

PLANNING & ZONING COMMISSION



Dennis Wilson
Commission Chair
P&Z@ci.moscow.id.us

Regular Meeting
~Agenda~

Michael Ray
Staff Liaison
208.883.7008

<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

Wednesday
May 27, 2026

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. **Approval of Minutes from May 13, 2026 (ACTION ITEM)**

PROPOSED ACTIONS: Approve minutes as presented; approve minutes with amendments; or provide Staff with further direction as deemed necessary.

2. **Public Comment**

Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

3. **Accessory Dwelling Unit (ADU) and Manufactured Home Code Amendments (ACTION ITEM)**

Senate Bill 1354a – Accessory Dwelling Units and House Bill 800 – Manufactured Homes are two bills that were signed in to law during the 2026 Idaho Legislative Session. There will need to be amendments made to Moscow City Code to bring the code into compliance with the new laws. Staff will present what is contained within each of the bills and then discuss proposed amendments to Moscow City Code.

PROPOSED ACTIONS: Review the proposed amendments to Moscow City Code and provide Staff with further direction as deemed necessary.

REPORTS

1. Transportation Commission meeting report.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting is scheduled for June 10, 2026.

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.

PLANNING & ZONING COMMISSION



Dennis Wilson
Commission Chair
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Regular Meeting
~Minutes~

Mike Ray
Staff Liaison
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<https://www.ci.moscow.id.us/457/Planning-Zoning-Commission>

Wednesday
May 13, 2026

7:00 PM

Council Chambers
206 E. Third Street

Wilson called the meeting to order at 6:59 PM

MEMBERS PRESENT: Dennis Wilson, Chair; Scott Gropp, Joel Hamilton, Cole Mize, Nels Reese, Sue Scott, Victoria Seever
MEMBERS ABSENT: Rich Beebe
OTHERS: Sage McCetich
STAFF: Jennifer Fleischman, Mike Ray, Nichol Baird Spencer

REGULAR AGENDA

1. Approval of Minutes from April 22, 2026 (ACTION ITEM)

Scott moved for approval of the minutes as written, seconded by Seever. Roll Call Vote; Ayes: Gropp, Mize, Reese, Scott, Seever, Wilson (6). Nays: None. Abstentions: Hamilton (1). Motion carried.

2. Public Comment

Time limit 15 minutes. Members of the Public may speak to the Commission regarding matters NOT on the Agenda nor currently pending before the Planning and Zoning Commission. Please state your name and resident city for the record and limit your remarks to three (3) minutes.

Leah Latta, Moscow, talked to the Commission about the possibility of making changes to the Central Business Zoning District, specifically on what uses are permitted by right. She was also concerned about Conditional Use Permits approved in perpetuity and whether that could be changed, especially in the downtown area. She then had questions about noise ordinances for air space over Moscow.

3. Public Hearing: Legislative Hearing Providing for the Amendment of Title 4, Chapters 1, 3, 4, and 6 of Moscow City Code Regarding Amendments to Single-Family Dwellings, Two-Family Dwellings, and Bed and Breakfast Inns (ACTION ITEM)

Over the past few years, the Community Development Department has received construction plans for duplex dwellings which have continued to evolve into multiple individual dwelling units intended to be rented as separate dwelling units and function as multiple family dwelling units. These two-family dwellings appear to be intentionally designed to avoid life safety, ADA accessibility, and off-street parking that would otherwise be required for multiple family dwelling units to protect the safety and welfare of the occupants of multi-family dwellings and mitigate the impacts of the use on the surrounding neighborhood. Staff recognize that there is a need for additional housing within the City, but the need to protect the safety of the residents of these two-family dwellings and mitigate the impact upon adjacent properties requires greater regulation. Therefore, staff proposes some code amendments for the Commission's consideration that will clarify existing definitions and apply some multi-family requirements to more than one single- or two-family dwelling upon a single lot.

Ray presented the proposed Code Amendment as described above, and recommended the Commission approve and put before City Council. There will be more proposed Code Amendments brought before the

Commission over the next year to address changes required from the Idaho Legislation’s recent bills.

Public Hearing opened at 7:19 PM

John Slagboom, Moscow, opposed the proposed ordinance on the grounds that it would make housing development more difficult. He encouraged the Commission to reduce the Zoning and Building Code as much as possible to allow for more cost savings and flexibility for developers.

Brad Covington, Moscow, spoke against the proposed code amendment because of his concerns that it would drive community residents to make unsafe living condition choices.

Public Hearing closed at 7:25 PM

The Commission had a discussion about the careful balance of maintaining a minimal Zoning Code that also prioritizes the life-safety of Moscow citizens. The Commissioners continued to talk about the flexibility of housing density, parking requirement impacts, and the definition of a bedroom according to the Building Code. There was a conversation about changes in development standards as the City grows and that the Commission needs to continue to strive to make code amendments for the good of the community as a whole.

Seever moved to recommend approval of the proposed Code Amendment for Single-Family Dwellings, Two-Family Dwellings, and Bed and Breakfast Inns, as written. The motion was seconded by Gropp. Roll Call Vote; Ayes: Unanimous (7). Nays: None. Abstentions: None. Motion Carried.

REPORTS

1. Transportation Commission meeting report.

The next meeting of the Transportation Commission is scheduled for Thursday, May 14, 2026. There will be a discussion about Farmers Market tabling dates and a Right-of-Way Vacation request to review.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Planning & Zoning Commission regular meeting is scheduled for May 27, 2026.

The meeting was adjourned at 7:41 PM

Dennis Wilson, Chair

Date

IN THE SENATE

SENATE BILL NO. 1354, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ACCESSORY DWELLING UNITS; AMENDING SECTION 55-3212, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCESSORY DWELLING UNITS AND TO REMOVE A DEFINITION; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6541, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ACCESSORY DWELLING UNITS 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 Section 55-3212, Idaho Code, be, and the same is hereby amended to read as follows:

55-3212. INTERNAL PROHIBITED CONDUCT -- RESTRICTIONS ON ACCESSORY DWELLING UNITS. (1) ~~No covenant, condition, or restriction may be added, amended, or enforced by a homeowner's association or any other parties in such a way that strictly prohibits internal accessory dwelling units, as defined in subsection (3) of this section. The provisions of this section shall not be construed to protect more than one (1) internal accessory dwelling unit per homestead. No homeowner's association shall add, amend, or enforce any covenant, condition, or restriction in such a way that limits or prohibits accessory dwelling units, as defined in section 67-6541, Idaho Code, on any property, land, or structure thereon within the jurisdiction of a homeowner's association, unless the owner of the affected property expressly agrees in writing to such addition or amendment of a covenant, condition, or restriction. Nothing in this section shall be construed to prevent the enforcement of valid covenants, conditions, or restrictions limiting or prohibiting a property owner's right to transfer an interest in land or the structures thereon where such covenant, condition, or restriction existed and applied to the property at the time the property owner acquired an interest in the property.~~

(2) Notwithstanding the prohibitions provided in subsection (1) of this section, a homeowner's association may adopt reasonable rules governing the use of ~~internal~~ accessory dwelling units otherwise allowed by law, including but not limited to architectural design consistent with the primary dwelling, size limits, height limits, setback requirements, open space requirements, parking controls, and bedroom requirements.

~~(3) (a) An "internal accessory dwelling unit" means a self-contained living unit that:~~

~~(i) Includes its own cooking, sleeping, and sanitation facilities;~~

~~(ii) Is located within a detached, owner-occupied homestead, as defined in section 63-701, Idaho Code, or such homestead's attached or detached garage; and~~

1 ~~(iii) Is used for the purpose of housing relatives of the owner of~~
 2 ~~the homestead or for the purpose of renting to a residential tenant~~
 3 ~~for a period exceeding thirty (30) days.~~

4 ~~(b) An internal accessory dwelling unit does not include an alternative~~
 5 ~~detached structure, motor home, camper, recreational vehicle, tiny~~
 6 ~~home on wheels, or other such similar dwellings on wheels.~~

7 ~~(4)~~ (3) Nothing in this section shall be construed to restrict a home-
 8 owner's association from adopting a less restrictive definition of acces-
 9 sory dwelling units.

10 ~~(5)~~ (4) The provisions of this section do not apply to any rentals de-
 11 fined in section 63-1803(4), Idaho Code.

12 SECTION 2. That Chapter 65, Title 67, Idaho Code, be, and the same is
 13 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 14 ignated as Section 67-6541, Idaho Code, and to read as follows:

15 67-6541. ACCESSORY DWELLING UNITS. (1) No city shall enact or enforce
 16 any ordinance, rule, regulation, or policy that bans accessory dwelling
 17 units in any residential zoning area within its jurisdiction. An accessory
 18 dwelling unit shall be classified as a residential land use for zoning pur-
 19 poses subject to all applicable zoning requirements. "Accessory dwelling
 20 unit" means a self-contained living unit that includes its own cooking,
 21 sleeping, and sanitation facilities and that is located on the same lot as a
 22 single-family primary dwelling. An accessory dwelling unit may be internal,
 23 attached, or detached but does not include a motorhome, camper, recreational
 24 vehicle, tiny home on wheels, or other such similar dwellings on wheels.

25 (2) By February 1, 2027, by resolution or ordinance adopted, amended,
 26 or repealed in accordance with the notice and hearing procedures provided
 27 under section 67-6509, Idaho Code, each city governing board shall amend its
 28 comprehensive plan and land use regulations for all land zoned for single-
 29 family residential uses, except for lands falling within an area defined as a
 30 historic district under section 67-4607, Idaho Code, or designated as a his-
 31 toric property pursuant to section 67-4614, Idaho Code, to:

32 (a) Allow for either one (1) internal accessory dwelling unit within
 33 the single-family dwelling or one (1) detached accessory dwelling unit
 34 per lot in the rear yard or subject to setbacks required of the primary
 35 dwelling;

36 (b) Prohibit requiring any off-street parking or guest parking for any
 37 accessory dwelling unit unless the principal dwelling unit does not
 38 have off-street parking or the street is not paved and designed or con-
 39 structed for on-street parking or unless the principal dwelling unit is
 40 within one-fourth (1/4) mile of transit, an employment area, or commer-
 41 cial services;

42 (c) Prohibit imposing impact fees or utility connection fees on acces-
 43 sory dwelling units that are greater than those imposed on other sin-
 44 gle-family dwellings;

45 (d) Prohibit limiting the size of an accessory dwelling unit to less
 46 than one thousand (1000) square feet or seventy-five percent (75%) of
 47 the size of the primary dwelling;

48 (e) Prohibit an owner-occupancy requirement for the primary dwelling
 49 or for the accessory dwelling unit;

1 (f) Prohibit imposing a limit on building height that is less than the
2 height of an existing single-family primary dwelling on a lot; and

3 (g) Prohibit restrictions for accessory dwelling units that are more
4 restrictive than restrictions for single-family dwellings within the
5 same zoning district with regard to setbacks, lot size, or coverage or
6 building frontage.

7 (3) Accessory dwelling unit projects that meet the jurisdiction's es-
8 tablished land use requirements shall be approved administratively and as a
9 matter of right, without the need for discretionary approval.

10 (4) Any approval standards, special conditions, and procedures for ap-
11 proval adopted by a local government shall be clear and objective and shall
12 not have the effect, either singularly or cumulatively, of discouraging the
13 development of accessory dwelling units through unreasonable cost or delay.

14 (5) Nothing in this section shall prohibit a city from enacting a reg-
15 ulation, standard, or condition that is less restrictive than the require-
16 ments of this section.

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

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

21 (a) Building codes, fire safety standards, and flood plain regula-
22 tions;

23 (b) Laws regarding water, sewer, storm drainage, road access, and util-
24 ity services necessary to support the required density;

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

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

29 SECTION 3. SEVERABILITY. The provisions of this act are hereby declared
30 to be severable and if any provision of this act or the application of such
31 provision to any person or circumstance is declared invalid for any reason,
32 such declaration shall not affect the validity of the remaining portions of
33 this act.

34 SECTION 4. An emergency existing therefor, which emergency is hereby
35 declared to exist, this act shall be in full force and effect on and after
36 July 1, 2026.

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 800

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO MANUFACTURED HOMES; AMENDING SECTION 39-4105, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6509A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SITING OF MANUFACTURED HOMES IN RESIDENTIAL AREAS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 39-4105, Idaho Code, be, and the same is hereby amended to read as follows:

39-4105. DEFINITIONS. As used in this chapter, the terms defined in this section shall have the following meanings, unless the context clearly indicates another meaning. Where terms are not defined in this chapter and are defined in the currently adopted ~~International Building Code~~ international building code published by the ~~International Code Council~~ international code council, such terms shall have the meanings ascribed to them in that code:

(1) "Administrator" means the administrator of the division of occupational and professional licenses for the state of Idaho.

(2) "Board" means the Idaho building code board, herein created.

(3) "Building inspector" means a person who inspects buildings or structures for compliance with the provisions of this chapter.

(4) "Construction" means the erection, fabrication, reconstruction, demolition, alteration, conversion, or repair of a building or the installation of equipment therein normally a part of the structure.

(5) "Division" means the state of Idaho division of occupational and professional licenses.

(6) "~~International Fire Code~~ international fire code" means the ~~International Fire Code~~ international fire code as published by the ~~International Code Council~~ international code council.

(7) "Local government" means any city or county of this state.

(8) "Manufactured home" means a structure, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one (1) or more sections, ~~which that~~, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and ~~which that~~ is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure ~~which that~~ meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the

1 secretary of housing and urban development and complies with the standards
 2 established under 42 U.S.C. 5401 et seq. Manufactured homes include multidwelling unit manufactured homes that are constructed in accordance with the
 3 HUD manufactured home construction and safety standards.

4
 5 (9) "Mobile home" means a factory-assembled structure or structures
 6 generally constructed prior to June 15, 1976, and equipped with the neces-
 7 sary service connections and made so as to be readily movable as a unit or
 8 units on their own running gear and designed to be used as a dwelling unit or
 9 units with or without a permanent foundation.

10 (10) "Telecommunications facilities" means all wires, cables, equip-
 11 ment, apparatus or other installations necessary to furnish service, by
 12 which there is accomplished or may be accomplished the sending or receiving
 13 of information, data, message writing signs, signals, pictures, and sounds
 14 of all kinds, by aid of such wires, cables, equipment, apparatus or other
 15 installations, but shall not include the habitable structure in which such
 16 telecommunications facilities are housed.

17 SECTION 2. That Section 67-6509A, Idaho Code, be, and the same is hereby
 18 amended to read as follows:

19 67-6509A. SITING OF MANUFACTURED HOMES IN RESIDENTIAL AREAS -- PLAN
 20 TO BE AMENDED. (1) By resolution or ordinance adopted, amended, or repealed
 21 in accordance with the notice and hearing procedures provided under section
 22 67-6509, Idaho Code, each governing board shall amend its comprehensive plan
 23 and land use regulations for all land zoned for single-family residential
 24 uses, except for lands falling within an area defined as a historic district
 25 under section 67-4607, Idaho Code, to allow for siting of manufactured homes
 26 as defined in section 39-4105, Idaho Code. For purposes of siting, a manu-
 27 factured home consisting of a single dwelling unit may be sited on lots where
 28 single-family dwellings are allowed. A multidwelling unit manufactured
 29 home may be sited only in areas where multifamily dwellings are allowed.

30 (2) Manufactured homes on individual lots zoned for single-family res-
 31 idential uses as provided in subsection (1) of this section shall be in ad-
 32 dition to manufactured homes on lots within designated mobile home parks or
 33 manufactured home subdivisions.

34 (3) This section shall not be construed as abrogating a recorded re-
 35 strictive covenant.

36 (4) A governing board may adopt any or all of the following placement
 37 standards, or any less restrictive standards, for the approval of manufac-
 38 tured homes located outside mobile home parks:

39 (a) The manufactured home ~~shall be~~ may be either a single section or
 40 multisectional and shall enclose a space of not less than one thousand
 41 (1,000) square feet at least four hundred (400) square feet for a single
 42 section or eight hundred (800) square feet for a multisectional manu-
 43 factured home;

44 (b) The manufactured home shall be placed on an excavated and back-
 45 filled foundation and enclosed at the perimeter such that the home is
 46 located not more than twelve (12) inches above grade, except when placed
 47 on a basement foundation;

1 (c) The manufactured home shall have a pitched roof, except that no
2 standards shall require a slope of greater than a nominal three (3) feet
3 in height for each twelve (12) feet in width;

4 (d) The manufactured home shall have exterior siding and roofing which
5 in color, material, and appearance is similar to the exterior siding and
6 roofing material commonly used on residential dwellings within the com-
7 munity or which is comparable to the predominant materials used on sur-
8 rounding dwellings as determined by the local permit approval author-
9 ity;

10 (e) The manufactured home shall have a garage or carport constructed of
11 like materials if zoning ordinances would require a newly constructed
12 nonmanufactured home to have a garage or carport;

13 (f) In addition to the provisions of paragraphs (a) through (e) of this
14 subsection, a city or county may subject a manufactured home and the lot
15 ~~upon~~ on which it is sited to any development standard, architectural re-
16 quirement, and minimum size requirements to which a conventional sin-
17 gle-family residential dwelling on the same lot would be subjected.

18 (5) Any approval standards, special conditions and the procedures for
19 approval adopted by a local government shall be clear and objective and shall
20 not have the effect, either in themselves or cumulatively, of discouraging
21 needed housing through unreasonable cost or delay.

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