

Moved by Toews

Seconded by Den Hartog

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1353

AMENDMENT TO SECTION 1

1  
2 On page 1 of the printed bill, in line 12, delete "area" and insert: "dis-  
3 trict"; in line 15, following "tained" insert: "and where each owner owns  
4 the underlying land in fee simple ownership"; in line 16, delete "October 1,  
5 2026" and insert: "February 1, 2027"; in line 21, following "Code," insert:  
6 "or designated as a historic property pursuant to section 67-4614, Idaho  
7 Code,"; in line 28, following "unit" insert: ", provided that the lot is on  
8 a street that is paved and designed or constructed for on-street parking or  
9 is within one-fourth (1/4) mile of transit, an available designated parking  
10 area, an employment area, or commercial services"; and in line 35, following  
11 "dwelling" insert: ", provided that there are no infrastructure constraints  
12 or emergency access or international fire code conflicts. Cities may re-  
13 quire minimum lot frontage of twenty-five (25) to thirty (30) feet to allow  
14 for utility connections spacing requirements, to accommodate off-street  
15 parking, if provided, and to allow increased setbacks if on-street snow  
16 storage is impractical due to road width. Cities may impose objective maxi-  
17 mum impervious coverage ratios and on-site stormwater retention standards".

18 On page 2, in line 2, delete "five thousand (5,000)" and insert: "ten  
19 thousand (10,000)"; and following line 2, insert:

20 "(6) Nothing in this section shall prohibit a city from enacting reg-  
21 ulations, standards, or conditions that are less restrictive than the re-  
22 quirements of this section.

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

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

27 (b) Laws regarding water, sewer, storm drainage, road access, roadway  
28 classification or conditions, infrastructure capacity constraints,  
29 and utility services necessary to support the required density;

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

32 (d) Laws and regulations regarding setback requirements for rights-of-  
33 way and easements."