

Planning and Zoning Commission



August 19, 2020

Hearing Procedures



Overview

Applicant Presentation

Staff Report

Testimony in Favor-Neutral-Opposed

- Please utilize the “raise your hand” (found in participants) feature if you wish to provide testimony. When you are called on by the Chairman please state and spell your name for the record.
- If you have an exhibit, you wish to share please utilize the “Share Screen” (green button). Please also make sure to send it to planning@gardencityidaho.org as a record document.
- 3 minute limited unless a spokesperson (15 minutes)
- Testimony should directly address the subject at hand
- Should not be repetitious
- Not be personally derogatory

Rebuttal from applicant

Close of hearing

Discussion and recommendation



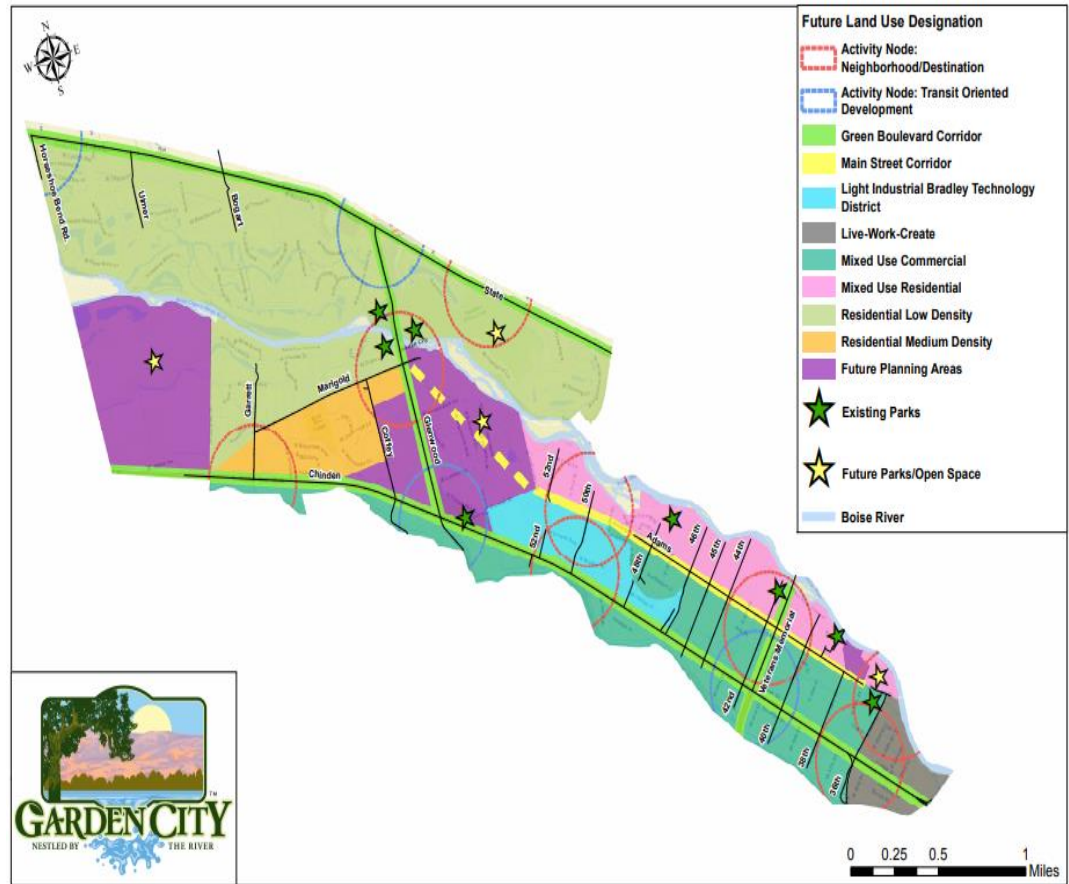
Planning and Zoning Commission Public Hearing: Recommendation

File No. CPAFY2020-0005

Applicant: Robert Taunton for
Glass Creek, LLC

Location: City Wide

Project Synopsis:
Development Code Amendment
to GCC 8-6B-6 Specific Area
Plan and supportive code



August 19, 2020

Intent of Change

- Maintain purpose of Specific Area Plan
- Specific Area Plan code to be more user friendly and more predictable
- Recognize SAP as a tool for Garden City Comprehensive Plan Future Land Use Designations Transit Oriented Development Nodes, Neighborhood and Destination Centers Activity Nodes, and Future Planning Areas

Current Deficiencies

1. There is not a current base zoning district that specifically intends to implement the Comprehensive Plan future land designations of Transit Oriented Development Nodes, Neighborhood and Destination Centers Activity Nodes, and Future Planning Areas.
2. Required preapplication meeting with the Planning and Zoning Commission can create bias.
3. Lack of an applicant-initiated Development Agreement may lead to fragmented development where portions of a SAP are implemented on some of the properties and other properties do not adhere to the plan. This increases uncertainties for those investing in components of a plan as well as the community overall.

Synopsis of Proposed Changes

- 1) Purpose statement stays consistent: Provide a framework for large phased development
- 2) The Specific Area Plan would become a base zoning district.
 - a) DA & recording are unnecessary
 - b) Establishes criteria for the adoption of an ordinance/master plan and rezone
 - c) Establishes criteria for the implementation an adopted ordinance/master plan
- 3) Refines suggested areas to Comprehensive Plan future land designations of Neighborhood Destination Center, Transit Oriented Development Node, and Future Planning Areas.
- 4) Currently an SAP is required of any development of 10 acres or greater. This proposal removes this requirement and establishes 10 acres as the minimum unless the planning official deems the lesser acreage is appropriate.
- 5) Amendment procedures are refined to either follow the design review procedures or code amendment procedures as established by Garden City Code.

The following sections of code are requested to be amended to support the proposed changes to Garden City Code 8-6B-6 Specific Area Plan as a base code:

- 1) TABLE 8-2A-1 Base Zoning Districts Established
- 2) 8-2B-1 Purpose
- 3) 8-2B-2 Allowed Uses
- 4) 8-6A-4, Table 8-6A-2 Required Application Information- proposes additional application information to parallel what is required of a zoning map amendment (rezone).
- 5) 8-6A-7, Table 8-6A-3 Public Noticing Requirements- proposes additional noticing. The noticing will include a neighborhood meeting, radius notice, legal advertisement, on-site posting, agency referral, and public service announcement.
- 6) 8-7A-2 Definition of Terms

Process

Current SAP

- Site specific approvals of a master plan- public hearing with specific neighborhood notified
- This Code Amendment Proposal to the SAP is a precursor: It is changing the enabling legislation of a SAP to be a zoning ordinance with a master plan.

Future SAP Proposals (if ordinance is amended)

- Step 1: Application: Develop a Master Plan and ordinance and rezone properties plan- public hearing with specific neighborhood notified
- Step 2: Implementation
 - Uses that are conditional will still go through CUP
 - Redevelopment will still trigger DR
 - Subdivisions will still go through hearing process
- Step 3: Amendment if necessary
 - Code Amendment
 - Design Review

Similarly Functioning Codes

- Ada County
 - [Avimor](#) overlay February 10, 2010
 - [Cartwright Ranch](#) overlay February 10, 2010
 - [Dry Creek Ranch](#) overlay February 10, 2010
 - [Hidden Springs](#) planned community March 12, 1997
- City of Boise
 - [Barber Valley](#) August 23, 2002
 - [Harris Ranch](#) December 11, 2007
 - [Syringa Valley](#) 2016

Evaluation

- **Assurances for Investors and Public**
- **Specific Area Plan Purpose**
- **Flexibility**
- **Public Awareness**

- **Application and Enforcement**
- **Specific Area Components**
- **Conflicts and Omissions**
- **Proposed Administration**
- **Changes to Size**

Public Testimony

- Wendy Carver Herbert
 - Noticing
 - Application requirements table updated
 - Application requirements should be akin to PUD
- Andrea Fogelman
 - Better define language used in purpose
 - Align application requirements to be akin to a PUD
 - Signage in neighborhoods; conspicuous locations; table should specify who prepares notice
 - Change the word “may” in purpose statement to “shall” in purpose
 - Each SAP includes its own non-transferable set of zoning regulations. The regulations **may** include design guidelines, site plan, infrastructure plan, phasing plan and other elements. The type of uses, form standards, location and amount of development, and design criteria for a property shall be established by adopting the SAP into the Development Code by Specific Area Plan Ordinance (SAPO), which then becomes the Specific Area Plan District (SAPD) for the particular property
 - Comprehensive Plan clarity of nodes
 - The area should be administered under one SAP
 - General provision #3; why would there be a conflict?
 - #4 and C “will” to “shall” in components
 - The SAP **should** be comprehensive enough to adequately guide the development or redevelopment of a property to achieve the vision of the SAP.
 - The SAP **should** adhere to the general design standards concepts in Garden City Code specifically related to the development interface with street and public realms and street trees.
 - Required findings= qualified immunity
- Hollar
 - Transparency concerns
 - Undermine Comprehensive Plan

Late Exhibits

Resolution 1053-18

- Public Testimony Fogelman: 8-14-2020
- Public Testimony Hollar: 8-17-2020

Comprehensive Plan

Most notably applies to the future land use designations of the Comprehensive Plan:

- Activity Node: Neighborhood Destination

- Activity Node: Transit Oriented Development

- Future Planning Area

However, the proposal could be utilized elsewhere if there is a large phased project proposed that could benefit from this tool.

Comprehensive Plan's Objectives:

- 2.1.4 Explore the opportunities to create distinctive neighborhoods

- 2.3.6 Promote good design

- 2.4.5 Improve the City 's gateways

 - Develop a vision for a city center or multiple centers including the Expo Idaho site

 - Partner with Ada County to implement the vision for the Expo Idaho site

- 3.1.4 Transform the Expo Idaho site to an urban center for the city

- 5.4.1 Evaluate creating a more urban setting along portions of the Boise River

 - Develop master plans

 - Focus on neighborhoods of rapid change and regeneration

- 10.4.1 Amend the Development Code for TOD's

- 10.4.5 Amend the Development Code for destination and neighborhood centers

- 10.4.6 Transition development to be compatible with the existing surroundings

Design Review Committee Recommendation

1. Specific Area Plan Components #4 shall read “shall” rather than “should”, thus: “The SAP shall be comprehensive enough to adequately guide the development or redevelopment of a property to achieve the vision of the SAP”
2. Additional language shall be added to include a statement that the following components may be different than in code, but need to be addressed, ~~or they will otherwise default to Garden City Code:~~ Design criteria shall repeat the standards of Garden City Code 8-4 into the Specific Area Plan if there is no proposal that would contradict that regulation.
 1. Parking and off-street loading provisions required number and allowable sizes; and
 2. Design criteria including but not limited to:
~~3. Structural design~~ Architectural guidelines;
 4. Transportation and connectivity;
 5. Sign provisions;
 6. Landscaping and tree protection; and
 7. Open space
3. Additional language shall be added to clarify that an omission of criteria found elsewhere in code is not considered a conflict.
 - General provision #3 “All development within an SAP site shall be regulated by applicable provisions of this title and other code provisions of this title and other code provisions in effect at the time that the SAP application is submitted and certified as complete”

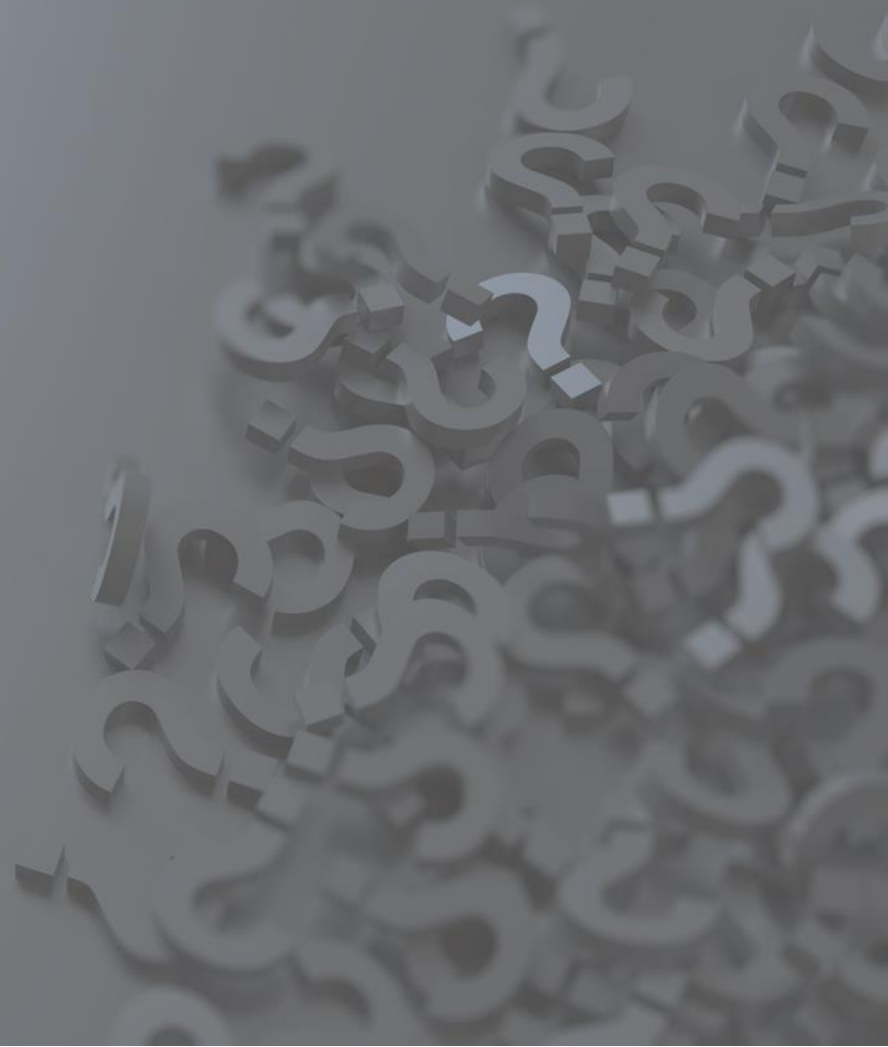
Conclusion of Law GCC

8-6B-5 – Development Code Amendment Findings

1. The text amendment complies with the applicable provisions of the comprehensive plan;
2. The text amendment shall not be materially detrimental to the public health, safety, and welfare; and
3. The text amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.

Potential Actions

- Option A: Recommend approval as presented with findings in the affirmative and with draft conditions
- Option B: Recommend approval with findings in the affirmative and with draft conditions and as amended
- Option C: Continue item to a date certain for more information
- Option D: Recommend denial of the application



Discussion and Questions