AGENDA OF THE JOINT CITY COUNCIL MEETING AND PLANNING AND ZONING COMMISSION
FOR THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO

Monday, June 15, 2026

Special Meeting: 5:30 PM
Hayden City Hall Council Chambers, 8930 N. Government Way, Hayden, ID 83835

CALL TO ORDER
ROLL CALL OF COUNCIL MEMBERS
PLEDGE OF ALLEGIANCE
ADDITIONS OR CORRECTIONS

1. **WORKSHOP**
   A. Review the Impacts of the New State Laws on Titles 11 and 12 of Hayden City Code

Assistance for persons with disabilities will be provided, upon provision of verbal or written notice to city staff 24 hours in advance of the meeting. The phone number for City Hall is (208) 772-4411.

Memo

To: Mayor Davis and Members of the Council

Chair Taylor and Members of the Planning and Zoning Commission

From: Donna Phillips, Community Development Director

Date: June 11, 2026

Agenda Item: Workshop on amendments to Title 12 Subdivisions as a result of Senate Bill 1352, as amended approval and effective date of February 1, 2027

Agenda Item Location
Workshop

Recommended Action or Motion
Staff requests from the hearing bodies direction related to specific interpretations of the legislation as adopted in order to bring back proposed amendments to this Code section and possible amendments to the City's comprehensive plan.

Summary
In preparation for the joint workshop with the hearing bodies, it has been discussed with both hearing bodies that various local laws or "codes" would be impacted by legislation passed at the state level. In the last workshop of the Planning and Zoning Commission on June 1, 2026, staff provided draft language as a result of bills passed regarding accessory dwelling units, manufacture homes, and short-term rentals. At this joint meeting, we will be discussing senate bill 1352 as amendment and attached to this memo.

The proposed layout of the discussion will include a presentation from Fonda Jovick, City Attorney regarding some actual definitions of workforce housing, affordable housing, and attainable housing and some specific information related to the workshop discussion. Staff will then provide some direction related to what the new code requires the city to allow and not allow, and then what the city may want to include as possibilities. We will also try to address some unintended consequences of the direction provided by the hearing bodies to staff. We will conclude with some questions that staff need direction on related to the proposed code amendments to bring back to the hearing bodies at a future meeting.

Fiscal Impact
NA

Budget Funding Source / Transfer Request
NA

Attachment
Senate Bill 1352, As Amended

LEGISLATURE OF THE STATE OF IDAHO

Sixty-eighth Legislature Second Regular Session - 2026

IN THE SENATE

SENATE BILL NO. 1352, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HOUSING; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6541, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING STARTER HOME SUBDIVISIONS AND TO PROVIDE A DEFINITION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 65, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-6541, Idaho Code, and to read as follows:

67-6541. STARTER HOME SUBDIVISIONS. (1) No city shall enact or enforce any ordinance within its jurisdiction that bans starter home subdivisions in any residential zoning area. "Starter home subdivision" means a residential subdivision on at least four (4) acres of land that is designed to provide attainable homeownership opportunities with single-family detached dwellings on smaller lots that are no greater than one thousand five hundred (1,500) square feet per lot, have compact home sizes, and have efficient site design that reduces development costs while maintaining compatibility with surrounding neighborhoods.

(2) By February 1, 2027, by resolution or ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided in section 67-6509, Idaho Code, each city governing board shall amend its comprehensive plan and land use regulations to allow starter home subdivisions in residential zoning districts, except for lands falling within an area defined as a historic district in section 67-4607, Idaho Code, or designated as a historic property pursuant to section 67-4614, Idaho Code. For starter home subdivisions, a city's comprehensive plan and land use regulations shall be amended to:

(a) Prohibit requiring minimum lot sizes exceeding one thousand five hundred (1,500) square feet for lots located in starter home subdivisions unless infrastructure limitations, lot configuration, or environmental constraints make it unfeasible;

(b) Prohibit requiring front or rear setbacks exceeding fifteen (15) feet or side setbacks exceeding five (5) feet for a primary residential structure on a lot, provided, however, that setbacks along the perimeter of a project may be required to match setbacks of abutting zoning districts;

(c) Prohibit requiring lot front widths exceeding thirty (30) feet for narrow lots;

(d) Prohibit requiring lot depths exceeding seventy (70) feet, unless overall lot shape, topography, or environmental or infrastructure constraints require it; and

(e) Prohibit imposing permit fees, development impact fees, or utility connection fees for starter home subdivisions exceeding those that would be imposed on other single-family home subdivisions. A local government may provide incentives to builders through fee reductions or waivers for compliance with smaller lot and setback options.

(3) The provisions of this section shall not supersede state or local laws that protect public health, safety, and welfare, including:

(a) Building codes, fire safety standards, and flood plain regulations;

(b) Laws regarding water, sewer, storm drainage, road access, roadway classifications or conditions, infrastructure capacity constraints, and utility services necessary to support the required density;

(c) Laws regarding environmental hazards, aquifer recharge zones, steep slopes, or critical habitat protections; and

(d) Laws and regulations regarding setback requirements for rights-of-way and easements.

(4) The provisions of this section shall apply only to cities with a population greater than ten thousand (10,000).

(5) Cities may condition or deny approval of a starter home subdivision where the city determines that existing or planned infrastructure is inadequate to support the subdivision, to the same extent and under the same standards the city applies to other residential subdivisions.

(6) Nothing in this section shall prohibit a city from enacting regulations, standards, or conditions that are less restrictive than the requirements provided in this section.

SECTION 2. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act 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 the remaining portions of this act.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2026.

2. **ADJOURNMENT**

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