

ORDINANCE NO. 1490

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO, APPROVING A PLAN AMENDMENT, BUT NOT A PLAN MODIFICATION, TO THE DOWNTOWN URBAN RENEWAL DISTRICT PLAN ADOPTED BY POST FALLS ORDINANCE 1415 TO MAKE TECHNICAL OR MINISTERIAL CHANGES TO THE PLAN AND TO SUPPORT THE GROWTH OF AN EXISTING COMMERCIAL PROJECT WITHIN THE EXISTING REVENUE ALLOCATION AREA BY ADOPTING A REVISED APPENDIX A MORE CLEARLY LISTING URBAN RENEWAL PROJECTS WITHIN THE DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE TO THE POST FALLS URBAN RENEWAL AGENCY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Post Falls, Kootenai County, Idaho (the "City"), is a duly incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by the Idaho Code, Title 50, Chapter 20 and 29, to adopt urban renewal plans, to adopt deteriorated area declarations, to adopt revenue allocation areas, and to provide improvements and betterment within an urban renewal area, as designated by the Plan; and

WHEREAS, on June 1, 2021, The City Council of the City of Post Falls adopted Ordinance No. 1415 establishing the Downtown Urban Renewal District and adopting the Downtown Urban Renewal Plan (the "Plan"); and

WHEREAS, since that time, City staff have reviewed the Plan and determined that certain improvements contemplated by the Plan were not clearly identified as discussed in this Ordinance; and

WHEREAS, in consultation with the Post Falls Urban Renewal Agency (the "Agency") the City Council has determined it is in the public interest to amend the Plan to include a Revised Appendix A, to more clearly identify those public improvements; and

WHEREAS, I.C. 50-2903A(1)(a) provides that if an amendment is necessary to make technical or ministerial changes to a Plan, which does not involve an increase in the use of revenues allocated to the Agency then it does not constitute a Plan modification, which would reset the base value of the revenue allocation area; and

WHEREAS, the Plan contemplated improving the 4<sup>th</sup> Avenue and Idaho Street intersection with a traffic roundabout and related improvements. The roundabout was depicted in two locations within the Plan and all of the various components of the planned improvements were contained within the *City Center Parking Plan - Street Completion Plan* project, the *4<sup>th</sup> Ave. Frontage Improvements - William to Idaho* project; the *Idaho Street - 3<sup>rd</sup> to 4<sup>th</sup> Ave.* project, and the *Idaho Veneer Site North and South* projects. However, the roundabout improvements were not specifically identified as a discrete project; and

WHEREAS, the Plan also contemplated improving the west side of Spokane Street with sidewalk, landscaping, and business parking under the *Frontage Improvements Spokane Street West Side* project, however the street parking improvements were not specifically called out in the Plan; and

WHEREAS, I.C. 50-2903A(1)(a) further provides that a Plan amendment does not constitute a Plan modification if the amendment supports growth of an existing commercial or industrial project within the revenue allocation area; and

WHEREAS, I.C. 50-2905 only requires the Plan to contain a detailed list of *estimated* project costs; and

WHEREAS, the Downtown revenue allocation area contains two existing mixed use and commercial projects known as the Post Falls Landings and Millworx; and

WHEREAS, to support growth of the commercial components of the Post Falls Landings, street improvements to accommodate business parking are needed to Spokane Street; and

WHEREAS, to support growth of the commercial components of the Millworx project, the 4<sup>th</sup> Avenue and Idaho Street Intersection must be improved to provide adequate traffic circulation; and

WHEREAS, the Post Falls Urban Renewal Agency has submitted Resolution 2023-03 recommending that the City Council adopt an ordinance to amend, but not modify, the Plan by replacing Appendix A with Revised Appendix A to more clearly incorporate the 4<sup>th</sup> Avenue and Idaho Street roundabout and the on street parking improvements to Spokane Street into the Plan; and

WHEREAS, because all the elements of the contemplated 4<sup>th</sup> Avenue and Idaho Street roundabout were included within the Plan along with the fact that given the I.C. 50-2905 requirement for only estimated project costs if these projects cost more than is anticipated the Agency would already be authorized to utilize the allocated funds which are used to cover such increased costs to perform or complete other projects listed in the Plan, the City Council finds that there will be no increase in the use of revenues allocated to the Agency created by this Amendment and that any project cost increases above the estimated project costs contained in the Plan are due to increased construction costs; and

WHEREAS, the City Council finds that the on-street parking on Spokane Street will be limited duration parking only, intended to support the commercial uses in the area only; and

WHEREAS, to further ensure that the amendments contemplated by this Ordinance do not involve an increase in the use of revenues allocated to the Agency, other project costs contained in the Revised Appendix A have been adjusted to offset the impact of the proposed amendments; and

WHEREAS, the City Council finds that because the amendments contemplated by this Ordinance do not increase the use of revenues allocated to the Agency and that the amendments are needed to support existing commercial projects within the district, the amendments to the Plan do not constitute a Plan modification consistent with I.C. 50-2903A. As such, the City Council finds that the procedural requirements for adopting a plan modification do not apply to this amendment Ordinance; and

WHEREAS, the City Council further finds it necessary, and in the best interests of the citizens of the City to adopt this ordinance amending the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POST FALLS:

SECTION 1: The Downtown Urban Renewal Plan is amended by replacing Appendix A contained in the Plan with the Revised Appendix A attached hereto as Exhibit "A," which by this reference is incorporated herein.

SECTION 2: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the Post Falls Urban Renewal Agency a copy of this Ordinance.

SECTION 3: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication.

SECTION 4: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

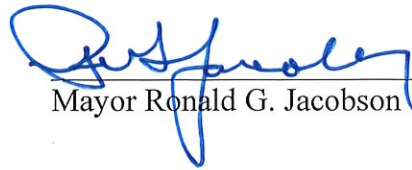
SECTION 5: At least one-half, plus one of the City Council members finding good cause, the City Council hereby dispenses with the rule that this Ordinance be read on three different days; two readings of which shall be in full, and have hereby adopted this Ordinance, having considered it at one reading.

SECTION 6: The Summary of this Ordinance is hereby approved.

SECTION 7: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted by an Ordinance of the City of Post Falls at a regular session of the City Council on August 15th, 2023.*

APPROVED, ADOPTED and SIGNED this 15th day of August, 2023.

  
\_\_\_\_\_  
Mayor Ronald G. Jacobson

ATTEST:



\_\_\_\_\_  
Shannon Howard, City Clerk



**REVISED APPENDIX A – Adopted by Ordinance 1490 on August 15th, 2023**

**Tier 1**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
City Center Parking Lots	Land Acquisition plus design and construction cost of two at-grade parking lots. Location TBD.	\$1,600,000
City Center Parking Plan - Street Completion Plan	Multiple street revitalization projects consistent with the City Center Parking Plan – south of I-90. Locations TBD. See City Center Parking Plan.	\$9,900,000
Roundabout at 4th & Seltice Way	Design, ROW and construction of single lane roundabout at the intersection of 4th & Seltice Way.	\$700,000
Frontage Improvements Spokane Street West Side	Post Falls Landings 2nd Additional Sidewalk, street parking and Landscaping Improvements.	\$350,000
4th Ave Frontage Improvements between William and Idaho Street	Road widening, stormwater, sidewalk, illumination, etc., along between William & Idaho Street.	\$550,000
Idaho Street – 3 <sup>rd</sup> to 4 <sup>th</sup> Avenue	New roadway construction including 2-lanes, railroad crossing, sidewalk, bike lanes, stormwater, & illumination.	\$800,000
Idaho Veneer Site North	4 <sup>th</sup> Ave frontage improvements, including roadway, public utilities and ped/bike facilities between Idaho Street and Seltice Way on the north of 4 <sup>th</sup> Avenue.	\$940,000
Idaho Veneer Site South	4 <sup>th</sup> Ave frontage improvements, including roadway, public utilities and ped/bike facilities between Idaho Street and Seltice Way on the south side of 4 <sup>th</sup> Avenue.	\$800,000
Roundabout at 4th Ave & Idaho St.	Design & construction of roundabout at the intersection of 4th & Idaho.	<u>\$700,000</u>
Esplanade Improvements	Earthwork, roadway, stormwater, ped access, and illumination improvements associated with riverfront esplanade at the very west end of 3 <sup>rd</sup> Avenue	\$730,000
3rd Ave Extension, west of McReynolds	Extension of 3 <sup>rd</sup> Avenue with new roadway which includes roadway, ped facilities, utilities, illumination.	\$850,000
McReynolds Connection	Road connection south of 3 <sup>rd</sup> Ave roundabout. Includes roadway, pedestrian facilities, and utilities.	\$400,000
<b>TOTAL TIER 1 ESTIMATED COST</b>		<b>\$18,320,000</b>

**Tier 2**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
Signal at 3rd & Spokane	Design and installation of traffic signal at the intersection of 3rd Ave & Spokane Street	\$563,000
Railroad Property along RR and Switch Yard	Property Purchase for potential parking and/or park & open space.	\$1,185,000
Centennial Trail - RR R/W Acquisition & Trail Construction	ROW purchase, Centennial Trail design & construction from Spokane Street to Bay Street and Chase Street to Spokane Street.	\$2,752,000
Entry Monuments	Entry Monument installation/construction at locations TBD.	\$300,000
Wayfinding Signage	Wayfinding design, construction and install at locations TBD.	\$100,000
Public Art	Type and locations to be determined. Assumed 10 separate pieces.	\$500,000
Water Tower Improvements/Highlights	Structural engineering, illumination, & paint/improvements to existing water tower.	\$180,000
Fire Station - Fence and Sewer Connection	Fencing and sewer service connection.	\$25,000
4th Ave Frontage Improvements (excluding Idaho Veneer)	Road widening, stormwater, sidewalk, illumination, etc, between William St. and Lincoln St. (frontage).	\$1,100,000
Waterline Extension, Marina Condos to Falls Park	Waterline improvements at PF Landings Condos.	\$200,000
<b>TOTAL TIER 2 ESTIMATED COST</b>		<b>\$6,905,000</b>

**Tier 3**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
Seltice/Mullan Couplet Project - Street Completion Plan	Planning, engineering and construction of several streets and intersections associated with a potential couplet of Seltice & Mullan.	\$9,900,000
Event Center Spaces	Land acquisition, architecture, design and construction of space(s) TBD.	\$1,200,000
Railroad Avenue to Idaho Street	Extension of Railroad Avenue to Idaho thru Idaho Veneer site includes roadway and public utilities.	\$750,000
<b>TOTAL TIER 3 ESTIMATED COST</b>		<b>\$11,850,000</b>

**Tier 4**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
Warren Park Improvements	On site and offsite improvements could include roadway, parking, play equipment and/or field improvements.	\$412,000
Apply Improvements - Parking Plan North of Freeway	Multiple street revitalization projects consistent with the City Center Parking Plan – North of I-90	\$5,000,000
Ped & Bike Connections Across Freeway (Henry or Lincoln)	Grade separated pedestrian/bicycle crossings at Henry Street or Lincoln Street.	\$3,500,000
Site Remediation (General)	General site clean up and remediation in locations TBD.	\$4,650,000
Land Acquisition General	Land acquisition as needed and at locations TBD.	\$16,500,000
<b>TOTAL TIER 4 ESTIMATED COST</b>		<b>\$30,062,000</b>

**RESOLUTION NO. 2023-03**

A RESOLUTION OF THE POST FALLS URBAN RENEWAL AGENCY, KOOTENAI COUNTY, IDAHO, RECOMMENDING AN AMENDMENT TO THE DOWNTOWN DISTRICT URBAN RENEWAL PLAN ADOPTED BY POST FALLS ORDINANCE 1415 TO MAKE TECHNICAL OR MINISTERIAL CHANGES TO THE PLAN AND TO SUPPORT THE GROWTH OF AN EXISTING COMMERCIAL PROJECT WITHIN THE EXISTING REVENUE ALLOCATION AREA BY ADOPTING A REVISED APPENDIX A MORE CLEARLY LISTING URBAN RENEWAL PROJECTS WITHIN THE DISTRICT; PROVIDING FOR SEVERABILITY, PREEMPTION AND PRECEDENCE; PROVIDING FOR THE REPEAL OF ALL CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE; PROVIDING A DATE OF PASSAGE AND APPROVAL, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the City of Post Falls, Kootenai County, Idaho (the "City"), is a duly incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by the Idaho Code, Title 50, Chapter 20 and 29, to adopt urban renewal plans, to adopt deteriorated area declarations, to adopt revenue allocation areas, and to provide improvements and betterment within an urban renewal area, as designated by the Plan; and

WHEREAS, on June 1, 2021, The City Council of the City of Post Falls adopted Ordinance No. 1415 establishing the Downtown Urban Renewal District and adopting the Downtown Urban Renewal Plan (the "Plan"); and

WHEREAS, since that time, City staff have reviewed the Plan and determined that certain improvements contemplated by the Plan were not clearly identified as discussed in this Ordinance; and

WHEREAS, in consultation with its staff and City staff, the Post Falls Urban Renewal Agency (the "Agency") has determined it is in the public interest to amend the Plan to include a Revised Appendix A, to more clearly identify those public improvements; and

WHEREAS, I.C. 50-2903A(1)(a) provides that if an amendment is necessary to make technical or ministerial changes to a Plan, which does not involve an increase in the use of revenues allocated to the Agency then it does not constitute a Plan modification, which would reset the base value of the revenue allocation area; and

WHEREAS, the Plan contemplated improving the 4<sup>th</sup> Avenue and Idaho Street intersection with a traffic roundabout and related improvements. The roundabout was depicted in two locations within the Plan and all of the various components of the planned improvements were contained within the *City Center Parking Plan - Street Completion Plan* project, the *4<sup>th</sup> Ave. Frontage Improvements - William to Idaho* project; the *Idaho Street - 3<sup>rd</sup> to 4<sup>th</sup> Ave.* project, and the *Idaho Veneer Site North and South* projects. However, the roundabout improvements were not specifically identified as a discrete project; and



WHEREAS, the Plan also contemplated improving the west side of Spokane Street with sidewalk, landscaping, and business parking under the *Frontage Improvements Spokane Street West Side* project, however the street parking improvements were not specifically called out in the Plan; and

WHEREAS, I.C. 50-2903A(1)(a) further provides that a Plan amendment does not constitute a Plan modification if the amendment supports growth of an existing commercial or industrial project within the revenue allocation area; and

WHEREAS, I.C. 50-2905 only requires the Plan to contain a detailed list of *estimated* project costs; and

WHEREAS, the Downtown revenue allocation area contains two existing mixed use and commercial projects known as the Post Falls Landings and Millworx; and

WHEREAS, to support growth of the commercial components of the Post Falls Landings, street improvements to accommodate business parking are needed to Spokane Street; and

WHEREAS, to support growth of the commercial components of the Millworx project, the 4<sup>th</sup> Avenue and Idaho Street Intersection must be improved to provide adequate traffic circulation; and

WHEREAS, because all the elements of the contemplated 4<sup>th</sup> Avenue and Idaho Street roundabout were included within the Plan along with the fact that given the I.C. 50-2905 requirement for only estimated project costs if these projects cost more than is anticipated the Agency would already be authorized to utilize the allocated funds which are used to cover such increased costs to perform or complete other projects listed in the Plan, the Agency finds that there will be no increase in the use of revenues allocated to the Agency created by this Amendment and that any project cost increases above the estimated project costs contained in the Plan are due to increased construction costs; and

WHEREAS, the Agency finds that the on-street parking on Spokane Street will be limited duration parking only, intended to support the commercial uses in the area only; and

WHEREAS, to further ensure that the amendments contemplated by this Resolution do not involve an increase in the use of revenues allocated to the Agency, other project costs contained in the Revised Appendix A have been reduced to offset the impact of the proposed amendments; and

WHEREAS, the Agency finds that because the amendments contemplated by this Resolution do not increase the use of revenues allocated to the Agency and that the amendments are needed to support existing commercial projects within the district, the amendments to the Plan do not constitute a Plan modification consistent with I.C. 50-2903A. As such, the Agency finds that the procedural requirements for adopting a plan modification do not apply to this amendment.

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the Post Falls Urban Renewal Agency as follows:

**SECTION ONE: RECOMMENDATION OF AMENDMENT TO THE DOWNTOWN DISTRICT URBAN RENEWAL PLAN TO MAKE TECHNICAL OR MINISTERIAL CHANGES TO THE PLAN AND TO SUPPORT THE GROWTH OF AN EXISTING COMMERCIAL PROJECT WITHIN THE EXISTING REVENUE ALLOCATION AREA BY ADOPTING A REVISED APPENDIX A MORE CLEARLY LISTING URBAN RENEWAL PROJECTS WITHIN THE DISTRICT**

For the reasons set forth above, the Agency hereby recommends that the Plan be amended to make technical or ministerial changes to the Plan and to support the growth of an existing commercial project within the existing revenue allocation area by adopting a revised Appendix A more clearly listing urban renewal projects within the district. The Agency also recommends that such amendment be effectuated by the City adopting an ordinance formally approving the amendment. A copy of the proposed ordinance is attached hereto as Exhibit "A".

**SECTION TWO: SEVERABILITY, PREEMPTION AND PRECEDENCE**

This Resolution is hereby declared to be severable. Should any portion of this Resolution be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the Resolution before the declaration of partial invalidity. In the event that federal or state laws, rules or regulations preempt a provision or limit the enforceability of a provision of this Resolution, then the provision shall be read to be preempted to the extent and for the time required by law. In the event such federal or state law, rule or regulation is subsequently repealed, rescinded, amended or otherwise changed so that the provision hereof that had been preempted is no longer preempted, such provision shall thereupon return to full force and effect, and shall thereafter be binding without the requirement of further action by the Agency, and any amendments to this Resolution as a result of such provision being preempted shall no longer be of any force or effect with respect to that provision.

**SECTION THREE: REPEAL OF CONFLICTING RESOLUTIONS**

All Resolutions and parts of Resolutions in conflict with or addressing the same subject matter as the provisions of this Resolution are hereby repealed.

**SECTION FOUR: EFFECTIVE DATE**

This Resolution shall take effect and be in full force from and after its passage and approval.

**SECTION FIVE: DATE OF PASSAGE AND APPROVAL**

Passed and approved at a regular meeting of the Commissioners of the Post Falls Urban Renewal Agency, Kootenai County, Idaho, held on the 20<sup>th</sup> day of July, 2023, on which a roll call vote was duly taken.


DATED this 20<sup>th</sup> day of July, 2023.

POST FALLS URBAN RENEWAL AGENCY  
Kootenai County, Idaho

By:   
Jerry Baltzell, Chairperson

Commissioner Coles voted	<u>Aye</u>
Commissioner Clemensen voted	<u>NA</u>
Commissioner Davis voted	<u>Aye</u>
Commissioner Baltzell voted	<u>Aye</u>
Commissioner Crosby voted	<u>Aye</u>
Commissioner Hjeltness voted	<u>Aye</u>
Commissioner Fleischman voted	<u>Aye</u>

ATTEST:

  
Joseph Johns, Executive Director

**EXHIBIT - A**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO, APPROVING A PLAN AMENDMENT, BUT NOT A PLAN MODIFICATION, TO THE DOWNTOWN URBAN RENEWAL DISTRICT PLAN ADOPTED BY POST FALLS ORDINANCE 1415 TO MAKE TECHNICAL OR MINISTERIAL CHANGES TO THE PLAN AND TO SUPPORT THE GROWTH OF AN EXISTING COMMERCIAL PROJECT WITHIN THE EXISTING REVENUE ALLOCATION AREA BY ADOPTING A REVISED APPENDIX A MORE CLEARLY LISTING URBAN RENEWAL PROJECTS WITHIN THE DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE TO THE POST FALLS URBAN RENEWAL AGENCY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Post Falls, Kootenai County, Idaho (the "City"), is a duly incorporated and existing City organized and operating under the laws of the State of Idaho, and as such is authorized by the Idaho Code, Title 50, Chapter 20 and 29, to adopt urban renewal plans, to adopt deteriorated area declarations, to adopt revenue allocation areas, and to provide improvements and betterment within an urban renewal area, as designated by the Plan; and

WHEREAS, on June 1, 2021, The City Council of the City of Post Falls adopted Ordinance No. 1415 establishing the Downtown Urban Renewal District and adopting the Downtown Urban Renewal Plan (the "Plan"); and

WHEREAS, since that time, City staff have reviewed the Plan and determined that certain improvements contemplated by the Plan were not clearly identified as discussed in this Ordinance; and

WHEREAS, in consultation with the Post Falls Urban Renewal Agency (the "Agency") the City Council has determined it is in the public interest to amend the Plan to include a Revised Appendix A, to more clearly identify those public improvements; and

WHEREAS, I.C. 50-2903A(1)(a) provides that if an amendment is necessary to make technical or ministerial changes to a Plan, which does not involve an increase in the use of revenues allocated to the Agency then it does not constitute a Plan modification, which would reset the base value of the revenue allocation area; and

WHEREAS, the Plan contemplated improving the 4<sup>th</sup> Avenue and Idaho Street intersection with a traffic roundabout and related improvements. The roundabout was depicted in two locations within the Plan and all of the various components of the planned improvements were contained within the *City Center Parking Plan - Street Completion Plan* project, the *4<sup>th</sup> Ave. Frontage Improvements - William to Idaho* project; the *Idaho Street - 3<sup>rd</sup> to 4<sup>th</sup> Ave.* project, and the *Idaho Veneer Site North and South* projects. However, the roundabout improvements were not specifically identified as a discrete project; and

## EXHIBIT - A

WHEREAS, the Plan also contemplated improving the west side of Spokane Street with sidewalk, landscaping, and business parking under the *Frontage Improvements Spokane Street West Side* project, however the street parking improvements were not specifically called out in the Plan; and

WHEREAS, I.C. 50-2903A(1)(a) further provides that a Plan amendment does not constitute a Plan modification if the amendment supports growth of an existing commercial or industrial project within the revenue allocation area; and

WHEREAS, I.C. 50-2905 only requires the Plan to contain a detailed list of *estimated* project costs; and

WHEREAS, the Downtown revenue allocation area contains two existing mixed use and commercial projects known as the Post Falls Landings and Millworx; and

WHEREAS, to support growth of the commercial components of the Post Falls Landings, street improvements to accommodate business parking are needed to Spokane Street; and

WHEREAS, to support growth of the commercial components of the Millworx project, the 4<sup>th</sup> Avenue and Idaho Street Intersection must be improved to provide adequate traffic circulation; and

WHEREAS, the Post Falls Urban Renewal Agency has submitted Resolution \_\_\_\_\_ recommending that the City Council adopt an ordinance to amend, but not modify, the Plan by replacing Appendix A with Revised Appendix A to more clearly incorporate the 4<sup>th</sup> Avenue and Idaho Street roundabout and the on street parking improvements to Spokane Street into the Plan; and

WHEREAS, because all the elements of the contemplated 4<sup>th</sup> Avenue and Idaho Street roundabout were included within the Plan along with the fact that given the I.C. 50-2905 requirement for only estimated project costs if these projects cost more than is anticipated the Agency would already be authorized to utilize the allocated funds which are used to cover such increased costs to perform or complete other projects listed in the Plan, the City Council finds that there will be no increase in the use of revenues allocated to the Agency created by this Amendment and that any project cost increases above the estimated project costs contained in the Plan are due to increased construction costs; and

WHEREAS, the City Council finds that the on-street parking on Spokane Street will be limited duration parking only, intended to support the commercial uses in the area only; and

WHEREAS, to further ensure that the amendments contemplated by this Ordinance do not involve an increase in the use of revenues allocated to the Agency, other project costs contained in the Revised Appendix A have been reduced to offset the impact of the proposed amendments; and

**EXHIBIT - A**

WHEREAS, the City Council finds that because the amendments contemplated by this Ordinance do not increase the use of revenues allocated to the Agency and that the amendments are needed to support existing commercial projects within the district, the amendments to the Plan do not constitute a Plan modification consistent with I.C. 50-2903A. As such, the City Council finds that the procedural requirements for adopting a plan modification do not apply to this amendment Ordinance; and

WHEREAS, the City Council further finds it necessary, and in the best interests of the citizens of the City to adopt this ordinance amending the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POST FALLS:

SECTION 1: The Downtown Urban Renewal Plan is amended by replacing Appendix A contained in the Plan with the Revised Appendix A attached hereto as Exhibit "A," which by this reference is incorporated herein.

SECTION 2: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the Post Falls Urban Renewal Agency a copy of this Ordinance.

SECTION 3: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication.

SECTION 4: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 5: At least one-half, plus one of the City Council members finding good cause, the City Council hereby dispenses with the rule that this Ordinance be read on three different days; two readings of which shall be in full, and have hereby adopted this Ordinance, having considered it at one reading.

SECTION 6: The Summary of this Ordinance is hereby approved.

SECTION 7: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted by an Ordinance of the City of Post Falls at a regular session of the City Council on \_\_\_\_\_, 2023.*

APPROVED, ADOPTED and SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2023.

**EXHIBIT - A**

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Mayor Ronald G. Jacobson

ATTEST:

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Shannon Howard, City Clerk

**EXHIBIT - A**

**SUMMARY OF POST FALLS ORDINANCE NO. \_\_\_\_\_**

The City of Post Falls, Kootenai County Idaho hereby gives notice of the adoption of Post Falls Ordinance No. \_\_\_\_\_, which amends, but does not modify, the Downtown Urban Renewal Plan by adopting a Revised Appendix A to the Plan listing the revised urban renewal projects within the Downtown Urban Renewal District; providing repeal of conflicting ordinances and providing severability. The ordinance is effective upon publication of **this summary**. The full text of the summarized Ordinance No. \_\_\_\_\_ is available at Post Falls City Hall, 408 Spokane Street, Post Falls, ID 83854 in the office of the city clerk.

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Shannon Howard, City Clerk



**EXHIBIT - A**

**STATEMENT OF LEGAL ADVISOR**

I, Warren J. Wilson, am the legal advisor for the City of Post Falls, Idaho. I have examined the attached summary of Post Falls Ordinance No. \_\_\_\_\_, amending, but not modifying, the Downtown Urban Renewal Plan, 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        day of        , 20        .

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Warren J. Wilson, City Attorney

**EXHIBIT - A**

REVISED APPENDIX A – Adopted by Ordinance \_\_\_\_\_ on \_\_\_\_\_, 2023

**Tier 1**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
City Center Parking Lots	Land Acquisition plus design and construction cost of two at-grade parking lots. Location TBD.	\$1,600,000
City Center Parking Plan - Street Completion Plan	Multiple street revitalization projects consistent with the City Center Parking Plan – south of I-90. Locations TBD. See City Center Parking Plan.	\$9,900,000
Roundabout at 4th & Seltice Way	Design, ROW and construction of single lane roundabout at the intersection of 4th & Seltice Way.	\$700,000
Frontage Improvements Spokane Street West Side	Post Falls Landings 2nd Additional Sidewalk, street parking and Landscaping Improvements.	\$350,000
4th Ave Frontage Improvements between William and Idaho Street	Road widening, stormwater, sidewalk, illumination, etc., along between William & Idaho Street.	\$550,000
Idaho Street – 3 <sup>rd</sup> to 4 <sup>th</sup> Avenue	New roadway construction including 2-lanes, railroad crossing, sidewalk, bike lanes, stormwater, & illumination.	\$800,000
Idaho Veneer Site North	4 <sup>th</sup> Ave frontage improvements, including roadway, public utilities and ped/bike facilities between Idaho Street and Seltice Way on the north of 4 <sup>th</sup> Avenue.	\$940,000
Idaho Veneer Site South	4 <sup>th</sup> Ave frontage improvements, including roadway, public utilities and ped/bike facilities between Idaho Street and Seltice Way on the south side of 4 <sup>th</sup> Avenue.	\$800,000
Roundabout at 4th Ave & Idaho St.	Design & construction of roundabout at the intersection of 4th & Idaho.	\$700,000
Esplanade Improvements	Earthwork, roadway, stormwater, ped access, and illumination improvements associated with riverfront esplanade at the very west end of 3 <sup>rd</sup> Avenue	\$730,000
3rd Ave Extension, west of McReynolds	Extension of 3 <sup>rd</sup> Avenue with new roadway which includes roadway, ped facilities, utilities, illumination.	\$850,000
McReynolds Connection	Road connection south of 3 <sup>rd</sup> Ave roundabout. Includes roadway, pedestrian facilities, and utilities.	\$400,000
<b>TOTAL TIER 1 ESTIMATED COST</b>		<b>\$18,320,000</b>

**EXHIBIT - A****Tier 2**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
Signal at 3rd & Spokane	Design and installation of traffic signal at the intersection of 3rd Ave & Spokane Street	\$563,000
Railroad Property along RR and Switch Yard	Property Purchase for potential parking and/or park & open space.	\$1,185,000
Centennial Trail - RR R/W Acquisition & Trail Construction	ROW purchase, Centennial Trail design & construction from Spokane Street to Bay Street and Chase Street to Spokane Street.	\$2,752,000
Entry Monuments	Entry Monument installation/construction at locations TBD.	\$300,000
Wayfinding Signage	Wayfinding design, construction and install at locations TBD.	\$100,000
Public Art	Type and locations to be determined. Assumed 10 separate pieces.	\$500,000
Water Tower Improvements/Highlights	Structural engineering, illumination, & paint/improvements to existing water tower.	\$180,000
Fire Station - Fence and Sewer Connection	Fencing and sewer service connection.	\$25,000
4th Ave Frontage Improvements (excluding Idaho Veneer)	Road widening, stormwater, sidewalk, illumination, etc, between William St. and Lincoln St. (frontage).	\$1,100,000
Waterline Extension, Marina Condos to Falls Park	Waterline improvements at PF Landings Condos.	\$200,000
<b>TOTAL TIER 2 ESTIMATED COST</b>		<b>\$6,905,000</b>

**Tier 3**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
Seltice/Mullan Couplet Project - Street Completion Plan	Planning, engineering and construction of several streets and intersections associated with a potential couplet of Seltice & Mullan.	\$9,900,000
Event Center Spaces	Land acquisition, architecture, design and construction of space(s) TBD.	\$1,200,000
Railroad Avenue to Idaho Street	Extension of Railroad Avenue to Idaho thru Idaho Veneer site includes roadway and public utilities.	\$750,000
<b>TOTAL TIER 3 ESTIMATED COST</b>		<b>\$11,850,000</b>

**EXHIBIT - A****Tier 4**

<b>Project Name</b>	<b>Description</b>	<b>Estimated Cost, 2020 \$</b>
Warren Park Improvements	On site and offsite improvements could include roadway, parking, play equipment and/or field improvements.	\$412,000
Apply Improvements - Parking Plan North of Freeway	Multiple street revitalization projects consistent with the City Center Parking Plan – North of I-90	\$5,000,000
Ped & Bike Connections Across Freeway (Henry or Lincoln)	Grade separated pedestrian/bicycle crossings at Henry Street or Lincoln Street.	\$3,500,000
Site Remediation (General)	General site clean up and remediation in locations TBD.	\$4,650,000
Land Acquisition General	Land acquisition as needed and at locations TBD.	\$16,500,000
<b>TOTAL TIER 4 ESTIMATED COST</b>		<b>\$30,062,000</b>