

BEFORE THE CITY COUNCIL  
GARDEN CITY, ADA COUNTY, IDAHO

This is not intended to be a predetermined decision. The draft is based on the previous hearing. This draft may change depending on the conclusions of law and decision that the City Council determines. This document will be updated based on the hearing.

In the Matter of:	)	CPAFY2018-6
	)	
Development Code Flood Hazard	)	FINDINGS OF FACT,
Text Amendment and Map Adoption	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
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THIS MATTER came before the Garden City, City Council for consideration on June 8, 2020 for a secondary hearing. The City Council reviewed the application and materials submitted. Based on the evidence presented, pursuant to Garden City Code Table 8-6A-1, the City Council makes the following Findings of Fact, Conclusions of Law and Decision:

**FINDINGS OF FACT**

1. The applicant is the City.
2. The application is to repeal and replace Garden City Flood Hazard Ordinance and adopt revised Flood Insurance Rate Maps.
3. Neighborhood meetings were held on March 3, and 11, 2020.
4. On February 21, 2020, a public service announcement was sent, interested parties, and notice was posted at the Garden City Hall, Garden City Police Department, and Garden City Library.
5. A direct mailer was sent to all properties that are in the 100-year floodplain or floodway in the 2003 FIRM and in the 2017 draft working maps on February 21, 2020.
6. An agency notice was sent on February 24, 2020 and written comments were received from:
  - a. Idaho Department of Water Resources
  - b. FEMA
  - c. Garden City Engineer
7. Notification was posted on the Garden City website, Facebook, Next Door, and on the Chamber website on or before February 20, 2020.
8. A legal notice was published in the Idaho Statesman on February 24, 2020.

9. On April 15, 2020 and on April 20, 2020 the Planning and Zoning Commission and Design Review Committee, respectively, recommended approval of the ordinance changes and map adoption.
10. During the City Council meeting on May 11, 2020:
  - a. Staff members Jenah Thornborrow and Charles Wadams represented the proposed amendments.
  - b. Public testimony was given by Hannah Ball and Geoffrey Wardle.
  - c. The Council approved the ordinance first reading due to time constraints. Staff was directed to resolve the issues identified in the comments received by Idaho Department of Water Resources and Federal Emergency Management Agency on May 8, 2020. Council further directed a second hearing to be scheduled for June 8, 2020.
11. A Public Services Announcement was provided for the June 8, 2020 hearing to media and notice was posted at the Garden City Hall, Garden City Police Department, and Garden City Library on May 14, 2020.
12. A legal advertisement was run in the Idaho Statesman on May 18, 2020 for the June 8, 2020 hearing.
13. To be completed after hearing During the City Council meeting on June 8, 2020:
  - a. Staff member Charles Wadams represented the proposed amendments.
  - b. Public testimony was given by XXX.
  - c. The Council XXX.
14. The record contains:
  - a. Staff Report;
  - b. Agency Comments;
  - c. Public Comments;
  - d. Design Review Committee record documents.
  - e. Planning and Zoning Commission record documents.
  - f. May 11, 2020 City Council record documents.
  - g. City Council minutes.

## CONCLUSIONS OF LAW

The City Council reviewed the application with regard to Garden City Code, Title 8, Chapter 4, and based on the conditions required herein, concludes the application meets the standards of approval under GCC 8-6B-5 Development Code Amendment:

**1. The text amendment complies with the applicable provisions of the comprehensive plan;**

*The text amendment is in compliance with the Garden City Comprehensive Plan.*

**2. The text amendment shall not be materially detrimental to the public health, safety, and welfare; and**

*There is no evidence text amendment will be detrimental to the public health, safety, and welfare of the community. Not adopting the amendments would put the City at risk as this is a requirement of FEMA.*

**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.**

*The text amendment does not adversely affect the ability to provide public services within the city.*

## DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the City Council hereby does **APPROVE** the application, subject to the following conditions:

1. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

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**Mayor, John G. Evans**

**Date**