



## **Memo**

To: Mayor Davis and Members of the City Council

From: Donna Phillips, Community Development Director

Date: January 21, 2026

**Agenda Item: PZE-25-0102 Arts (King Sod) Zone Map Amendment Request Written Decision**

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### **Agenda Item Location**

Consent Calendar

### **Recommended Action or Motion**

The City Council approved PZE-25-0102 Arts (King Sod) Zone Map Amendment request from Agricultural (A) to Light Industrial (LI) with staff recommended conditions on January 13, 2026. The attached Written Decision is a summary of that approval.

### **Functional Impact of Authorizing**

Upon approval of the written decision, the ordinance found later in the agenda under “Unfinished Business” may be reviewed and upon its approval and publication the zone map shall be amended.

### **Functional Impact of Not Authorizing**

Should the written decision not be approved, then zone map amendment process shall stop, and direction shall be given to staff and/or applicant as to the next steps.

### **Fiscal Impact**

Properties will develop in accordance with the development standards of the zone designation.

### **Budget Funding Source / Transfer Request**

NA

Attachments:

City Council Written Decision



## WRITTEN DECISION

### RE: PZE-25-0102 Arts (King Sod) Zone Map Amendment Request

The application of **Justin & Heather Arts, 7037 W Bonnaire Loop, Coeur d'Alene, Idaho 83815**, requesting approval for a Zone Map Amendment on one lot, 1.73 acres in size, from Agricultural (A) to Light Industrial (LI) zones, consistent with the property's use and the adopted Future Land Use Map was **APPROVED by the City Council** as presented.

**CITY COUNCIL Motion January 13, 2026:** At the conclusion of the hearing, the City Council deliberated the proposal and Council President DePriest moved and Councilmember Roetter seconded the motion, to approve file PZE-25-0102 Arts (King Sod) Zone Map Amendment, finding the request **IS** in accord with the standards of Hayden City Code for a Zone Map Amendment, based upon testimony received, public and agency comments, the facts in the record and the Staff Analysis. All members of the Council present were in favor (Councilmember Erickson recused himself).

### FINDINGS:

#### Standards of Review and Evidence of Record (Findings) for Approval of a Zone Map Amendment

HCC §11-1-7 (E)(7)(a): The Commission shall consider the existing zoning district or regulations, and may recommend approval, conditional approval, modification, or denial of the proposal or the commission may defer action until the completion of such studies or plans as may be necessary to determine the advisability of the proposal.

*Staff: Based on the applicant's proposal and the existing and proposed uses, staff does not believe additional studies or plans are necessary.*

HCC §11-1-7 (E)(7)(b): The City Council may impose conditions upon rezoning where such conditions are required to ensure that proposed uses of the area are consistent with community needs and its public health, safety, and general welfare. The Planning and Zoning Commission may recommend conditions upon rezoning for the City Council's consideration.

*Staff: Based on the applicant's request, staff does not believe additional conditions are necessary.*

**PZC Hearing:**

*Applicant: Stormwater controls are in place as part of the site design and development. Traffic mitigation has already occurred as part of the West Lancaster Road and North Huetter Road round-about construction and the remaining frontage improvements shall be constructed with the completion of site development.*

**City Council Hearing:**

Councilmember Roetter questioned how the project site was able to get a septic permit. Donna Phillips, Community Development Director, noted that Panhandle Health District issues those permits and she would identify the applicant would make the request of PHD and then PHD would review in accordance with the requirements as they determined. Fonda Jovick, City Attorney added Panhandle Health District has jurisdiction authority to this permitted request. Mr. Arts identified the lot is less than 5 acres and this property was already broken into 1.73 acres prior to the 5-acre rule put in place.

HCC §11-1-7 (E)(7)(c): Amendment to the zoning map and zone text shall be in accordance with the Future Land Use Map and the goals and policies found in the Hayden Comprehensive Plan.

*Applicant: “The Comprehensive Plan supports diversifying the local economy, attracting jobs, and encouraging development that makes efficient use of existing infrastructure – all goals furthered by this rezone.”*

*See Staff Analysis pages 3 & 4.*

**PZC Hearing Deliberation:**

*Commissioner Morris identified that it is in conformance with the Comprehensive Plan, the Future Land Use Map, and it brings jobs to the community.*

**City Council Hearing:**

Councilmember Roetter identified the Huetter Bypass has been under consideration for a long time and asked how it was being considered in the business model. Mr. Arts identified that he has lived here since 1996 and believes that the bypass was in discussion about the same time. He identified that an exit onto Lancaster Avenue would be beneficial to his business with respect to traffic patterns. He also identified that should it go directly through the intersection, then they would be required to find an alternate location.

HCC §11-1-7 (E)(7)(d): Amendment to the zoning map and zone text shall align with the zone district’s purpose and intent.

*Applicant: “The intent of the Light Industrial (LI) zoning district is to provide space for low-impact industrial; manufacturing, distribution, and employment uses that are generally compatible with the surrounding uses. The King Sod property is well-suited to meet these objectives due to its size, access to transportation corridors, and proximity to other industrially zoned or development parcels. The rezone will allow the site to evolve in a way that meets the*

intent of the LI zone without introducing high-impact or incompatible uses typical of heavier industrial zoning districts.”

Staff: See Staff Analysis pages 5&6.

**PZC Hearing:**

Commissioner Erickson verified the King Sod business would remain on the location site and asked what that was anticipated to entail. Mr. Arts confirmed that for about 9-10 months a year King Sod sells sod to homeowners and landscapers alike. This sod would be trucked to the site and then distributed out to various locations. Christmas season is a tree lot for the season. In the wintertime, they sell salt deicer to landscapers which are really the economic base of the business year-round. Commissioner Erickson asked if they would be manufacturing on site. Mr. Arts stated the deicer would be made on site, but no other manufacturing.

**PZC Deliberation:**

Commissioner Erickson identified that this small parcel does not fit with the existing designation of Agriculture zone, and it hasn’t existed for a very long time.

HCC §11-1-7 (E)(7)(e): Amendment to the zone map and zone text shall be consistent with the neighborhood contexts.

Applicant: “The surrounding area is transitioning from rural/agricultural to light industrial and commercial uses. This zoning amendment reflects that evolving context and will help prevent land-use conflicts by allowing a more compatible transitional use in this area. Additionally, the LI designation acts as a buffer between more intensive industrial uses and remaining residential or agricultural parcels, helping to ensure long-term compatibility.”

Staff: See Staff Analysis page 6.

**PZC Hearing:**

Applicant: Because of its location north of a railroad line, and on the corner of two major roadways, it does fit the neighborhood context very well today and in the future.

**City Council Hearing:**

Councilmember Shafter noted the company address is in Rathdrum, and according to their website they deliver sod. How does this piece of land work into their business plan being off-site from the remainder of their property.

Mr. Arts responded that although the property is about 10 acres in size, the actual area used is about an acre and a half. They don’t grow sod on-site, but it facilitates customers’ ability to pick up sod and or the company to deliver it out to a specific area. Looking at the GIS map, he identified the property backs up to a parcel owned by the Missouri Improvement Company. Councilmember Shafer identified that he googled this company as he didn’t know anything about them. They focus on development and process for the hemp industry in the Western

United States. Mr. Arts identified that in talking with the railway employees there had been some talk about a transfer station in this location and that the property recently changed hands. Mr. Arts identified that the change in the property ownership has no effect on what they are planning on doing or the request here.

**Council Deliberations:**

Councilmember Roetter identified from a tax revenue perspective for the City the change from Agriculture to Light Industrial is a good change and for that reason he is in favor of the request.

Councilmember Shafer identified that while he was researching the request to look at the existing and future contexts, that he realized the quirkiness of the lot and the location makes perfect sense for these nodes which the councilmembers had been discussing with the Comprehensive Plan update. This is an appropriate revision to the zone.

Any applicant or affected person seeking judicial review of compliance with the provisions of Idaho Code Section §67-6535 and Hayden City Code §1-1-6 must first seek reconsideration of the final decision from the Hayden City Council within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought as identified in Hayden City Code §1-1-6(A) (1) (a-f).

The applicant has the right to request a regulatory taking analysis pursuant to Idaho Code Section §67-8003. Any affected person aggrieved by a final decision concerning matters identified in Idaho Code section §67-6521 (1) (a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinances seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

FINDINGS AND CONCLUSION APPROVED on the \_\_\_\_\_ day of January, 2026.

CITY OF HAYDEN, IDAHO

By: \_\_\_\_\_

Alan Davis, Mayor

ATTEST:

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Abbi Sanchez, City Clerk