

BEFORE THE PLANNING AND ZONING COMMISSION  
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:	)	CPAFY2019-2
	)	
Development Code General Administration)	)	FINDINGS OF FACT,
Text Amendment	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
_____	)	

THIS MATTER came before the Garden City Planning and Zoning Commission for consideration on April 17, 2019. The Planning and Zoning Commission reviewed the application and materials submitted. Based on the evidence presented, pursuant to Garden City Code Table 8-6A-1, the Planning and Zoning Commission makes the following Findings of Fact, Conclusions of Law and Decision:

**FINDINGS OF FACT**

1. The applicant is the City.
2. The application is for a code amendment to Garden City Code Title 8, General Administration, and Chapter 6.
3. A neighborhood meeting was held on March 4, 2019.
4. On March 25, 2019 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 copy of the application was transmitted to affected public agencies on March 25, 2019 and written comments were received from:
  - a. Idaho Transportation Department.
6. A legal notice was published in the Idaho Statesman on March 29, 2019.
7. During the Planning and Zoning Commission meeting on April 17, 2019:
  - a. Staff member Jenah Thornborrow represented the proposed amendments.
  - b. No member of the public was present.
  - c. The Commission made the following recommendations to be included in the code changes:
    - i. XXX.
  - d. The Commission unanimously recommended approval with the draft changes noted.
8. The record contains:
  - a. Staff Report;
  - b. Agency Comments;
  - c. Public Comments (none provided);
  - d. Planning and Zoning Commission Findings of Fact, Conclusions of Law and Decision;
  - e. Planning and Zoning Commission Minutes.

## CONCLUSIONS OF LAW

The Planning and Zoning Commission 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.*

**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 Planning and Zoning Commission hereby **RECOMMENDS APPROVAL** of 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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Chair, Charles Kennedy

Date