



CITY OF HAUSER
11837 N. Hauser Lake Road, Hauser, Idaho 83854

HAUSER CITY COUNCIL
MINUTES
(ZOOM Meeting & Public Attendance)

REGULAR MEETING – December 12, 2024

- 1. CALL TO ORDER –**
- 2. PLEDGE OF ALLEGIANCE –**
- 3. ROLL CALL –**
- 4. AMENDMENTS TO THE AGENDA, DECLARATION OF CONFLICT, EX-PARTE CONTACTS:**
- 5. MAYOR, Bill Ray**
- 6. MINUTES**
ACTION ITEM:
 - . *Minutes of November 12, 2024, 6:30p.m*
- 7. REPORTS**
 - . **Cindy Espe, Code Enforcement**
ACTION ITEM:
 - . *Hauser Final Plat for Underdahl and Final Plat for Janes Plains*
- 8. TREASURER, Lee Wheeler**
ACTION ITEM:
 - . *Treasurer Report – December 2024*
- 9. COUNCIL MEMBERS & STAFF**
 - . **Jeff Hoerner, Public Works**
 - . **Alice Pomykala, Land & Buildings:**
 - . **Daniel Findley, Special Projects**
 - . **Sean Taylor, Council President**
 - . **Kristin Sauter, City Clerk**
 - . **Laurie Fondahn-Baker, Deputy City Clerk**
- 10. CITY ATTORNEY, Kinzo Mihara**
 - . **General Legal**

11. **PUBLIC COMMENTS:** This is an opportunity to address concerns NOT on the agenda (no formal action allowed.) There is a three-minute time limit. Comments regarding performance by City employees are inappropriate at this time and should be directed to the Mayor.

12. **COUNCIL COMMENTS**

13. **EXECUTIVE SESSION**

ACTION ITEM:

. *Executive Session – Discussion of Litigation Options Under Idaho Code 74-206(f):* To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options or pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

14. **ADJOURNMENT:**

Kristin Sauter, City Clerk

Bill Ray, Mayor



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HAUSER CITY COUNCIL
MINUTES
(ZOOM Meeting & Public Attendance)

REGULAR MEETING – November 12, 2024

1. **CALL TO ORDER** – Mayor Ray at 6:30 p.m. and welcomed all
2. **PLEDGE OF ALLEGIANCE** – Council member Taylor
3. **ROLL CALL** – *Council:* Hoerner, present; Pomykala, present; Finley, present; Taylor, present.
Staff: Mihara, present; Wheeler, Zoom; Espe, present; Sauter, present; Fondahn-Baker, present.
4. **AMENDMENTS TO THE AGENDA, DECLARATION OF CONFLICT, EX-PARTE CONTACTS:** Mayor requested to move his segment after the Minutes for the City Clerk oath of office. Council member Pomykala motioned to amend the Mayor’s segment after the Minutes. Council member Hoerner seconded the motion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried.
5. **MAYOR, Bill Ray**
ACTION ITEM:
 - . *New City Clerk Recommendation:* City Clerk resigned abruptly and after several resumes, he felt that Kristin was a great fit for Hauser City Hall and recommended to appoint Kristin as City Clerk. Council member Finley moved to hire Ms. Sauter. Council member Taylor seconded the motion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried.**ACTION ITEM:**
 - . *Oath of Office: City Clerk, Kristin Sauter*
6. **MINUTES**
ACTION ITEM:
 - . *Minutes of October 8, 2024, 6:30p.m.:* Council member Taylor reviewed and moved to approve the October 8, 2024 Minutes. Council member Finley seconded the motion. No discussion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried.
7. **Aaron Qualls, Project Manager:** SCJ Consulting Services presentation explaining what a Comprehensive Plan is and its process for creating it. He has a 20 year vision for Hauser Lake to inform our goals and policies which helps with predictability for property owners and what the city does. It is used as an interagency negotiation, supports grants, and is a budget tool for capital facilities. The plan also provides policy direction for existing trends and data and growth forecasting.
8. **REPORTS**
 - . **Cindy Espe, Code Enforcement:** No report

9. TREASURER, Lee Wheeler

ACTION ITEM:

. ***Treasurer Report – November 2024:*** Wheeler said this is a new fiscal year which includes payroll, utility bills, first deposit of interest funds and profit and loss. City of Hauser’s general account was under \$200 thousand. He reviewed the 2019-2022 Alpine Summit journal entries and filed with the state. Council member Hoerner moved to approve the November 2024 Treasurer packet. Council member Finley seconded the motion. No discussion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried.

10. COUNCIL MEMBERS & STAFF

. **Jeff Hoerner, Public Works:** No report

. **Alice Pomykala, Land & Buildings:**

ACTION ITEM:

. ***Repair covered area between breezeway and garage:*** Brad, A&B Landscaping, gave a verbal quote of \$200 for general repair vs \$500 to fully restore the area. Council member Finley moved to increase the cost of repair to \$700 with a contract. Council member Hoerner seconded the motion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried.

. **Daniel Findley, Special Projects: Joint City Council and Planning Commission meeting.** Felt ts was a good idea and would benefit everyone to be on the same page.

. **Sean Taylor, Council President:** Referenced a voicemail he received about hazardous trees around Hauser Lake.

. **Kristin Sauter, City Clerk:** No report

. **Laurie Fondahn-Baker, Deputy City Clerk:** No report

11. CITY ATTORNEY, Kinzo Mihara

. **General Legal:** Per attorneys involved, the ongoing legal issue regarding the trailer park is going to be published in a Eugene, Oregon newspaper for a month, then we will wait for a response after 21 days.

ACTION ITEM:

. **Avista Franchise Agreement Approval:** He discussed and Avista lawyers and concluded the last draft is acceptable. Council member Hoerner moved to approve the lastest draft of the Avista Franchise Agreement. Council member Pomykala seconded the motion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried.

12. PUBLIC COMMENTS: This is an opportunity to address concerns NOT on the agenda (no formal action allowed.) There is a three-minute time limit. Comments regarding performance by City employees are inappropriate at this time and should be directed to the Mayor.

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION

ACTION ITEM:

. ***Executive Session – Discussion of Litigation Options Under Idaho Code 74-206(f):*** To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options or pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Council member Hoerner moved to go into executive session citing above Idaho Code 74-206(f) at 7:55 p.m. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried.

Council member Finley moved to close the executive session at 8:17 p.m. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Taylor, aye. Motion carried and returned to regular session.

15. ADJOURNMENT: 8:20 p.m.

Laurie Fondahn-Baker, Deputy Clerk

Bill Ray, Mayor

**BEFORE THE HAUSER PLANNING AND ZONING COMMISSION
KOOTENAI COUNTY, IDAHO
RECOMMENDATION**

Case Number C2-23-005

**IN THE MATTER OF APPLICATION OF
CONRAD UNDERDAHL FOR A CLASS
II PERMIT FOR FINAL PLAT.**

**STAFF REPORT, FINDINGS OF FACT,
CONCLUSIONS OF LAW, COMMISSION
RECOMMENDATION TO CITY COUNCIL**

I. COURSE OF PROCEEDINGS

- 1.1 The Code Administrator issued a notice of Public Hearing on the preliminary plat application and the hearing was held on June 27th, 2023. The final plat application hearing will be held on October 30th, 2024. Files and exhibits relative to this application was available for review at the Hauser Planning Commission meeting and were available for review upon request made to the Hauser Code Administrator.

1 FINDINGS OF FACT

- 2.01 **Applicant/Owner.** Conrad Underdahl whose address is 17536 W Julia Dr, Hauser, ID 83854
- 2.02 **Request.** The Applicant petitions for approval of a four-lot subdivision in the Hauser Hills zoning. There is an existing residence at the site that will remain on one, 10-acre lot. Each lot is proposed to be approximately 10-acres each in size.
- 2.03 **Location.** The site is located in the Hauser City limits at 17536 W Julia Drive. Specifically, in Section 18, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho. The parcel number is 51N05W18-7400.
- 2.04 **Parcel Size.** The parcel is approximately 39.5 acres overall. The proposed lots are approximately 9.78-acres in size, with one lot over 10-acres.
- 2.05 **Zoning Requirements.** Per the current Development Code, the minimum lot size for Hauser Hills zoning is 5-acre. This application proposes a density of 1 lots per 9 acres. This property was recently annexed into the City of Hauser.
- 2.06 **Surrounding Land Use.** The site is in an area of residential uses. Parcel sizes appear to be at least 5 and 10 acres in size. Neighboring subdivisions appear similar to this design.

2.07 **Letters of Comment.** Letters of comment have been requested from the following agencies, any responses area submitted with this report:

Panhandle Health District
Hauser Fire District

Post Falls Highway District
KC Noxious Weeds

2.08 **Applicant Submittals.** The applicant has submitted the following documents that have served as a basis for review: Final Plat Application.

III APPLICABLE LEGAL STANDARDS

3.1 Hauser Comprehensive Plan Policy Statements, Implementation Strategies and Rules, pgs 7-24.

3.2 Hauser Development Code for Class II Permits in Title 8, Chapters 5 and 9.

IV CONCLUSIONS OF LAW

The Class II permit **meets/does not meet** the requirements of Chapter III administrative procedures for Class II permit.

The Class II permit to allow for the Subdivision Land Use **are/are not** in compliance with the Comprehensive Plan goals and policy statements.

The Class II permit to allow for the Underdahl Subdivision Land Use **are/are not** in compliance with the performance standards of the Hauser Development Code.

RECOMMENDATION BY THE COMMISSION

Based on the Findings of Fact and Conclusions of Law set forth in this document, The Commission **APPROVES/DENIES** the Class II permit with the following conditions:

Conditions of Approval:

5.1 The applicants have addressed all conditions of approval and how they were met in their narrative.

Chair,
Hauser Planning Commission

Date

Underdahl Subdivision
RECOMMENDATION FINAL

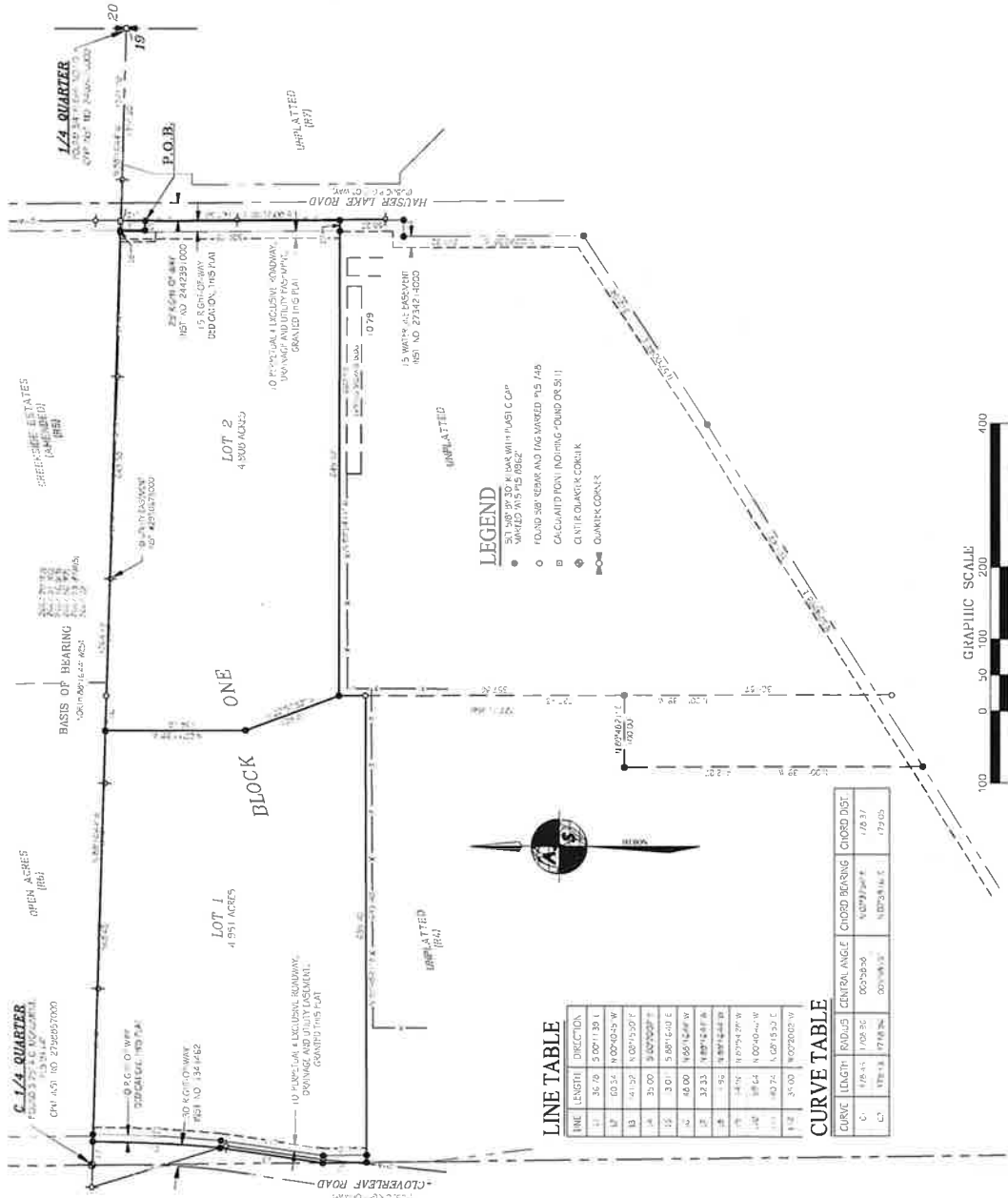
10-2-2024

JANE'S PLAINS

SITUATE IN A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF, SECTION 19, TOWNSHIP 51 NORTH, RANGE 05 WEST, BOISE MERIDIAN, CITY OF HAUSER, KOOTENAI COUNTY, IDAHO

PAGE 2 OF 2

BOOK _____ PAGE _____
INST NO _____



LINE TABLE

LINE	LENGTH	DIRECTION
1	35.78	S 00°11'38" E
2	60.24	N 02°00'00" W
3	41.57	N 03°15'00" E
4	35.00	S 02°00'00" W
5	30.01	S 08°15'00" E
6	40.00	S 05°15'00" W
7	22.33	N 08°15'00" E
8	15.00	N 02°00'00" W
9	40.24	S 02°15'00" E
10	35.00	N 02°00'00" W

CURVE TABLE

CURVE	LENGTH (RADIUS)	CENTRAL ANGLE	CHORD BEARING	CHORD DIST.
C	178.11	170°30'	N 02°15'00" E	173.05
D	178.11	170°30'	N 02°15'00" E	173.05

REFERENCES

- R1) SURVEY BY JAMES K. SPATKIN, PLS 3624, RECORDED MARCH 1, 1981, IN BOOK 10 OF SURVEYS AT PAGE 264.
- R2) SURVEY BY JAMES K. SPATKIN, PLS 3624, RECORDED JANUARY 1, 1980, RECORDED IN BOOK 71 OF SURVEYS AT PAGE 489.
- R3) SURVEY BY JOHN W. HOWE, PLS 437, RECORDED JULY 1981, IN BOOK 10 OF SURVEYS AT PAGE 004.
- R4) SURVEY BY V. L. O'NEIL, 20074, PLS 514, P. C. - JULY 26, 1981, IN BOOK 11 OF SURVEYS AT PAGE 010.
- R5) FIRST CORRECTION MADE BY V. L. O'NEIL, PLS 514, RECORDED IN BOOK 39 OF SURVEYS AT PAGE 170.
- R6) DEED BY MRS. J. E. HARRIS, PLS 111, PLS 08424, RECORDED JUNE 20, 1974, IN BOOK 11 OF PLATS AT PAGE 231.
- R7) SURVEY BY ROBERT B. WATSON, PLS 311, PLS 16200, RECORDED OCTOBER 20, 1980, IN BOOK 31 OF SURVEYS AT PAGE 405.
- R8) COURT ORDER RIGHT OF WAY TO CLOVERLEAF ROAD, PLS 19189, 19200, 19201, 19202, 19203, 19204, 19205, 19206, 19207, 19208, 19209, 19210, 19211, 19212, 19213, 19214, 19215, 19216, 19217, 19218, 19219, 19220, 19221, 19222, 19223, 19224, 19225, 19226, 19227, 19228, 19229, 19230, 19231, 19232, 19233, 19234, 19235, 19236, 19237, 19238, 19239, 19240, 19241, 19242, 19243, 19244, 19245, 19246, 19247, 19248, 19249, 19250, 19251, 19252, 19253, 19254, 19255, 19256, 19257, 19258, 19259, 19260, 19261, 19262, 19263, 19264, 19265, 19266, 19267, 19268, 19269, 19270, 19271, 19272, 19273, 19274, 19275, 19276, 19277, 19278, 19279, 19280, 19281, 19282, 19283, 19284, 19285, 19286, 19287, 19288, 19289, 19290, 19291, 19292, 19293, 19294, 19295, 19296, 19297, 19298, 19299, 19300, 19301, 19302, 19303, 19304, 19305, 19306, 19307, 19308, 19309, 19310, 19311, 19312, 19313, 19314, 19315, 19316, 19317, 19318, 19319, 19320, 19321, 19322, 19323, 19324, 19325, 19326, 19327, 19328, 19329, 19330, 19331, 19332, 19333, 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19906, 19907, 19908, 19909, 19910, 19911, 19912, 19913, 19914, 19915, 19916, 19917, 19918, 19919, 19920, 19921, 19922, 19923, 19924, 19925, 19926, 19927, 19928, 19929, 19930, 19931, 19932, 19933, 19934, 19935, 19936, 19937, 19938, 19939, 19940, 19941, 19942, 19943, 19944, 19945, 19946, 19947, 19948, 19949, 19950, 19951, 19952, 19953, 19954, 19955, 19956, 19957, 19958, 19959, 19960, 19961, 19962, 19963, 19964, 19965, 19966, 19967, 19968, 19969, 19970, 19971, 19972, 19973, 19974, 19975, 19976, 19977, 19978, 19979, 19980, 19981, 19982, 19983, 19984, 19985, 19986, 19987, 19988, 19989, 19990, 19991, 19992, 19993, 19994, 19995, 19996, 19997, 19998, 19999, 20000.

BASIS OF BEARINGS

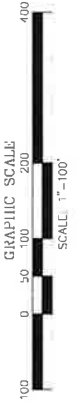
THE BASIS OF BEARINGS FOR THIS PLAT IS THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19 AS INDICATED BY THE SURVEY.

SURVEYOR'S NARRATIVE NOTES

- 1. THIS SURVEY WAS PERFORMED IN THE PRESENCE OF A REPRESENTATIVE OF THE KOOTENAI COUNTY ENGINEERING DEPARTMENT, AND THE RESULTS OF THIS SURVEY WERE REVIEWED AND APPROVED BY SAID REPRESENTATIVE.
- 2. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND LAND ADJUSTERS OF THE STATE OF IDAHO.
- 3. THE ADDITIONAL COUNTY MAPS SUPERIMPOSED ON THIS PLAT ARE BASED ON THE PUBLIC LAND CONVEYANCE AND RECORDS OF THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, AND THE RECORDS OF THE KOOTENAI COUNTY ENGINEERING DEPARTMENT.
- 4. LANDSCAPE BUFFER REQUIREMENTS OF HAUSER LAKE SHALL BE MET AT THE TIME OF DEVELOPMENT OF SAID LOTS AND SHALL BE SUBJECT TO THE REQUIREMENTS OF THE CITY OF HAUSER.



ADVANCED TECHNOLOGY & ENGINEERING
 P.O. BOX 4957, HAUSER, IDAHO, 83405
 • TEL: 208-772-2243 • FAX: 208-772-2241 •



BEFORE THE JOINT HAUSER PLANNING AND ZONING COMMISSION
HAUSER, IDAHO

Case Number C2-24-002

IN THE MATTER OF APPLICATION OF HAUSER
LAKE ROAD HOLDING CO., LLC FOR A FINAL
PLAT REQUEST IN THE CITY OF HAUSER.

FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
RECOMMENDATION TO CITY
COUNCIL

I. COURSE OF PROCEEDINGS

- 1.1 The Code Administrator issued a notice of Public Hearing on the preliminary plat application and the hearing was held on June 25th, 2024. The final plat application hearing will be held on October 30th, 2024. Files and exhibits relative to this application was available for review at the Hauser Planning Commission meeting and were available for review upon request made to the Hauser Code Administrator.

After review of the findings, the Planning Commission recommends approval of the final plat and the approval will be forwarded to the City Council for decision.

II. FINDINGS OF FACT

- 2.1 **Applicant:** ATS, INC on behalf of their client Hauser Lake Road Holding Co., LLC, whose mailing address is 150 E. Robinson St. #401, Orlando, FL, 32801.
- 2.2 **Request:** To subdivide 10 acres into 2-Lots within the City of Hauser. The intent is to use the new lots for commercial purposes. No wetlands are on the site or FEMA hazards.
- 2.3 **Location.** The site is located in between Hauser Lake Road and Cloverleaf Road. Specifically, in Section 19, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Hauser, Idaho. The parcel number is X-0000-019-7950 with AIN 187034.
- 2.4 **Lot Sizes:** Lot 1 is proposed to be 5.083 acres; Lot 2 will be 5.001 acres.
- 2.5 **Comprehensive Plan Designation.** The Hauser Comprehensive Plan, Future Land Use Map identifies the parcels as Highway Corridor Zoning District.
- 2.6 **Public Testimony from Hearing.** Public testimony was taken at the June 25th, 2024 public hearing. The Applicant made a presentation, no members of the public were present.

2.7 **Letters of Comment.** Letters of comment were requested from the following agencies and responses were reviewed by the Commissioners:

Panhandle Health District
Hauser Fire District

Idaho Transportation Dept.
Post Falls Highway District

2.8 **APPLICANT SUBMITTALS** – The applicant has submitted the following documents that have served as a basis for review: Final Plat Application

III. **APPLICABLE LEGAL STANDARDS**

3.1 Hauser Comprehensive Plan Policy Statements, Implementation Strategies and Rules, pgs 7-24.

3.2 Hauser Development Code for Class II Permits in Title 8, Chapters 5 and 9

II. **PLANNING COMMISSION CONCLUSIONS OF LAW**

The Class II permit **meets/does not meet** the requirements of Chapter III administrative procedures for Class II permit.

The Class II permit to allow for the Subdivision Land Use **are/ are not** in compliance with the Comprehensive Plan goals and policy statements.

The Class II permit to allow for the Hauser Lake Road Holding Co., LLC Subdivision Land Use **are/ are not** in compliance with the performance standards of the Hauser Development Code.

RECOMMENDATION BY THE COMMISSION

Based on the Findings of Fact and Conclusions of Law set forth in this document, The Commission **APPROVES** the Class II permit with the following conditions:

Conditions of Approval:

5.1 The applicants have addressed all conditions of approval and how they were met in their narrative.

Chair,
Hauser Planning Commission

Date