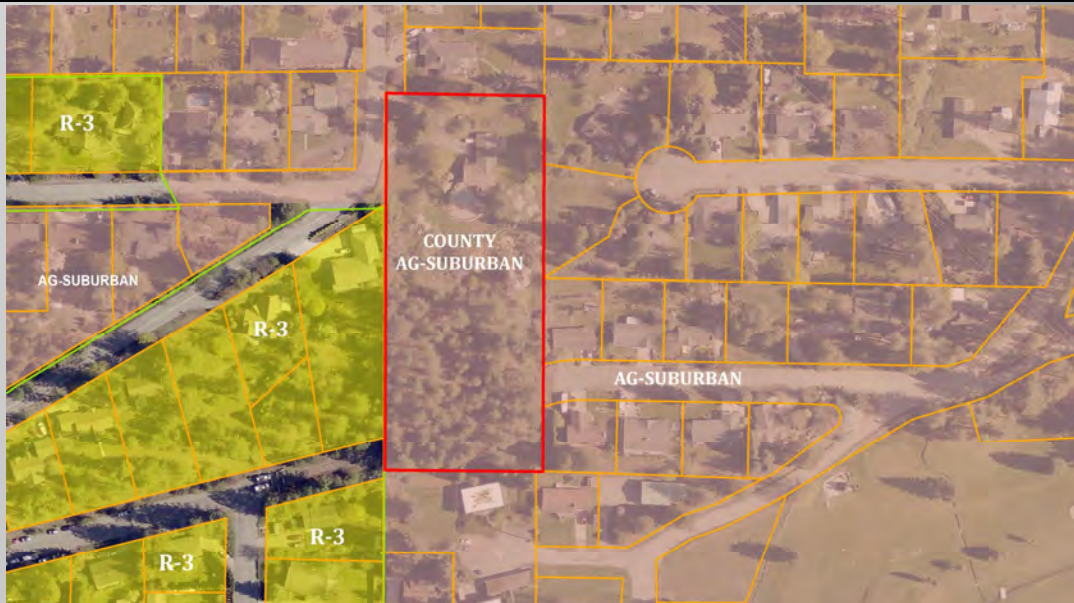
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**A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
BIRDSEYE PHOTO**



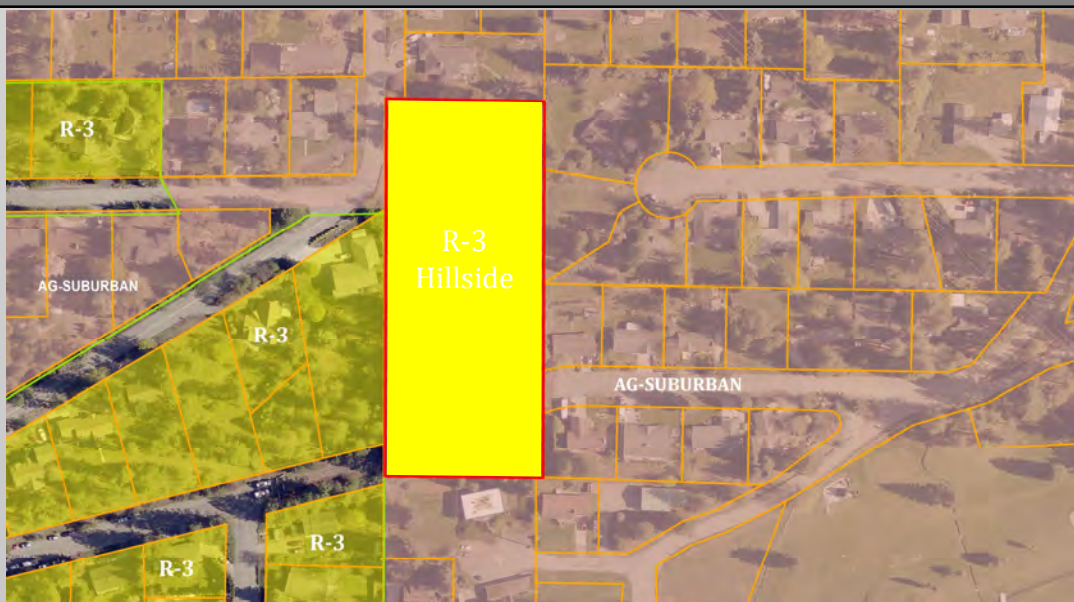
8

**A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
EXISTING ZONING MAP**



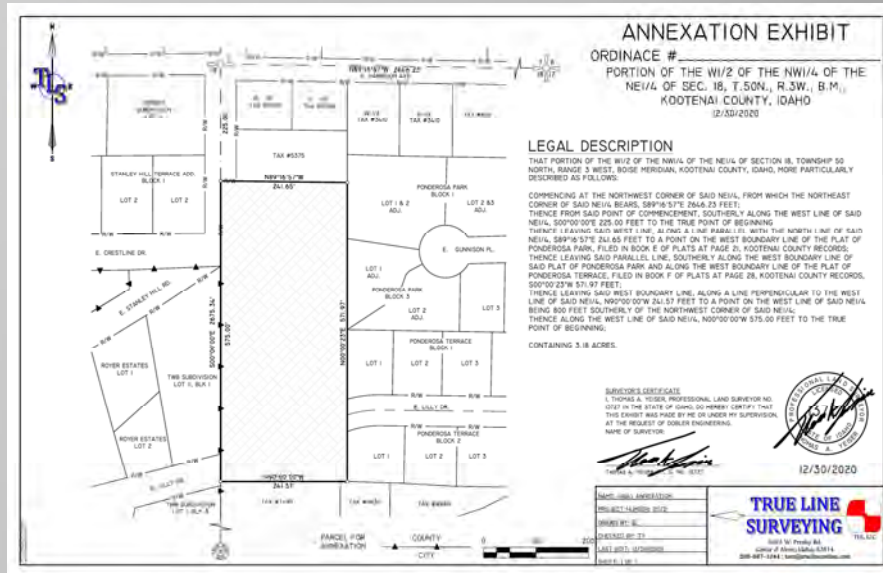
9

**A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
PROPOSED ZONING MAP**



10

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)



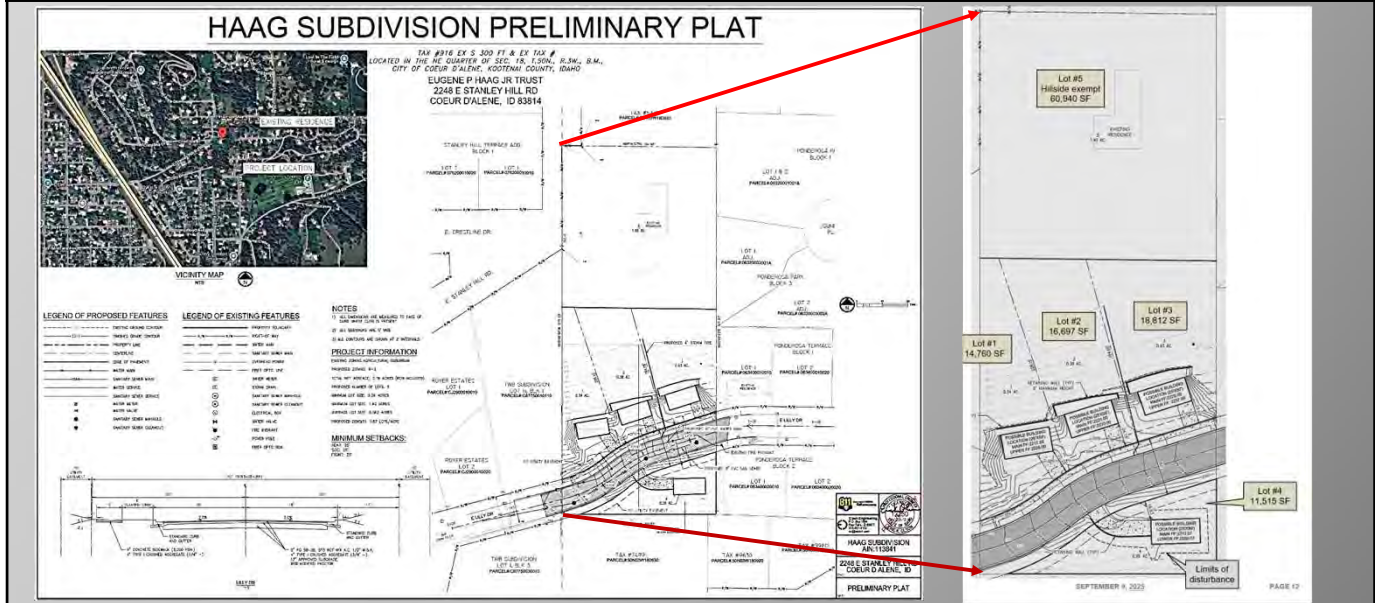
11

Subdivision Approved by Planning Commission (S-1-25)

The Planning and Zoning Commission recommends City Council adopt R-3 zoning in conjunction with annexation should Council decide to approve the request. This determination was made at a regularly scheduled meeting held on September 9, 2025, by a 6-to-1 vote.

12

Subdivision Approved by Planning Commission (S-1-25)



13

Subdivision Approved by Planning Commission (S-1-25)

Per Planning Commission and City Council feedback of prior subdivision and annexation hearing requests, the applicant team provided a Geotech study that includes slope calculations and disturbance results showing hillside overlay code could be met. The following table shows the slope to undisturbed ratio:

GRADING TABLE			
LOTS	AVERAGE SLOPE	SLOPE(+25%)	PERCENT OF PROPERTY LEFT NATURAL
1	25%	50%	54%
2	24%	49%	59%
3	22%	47%	57%
4	20%	45%	58%
5	12.5%	EXEMPT FROM HILLSIDE REQUIREMENTS	
*ALL LOTS MEET HILLSIDE OVERLAY RETENTION IN NATURAL STATE REQUIREMENTS			

14

Subdivision Approved by Planning Commission (S-1-25)

- The R-3 Zoning District requires that each lot have a minimum of 11,500 square feet.
 - The proposed vacant lot areas range from 11,515SF to 18,812SF, with the remainder remaining with the single-family home measuring 60,940SF.
- A minimum frontage of 75' along a public street is required for each lot.
 - Each lot must have the minimum frontage required prior to recording
- All setbacks and hillside codes must be met. Review of these items takes place at the time of building permit.



15

Haag Estates Annexation



A-1-25

16

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres) FOUR ANNEXATION FINDINGS

Finding B1:

That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

Finding B2:

That public facilities and utilities (are) (are not) available and adequate for the proposed use.

Finding B3:

That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

Finding B4:

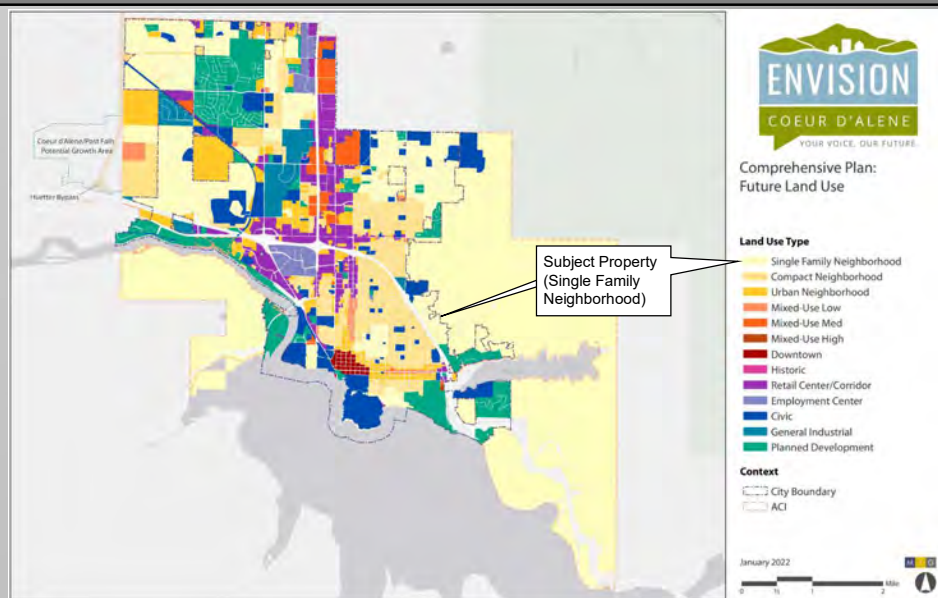
That the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

17

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

- The subject property is **contiguous** with city limits.
- Single-Family Neighborhood Place Type.



18

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

FUTURE LAND USE MAP

Comprehensive Plan:
Future Land Use

Land Use Type

- Single Family Neighborhood
- Compact Neighborhood
- Urban Neighborhood
- Mixed-Use Low
- Mixed-Use Med
- Mixed-Use High
- Downtown
- Historic
- Retail Center/Corridor
- Employment Center
- Civic
- General Industrial
- Planned Development



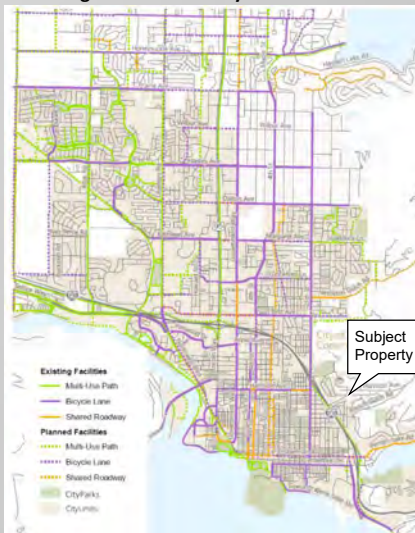
19

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

TRANSPORTATION

Existing and Planned Bicycle Network:



Existing and Planned Walking Network:



Existing Transit Network:



20

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

Community & Identity

Goal CI 1: Coeur d'Alene citizens are well informed, responsive, and involved in community discussions.

Objective CI 1.1: Foster broad-based and inclusive community involvement for actions affecting businesses and residents to promote community unity and involvement.

Environment & Recreation

Goal ER 3: Protect and improve the urban forest while maintaining defensible spaces that reduces the potential for forest fire.

Objective ER 3.1: Preserve and expand the number of street trees within city rights-of-way.

Objective ER 3.2: Protect and enhance the urban forest, including wooded areas, street trees, and "heritage" trees that beautify neighborhoods and integrate nature with the city.

Objective ER 3.3: Minimize the risk of fire in wooded areas that also include, or may include residential uses.

Objective ER 3.4: Protect the natural and topographic character, identity, and aesthetic quality of hillsides.

21

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Finding B1: That this proposal (is) (is not) in conformance with the Comprehensive Plan policies.

Growth & Development

Goal GD 1: Develop a mix of land uses throughout the city that balance housing and employment while preserving the qualities that make Coeur d'Alene a great place to live.

Objective GD 1.1: Achieve a balance of housing product types and price points, including affordable housing, to meet city needs.

Goal GD 2: Ensure appropriate, high-quality infrastructure to accommodate community needs and future growth.

Objective GD 2.1: Ensure appropriate, high-quality infrastructure to accommodate growth and redevelopment.

Health & Safety

Goal HS 3: Continue to provide exceptional police, fire, and emergency services.

Objective HS 3.2: Enhance regional cooperation to provide fast, reliable emergency services.

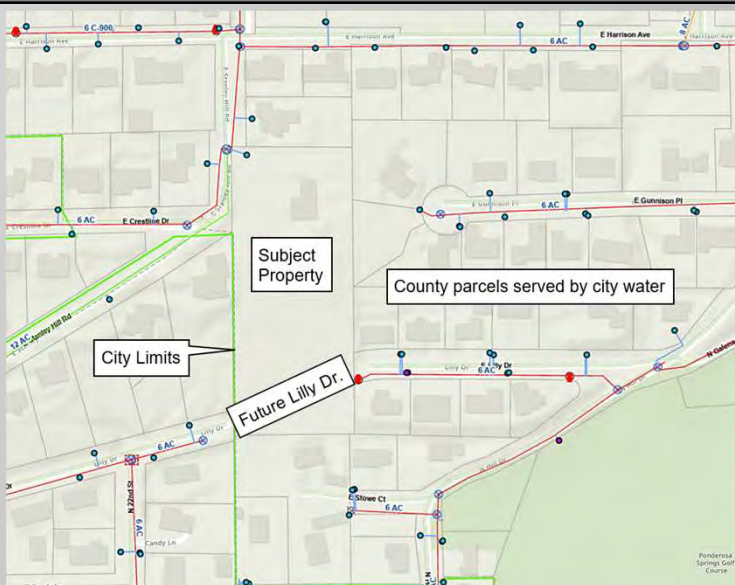
22

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
Finding B2: That public facilities and utilities (are) (are not)
available and adequate for the proposed use.

- City staff from Streets and Engineering, Water, Police, Fire, Parks, and Wastewater departments have reviewed the application request in regard to public utilities and public facilities.
- Each department has indicated that there are public facilities and public utilities available and adequate for the proposed annexation with zoning to R-3 (see pages 16 & 17 of staff report).
- Staff has recommended 6 conditions as part of this Annexation and Subdivision request.

23

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
Finding B2: That public facilities and utilities (are) (are not)
available and adequate for the proposed use.



The lots in Ponderosa Terrace to the east on Lilly Drive are in the unincorporated County but are on City water. Immediately after the subdivision was platted in the County in 1978, they requested City water service in 1979. As part of receiving city water, they signed annexation waivers and have restrictive covenants in place.

24

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
Finding B3: That the physical characteristics of the site (do) (do not) make it suitable for the request at this time.

- The site slopes to the south and there is an approximately a 120 foot drop in elevation on the subject property
- The site is currently densely treed.
- The subject property would be annexed into the city under the city's Hillside Regulations

Topographic map is provided on the next slide

25

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
TOPOGRAPHIC MAP



26

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
➤ **View of home from Stanley Hill Rd. looking east**



27

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
➤ **Looking east into E. Lilly Dr. approximately 160' prior to western edge of the subject property.**



28

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
➤ Terminus of E. Lilly Dr. at the western edge of the subject property



29

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
➤ Terminus of E. Lilly Dr. at the eastern edge of the subject property



30

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
➤ View of existing home looking uphill to the north from subject property



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A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
➤ Abandoned cistern on subject property (now removed)



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A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Finding B4: That the proposal (would) (would not) adversely affect the surrounding Neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

TRAFFIC:

The subject property is bordered primarily by Lilly Drive where future construction is anticipated, which is a local residential street. Traffic from this proposed development is estimated to provide a very minimal increase in peak hour trips to Lilly Drive and may improve traffic circulation for nearby residents. However, residents along the existing Lilly Drive dead-end will undoubtedly experience an increase in traffic. The Streets & Engineering Department has no objection to the annexation and subdivision plat as proposed.

-Submitted by Chris Bosley, City Engineer

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A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Finding B4: That the proposal (would) (would not) adversely affect the surrounding Neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses.

NEIGHBORHOOD CHARACTER:

Overall, the neighborhood's character is defined by single-family homes in a hillside setting, balancing urban accessibility with natural preservation. Annexation with R-3 zoning would extend this pattern eastward, promoting infill development that protects against incompatible rural sprawl while addressing past concerns about topography and drainage.

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A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres) LAND USE MAP

- ☒ Land Use
- SFA
 - SFD
 - DUPLEX
 - MH
 - MHP
 - MFD
 - CIVIC
 - COMM
 - MFGR
 - AGRICULTURE
 - VACANT



35

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)



**Proposed
Conditions**

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**A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
SEVEN (7) PROPOSED CONDITIONS**

Fire:

1. Water line connecting both sides of E Lilly Dr must be connected to ensure needed fire flows at fire hydrants 176-B and 177-C
2. The slope of the proposed Lilly Dr. connection must not exceed 8% grade with the road width to match existing road width minimum. It must be built to accommodate 75,000-pound fire apparatus.

Water:

3. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
4. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

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**A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)
SEVEN (7) PROPOSED CONDITIONS**

Wastewater:

5. This project will require the extension of sewer "To and Through" for this annexation as proposed unless private sewer is approved to serve one parcel. Policy #716 states One Parcel, One Lateral.
6. Existing home on this parcel must connect to City sewer and pay appropriate sewer cap fees.

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A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)



Decision Point & Findings

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A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres) ANNEXATION ACTION ALTERNATIVES:

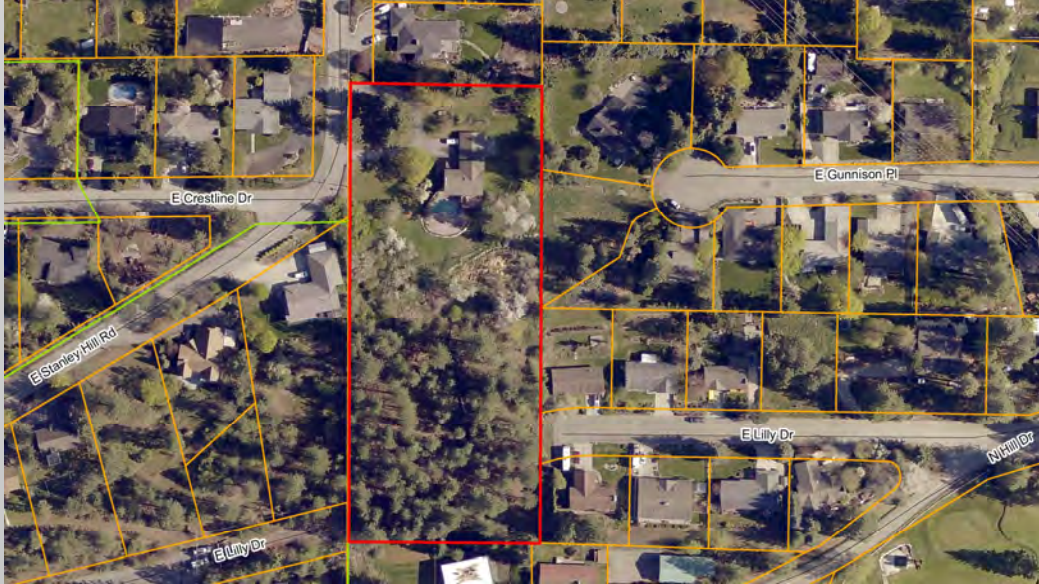
The City Council must review the annexation request (A-1-25) and the associated zoning proposal (R-3 with Hillside Overlay) and make findings to:

- ☐ **Approve**
- ☐ **Deny**
- ☐ **Deny without prejudice**

Any conditions would be included in the Annexation Agreement.



40

A-1-25: R-3 Zoning in conjunction with Annexation (3.19 acres)

Haag Annexation and Subdivision

December 2, 2025

1



2

Why Are We Here Again?

- ▶ Owner wishes to annex and subdivide for the benefit of his family
- ▶ Changes: growth, housing needs, emphasis on fire protection
- ▶ We have additional information to present regarding groundwater concerns
- ▶ There are several significant benefits to the City and the Public
- ▶ This is a logical annexation

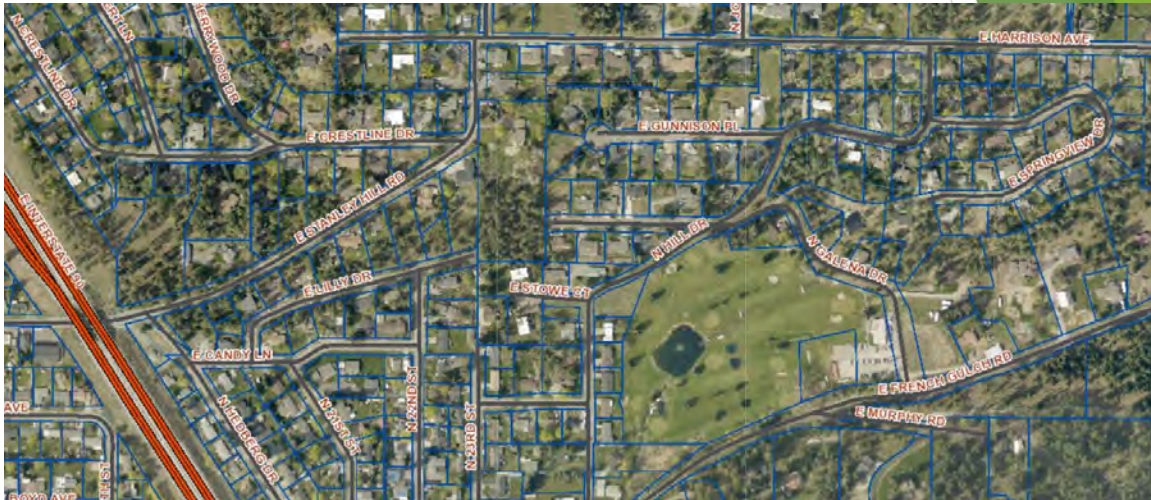
3

Why the Public Road Option Again?

- ▶ 2021 PUD version with 2 dead ends on Lilly failed narrowly because it didn't offer enough benefit to the City
- ▶ A public road is logical, and Lilly Drive was meant to be completed. City Staff prefers this option, this Engineer prefers this option, and it's an easier case to make.

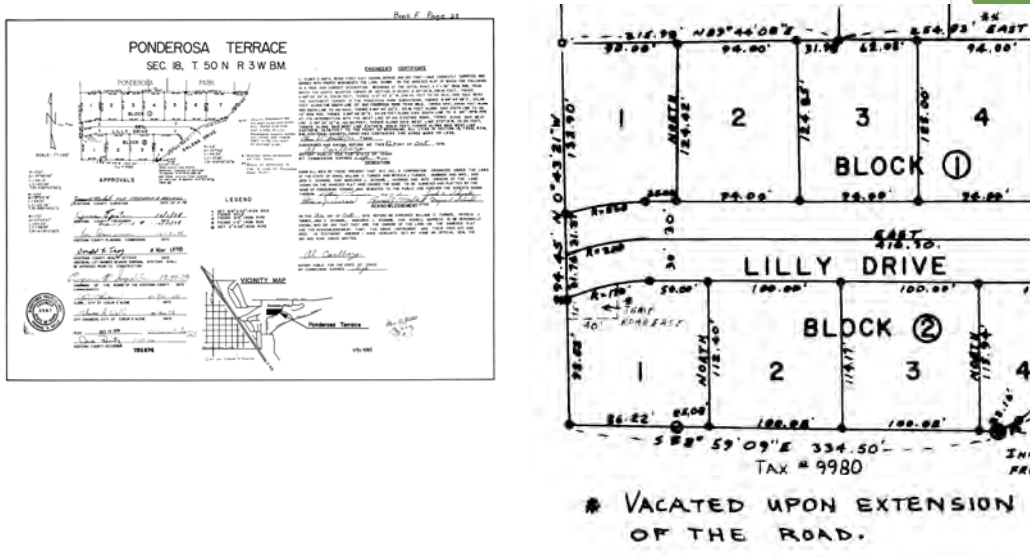
4

Lilly Dr was Meant to be Completed



5

Lilly Dr Was Meant to be Completed



6

Benefits of Completing Lilly Dr

FIRE:

The proposed road connection along Lilly Street enhances Fire Department response times to areas beyond the city limits. Additionally, it provides access to a second fire hydrant location along Lilly Street, improving fire protection coverage. The completion of Lilly Street provides faster emergency services to Hill Street and Galena Avenue and further optimizes access and response capabilities in the surrounding area.

Fire department access to the site (Road widths, surfacing, maximum grade and turning radiuses), in addition to, fire protection (Size of water main, fire hydrant amount and placement, and any fire line(s) for buildings requiring a fire sprinkler system) will be reviewed prior to final plat recordation or during the Site Development and Building Permit, utilizing the currently adopted International Fire Code (IFC) for compliance.

-Submitted by Craig Etherton, Deputy Fire Marshal

My adds: Also provides a way out for vehicles in the event Lilly Dr is blocked, There is no turnaround currently at the end of Lilly Dr.

7

Benefits of Completing Lilly Dr

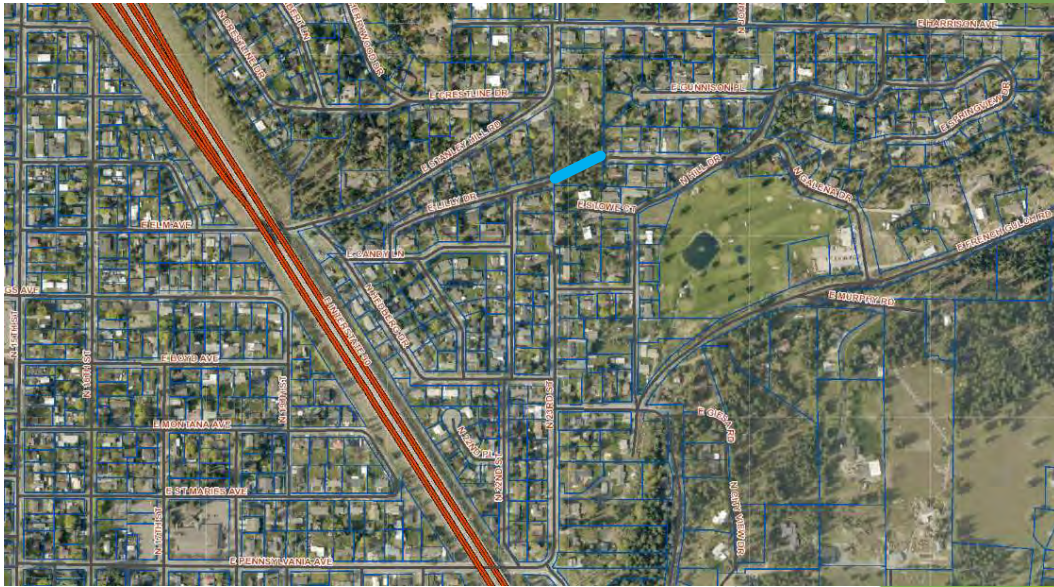
Water:

4. Any additional main extensions and/or fire hydrants and services will be the responsibility of the developer at their expense. Any additional service will have cap fees due at building permitting.
5. A main extension will be required to serve this subdivision and be tied into the existing main on E Lilly Dr. Both ends of the water main on Lilly Dr. must be tied together.

My add: This project would connect two dead end water lines providing increased water circulation, flow capacity, and pressure during high use periods.

8

Benefits of Completing Lilly Dr: Traffic Circulation



9

Benefits of Completing Lilly Dr: Traffic Circulation

- ▶ Yes, there will be increased traffic on Lilly Dr (it was meant to connect)
- ▶ County residents on the east side of Lilly Dr will experience more traffic but will benefit from reduced travel time to/from destinations along I-90
- ▶ Travel time benefits for portions of Hill Dr, Gunnison Pl, Springview Dr are not significant but will likely result in some additional cut through traffic because the option would be there (as it was meant to be)
- ▶ Redundant routes for road closures and construction
- ▶ If there is more traffic on Lilly Drive there will be less traffic on Harrison Ave and Stanley Hill Rd (a more even and more fair distribution of traffic to surrounding residents)

10

Benefits of Completing Lilly Dr: Sidewalk Connection

- ▶ Currently there is no legal walking connection between the dead ends of Lilly Dr
- ▶ Local residents trespass regularly on the subject property because it's a useful pedestrian connection



11

Benefits of Completing Lilly Dr: Sidewalk Connection



12

Required Findings for Annexation

- ▶ B1: That this proposal is in conformance with the Comprehensive Plan policies.
 - ▶ Goal CI 3: Coeur d'Alene will strive to be livable for median and below income levels, including young families, working class, low income, and fixed income households. *The additional lots will allow Gene's children to become property owners.*
 - ▶ Goal GD 3: Support the development of a multimodal transportation system for all users. *The annexation and subdivision would complete Lilly Dr and make it legal for pedestrians to walk through. Also improved vehicle circulation in the area.*
 - ▶ Goal GD 5: Implement principles of environmental design in planning projects: *The project will be built in accordance with the Hillside Ordinance and will have less impact on the urban forest from the previous PUD version which would have required additional disturbance to create "useful open space".*
 - ▶ Goal HS 3: Continue to provide exceptional police, fire, and emergency services. *The completion of Lilly Drive, elimination of dead ends, and additional looping of the water system will enhance emergency access and the ability to fight fires in the area.*

13

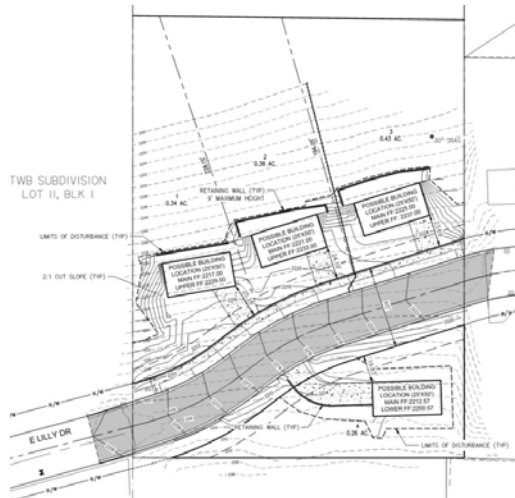
Required Findings for Annexation

- ▶ B2: That public facilities and utilities are available and adequate for the proposed use.
 - ▶ All utilities are available
 - ▶ Access is available

14

Required Findings for Annexation

- B3: That the physical characteristics of the site make it suitable for the request at this time.



GRADING TABLE			
LOTS	AVERAGE SLOPE	SLOPE(+25%)	PERCENT OF PROPERTY LEFT NATURAL
1	25%	50%	54%
2	24%	49%	59%
3	22%	47%	57%
4	20%	45%	58%
5	12.5%	EXEMPT FROM HILLSIDE REQUIREMENTS	
*ALL LOTS MEET HILLSIDE OVERLAY RETENTION IN NATURAL STATE REQUIREMENTS			

15

Geotechnical Evaluation



GeoTek, Inc.
11354 N. Government Way, Hayden, ID 83815
(208) 904-2190 Office (208) 904-2981 Fax www.geotekinc.com

May 14, 2025
Project No. 3596-NI

Eugene P Haag JR Trust
c/o Olson Engineering
1649 Nicholson Center Street
Post Falls, ID 83854

Attention: Mr. Eugene Haag

Subject: **Geotechnical Evaluation** for "Haag Subdivision"—a Residential Subdivision Site—
Located at 2248 E Stanley Hill Rd, Coeur d'Alene, Kootenai County, Idaho 83814
[Parcel No. 50N03W180850, AIN 113841]

In accordance with your request, GeoTek, Inc. (GTI) has completed a geotechnical evaluation of the subject site for a proposed single-family residential subdivision site with associated site improvements. The purpose of our study was to evaluate the soils underlying the site and to provide recommendations for project design and construction based on our findings. This report outlines the geologic and geotechnical conditions of the site based on current data and provides earthwork and construction recommendations with respect to those conditions.



16

Geotechnical Evaluation: Surface & Groundwater

- ▶ Groundwater was not encountered in test holes
- ▶ Groundwater may yet be encountered during construction...capture and divert
- ▶ Surface water was found discharging from a pipe from neighboring property
- ▶ “Based on our observations and the information provided by the civil engineer, it does not appear that the free-flowing surface water represents a naturally occurring stream or spring.”
- ▶ “The existing drainage pipe discharge should be evaluated by the civil engineer to redirect this discharge to an appropriate receiving location.”

17

Required Findings for Annexation

- ▶ B3: That the physical characteristics of the site do make it suitable for the request at this time.
 - ▶ 8% street grade is acceptable to City Staff
 - ▶ Can meet Hillside Ordinance
 - ▶ “Spring” does not exist
 - ▶ Surface and groundwater can be captured and diverted
 - ▶ Adjacent areas with similar slopes have been successfully developed

18

Required Findings for Annexation

- ▶ B4: That the proposal would not adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, and/or existing land uses.
 - ▶ Neighborhood character and existing land uses will remain similar with the addition of 4 new single-family lots of similar size to the surrounding area which is all R-3 zoning within the City
 - ▶ Legal walking connection will enhance connectivity between neighborhoods

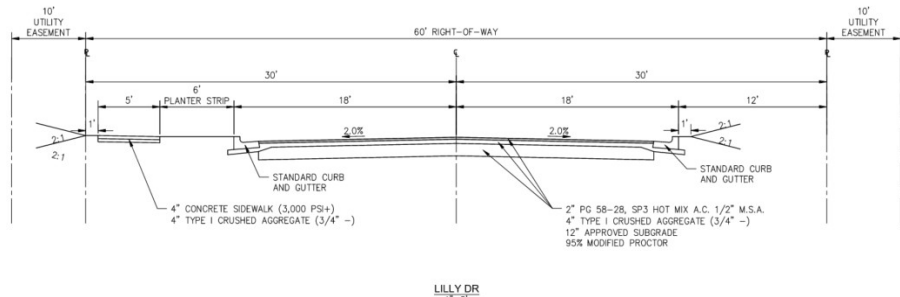
19

Required Findings for Subdivision

- ▶ B1: That all of the general preliminary plat requirements have been met as attested to by the City Engineer.
- ▶ B2: That the provisions for sidewalks, streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, pedestrian and bicycle facilities, and utilities are adequate.
- ▶ B3: That the proposed preliminary plat complies with all of the subdivision design standards (contained in chapter 16.15) and all of the subdivision improvement standards (contained in chapter 16.40) requirements.
- ▶ B4: The lots proposed in the preliminary plat meet the requirements of the applicable zoning district.
 - ▶ R3 minimum lot size 11,500 sq ft w/ 75' of frontage
 - ▶ Proposed minimum lot size 11,515 sq ft
 - ▶ Other new lots range from 14,760-18,812 sq ft
 - ▶ Frontage requirements are met for all lots

20

Typical Street Section



21

Summary of Benefits

- ▶ Better fire protection
- ▶ Better water circulation
- ▶ Better traffic circulation
- ▶ Sidewalk connection
- ▶ No construction cost to City
- ▶ Increased tax base
- ▶ City controls development through Hillside Ordinance vs. potential County development
- ▶ Housing opportunities

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ORDINANCE NO. _____
COUNCIL BILL NO. 25-1020

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED AS R-3; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after public hearing, the City Council finds it to be in the best interests of the City of Coeur d'Alene and the citizens thereof that said property be annexed.

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene, Kootenai County, Idaho:

SECTION 1. That the property as set forth in Exhibit "A," attached hereto and incorporated herein, contiguous and adjacent to the City of Coeur d'Alene, Kootenai County, Idaho, be and the same is hereby annexed to and declared to be a part of the City of Coeur d'Alene, Kootenai County, Idaho, and the same is hereby zoned as R-3 (Residential at 3 units/acre).

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, be and the same is hereby amended as set forth in the preceding section hereof.

SECTION 3. That the Planning Director be and she is hereby instructed to make such change and amendment on the official Zoning Map of the City of Coeur d'Alene.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. 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 Coeur d'Alene, 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 Coeur d'Alene at a regular session of the City Council on December 2, 2025.

APPROVED by the Mayor this 2nd day of December, 2025.

Woody McEvers, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
A-1-25 at 2248 E. Stanley Hill Road; Eugene P. Haag Jr. Living Trust

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED AS R-3; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

EXHIBIT A

Property Legal Description

The Land referred to herein below is situated in the County of Kootenai, State of Idaho and is described as follows:

A part of the Northeast quarter Section 18, Township 50 North, Range 3 West, Kootenai County, Idaho, described as:

Commencing at the Northwest corner of said Northeast quarter Section 18, Township 50 North, Range 3 West; thence

South 800 feet; thence

At right angles East 242 feet; thence

At right angles North 800 feet; thence

At right angles West 242 feet to POINT OF BEGINNING.

EXCEPT that portion described as follows:

Beginning at the North quarter of Section 18, Township 50 North, Range 3 West, Boise Meridian, Idaho; thence

South 0°45' East along the center line of said Section 18, 125.0 feet; thence

North 89°58' East on a line parallel to the North line of said Section 18, 30.0 feet to the TRUE POINT OF BEGINNING;

thence

South 0°45' East 100.0 feet; thence

North 89°58' East 212.0 feet; thence

North 0°45' West 100.0 feet; thence

South 89°58' West 212.0 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPT portion described as follows:

Part of the Northeast quarter of Section 18, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, State of

Idaho, described as follows:

Beginning at the Northwest corner of said Northeast quarter; thence

South along the center line of said Section line 125.0 feet; thence

North 89°58' East on line parallel to the North line of said Section 18, 242 feet; thence

North 0°45' West, 125.0 feet; thence


South 89°58' West 242.0 feet to the POINT OF BEGINNING.

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, A-1-25, annexation of property known as 2248 E. Stanley Hill Road, owned by the Eugene P. Haag Jr. Living Trust, 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 2nd day of December, 2025.

Randall R. Adams, City Attorney

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STAFF REPORT

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**CITY COUNCIL
STAFF REPORT**

FROM: SEAN E. HOLM, SENIOR PLANNER

DATE: DECEMBER 2, 2025

SUBJECT: SITE SPECIFIC COEUR TERRE DEVELOPMENT AGREEMENT
AMENDMENT TO CHANGE CHURCH OWNED PROPERTY FROM
“URBAN TOWNHOMES” TO “RELIGIOUS ASSEMBLY” IN A C-17 ZONE
(PLACE TYPE FLEXIBILITY)

LOCATION: A 10.91-ACRE PARCEL PROPERTY SITUATED BETWEEN N. ALECAT
ST. AND COEUR TERRE BLVD. SOUTH OF W. HANLEY AVE.

APPLICANT: THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

****AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT****

REQUEST: The applicant, The Church of Jesus Christ of Latter-day Saints (Church), seeks Amendment No. 3 to the Annexation and Development Agreement dated March 21, 2023 (File No. A-4-22) to modify Exhibit “E” (Conceptual Master Plan). The amendment changes the designation of a 10.91-acre C-17 zoned parcel from “urban townhomes” to “religious assembly” to facilitate development of a church facility on property legally described as Full Circle Tracts, Lot 2 Block 1.

BACKGROUND AND HISTORY: The Coeur Terre project, a 438-acre planned community, was annexed into the City of Coeur d’Alene under the Annexation and Development Agreement dated March 21, 2023, with Exhibit “E” originally specifying “urban townhomes” for the 10.91-acre parcel now owned by the Church.

Following annexation, Kootenai County Land Company, LLC, applied for a four-lot short plat “Full Circle Tracts,” located at the north end of the project. This short plat created four parcels: one for the City’s water tower in the northeast corner (0.52-acres), another for a future school site (20-acres), the 10.91-acre commercially zoned parcel that has since been acquired by the Church, and a remainder parcel containing a large area designated as “multifamily” in the northwestern section (43.35-acres). Full Circle Tracts was recorded on December 6, 2023.

Amendment No. 1, partially approved on April 15, 2025, adjusted the wastewater utility timeline and relocated/rezoned a well site but denied a request to allow underlying zoning to govern all land uses project-wide and rejected a zone change from R-17 to C-17 for 14.095 acres.

Amendment No. 2, approved by City Council on October 21, 2025, modified Exhibit “E” to change the “cluster triplex” land use designation to a combination of “active adult senior living” and “multifamily” in anticipation of the Coeur Terre 1 PUD and subdivision request, allowing the change to the original place type (structure form):

RECENTLY AMENDED EXHIBIT “E” (10/21/2025)
(Generally Adhered to Design: Conceptual Master Plan)

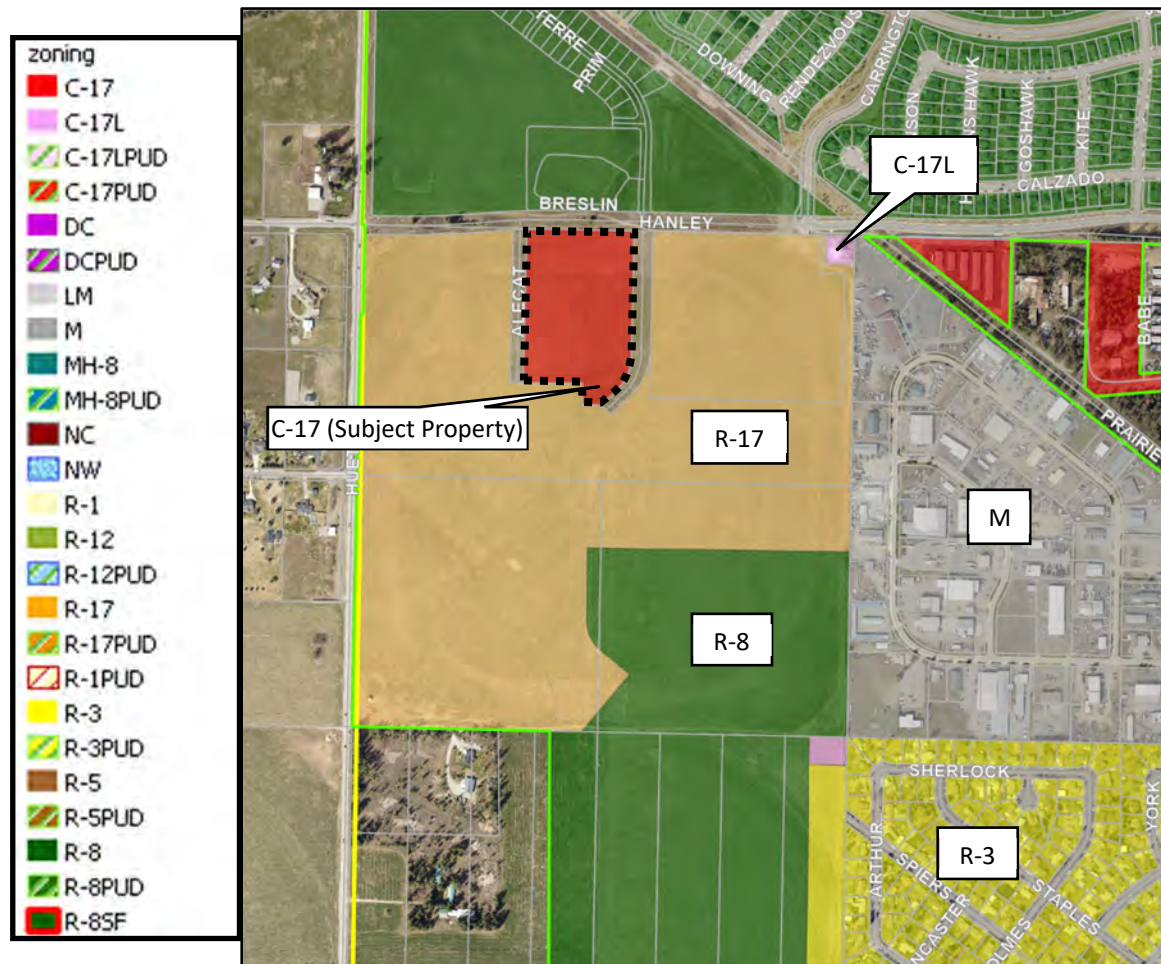


The Church acquired the 10.91-acre parcel after the initial Development Agreement and now seeks to amend Exhibit “E” to reflect its intended use for religious assembly, a permitted use in the C-17 zone per Coeur d’Alene Municipal Code Section 17.05.500. The site remains undeveloped agricultural land with flat topography and no floodplain or wetlands.

**REQUESTED UPDATE TO EXHIBIT “E”: RELIGIOUS ASSEMBLY
(Generally Adhered to Design: Conceptual Master Plan)**



ZONING MAP:



Chapter 17.05: Zoning District Schedule

17.05.500: PERMITTED USES; PRINCIPAL:

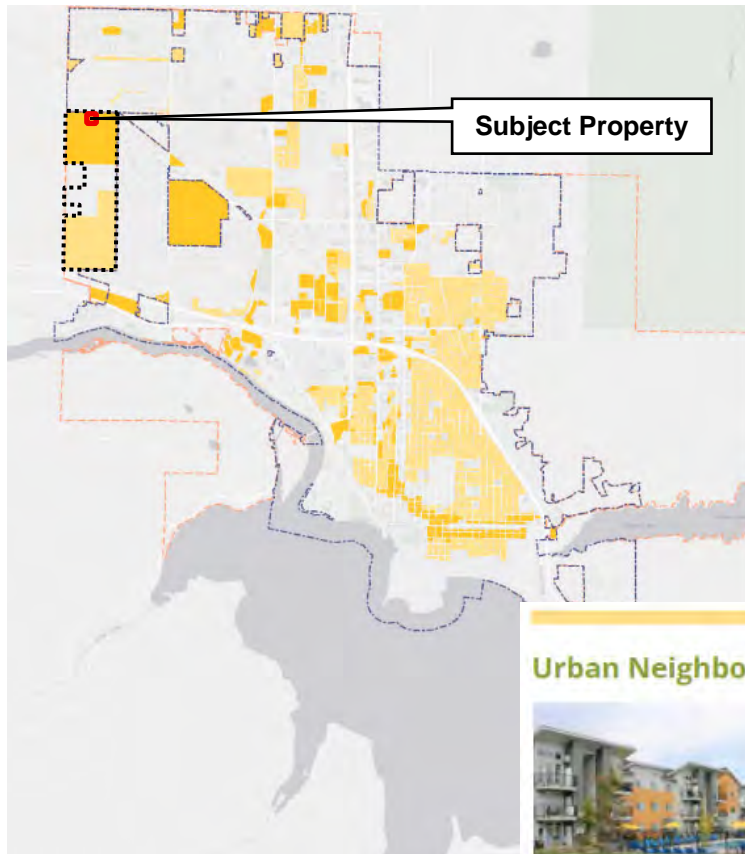
Principal permitted uses in a C-17 district shall be as follows:

- Religious assembly

2022-2042 COMPREHENSIVE PLAN (& FUTURE LAND USE MAP):

Urban Neighborhood

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with gridded street patterns, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, with convenient access to goods, services, and dining for nearby residents. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development. **Compatible Zoning: R-17 and R-34SUP; NC, CC, C17, and C17L**



Urban Neighborhood



Key Characteristics

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with a gridded street pattern, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, often adjacent to mixed-use districts. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

Transportation

- Gridded street pattern with internal streets in building complexes
- Should include high ease-of-use pedestrian and bicycle facilities

Typical Uses

- Primary: Multifamily residential
- Secondary: Neighborhood parks and recreation facilities, parking, office, commercial



Building Types

- Apartments, condominiums, townhomes

Compatible Zoning

- R-17 and R-34SUP; NC, CC, C17, and C17L

COEUR D'ALENE MUNICIPAL CODE ON DEVELOPMENT AGREEMENTS: Coeur d'Alene Municipal Code Title 17.50 governs development agreements. For amendments (17.50.050(B)), the Community Planning Director must determine if the amendment meets criteria, including that "circumstances have substantially changed so that amendment of the terms of the development agreement is needed to further the goals and purposes of the City and is in the public interest" (17.50.050(B)(6)) or involves substantial changes to land uses (17.50.050(B)(1)). Approval requires the amendment to be "necessary and reasonable" and "in the public interest."

Approval Justification for Amendments: The Community Planning Director must determine if the amendment meets specific criteria, including that "circumstances have substantially changed so that amendment of the terms of the development agreement is needed to further the goals and purposes of the City and is in the public interest" (17.50.050(B)(6)). Other criteria include substantial changes to land uses or site plans (B)(1), but the public interest element is key for justification.

Reasoning Emphasis: Approval requires demonstrating the amendment is "necessary and reasonable" and "in the public interest". This ensures amendments serve a public benefit, such as adapting to changed conditions while protecting community goals.

Per the applicant's request letter:

The Church does not concede that an amendment is required but, after discussions with City staff, is willing to pursue Amendment No. 3 to remove any doubt that development of the Property for religious assembly is permissible. The amendment eliminates any reference to "urban townhomes" on the Property and replaces it with "religious assembly."

The Church Property Justification:

- **Change in Ownership & Use:** The Church acquired the parcel after the original Development Agreement following the Full Circle Tracts short subdivision and intends to develop it for religious assembly, a permitted use in the C-17 zone. The original "urban townhomes" designation is no longer applicable.
- **Compatibility with Zoning & Surrounding Uses:** Religious assembly is expressly permitted under the C-17 zoning and is compatible with adjacent school site and residential portions of the project. Non-commercial religious assembly is harmonious with both school and residential neighborhoods.
- **Low Impacts and Compatibility:** Religious assembly generates limited traffic compared to residential uses, imposes no school burden, and maintains quiet operations consistent with neighborhood character.
- **Public Benefit and Community Enhancement:** The Church's development will provide community gathering space and enhance the social fabric of Coeur Terre, supporting the project's vision of a connected, walkable neighborhood.
- **Consistency with Comprehensive Plan:** The amendment aligns with the Urban Neighborhood place type by allowing a supporting institutional use that promotes community interaction and access to services.

DEPARTMENT COMMENTS:

Fire: The Fire Department expects similar or lower call volume from religious assembly compared to urban townhomes and has no concerns with the change in use type.

-Submitted by Justin Torfin, Deputy Fire Marshal

Parks: The Parks Department has no issue with the proposed change to religious assembly.

-Submitted by Monte McCully, Parks Dept. Trails Coordinator

Planning: The C-17 zoning and Urban Neighborhood Place Type both permit religious assembly. The amendment is required only because Exhibit "E" designates a specific structure type ("urban townhomes") that differs from the proposed religious assembly use. The change would remove residential uses from this portion of the Coeur Terre project. Overall density of the Coeur Terre project remains governed by the underlying zoning and the Development Agreement's 2,800-unit Equivalent Residential Unit (ERU) cap.

Police: The Police Department anticipates no significant change in calls for service from religious assembly compared to urban townhomes and has no objection.

-Submitted by David Hagar, Patrol Captain

Streets & Engineering: No concerns or issues for the requested change to Religious Assembly. Because this property remains within the newly annexed property, the traffic impacts will be quantified in Coeur Terre's concurrency analyses which will be submitted with each phase of development or every two years, whichever comes first.

-Submitted by Chris Bosley, City Engineer

Wastewater: The change from residential to religious assembly does not create issues for the Wastewater utility.

-Submitted by Larry Parsons, Wastewater Utility Project Manager

Water: Water has no issues with the proposed change.

-Submitted by Kyle Marine, Water Department Director

ACTION ALTERNATIVES: City Council must consider this request and approve, approve with modifications, or deny the amendment changing the LDS Church owned property from "Urban Townhomes" to "Religious Assembly."

Attachments:

- Letter from Kirton McConkie on behalf of The Church of Jesus Christ of Latter-day Saints requesting Amendment No. 3 to the Annexation and Development Agreement
- Proposed Amendment No. 3 to the Annexation and Development Agreement
- Revised Exhibit "E" (Conceptual Master Plan- No. 3)

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Letter from Kirtan McConkie

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KIRTON | McCONKIE

Daniel C. Dansie
50 E. South Temple, Suite 400
Salt Lake City, UT 84111
ddansie@kmclaw.com
801.321.4839

October 30, 2025

VIA FIRST CLASS U.S. MAIL AND EMAIL

Hillary Patterson, Community Planning Director
Sean Holm, Senior Planner
Randy Adams, City Attorney
City of Coeur d'Alene
710 E. Mullan Ave.
Coeur d'Alene, Idaho 83814
hpatterson@cdaid.org
sholm@cdaid.org
radams@cdaid.org

**Re: Annexation and Development Agreement for Corre Terre Project
Request for Amendment**

Ms. Patterson, Mr. Holm, and Mr. Adams:

This law firm represents the Church of Jesus Christ of Latter-day Saints (“**Church**”). The Church owns certain real property within municipal boundaries of the City of Coeur d’Alene (“**City**”) which is known as Kootenai County Parcel No. CL8780010020 and AIN 351868 (“**Property**”). The Property is also known as FULL CIRCLE TRACTS, LT 2 BLK 1 3351N04W.

The Property is currently zoned C-17 and the Church intends to develop the Property for religious assembly purposes. According to Section 17.05.500 of the City Code, “religious assembly” is a permitted use in the C-17 Zone.

The Property, and certain adjoining parcels are subject to that certain *Annexation and Development Agreement* dated March 21, 2023, adopted by the City pursuant to Resolution No. 23-012, and recorded in the real property records of Kootenai County on March 30, 2023 (“**Development Agreement**”). Exhibit “E” to the Development Agreement identifies “Urban Townhomes” as a conceptual use for the Property. For that reason, the City’s staff has requested that the Development Agreement be amended in connection with any development of the Property for religious assembly purposes. Without conceding that an amendment to the Development Agreement is required, the Church is willing, after discussions with Mr. Holm and Mr. Adams, to

Hillary Patterson
Sean Holm
Randy Adams
July 11, 2025
Page 2

pursue an amendment to the Development Agreement to remove any doubt that development of the Property for religious assembly is permissible.

Thus, the Church hereby requests that the enclosed amendment ("**Amendment**") to the Development Agreement be presented to the Coeur d'Alene City Council ("**City Council**") at a public hearing pursuant to Section 17.50.050 of the City Code.

Pursuant to Section 17.50.050(D) of the City Code, the Church notes that the only modification the Development Agreement requested by the Church is to change Exhibit "E" to clarify that the intended use for the Property is religious assembly. The enclosed draft of the Amendment has been prepared in consultation with Mr. Holm and Mr. Adams, and it is our understanding that staff is supportive of the proposed amendment.

The amendment is necessary, reasonable, and is in the public interest for many reasons. First, as is the case with many projects, development plans simply change over time and some flexibility in managing the Development Agreement is necessary for the orderly development of the project which is subject to the Development Agreement ("**Project**"). Thus, while the Developer and the original Owners identified in the Development Agreement may have initially considered that the Property might be developed as "Urban Townhomes," it is not unusual that the intended use for the Property would change to a different, but entirely compatible, use. In fact, we understand the City has already approved two prior amendments to the Development Agreement, demonstrating the City's recognition that some flexibility in the administration of the Development Agreement is important.

Second, as noted above, the Church's anticipated use of the Property, religious assembly, is already a permitted use under the current zoning designation and is entirely compatible with the expected future uses for surrounding properties. Adjacent portions of the Project include a school site and parcels intended for residential development. The non-commercial nature of religious assembly is harmonious with both a school site and residential neighborhoods. Indeed, both schools and churches are often considered as enhancements to residential developments. The Church has a demonstrated history of meticulous care and upkeep of buildings operated for religious assembly and, in this case, development of the Property for that purpose will be a benefit not only to the Project, but to the entire Coeur d'Alene community.

Third, the development anticipated by the Amendment will allow the Church to exercise important property rights and also religious liberty rights which are enshrined under the constitutions of both the United States and the State of Idaho. *See* U.S. CONST. amend I, IDAHO CONST. art. I, § 4.

Please add the Church's proposed amendment to an agenda for a meeting of the City Council as soon as possible—preferably at the City Council's November 18, 2025, meeting—after having provided any public notice which is required under local ordinances or state statutes.

Hillary Patterson
Sean Holm
Randy Adams
July 11, 2025
Page 3

Please let me know if you have any questions about this correspondence or the proposed amendment to the Development Agreement.

Best regards,

KIRTON | MCCONKIE

Daniel C. Dansie

Enclosure

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Proposed Amendment #3

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AMENDMENT NO. __
TO
ANNEXATION AND DEVELOPMENT AGREEMENT

This Amendment No. __ to the Annexation and Development Agreement (“**Amendment**”) is entered into this ____ day of _____, 2025, by the City of Coeur d’Alene, 710 E. Mullan Rd., Coeur d’Alene, Idaho (the “**City**”), the Church of Jesus Christ of Latter-day Saints (the “**Church**”), Kootenai County Land Company, LLC, LREV 27 LLC, LREV 28 LLC, LREV 29 LLC, LREV 30 LLC, LREV 31 LLC, LREV 32 LLC, LREV 33 LLC, LREV 34 LLC, LREV 35 LLC, LREV 36 LLC, LREV 37 LLC, LREV 38 LLC, LREV 39 LLC (the foregoing limited liability companies collectively referred to as the “**Developer**”), and Coeur d’Alene School District #271 (the “**District**”).

WHEREAS, the City and the Developer entered into that certain *Annexation and Development Agreement* (“**Development Agreement**”) dated March 21, 2023, and recorded in the real property records of Kootenai County on March 20, 2023. The Development Agreement has been previously amended by that certain *Amendment No. 1 to Annexation and Development Agreement*.

WHEREAS, Developer subsequently conveyed portions of the project encumbered by the Development Agreement (“**Project**”) to the Church and to the District.

WHEREAS, the Church now owns a portion of the Project known as Kootenai County Parcel No. CL8780010020 and AIN 351868 (“**Church Property**”). The Church Property is also known as FULL CIRCLE TRACTS, LT 2 BLK 1 3351N04W.

WHEREAS, the Church Property consists of approximately 10.91 acres and is currently zoned C-17.

WHEREAS, religious assembly is a permitted use in the C-17 zone under the terms of the Coeur d’Alene City Code and the Church intends to develop the Church Property for religious assembly purposes.

WHEREAS, it is in the best interest of the parties to the Development Agreement to enter this Amendment to amend the Development Agreement in connection with the development of the Church Property for religious assembly purposes.

NOW, THEREFORE, the parties agree as follows:

1. Religious Assembly Use Permitted on Church Property. Notwithstanding any contrary provision of the Development Agreement, including, without limitation, any contrary provision of Section 6.6 of the Development Agreement or Exhibit “E” to the Development Agreement, the parties agree that the Church Property may be developed for religious assembly purposes. For the avoidance of doubt, the parties agree that the Church Property need not be developed as “urban townhomes” or any other residential use shown on the original Exhibit “E”

to Development Agreement, which is the "Conceptual Master Plan." The original Exhibit "E" will be deemed revised and updated to eliminate any reference to "urban townhomes" or any actual or implied requirement that the Church Property be developed for any purpose other than religious assembly. An updated and revised Exhibit "E" is attached to this Amendment and will govern over the original Exhibit "E" attached to the Development Agreement. On and after the date of this Amendment, all references in the Development Agreement to the Conceptual Master Plan or to Exhibit "E" shall mean and refer to the version of Exhibit "E" attached to this Amendment.

2. Miscellaneous. Except as modified herein, or as previously amended, the terms and conditions of the Development Agreement will remain in full force and effect. In the event of a conflict between this Amendment and the terms of the Development Agreement, as previously amended, this Amendment will control. For the avoidance of doubt, except as otherwise provided in the Development Agreement, all development within the project shall meet all applicable local, state, and federal laws and regulations.

DATED this ____ day of _____, 2025.

CITY OF COEUR D'ALENE

Woody McEvers, Mayor

ATTEST:

Renata McLeod, City Clerk

DEVELOPER
KOOTENAI COUNTY LAND COMPANY, LLC

By _____
Melissa Wells, Manager

OWNERS

LREV 27 LLC

By _____
Melissa Wells, Manager

LREV 28 LLC

By _____
Melissa Wells, Manager

LREV 29 LLC

By _____
Melissa Wells, Manager

LREV 30 LLC

By _____
Melissa Wells, Manager

LREV 31 LLC

By _____
Melissa Wells, Manager

LREV 32 LLC

By _____
Melissa Wells, Manager

LREV 33 LLC

By _____
Melissa Wells, Manager

LREV 34 LLC

By _____
Melissa Wells, Manager

LREV 35 LLC

By _____
Melissa Wells, Manager

LREV 36 LLC

By _____
Melissa Wells, Manager

LREV 37 LLC

By _____
Melissa Wells, Manager

LREV 38 LLC

By _____
Melissa Wells, Manager

LREV 39 LLC

By _____
Melissa Wells, Manager

Coeur d'Alene School District #271	
By _____ Shon Hocker, Superintendent	

Church of Jesus Christ of Latter-Day Saints	
By _____	

EXHIBIT TO AMENDMENT NO. 2 TO
ANNEXATION AND DEVELOPMENT AGREEMENT

Revised Exhibit "E"
(Generally Adhered to Design: Conceptual Master Plan)

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Revised Exhibit E

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AMENDED EXHIBIT "E"

(Generally Adhered to Design: Conceptual Master Plan)



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PUBLIC COMMENTS

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Hello,

I support amendment #3 to zone this property as "Religious Assembly."

(Quasi-judicial) Amendment No. 3 to the Coeur Terre Annexation and Development Agreement to modify Exhibit "E" changing the 10.91-acre C-17 zoned church property from "Urban Townhomes" to "Religious Assembly"; to be located at Hanley Avenue and Coeur Terre Boulevard in a portion of the north ½ of the northwest ¼ of Section 33, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho. The legal description is Full Circle Tracts, Lot 2, Block 1.

Thank you,

Jacie Larsen

I am in favor of the above-referenced amendment (Amendment No. 3 to the Coeur Terre Annexation and Development Agreement to modify Exhibit "E" changing the 10.91-acre C-17 zoned church property from "Urban Townhomes" to "Religious Assembly"). The planned LDS temple and church building in that location will be a benefit to not only members of the Coeur d'Alene community, but also to many surrounding communities.

Please approve the amendment.

Daniel Keyes

My name is Michael Krueger and I'm a resident who would like to voice my support for the amendment of the Coeur Terre Annexation and Development Agreement related to the Coeur d'Alene Idaho Temple.

There has been a request to modify the plan for that parcel from "Urban Townhomes" to "Religious Assembly", and I would like to stand in support of this change. Our community is one which proudly displays our love of God and the freedom to worship, as laid out in the Bill Of Rights. Our leaders in government have long supported this exercise of the first amendment, and with the proposed siting of the Coeur d'Alene Idaho Temple I would encourage them to do so again by granting this change to the development plan for this site.

Thank you for your time.

Sincerely,

Michael Krueger

Dear Members of the City Council,

I am writing as a resident of our community to express my strong support for zoning policies that allow religious assembly, including the building of churches, temples, and other places of worship.

One of the defining strengths of our nation is the freedom of religion. Allowing houses of worship within our city is an important expression of that freedom. These buildings are more than just structures—they reflect the faith, culture, and beauty that diverse groups bring to our community.

Religious gathering places also serve as safe, supportive environments where individuals and families can learn, grow, find connection, and access valuable resources. They strengthen neighborhoods, foster volunteer service, and contribute to the overall well-being of our city.

For these reasons, I support zoning that continues to permit religious assembly and the construction of churches, temples, and similar facilities. I appreciate your consideration and your ongoing work on behalf of our community.

- Natasha Stevens Coeur d'Alene

To whom it may concern,

I am writing to express my approval of the building of the Coeur d' Alene Temple in the proposed zone.

It is well established that The Church of Jesus Christ of Later Day Saints Temple fosters a sense of community and belonging. It provides a peaceful space for spiritual growth and reflection and serves as a cultural and traditional anchor.

I have been a resident of this beautiful area for 30 yrs. I have noticed that we are a very spiritual minded community of many denominations. I think this is our strength as a community. The temple will enhance the goodwill of our community.

Thank you for providing an outlet to express my view.

Sincerely,

Diane Miller

Good job Jake! I hope the city does the right thing.

Dad

Sent from Proton Mail for Android.

----- Original Message -----

To the Honorable Members of the Coeur d'Alene City Council,

I am writing to express my strong support for the requested amendment to the Coeur Terre Annexation and Development Agreement that would change the designated land use for the parcel at the corner of Hanley Avenue and Coeur Terre Boulevard from "Urban Townhomes" to "Religious Assembly" to accommodate the development of the Coeur d'Alene Idaho Temple of The Church of Jesus Christ of Latter-day Saints.

This amendment represents a significant opportunity to benefit not just the members of the Church, but the entire Coeur d'Alene community and the broader region.

Regional Impact of the Temple.

The establishment of the Coeur d'Alene Idaho Temple will have a profound and positive regional impact that extends well beyond the city limits:

Service Area: This new temple will serve Latter-day Saints across Northern Idaho and potentially parts of Washington and Montana. Currently, members in this region, which includes seven stakes (groups of approximately 8 congregations each, totaling about 56 congregations), often face travel times of several hours to reach the nearest operating temple.

Ease of Access: For many members, this temple will significantly reduce travel time, making it easier for them to attend and participate in sacred worship, which is a core tenet of their faith.

Community Growth: Idaho is home to over 480,000 Latter-day Saints in nearly 1,300 congregations, and the Church's membership has been growing in the Inland Northwest. This development reflects and supports the growing spiritual community in the area.

Positive Influence on Coeur d'Alene

Beyond the regional benefits for Church members, the presence of the temple and its associated facilities will bring several positive influences to the City of Coeur d'Alene:

Aesthetic and Peace: The temple grounds are designed to be a source of beauty and peace for the entire community. Religious assembly buildings often feature high-quality, thoughtful architecture and extensive landscaping, contributing to the overall aesthetic appeal of the neighborhood and creating a peaceful focal point.

Community Cohesion: Places of worship, including this temple, traditionally act as stabilizing forces in communities. They foster social connections, offer spiritual and psychological support, and provide a common focus that enhances community cohesion.

Economic Stability: While primarily a religious site, the construction and ongoing operation of a temple complex (which is planned to include a 29,630-square-foot temple and an adjacent meetinghouse) can contribute to local economic activity through initial construction jobs and increased visitation to the area, which can benefit local businesses. Furthermore, well-established religious institutions can positively influence neighborhood stability.

Approving this amendment to change the zoning to "Religious Assembly" is a proactive step in supporting a development that promises to be a source of spiritual uplift, architectural beauty, and community strength for Coeur d'Alene and the surrounding region. I urge the City Council to approve the requested amendment.

Thank you for your service and consideration of this important matter.

Sincerely,

Jacob Cartwright

Dear Members of the City Council,

I am writing as a resident of our community to express my strong support for zoning policies that allow religious assembly, including the building of churches, temples, and other places of worship.

One of the defining strengths of our nation is the freedom of religion. Allowing houses of worship within our city is an important expression of that freedom. These buildings are more than just structures—they reflect the faith, culture, and beauty that diverse groups bring to our community.

Religious gathering places also serve as safe, supportive environments where individuals and families can learn, grow, find connection, and access valuable resources. They strengthen neighborhoods, foster volunteer service, and contribute to the overall well-being of our city.

For these reasons, I support zoning that continues to permit religious assembly and the construction of churches, temples, and similar facilities. I support The Church of Jesus Christ of Latter-day Saints to build a temple instead of condos, houses, or apartments.

Alexis Young

I am in favor of the town of CDA to ammend the Coeur Terre Annexation and Development Agreement to modify the plan for a section of that parcel from Urban Townhomes to Religious Assembly.

I am a resident of Coeur d'Alene and live in Coeur d'Alene Place.

Thank you,

Jennifer Vest

City Council Meeting



December 2, 2025

1

**** AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT ****

APPLICANT:

The Church of Jesus Christ of Latter-day Saints
50 E. North Temple St.,
Salt Lake City, UT 84150



2

**** AMENDMENT NO. 3 TO THE
COEUR TERRE DEVELOPMENT AGREEMENT ****

REQUEST:

To modify Exhibit “E” (Conceptual Master Plan) to allow the designation of a 10.91-acre C-17 zoned parcel from “urban townhomes” to “religious assembly” to facilitate development of a church facility.

3

**** AMENDMENT NO. 3 TO THE
COEUR TERRE DEVELOPMENT AGREEMENT ****

LOCATION:

A 10.91-acre parcel property situated between N. Alecat St. and Coeur Terre Blvd. south of W. Hanley Ave.

LEGAL NOTICE:

No legal notice is required, however; the request was published to the CDA Press on 11/15/2025, mailed to 29 political subdivisions, and the applicant posted the area of request on 11/21/2025.

4

** AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT **

**Recently
Amended
Exhibit "E"**
(Oct. 21, 2025)

(Generally Adhered to Design: Conceptual Master Plan)

Urban Townhomes

Multifamily

Mixed Single Family Lots
and Townhomes

Row Homes

Cluster Single Family Lots

Alley Single Family Lots



Senior Living
Multifamily

Single Family Lots

5

** AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT **

**Requested
Amendment
Exhibit "E"**

AMENDED EXHIBIT "E"
(Generally Adhered to Design: Conceptual Master Plan)

Multifamily

Mixed Single Family Lots
and Townhomes

Row Homes

Cluster Single Family Lots

Alley Single Family Lots



Senior Living
Multifamily

Single Family Lots

6

** AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT **

Subject
Property

**2042 Comprehensive Plan
Future Land Use Map**

Urban Neighborhood



Key Characteristics

Urban Neighborhood places are highly walkable neighborhoods with larger multifamily building types, shared greenspaces and parking areas. They are typically served with a gridded street pattern, and for larger developments, may have an internal circulation system. Development typically consists of townhomes, condominiums, and apartments, often adjacent to mixed-use districts. Supporting uses include neighborhood parks and recreation facilities, parking, office and commercial development.

Transportation

- Gridded street pattern with internal streets in building complexes
- Should include high ease-of-use pedestrian and bicycle facilities

Typical Uses

- Primary: Multifamily residential
- Secondary: Neighborhood parks and recreation facilities, parking, office, commercial



Building Types

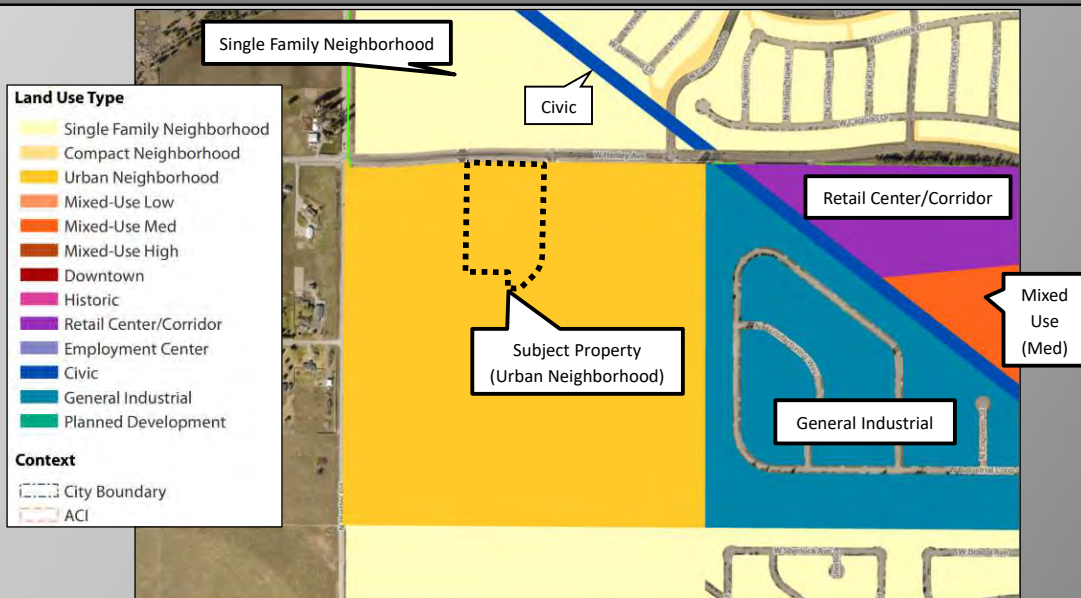
- Apartments, condominiums, townhomes

Compatible Zoning

- R-17 and R-34SUP; NC, CC, **C17**, and C17L

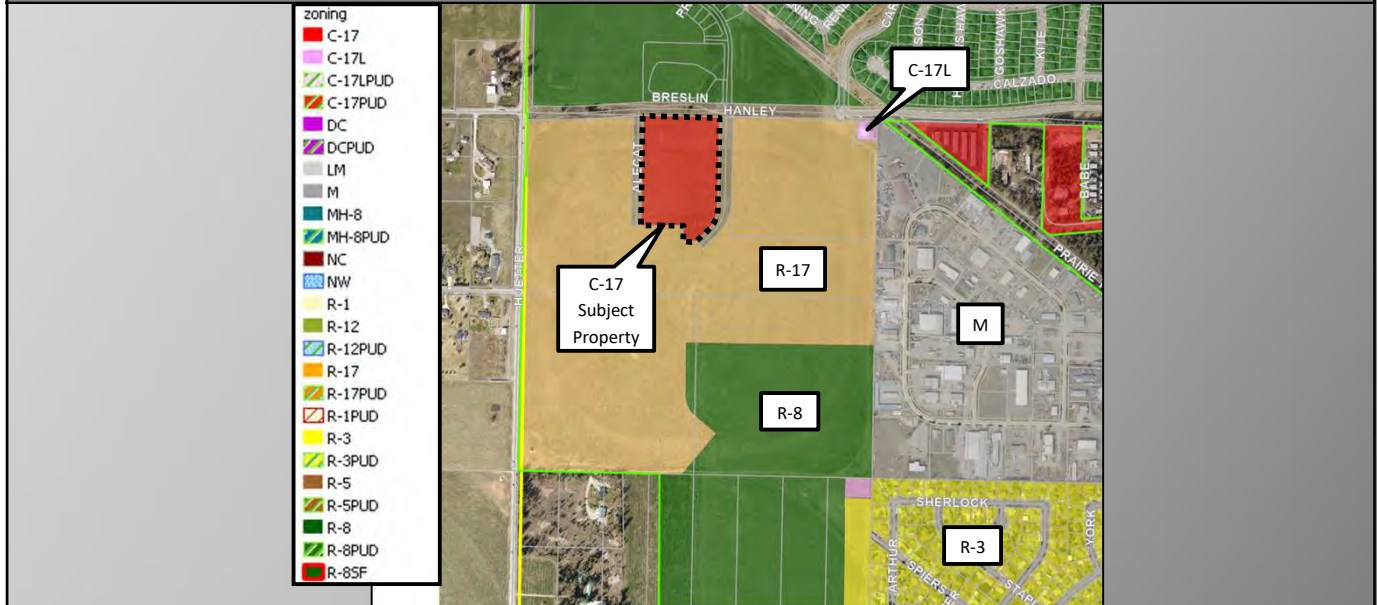
7

** AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT **



8

** AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT **



9

** AMENDMENT NO. 3 TO THE COEUR TERRE DEVELOPMENT AGREEMENT **

- JUSTIFICATION

- DEPARTMENT COMMENTS

10

**** AMENDMENT NO. 3 TO THE
COEUR TERRE DEVELOPMENT AGREEMENT ****

ACTION ALTERNATIVES:

The City Council will need to consider this request to amend Exhibit “E”, which would change a site-specific place type from “urban townhomes” to “religious assembly”, and:

- ☐ Approve
- ☐ Approve with modifications
- ☐ Deny



RESOLUTION NO. 25-070

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDED EXHIBIT "E" (CONCEPTUAL MASTER PLAN) TO THE ANNEXATION AND DEVELOPMENT AGREEMENT WITH KOOTENAI LAND COMPANY, *ET AL.*, CHANGING THE DESIGNATION OF A 10.91-ACRE C-17 ZONED PARCEL FROM "URBAN TOWNHOMES" TO "RELIGIOUS ASSEMBLY."

WHEREAS, pursuant to Resolution No. 23-012 adopted the 21st day of March, 2023, the City of Coeur d'Alene entered into an Annexation and Development Agreement with Kootenai County Land Company, LLC, LREV 27 LLC, LREV 28 LLC, LREV 29 LLC, LREV 30 LLC, LREV 31 LLC, LREV 32 LLC, LREV 33 LLC, LREV 34 LLC, LREV 35 LLC, LREV 36 LLC, LREV 37 LLC, LREV 38 LLC, and LREV 39 LLC; and

WHEREAS, pursuant to Resolution No. 25-019, adopted the 15th day of April, 2025, the City of Coeur d'Alene authorized Amendment No. 1 to the Annexation and Development Agreement with Kootenai County Land Company, et al.; and

WHEREAS, pursuant to Resolution No. 25-059, adopted the 21st day of October, 2025, the City of Coeur d'Alene authorized Amendment No. 2 to the Annexation and Development Agreement with Kootenai County Land Company, et al.; and

WHEREAS, the parties desire to adopt an Amended Exhibit "E" (Conceptual Master Plan) to the Annexation and Development Agreement; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof that such Amended Exhibit "E" be approved.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City hereby approves Amended Exhibit "E" (Conceptual Master Plan) to the Annexation and Development Agreement with Kootenai Land Company, *et al.*, attached hereto as Exhibit "1" and by this reference incorporated herein, changing the designation of a 10.91 acre C-17 zoned parcel from "Urban Townhomes" to "Religious Assembly," with the provision that the Mayor, City Administrator, and City Attorney are hereby authorized to modify said document provided that the substantive provisions of the document remain intact.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized to execute such document as may be necessary to effectuate the amendment on behalf of the City.

DATED this 2nd day of December, 2025.

Woody McEvers, Mayor

ATTEST:

Renata McLeod, City Clerk

Motion by , Seconded by , to adopt the foregoing resolution.

ROLL CALL:

COUNCIL MEMBER ENGLISH Voted

COUNCIL MEMBER MILLER Voted

COUNCIL MEMBER GABRIEL Voted

COUNCIL MEMBER EVANS Voted

COUNCIL MEMBER WOOD Voted

COUNCIL MEMBER GOOKIN Voted

was absent. Motion .



Exhibit “E”

Coeur Terre

Development Agreement

Urban Townhouses

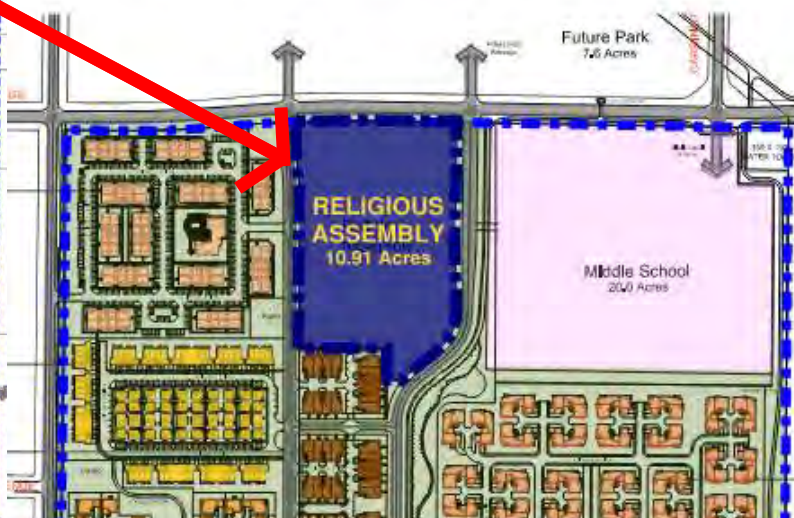
10.91 Acres

C-17 COMMERCIAL

17 Units per gross acre



EXHIBIT "E"
(Generally Adhered to Design: Conceptual Master Plan)



17.05.500: PERMITTED USES; PRINCIPAL:

Principal permitted uses in a C-17 district shall be as follows:

Public recreation.

Rehabilitative facility.

Religious assembly.

Retail gasoline sales.

Single-family detached housing (as specified by the R-8 district).

Specialty retail sales.

Veterinary office. (Ord. 3560, 2017)

Amended Exhibit "E" Coeur Terre Development Agreement

Religious Assembly

10.91 Acres

C-17 COMMERCIAL

17.05.500: PERMITTED USES;

PRINCIPAL:

- Religious Assembly