

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

Monday, July 20, 2026

Commission 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. **CALL FOR CONFLICTS OF INTEREST**
2. **CONSENT CALENDAR** ***All items on the consent calendar are Action Items***
 - A. Approval of Regular Meeting Minutes from June 01, 2026

DRAFT
MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING
FOR THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO

Monday, June 01, 2026

Regular Meeting: 5:30 PM

Hayden City Hall Council Chambers, 8930 N. Government Way, Hayden, ID 83835

CALL TO ORDER

The meeting was called to order at 5:30 PM by Chair Shawn Taylor.

ROLL CALL OF COMMISSION MEMBERS

Present: Tony Grano, Chris Morris, Shawn Taylor, Ron Walters. Vince Vargas was absent.

Staff Present: Donna Phillips, Community Development Director, and Fonda Jovick, City Attorney.

PLEDGE OF ALLEGIANCE

Vice Chair Morris led the pledge of allegiance.

ADDITIONS OR CORRECTIONS

New Business Item 4A on the Agenda: Coeur d' Alene Airport District Overlay Discussion and Direction, will be postponed to a later date.

1. CALL FOR CONFLICTS OF INTEREST

None

2. CONSENT CALENDAR *All items on the consent calendar are Action Items*

- 3.** Approval of Planning & Zoning Commission Regular Meeting Minutes, 05-18-2026 and Approval of Written Recommendation for PZE-26-0035 Monaghan Estates Subdivision.

Motion to approve the Consent Calendar as presented. This motion, made by Vice-Chair Morris and seconded by Commissioner Grano; Carried.

Tony Grano: Yes

Shawn Taylor: Yes

Chris Morris: Yes

Vince Vargas: Absent

Ron Walters: Yes

UNFINISHED BUSINESS

Item 3A: Miscellaneous Title 11 Amendments

Director Donna Phillips started off her presentation stating that when the City of Hayden updated their Comprehensive Plan, land uses, and added new zone codes in 2021 they also took 22 chapters of Title 11 and slimmed it down to about eight chapters. These chapters were updated to help with consistency across the board, and interpretation of code as well.

She went on to say that last Spring, Idaho State legislature changed and those changes have affected Title 11. She mentioned that Title 12 will also need updated and will probably be a total re-write. Ms. Phillips explained to the Commission that the point of today's presentation is to go over the updates to Title 11 thus far and answer any questions that they might have. She confirmed that the commissioners had read her memo prior to tonight's meeting to which they all shook their heads yes.

She continued her presentation explaining that this version is currently a draft and planning staff members have input on these changes, and this version is not the final revisions. If areas in the code are found as duplicative, or misleading often times they are removed. Ms. Phillips referenced code paragraph F in code 11-1-4 stating that it is duplicative of code 11-1-5 which covers violations and enforcements. In the corrections, they removed the duplicative parts of code to make it more clear.

Next, she mentioned code 11-1-7 which covers new and unlisted use code. She said the Planning and Zoning Commission (PZC) was added back in to the process to have a public meeting, and then a recommendation to council after that. Then the process could potentially go to a public hearing process.

Ms. Phillips continued showing the edits that have been made so far to code, and comments on the draft regarding "exceptions." She stated that a table will go in this section eventually but has not been created yet. She explained that exceptions are allowed for most required design standards out there, most notably related to parking, or landscaping. She went on to say that the way code reads today says that exception requests for up to 35 percent of whatever that current standard is, they can be administratively approved by the Planning Director. If they are between 35 percent and 50 percent, then it requires a public meeting with the PZC and if they are more than 50 percent then it requires a public hearing with the PZC, and the commission makes the final decision on that hearing unless an appeal is made. Based on the exception requests that staff receive, Ms. Phillips said they decided to reduce the 35 percent to 20 percent so that the staff could then look at those before it goes to the PZC for approval. She went on to say that there are standards of approval for all exceptions and mentioned lighting. She said lighting is very important because of examples like where it goes in or around the airport or adjacent to residential area. There are standards for these kinds of exception requests.

Ms. Phillips showed more edits and in regard to appeals, she stated that where it says "65 days" that was changed to 14 days to be more consistent throughout, and City Attorney, Fonda Jovick also stated that 14 days is consistent with Idaho state code as well.

She went on to mention 11-1-10 which is a new section of code. She said that there are certain processes that happen administratively as a part of the review process that includes a written decision at the end of the process in accordance with code. She then listed examples which were: Mixed use design standards, architectural design reviews in the central business district, utility compliance permits relating to major and minor utility infrastructure and telecommunications infrastructure.

Ms. Jovick clarified that administrative approval means that it takes place with city staff and does not elevate it to the PZC or to City Council. To which Ms. Phillips said "Correct. Thank you."

Ms. Phillips went on to say that is what this section of code talks about. It covers who does what, zoning verification letters was used as an example as to how staff would verify the zone the property was in, and verifying what is allowed on that piece of property. Ms. Jovick asked if there is anything in this section of code where staff can make the determination at their discretion whether something should elevate to the PZC? To which Ms. Phillips said "yes. I believe so. If it is not, we will add it back in there." Ms. Jovick said "Great. It used to be. Yeah, make sure it stays."

Ms. Phillips continued her presentation by mentioning agency notices, and that when various agencies are being notified during the review process, those requirements are being met. She went on to talk about site plan reviews, and how the current code states that you have two years to complete your project before your site plan expires. Staff are currently working on how to "marry" the expiration date of the site plan, to the building, and to the phased site plan agreement.

When discussing site plan reviews, Ms. Jovick emphasized the importance of ensuring that city code clearly defines what is permitted under the site review process. This clarity would help prevent staff from being placed in a position of exercising excessive discretion and would also establish clear criteria for when a project should be elevated from the Site Review process to the Planning and Zoning Commission for consideration. She asked the Commission if that made sense to them, to which Vice-Chair Morris agreed that it did.

Ms. Jovick went on to explain that if a property owner reaches out to one of the commissioners to talk about their project that was denied by city staff, or city staff has told the property owner that they need to make changes to their site plan, that the commissioners should forward them back to city staff with their questions. She stated that those property owners are entitled to their due process rights, along with the surrounding neighbors that are within 300 feet of that subject property. Along with that, Ms. Phillips explained that the applicant who was denied by city staff, if they want to amend or appeal the outcome then they must come back through the same approval process with the hearing bodies that heard before.

Ms. Jovick clarified that this can happen between preliminary plat and final plat while the infrastructure is being built.

Ms. Phillips continued her presentation by discussing zoning districts. She stated that the Comprehensive Plan outlines the preferred land uses that shape the city, and there will be eight designated zones. A new zone designation would be Rural, and it would be split up into three sub designations: One acre or less, two-five acres, and five acres. The Agricultural zone would change from five acres to 10 acres. She continued by saying that the new Rural zone designation would require a design review per another section of the chapter which she would cover later in the presentation.

Ms. Jovick asked if there was any anticipation about "larger buffer" property owners wanting to be re-zoned into this Rural designation or would the city be asking them

to re-zone? To which Ms. Phillips said it was part of an annexation process that they could request to be re-zoned.

Ms. Jovick said that as of right now the larger parcel owners will not be required to re-zone.

Ms. Phillips went on to discuss the two overlay districts, saying that the central business district will stay the same and the neighborhood commercial nodes; which we do not currently have in the city today, but per the Comprehensive Plan could have in the future.

Ms. Phillips' presentation went on to show the City of Hayden's Setback Table and how they added the Rural zone to this table, morphing it between the Residential Suburban zone and the Agricultural zone with the rear, side, and front setbacks to remain the same and the new Rural zone to match these setbacks. The flanking street setbacks across the city are 15 feet. The maximum height and lot coverage were kept consistent between Residential Suburban zone and the Agricultural zone. She also showed minimum lot sizes, minimum road frontages, and whether an ADU is allowed or not. She also stated that the ADU cannot be taller than the principal structure.

She went on to show where they added minimum lot width and depth for the Rural zone designation in city code. She said for lots less than two and a half acres, the minimum lot width and depth is 100 feet. For lots greater than two and a half acres, the minimum lot width and depth is 200 feet. Ms. Jovick then asked if the commissioners had any questions to which Commissioner Grano said no, and Commissioner Walters said the only thing that came to mind for him was some of the lots that have narrow access coming in, and assumed that is all "grandfathered in."

To which Ms. Jovick said there are legal non-conforming lots that have to do with something in the "as built environment" but "grandfathered in" is not a real thing. She went on to say that it would be up to those narrow parcel owners to design something that fits within code.

Ms. Phillips continued her presentation talking about a section of code relating to density and how they removed some duplicative verbiage and kept the remaining verbiage of "should densities be proposed that are in excess of those identified within the zone designation and/or within the various master plans then additional studies will be required to ensure that adequate services are available prior to the development approval." She referenced condition number 5, and the models identify how many dwelling units were anticipated to be in that area.

Next, she showed the Use Table 11-2-4 and explained that they are currently making edits to this table. Making residential primary uses first, and residential accessory uses second, non-residential primary uses third, and non-residential accessory uses fourth. Ms. Jovick pointed out that the zones are listed across the top of the table.

Ms. Phillips continued her presentation explaining that in this uses table, A means it is allowed out right, C means it needs a conditional use permit, and a blank means it is not allowed.

Commissioner Walters asked if the A with an underline and the C with an underline are different from the other A and C used in the table, to which Ms. Phillips said the ones with the underlines are new and they are proposed changes. She went

on to say that an accessory structure that is bigger than 3,000 sq. ft. is allowed in some areas, but most of the residential areas require a conditional use permit. Ms. Jovick gave an example of that "being like a large shop."

Ms. Phillips went on to discuss residential care / assisted living facilities. She asked Ms. Jovick to elaborate on this and stated that residential care in a group home consists of 8 or fewer unrelated people.

Ms. Jovick said that "we have some restrictions in Idaho code that prohibits us from creating our own definitions of residential care or assisted living or rehabilitation. So, we are limited to how Idaho code defines those and we can't restrict them or prohibit them in certain locations any further than what Idaho code allows us to do." She used an example of single family residential houses with eight people living in it that are receiving medical care or care of some sort, those cannot be prohibited in single family residential homes or R1 zones unless they have more than eight beds. Ms. Phillips clarified that if they have more than eight beds, then it requires a conditional use permit and those will have design standards which will include parking, fencing, landscaping buffers, etc.

Next, Ms. Phillips talked about breweries, wineries, and distilleries. She said they are looking at the city code to make sure that these types of businesses are in the correct zone. Ms. Jovick said that it is very important for the code to be clear, and that city staff is very clear in the conditional use permits so that if an applicant wants to pivot at any point in the future in regard to what type of use their business is, that they will be in the correct zone to do so.

Ms. Phillips continued her presentation stating that the definitions document that was provided to the commission is very inclusive of the discussed uses, and if the commission has any questions or if they can't find a certain definition that they let city staff know.

Ms. Phillips went on to explain that a couple of years ago Idaho state legislators changed definitions of daycares, daycare centers, family daycares, and home daycares and the city is following suit and making changes as well.

She went on to say that there is currently nothing in the city code that addresses data centers. Because of that, the city is looking at adding a definition for data centers and specifying that they are not allowed in any zoning district. She used RVs as an example, explaining that RVs are defined in the code and identified as a prohibited use. Data centers would be handled in a similar way.

Ms. Jovick asked if there were any questions on that, as this is a "hot topic right now." She went on to say that the city does not have the infrastructure to support a data center. To which Ms. Phillips said, "we don't, not at all."

Ms. Phillips continued her presentation and talked about how the city must comply with the Idaho state code. There are Idaho state codes relating to firing ranges, whether indoor or outdoor. She explained that everything the city staff touches, there is a layer of Idaho state code above that.

She continued by discussing grocery stores, and supermarkets. Stating that there is not currently a square footage for them. In the neighborhood commercial zone, she stated that if these businesses are allowed with a conditional use permit, that it might make sense to add a maximum square footage.

Next, Ms. Phillips mentioned that a “pulp mill” is an acceptable use on the uses table, and she was curious where we would put one in the City of Hayden, or if we wanted one.

She continued her presentation by mentioning the mobile food truck section, and how this has not been updated since the last City Council meeting and staff is working on updating that with new language in the code allowing for this as a use and not a license. Ms. Jovick clarified that this is for a mobile food truck “park” and also as a single mobile food vendor as well. To which Ms. Phillips confirmed by saying “correct.”

Ms. Jovick also asked if the commissioners will come back and do another workshop, or if they will only see the revised code. To which Ms. Phillips said there might be one more revision depending on the next workshop that is scheduled in two weeks.

Ms. Phillips continued her presentation by showing the area in city code where mixed use zone designations could have been requested as zone map amendments in relationship to future land use land designations that do not exist anymore so because of this was removed from the revised code.

She went on to point out development standards specific to the type of use and said that the accessory dwelling unit (ADU) code was amended by Idaho state and goes into effect in February 2027. She referenced Senate Bill 1354 and said that the city took the definition out of the first paragraph of the bill and used that so they would be in compliance. She mentioned that ADU’s are allowed on properties that are designated as historic but went on to say that there is no historical district within the city of Hayden today. However, city staff included the verbiage in the bill that was kept for future potential of having a historical district within the City of Hayden. She continued by discussing the size of ADU’s that are allowed and that they have to adhere to the current setbacks in code. Ms. Jovick clarified saying that the new code seems to read that ADU’s can be 1,000 sq. ft. or larger, and up to 75%

Only 1 ADU is allowed per lot or parcel, and no new approaches are allowed. You must use the existing approach to access the ADU. The access to the ADU shall be a minimum of 12 feet wide, and a minimum unobstructed height of 13.5 feet to accommodate emergency service vehicles. If the ADU is more than 150 feet from a public or private road, then a turn around area that is approved by Northern Lakes Fire Protection District (NLFPD) and the City Engineer is required.

Vice Chair Morris asked about the driveway requirements for an ADU, to which Ms. Phillips explained those requirements are if the ADU is behind the main dwelling unit the driveway needs to be able to accommodate a fire truck for emergency services back to the ADU.

Ms. Phillips continued with her presentation saying that the ADU setbacks will follow the main dwelling unit’s setbacks if the ADU is detached and is allowed to have a 10 foot minimum rear setback. ADU’s must have their own front entrance as well regardless of whether the ADU is attached or detached to the main dwelling unit.

Next Ms. Phillips discussed home occupation Class A is allowed in every residential use across the city today. Stating that the Class A occupation is where the resident of the home is the one working out of the home, and clients are scheduled by appointment. A Class B occupation allows for one additional employee working out of the home and is excepted by a conditional use permit.

Next Ms. Phillips spoke about parking regarding home occupations and ADU's. She stated that no additional parking space will be required for an ADU unless the main dwelling does not have off street parking, if the street is not paved, if the street is not designed or constructed for on street parking, the principal dwelling is not within a quarter mile of transit, not within an employment area, or commercial services. She went on to say that the old code required at least one more additional parking space for an ADU, but today with the new changes in code she cannot necessarily require that.

Ms. Phillips next spoke about short term rentals and said currently there is no short term rental code that exists. She gave an example of bed and breakfasts and said that would be an example of a short term rental. Ms. Jovick also stated that under the new state code short term rentals cannot be restricted any more than single family residential homes. Ms. Phillips also stated that Idaho code also requires life safety measurements to be met for short term rentals as well.

She continued her presentation by discussing manufactured home code amendments that were made by the state, that now says that anywhere you can put multi-family residences, you can put a multi-family manufactured home. They also reduced the requirement that on a single lot the code previously said that 1,000 sq ft primary residences were required to be multi sectional. They changed it to now saying a single section at 400 sq ft or 800 sq ft. for a multi sectional is acceptable. Manufactured homes also have to be HUD certified.

Ms. Phillips continued by saying that the standards of manufactured homes have been amended to reflect the same standards for both individual manufactured homes and manufactured home parks alike.

Ms. Phillips mentioned variances and how it used to say in code that variances of yard or setback requirements shall be obtained only through the action of the council, which she clarified is not true. These variances are seen by the planning and zoning commission, so this part was updated to reflect that.

On the next slide, Ms. Phillips showed the landscaping table that will remain in City code. Then followed up with the lighting standards and the exceptions sections (11-1-8 D). She noted how staff have been working to coordinate the code together.

The next slide discussed parking in the central business district, in the non-residential areas. She stated that amendments are being made to the parking exceptions by staff right now to help with parking issues. She also stated to make a parking reduction request the applicant must have a plan identified to address future parking mitigation measures for overflow parking. She encouraged the commission to look at the amendments that staff have made and decide on what makes sense to move forward with. She also noted that ADA requirements may apply to parking lots located away from a business but used for customer parking. This includes considerations for providing accessible transportation or shuttle services to return visitors to their vehicles after completing their visit to the business.

Ms. Phillips continued her presentation by discussing the plan submittal process, saying that when the planning department receives a new set of plans from an

applicant, they need to have callouts or bubbles showing what was changed from the original submittal.

She continued to her next slide referencing 11-4-7 B and 11-4-7 C saying that they are site plan standards of approval. A list of site improvement examples was shown. Frontage Improvements were also discussed stating that staff made amendments to state that in the Commercial zone whenever you are building a new principal structure, addition, or change of use those frontage improvements will need to be constructed, a utility easement will need granted, and a right-of-way dedication will need to be completed as well. These same requirements are also true for new residential principal structures. For residential ADU's and all other accessory uses, you do not have to build the frontage improvements but do however have to grant the right-of-way and dedicate the easement. If it is just maintenance, you don't have to construct and you don't have to dedicate. If a catastrophic event happens, and you must rebuild your principal structure, then your rebuild is considered "maintenance." However, should it be expanded by more than 40% over a three year period of the sq ft of the original structure then it will be treated as a new principal structure.

Ms. Phillips continued her presentation by discussing the site code. Stating that you must abide by the quiet hours that are found in the nuisance code. Dust requirements are identified in Hayden City Code 11-4-2, and construction site requirements both on site and off site are found in Hayden City Code Title 9 Building Regulations.

She continued to her next slide and discussed the phased master site plan saying that the agreement shall identify those improvements required to be constructed in which phase to ensure standards of the site plan approval are being met in accordance with Hayden City code.

On the next slide Ms. Phillips discussed sign code. She stated that banner signs are a sign that is light weight and often used in a non-permanent setting to announce a sale or a special event. Banner signs require a permit.

Discussion continued about the amendments that staff are making to the code for signs, such as which kind of signs do not require a permit, and what constitutes a development complex that needs to have a master sign plan.

A master sign plan allows an owner of a piece of property to create a master sign plan with the city for his development with multiple units that are rented out to other businesses/tenants. Tenants must abide by the master sign plan that was approved by the city and created by the owner of the property.

Ms. Phillips stated that there was a correction made to show that pole heights are 60 feet not 30 feet for signage. She shared more notes and corrections that were made to code stating that some of the old code for residential multifamily zone no longer exists.

Ms. Jovick stated that the US. Supreme Court decided that we (cities) cannot legislate content of signage under the first amendment. We can regulate placement, size, and materials and that's about it. Ms. Phillips went on to say that if your sign is lit, it will need an electrical permit.

On the next slide of Ms. Phillips' presentation, she covered chapter 7 of city code: conditional use permits. She stated that the city requires applicants to attend a pre-development meeting before a conditional use permit can be applied for. These

meetings are free and are held every Wednesday and can be scheduled about one week out. Ms. Phillips urged the commissioners to look at the various standards of approval and whether or not they are meeting the intent for conditional use permits, and they will discuss again at a later date. Her slides showed more notes for

Ms. Phillips ended her presentation and stated that Title 12 will be discussed at a later date and will include the starter home subdivision and will point back to Title 11.

Ms. Jovick asked if the commissioners were going to get a copy of the new code before the workshop (with city council)? To which Ms. Phillips said yes that she will send that over to them tomorrow. She stated that she already sent them the House Bill 583, House Bill 800, and Senate Bill 1354 as well.

REPORTS

Ms. Phillips reported saying that Monaghan Estates, which was approved tonight, will then go to City Council as a public meeting not as a public hearing; Ms. Phillips wanted that clarify that for the record. She also stated that there are a couple of preliminary plats that will go to a Planning and Zoning public hearing possibly in July or August, and code amendments will also be occurring and will be brought to the commission as time allows as it was tonight. Chair Taylor confirmed the next meeting will be a joint meeting with City Council on June 15, 2026.

ADJOURNMENT

Chair Taylor adjourned meeting at 7:08 PM

Respectfully submitted,

Sadie Roe, Clerk

3. **UNFINISHED BUSINESS**

A. Update to Title 12 Subdivisions - Proposed Code Amendments

4. **REPORTS**

A. Community Development Director's Report

5. **ADJOURNMENT**