

IN THE SENATE

SENATE BILL NO. 1353

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO HOUSING; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDI-
2 TION OF A NEW SECTION 67-6541, IDAHO CODE, TO ESTABLISH PROVISIONS RE-
3 GARDING TWIN HOMES AND DUPLEXES AND TO DEFINE A TERM; PROVIDING SEVER-
4 ABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

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

10 67-6541. TWIN HOMES AND DUPLEXES. (1) No city shall enact or enforce
11 any ordinance within its jurisdiction that bans twin homes or duplexes in any
12 residential zoning area where single-family dwellings are permitted. "Twin
13 home" means a residential building that consists of two (2) separate living
14 units that share a wall but where each unit is independently owned and main-
15 tained.

16 (2) By October 1, 2026, by resolution or ordinance adopted, amended, or
17 repealed in accordance with the notice and hearing procedures provided pur-
18 suant to section 67-6509, Idaho Code, each city governing board shall amend
19 its comprehensive plan and land use regulations for all land zoned for sin-
20 gle-family residential uses, except for lands falling within an area defined
21 as a historic district under section 67-4607, Idaho Code, to:

22 (a) Permit the development of twin homes and duplexes on any lot where a
23 detached single-family dwelling is permitted;

24 (b) Prohibit imposing minimum lot size requirements that would effec-
25 tively prohibit twin homes or duplexes on a lot where a detached sin-
26 gle-family dwelling is permitted;

27 (c) Prohibit requiring more than one (1) off-street parking space per
28 dwelling unit; and

29 (d) Prohibit imposing impact fees or utility connection fees on twin
30 homes or duplexes by unit that are greater than those imposed on sin-
31 gle-family dwellings.

32 (3) Twin home or duplex projects that meet the jurisdiction's estab-
33 lished land use requirements shall be approved administratively and as a
34 matter of right, without the need for discretionary approval, in the same
35 manner as a single-family dwelling.

36 (4) Any approval standards, special conditions, and procedures for ap-
37 proval adopted by a local government shall be clear and objective and shall
38 not have the effect, either singularly or cumulatively, of discouraging the
39 development of twin homes or duplexes through unreasonable cost or delay.
40 Such standards shall not be more restrictive than those applicable to de-
41 tached single-family dwellings.

1 (5) The provisions of this section shall apply only to cities with a
2 population greater than five thousand (5,000).

3 SECTION 2. SEVERABILITY. The provisions of this act are hereby declared
4 to be severable and if any provision of this act or the application of such
5 provision to any person or circumstance is declared invalid for any reason,
6 such declaration shall not affect the validity of the remaining portions of
7 this act.

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