

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

Monday, August 3rd, 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: Chris Morris, Shawn Taylor, Ron Walters, and Vince Vargas. Tony Grano was absent.

Staff Present: Donna Phillips, Community Development Director, Shannon Drappo, Planner, Nick Peterson, City Attorney. Mr. Peterson left the meeting at about 6:15

PLEDGE OF ALLEGIANCE

Commissioner Walters led the pledge of allegiance.

WORKSHOP

1.A. Title 11 and Title 12 Subdivision Code Amendments

Director Phillips began her presentation by reviewing the handouts provided for the evening's discussion. The handouts outlined the basis for the staff's proposal to repeal and replace Title 12, as well as make amendments to Title 11 of the City Code. She explained that the purpose of these workshops is to review the proposed changes at a steady and manageable pace, allowing the Commission to thoroughly discuss each topic. Ms. Phillips stated that in the upcoming workshops the commission members will be fully caught up with the changes and receive a clean draft in lieu of a red-line draft which can be overwhelming to digest. Commission members will become more familiar with chapter 12 before the public hearing is noticed.

Staff passed out the master development agreements (MDA), she then discussed the function of this agreement and the Construction Improvement Agreement (CIA). Ms. Phillips stated that in the proposed changes, staff took 98% of these two agreements and placed the language directly into code.

Staff handed out copies of flowcharts of the process for subdivision preliminary plats, major vs. minor subdivisions, construction plan review process including developers, fire department, water jurisdiction, Department of Environmental Quality (DEQ) and Panhandle Health District (PHD).

The document also outlined what happens during the construction stage, and major/minor subdivision final plats, and lot consolidation. Chairman Taylor asked if the master development agreement will be a legal text which discusses peoples' rights and obligations, and if the rest of the document will be placed into the new title 12 to which Ms. Phillips confirmed, he was correct. Ms. Phillips stated there are many parts that the planning department is trying to include and address in a straightforward fashion.

Ms. Phillips reaffirmed there will be workshops to work through these proposed changes and requested commission members to observe Title 12, Chapter 1 in City Code. Ms. Phillips started to discuss changes in the code, stating that there were not many changes to chapter one in the proposed revisions. She discussed the current function of the chapter, such as establishing fees, mitigation requirements, enforcement and penalties, interpretation and conflict, conditions-based exceptions, and development and construction agreements. Ms. Phillips stated that those agreements will be made more robust in the proposed changes. She reminded the Commission of the MDA, and CIA definitions and pointed out the notes on the side of the document, which outlines the proposed changes to the current code.

Director Phillips moved on to chapter 2 changes. This chapter discusses the changes to, as well as inclusion of definitions in this section. Definitions were added for acceptance, city improvement, developer, final acceptance, improvements, lot parcel consolidation, major vs minor subdivision, etcetera. Ms. Phillips discussed indecision between definitions for owner and developer and expressed a desire to marry the two definitions for clarity. Additionally, other definitions will include the private street, property or boundary line, as well as starter home subdivisions, and substantial completion. The purpose of these changes is to remove conflicting or vague language in city code.

Ms. Phillips moved on to changes in chapter 3 which discusses boundary line adjustments. She stated that it doesn't make sense for a boundary line adjustment to be at the back of the section, because it does not create more lots, and therefore shouldn't be in the subdivision section. This new section will include the application process, the process for project review and approval, as well as surveys. There has been discussion amongst staff to remove the survey section and place it in Title 12, Chapter 1, because it encompasses a large portion of the totality of Title 12.

Director Phillips moved to chapter 4 changes which discusses subdivisions. Ms. Phillips feels that minor and major subdivisions should not have separate code sections, due to their similarities in process. Therefore, staff has taken chapters 3 & 5 and placed them together in chapter 4. This includes applicability, process, exemptions and approval.

Ms. Phillips moved on to chapter 5 changes which discusses preliminary plats; this code also outlines predevelopment meetings. The predevelopment meeting helps city staff meet with developers to create an initial overview of the nature of the project. She went on to describe the function and performance of the pre-development meeting, staff analysis, and public hearing processes for subdivision plats.

Next Ms. Phillips discussed chapter 6 changes. This chapter discusses requirements for subdivision improvements, construction plan, inspection, performance & warranty surety and approval of infrastructure. There are references to right of way encroachment permit, and sewer connection permit.

Director Phillips moved on to chapter 7 changes which will address all final plat requirements. She explained the inclusion of different kinds of plats, and how the new language in the chapter will address this. Plats will include subdivisions, condominiums, town homes and lot consolidation. Links to building code will be noted as they relate to the type of plat, this includes overall requirements for plat submittal, recordation that pertain to all, process for approval, application and/or process differences for individual

types of plats. Ms. Phillips discusses the application differences between types of plats, and states that they will be changed in the near future.

Ms. Phillips moved to a discussion on titles 12 (subdivision) and 11 (zoning) [more specifically sections Title 12, Chapter 5, Section 3 and Title 11, Chapter 2, Section 11] with regard to starter home subdivisions. Director Phillips stated that within the new chapter 5, under subdivision application requirements, a section should be added to include the instances where an applicant would propose smaller lot sizes than are allowed minimums of the zone designation. This would be in addition to a table to include the average, maximum and minimum lot sizes.

Donna discusses Title 11, Chapter 2, Section 11, regarding starter home subdivision standards. The section will state that “starter homes subdivisions as identified in Idaho state codes 65-6741 will be allowed in accordance with the standards of approval for all subdivisions” Ms. Phillips stated that this is important because subdivisions have eight (8) standards of approval, and the with respect to the design standard requirements of title 11 and the subdivision requirements of title 12. The allowance for the smaller lots within this subdivision do not mean that it doesn’t meet the standards of approval of a subdivision. Staff identified that starter homes may be allowed in residential suburban, single family residential, and mixed residential zone designations. The section also states that the design of the subdivision must also fit the design of the surrounding areas, as well as all lots matching the setbacks with the zone’s regulation. The code also identifies that every primary dwelling unit in the city shall be required to provide two off street parking spaces. This section also establishes a new site area, building setback, and frontages table. Ms. Phillips discussed the incompatibility of starter home areas in agriculture zones, stating a lack of infrastructure and services.

Ms. Phillips asked the commission if staff had adequately encapsulated the desires of the planning and zoning commission for this new title 11 and 12 with respect to starter homes. Chair Taylor and Commissioner Walters stated that they had, and Commissioner Walters discussed the difficulty with fitting an ADU into starter home designations and stated that “ADU might be interpreted as a blanket statement.”

Continuing her presentation, Ms. Phillips discussed the proposed amendments to Title 11, Chapter 4, Section 7 (C) and provided information regarding possible amendments to the code section consistent with previous direction. Ms. Phillips discussed improvements to a site which may trigger either dedication and/or construction.

Next, she discussed Title 11, Chapter 4, Section 7 (B) & (C) which dictates required site improvements. Title 11, Chapter 4, Section 79 (B) discusses when one must complete improvements to their property. The text states that if the site has been improved by 40% or more over three (3) years, then site improvements commence. Ms. Phillips directed the commission to observe Title 11, Chapter 4, Section 7 (C), which discussed frontage improvements. She drew a diagram depicting frontage improvements that are referenced in this portion of the text. The proposed changes are for when a site has proposed development which is significant (a change or improvement) which brings about more intensity of use of the system. The staff is proposing that for all new principal non-residential uses and additions and changes of use, a frontage improvement, ROW dedication and easement is required. If an applicant is building a new residence, they also have these requirements. She provided some proposed language to the commission. This handout discussed what does and doesn’t count as maintenance and is therefore not a

trigger for any frontage improvement. New language is included which stated that should an existing principle structure be rebuilt then it shall be treated as maintenance, however, should it be expanded more than 40% of the square footage of the structure, over a three-year period then it shall be treated as a new principle structure. Commissioner Vargas asked if the garage is included in the square footage. Ms. Phillips stated it should be only the conditioned space of the house, and asked Shannon Drappo, Planner, to make note of this. Ms. Phillips further discussed how ADU development will be changed in this revision. In today's code, if an individual is building a residential accessory dwelling unit, then it has a maximum size of about 1000 square feet, and of those 1000 square feet units, all of them are two bedrooms or less. Therefore, their impact is less than what the code will propose in the future for said dwelling units.

Chair Taylor asked about the existence of variance, to which Ms. Phillips pointed to subsection "F", which provides more flexible language. Director Philips proceeds quote Title 11, Chapter 4, Section 7, (C) ((5)) : "The section that dedication of ROW and granting of easements may be modified where the finished grade or street section cannot be established, or frontage improvement has been installed at a prior time that is not fully consistent but is generally consistent with the currently adopted standards and where there are safety concerns or when there are other factors as determined by the city engineer" Chair Taylor proposed further variance language to be added to the text to provide more flexibility for developers. Chair Taylor further discussed his concerns with hampering development in the event that a property be forced to provide frontage improvements when the chances of other adjacent lots improving their frontage is low. Ms. Drappo proposed a deferred improvement agreement on frontage improvement triggers, which may include development of neighboring properties. Chair Taylor stated that the proposed deferred improvement agreement might help alleviate his concerns. Ms. Phillips stated that the public desires safe sidewalk infrastructure, and this method could be a tool to produce said infrastructure or dedicate right of way to the city for future infrastructure construction.

Commissioner Walters voiced concerns about the possibility of a property being roped into a deferred improvement agreement by being flanked by two participating properties. Ms. Drappo stated that the participating properties must be immediately contiguous properties, therefore every property in the effected right of way must consent. Discussion ensued regarding the importance and/or the efficiency of the proposed changes in securing frontage improvements at a point where the property owners have the capital to construct improvements. Commissioner Vargas suggests that if we [the City] require improvements, the city ought to pay for them via a tax raise.

Ms. Phillips discussed the need for another workshop on the 24th and 31st of August. After a discussion of personal schedules, the commission tentatively agreed on August 31st for the next Planning and Zoning regular meeting.

ADJOURNMENT

Chair Taylor adjourned meeting at 6:57 PM

Respectfully submitted,

Cooper Broggel, Clerk