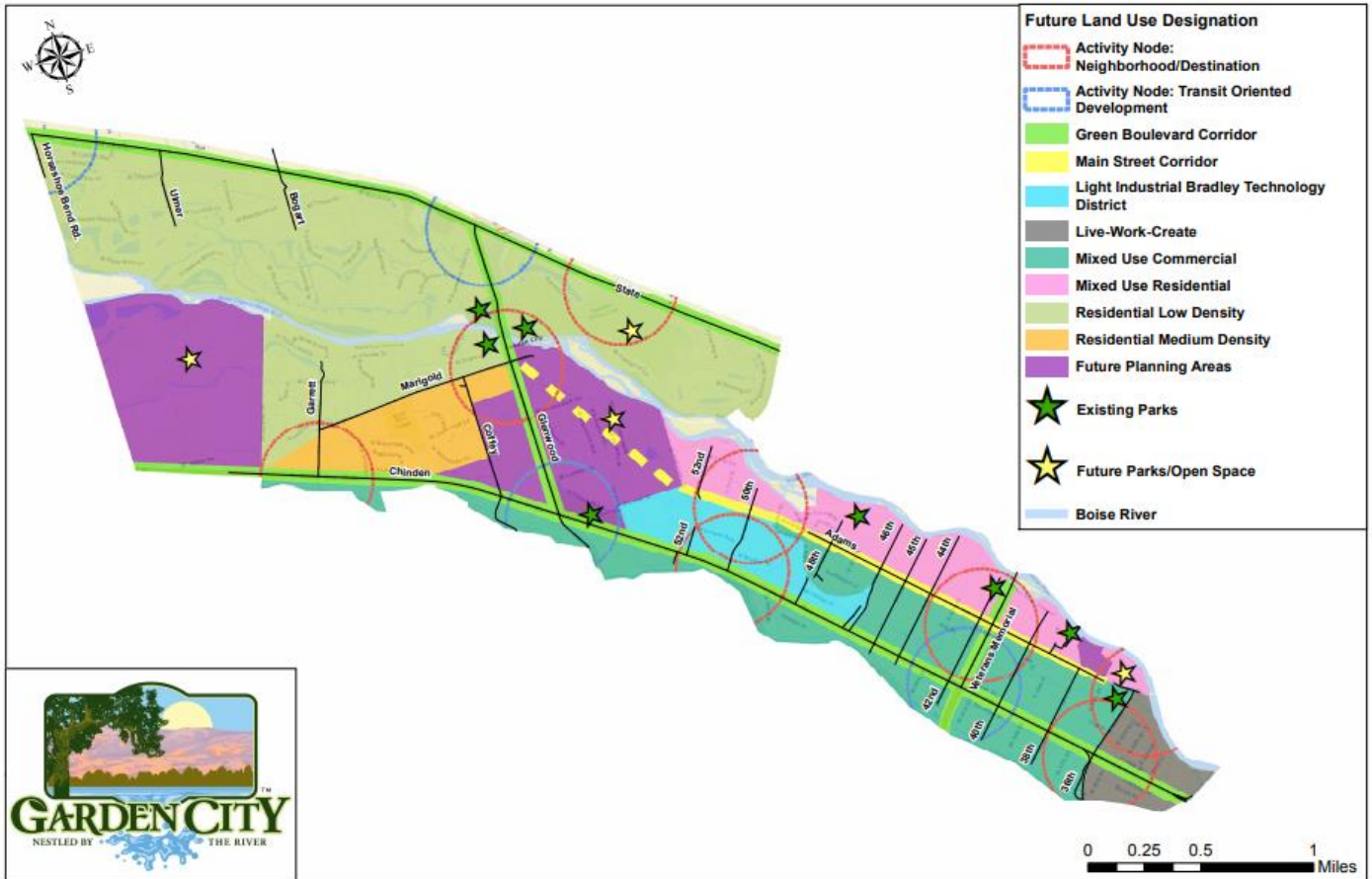




# CITY OF GARDEN CITY

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**File Number:** CPAFY2022-0006  
**For:** Development Code - Parking  
**Applicant:** Garden City  
**Report Date:** June 12, 2023



Staff Report  
 Report prepared by Jenah Thornborrow

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## A. Updates and Information Based on the City Council Meeting on the May City Council Meetings

There are two draft ordinances that are provided in the packet. The difference between the two drafts is the ratio for multi-family and group units.

Draft A: Multi-family dwellings with ten or more units are required to provide parking at 1.6 spaces per unit.

The theory for this proposal is that after the development reaches a certain size, the number of driving occupants within the units will vary enough that a single ratio can be applied, and the available stock will average to accommodate the units. There is an ease of application in that the calculations will not need to be revised as an application revises the bedroom count.

Draft B: All residential dwellings regardless of type and size of the development

The theory for this proposal is that the number of parking spaces will specifically address the proposed development. While this may be additional review than Draft B, it is not more cumbersome than current code.

A parking calculation spreadsheet is provided that shows seven recently approved multi-family projects within Garden City with comparisons between Draft A, Draft B, current code, and the actual spaces provided by the development. The spreadsheet does not contemplate the non-residential uses of the proposals. Please see [link](#).

The following sections of code have been updated in both drafts. The changes have been highlighted.

1. Areas to relocate code provisions to for a better construction of code include relocation of the provisions regarding tandem parking and loading.
2. Minor clarification areas that do not change the intent including:
  - a. Permitting;
  - b. Loading;
  - c. Lighting; and
  - d. Definitions of terms.

## B. Record Documents ([link to all documents, including reference documents](#))

Individual record document links:

1. [Parking Strategies Document](#)
2. [Noticing Documents](#)
3. Agency Comments: linked in [Section I](#)
4. Public Comments: linked in [Section K](#)
5. Draft Potential Decision Documents:

- a) [Planning and Zoning Commission](#)
  - b) [City Council](#)
6. [Planning and Zoning Commission Recommendation](#)

**C. Requested Action**

Third reading and adoption of the proposed amendments to Garden City Code regarding parking regulations.

**D. Recommendation**

On January 18, 2023, the Planning and Zoning Commission recommended approval on a 3/2 vote. The nay votes were due to the required parking spaces.

**E. Decision Process**

**GENERAL PROVISIONS**

This application is processed per GCC 8-6A-7 Public Hearing.

**REQUIRED DECISIONS:** The following decision processes are required for the project as governed by GCC Table 8-6A-1:

Decision	Code	Recommendation Authority	Hearing Date	Decision Authority
Development Amendment		Design Review Committee, via consultations		City Council hearing date February 13, 2023 And April 24, 2023
		Planning and Zoning Commission	hearing date January 18, 2023	

**REQUIRED FINDINGS:**

For the approval of a Development Code Amendment, the City Council, as the final decision maker must find the application meets the following findings, found in [GCC 8-6B-5](#):

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.

**DECISION:**

After hearing the evidence and considering the application, the decision-maker shall make their decision. The decision-maker shall report the facts upon which it based its conclusion, the ordinance, and standards used in evaluating the application, the actions if any, that the applicant could take to obtain a permit, and whether a permit is granted, granted with conditions, or denied. The decision-maker shall make its findings and decision no later than by the next regularly scheduled meeting.

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For matters where design is affected by the application, a Design Review consultation is required.

The Planning and Zoning Commission is a recommending authority for this application.

Recommendation:

The Recommending Authority may take one of the following actions:

1. Recommend the City Council grant/ approve the application as applied;
2. Recommend the City Council grant/ approve the application with conditions as drafted or as amended to the City Council;
3. Recommend the City Council deny the application; or
4. Request the applicant return with revised materials for additional review.

The City Council is the final decision maker for this application.

Decision

The City Council may take one of the following actions:

1. Sustain the recommendation as presented to the City Council;
2. Modify the recommendation with conditions;
3. Reject the recommendations; or
4. Remand the application to a recommending body for additional proceedings and findings.

If there is a denial, the state code requires that the decision-maker identify what could be done to obtain approval.

The Appeal of a Decision:

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), the Planning and Zoning is a recommending authority. The City Council is the final decision maker for the requested application. The recommendations of the Planning and Zoning Commission do not constitute a final decision on the application.

Every final decision rendered shall be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis under section [67-8003](#), Idaho Code. An applicant denied an application or aggrieved by a final decision concerning matters identified in section [67-6521\(1\)\(a\)](#), Idaho Code, may within twenty-eight (28) days after all remedies have been exhausted under local ordinance seek judicial review under the procedures provided by [chapter 52, title 67](#), Idaho Code. Per Idaho Code 67-6511 (2)(a) this provision extends to an amendment of zoning ordinances applicable to an owner's lands.

**F. Objective**

The purpose of these amendments is to amend the parking regulations within Garden City to address identified parking deficiencies.

## **G. Current Deficiencies**

Garden City's approaches to parking receive criticism for the following reasons:

- Too little parking is required for redevelopment,
- Too much parking is required for redevelopment,
- There are no parking maximums,
- Roadway widths are too narrow to accommodate current on-street parking patterns,
- Government regulation of onsite parking,
- Lack of enforcement, and
- Unclear requirements.

In recent years, the growth in Garden City, particularly east of Glenwood, has seen accounts from residents and businesses indicating that the city code does not require enough parking for new development and reuse of existing properties. The city has also received concerns from those developing residential dwellings that the city's residential multi-family and guest requirements require an excess of parking. There has also been a critique that the requirement for multi-family garages is challenging to accommodate.

At the time of the adoption of the current code, the overparking of non-residential uses was a concern, whereas the under parking of non-residential uses was not. Subsequently, the current Garden City Code, 8-4D, addresses residential parking requirements while it does not provide use-specific guidance for non-residential parking requirements. The non-residential parking determination is made by the planning official within the confines of criteria identified in 8-4D-5 (B). One of the criteria is a study that forecasts the parking needs of the proposed use is provided to assist the planning official's determination. This approach is not atypical of other development codes, in fact, surrounding municipalities including the City of Boise and the City of Meridian have similar code requirements. Notwithstanding, a recent judgment has found a similar repealed section of Garden City code allowing for the Planning and Zoning Commission to determine parking needs (but not requiring a parking study) to be subjective. The city attorney has suggested that a parking study should not be left up to the requestor of the project in the form of a parking study.

## **H. Proposed Changes**

The proposed changes are summarized below:

1. All sections of 8-4D Parking and Off-street Loading Provisions have been clarified.
2. Dimensional Standards have been added.
3. The maximum distance is consistently noted at ¼ mile for non-residential uses.
4. Prohibition of light trespass has been added.
5. Pedestrian walkway requirement from parking area to building entrance has been added.
6. Parking structure design criteria have been added.
7. The garage requirement has been amended to be covered parking.
8. Addition of no required motor vehicle spaces for Accessory Dwelling Units was added.

9. Group and Multi-family Dwellings that are greater than 10 units are required to have 1.6 spaces per unit.
10. Residential guest parking spaces have been reduced from .5/ unit to .5/unit for the first 10 units and then .1/ unit thereafter.
11. The number of parking spaces for non-residential uses is now defined on a use basis, implemented through new construction or significant improvements. Title 8 designated land uses are categorized into one of four categories. The categories include uses with high, medium, low, and negligible parking needs. Four uses are further refined. The number of parking stalls required is based on a gross square foot calculation of the space dedicated to use.
12. Bicycle parking requirements increased.
13. Allowance for electric charging stall design requirements has been added.
14. Calculation criteria have been added.
15. "Standards for Alternatives to On-site Parking" has been amended to "Equivalent Parking Adjustments" and criteria and findings have been added.
16. Loading facilities are no longer mandatory. Provisions for when loading facilities are provided remain.
17. Addition of Parking District enabling criteria has been added.
18. The allowance of a parking facility used in the R-3 Zoning District via a conditional use permit has been added to Table 8-2B-1 Allowed Uses in All Base Zoning Districts.
19. Administration of parking permit criteria has been added to Title 5.
20. Criteria have been relocated or added to 8-1C-3 Property Maintenance.
21. Conflicting sections are repealed.

## **I. Agency Comments**

The following is a summary of the agency comments that were provided at the time of the drafting of this report. All comments are included in their entirety as a part of the record.

<b>Agency</b>	<b>Comment Date</b>	<b>Summary</b>
Garden City Legal Department	<a href="#">11-14-2022</a>	Overview of some of the concerns noted, current code, and other jurisdictions' codes
Garden City Legal Department	<a href="#">02-27-2023</a>	Overview of neighboring jurisdictions and Garden City current code. Note that code should be clear, objective, and usable. Should adhere to Garden City Comprehensive Plan.
Garden City Legal Department	<a href="#">04-24-2023</a>	Discussed mixed use and shared parking agreements.
Urban Land Institute	August 26, 2022, via in person presentation	Consider reducing the multi-family parking requirements to one space per unit north of Adams Street, allow trade-offs to incentivize affordable housing (although their recommendation did not specify parking as an identified trade-off), and that the city fund transit.

## **J. Public Comment**

There are considerable written comments regarding this matter.

There is a divergence of opinions regarding the adequacy of the existing parking and current parking regulations. There is also a split between those who think the city should regulate parking and those who believe that the city should not regulate parking.

There was a parking perception survey that was conducted from June 30, 2022, to August 5, 2022. There were 184 participants. The summary is linked here: [Parking Perception Survey Summary](#) and the individual responses are linked here: [Parking Perceptions Survey Results](#) (this will need to be downloaded to view).

There was a virtual Open House with an associated Parking Ordinance Questionnaire. There was an in-person Open House on November 17, 2022. The comments were collected via comment card, and then entered into the online Parking Ordinance Questionnaire, resulting in 49 responses. Of the responses, 44 were in favor of repealing parking codes and two were in favor of the consistent standard. There were no public comments in favor of the Use Specific Approach. The individual responses are linked here: [Parking Ordinance Questionnaire Responses](#).

The Parking Ordinance Questionnaire responses and comments received between May 8, 2022, and November 30, 2022, have not been formally summarized in another document. The comments:

1. Indicate strong support for a repeal of the parking regulations.
2. There is support for Equivalent Parking Facilities, however, the desire is for increases in the reductions and decreases in the stringency of the criteria.
3. Request that ½ mile is considered the walkable distance criteria over ¼ mile.
4. Request a Parking Benefit District ordinance.

There were fifty-four additional written comments received between May 8, 2022, and May 15, 2023:

[Combined Public Comment between 5.8.2022 - 11.30.2022](#)

[Combined Public Comment between 12.1.2022 -12.31.2022](#)

[Combined Public Comment between 1.1.2023 - 1.31.2023](#)

[Combined Public Comment between 2.1.2023 - 2.28.2023](#)

[Combined Public Comment between 3.1.2023 - 3.31.2023](#)

[Combined Public Comment between 4.1.2023 - 4.30.2023](#)

[Combined Public Comment between 5.1.2023 - 5.15.2023](#)

## **K. Code/Policy Review**

The below serves as an analysis of applicable provisions of Garden City Code, Title 8, Development Code, and identified applicable policies, plans, and previous approvals.

<b>Garden City Title 8 Code Sections</b>			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion



<b>Title 8, Chapter 1: General Regulations</b>			
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>	PZ/ CC	No compliance issues noted	
<a href="#">8-6A-4 Required Application Information</a>	PZ/ CC	No concerns noted	<p>A Compliance Statement is required. A Compliance Statement is the applicant's explanation of compliance with the standards for review of the proposed application.</p> <p><b>As this application is both initiated and reviewed by the city, the required Compliance Statement is as follows:</b></p> <p>The proposed code text amendment-</p> <ol style="list-style-type: none"> <li>1. Complies with the applicable provisions of the comprehensive plan.</li> <li>2. Is not materially detrimental to the public health, safety, and welfare; and</li> <li>3. Does not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.</li> </ol> <p>Additionally, code has been reviewed for inconsistencies and conflict. Any conflict identified has been resolved.</p>
<a href="#">8-6A-7 Public Hearing Process</a>	PZ/DRC/CC	No compliance issues noted	The city provided a neighborhood meeting more than one month and less than three months before application. The City provided notifications to agencies with jurisdiction and ran a 2" X 4" legal notice in the Idaho Statesman, at least 15 days before the first hearing, conspicuously posted a notice at the Garden City Library, Garden City, City Hall, online, and Garden City Police Department, and provided notice to radio, newspaper, and television.

<b>Other Items Reviewed</b>	
Plan/Policy	Discussion/ Analysis
<a href="#">Idaho Code 67-6511</a>	The Local Land Use Planning Act requires that code amendments be compliant with the Comprehensive Plan.
<a href="#">Idaho Code 67-6519</a>	Garden City Code and procedures are consistent with The Local Land Use Planning Act Application Granting Process.
<a href="#">Garden City Comprehensive Plan</a>	This application applies to all the future land use designations of the Comprehensive Plan.

## **L. Evaluation of Proposed Changes**

There is no identified conflict with any other regulation, adopted policy, the Garden City Comprehensive Plan, or other adopted plan of the city.

## **M. Previous Hearing and Work Session Summary**

There were no changes made based on the April 24, 2023, discussions.

Based on the City Council's discussions during the April 10, 2023, public hearing, the draft code was amended. The below are the amendments and clarifications:

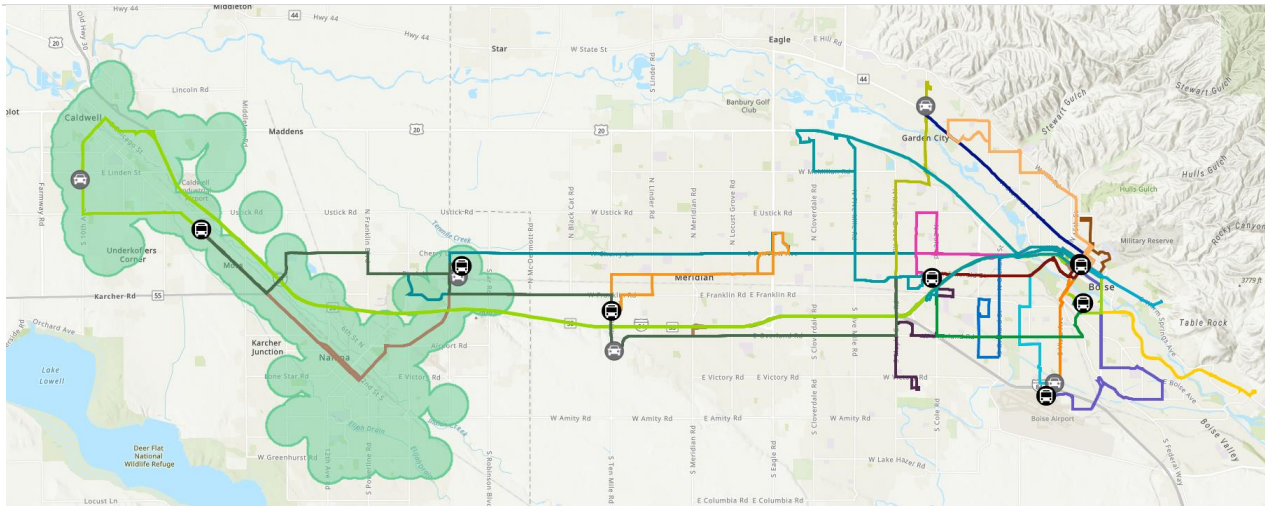
1. Table 8-4D-5 has been updated to require 1 space per dwelling unit in a multi-family or group dwelling to be covered.
2. 8-4D-6 B.1.a has been updated to state: Special conditions, including, but not limited to, the nature of the proposed operation or site; transportation characteristics of the use and, or persons residing, working, or visiting the site exist that will reduce the parking demand at the site or preclude adequate parking on-site.
3. Minor clerical changes that do not change the intent of the drafted code.

Based on the City Council's discussions during the March 13, 2023, public hearing, the draft code was amended. The below are the amendments and clarifications:

- 8-4D-6 A.2.f.ii: has been amended to require that residential parking must be within 300' of the dwelling.
  - This is the standard that is in code currently.
- Parking for multi-family and group dwellings over 10 units has been amended to be 1.6 spaces/ per unit + the guest ratio which equates to 1.7 spaces/ unit after the first 10 units.
  - For a development of 10 units with 40% of the units dedicated to 1-bedroom units, the previous proposal would require 21 spaces. This amendment would also require 21 spaces for 10 units.
  - Two constructed multi-family projects with 108 units would be required to have 188 spaces if utilizing the drafted standard.
    - Legacy Apartments: A development at the terminus of 50<sup>th</sup> street that was entitled in 2015 provided 189 parking spaces.
    - Strawberry Glenn Apartments, a development at the terminus of Strawberry Glenn that was entitled in 2019 provided 239 spaces. This development consisted of 36 one-bedroom and 72 two-bedroom units. Current code requires this development to have 234 spaces.
- Table 8-4D-6 Equivalent Parking Adjustments has been deleted.
- Section 8-4D-6 Equivalent Parking Adjustments has been slightly modified to ensure flexibility to allow for potential reductions.

### Valley Regional Transit Information

Below is a print screen of [VRT's online route map](#).



VRT provided routes with larger employee bases that utilize the VRT Regional Pass Program, linked: [Regional Pass Rider Data](#).

The VRT Regional Pass Program includes schools, hospitals, government agencies, non-profit and for-profit companies, linked: [Regional Pass Program - Valley Regional Transit](#). VRT has noted that providing this option is a benefit proving to be a recruitment tool and a retention tool. There is also the federal transportation tax benefit, which is up to \$300 per person. This is a pre-tax option, so more dollars are saved for employers and employees. [Publication 15-B \(2023\), Employer's Tax Guide to Fringe Benefits | Internal Revenue Service \(irs.gov\)](#).

City of Eagle Parking Alternatives Code

**8-4-4-3: JOINT/COLLECTIVE PARKING FACILITIES:**

- A. Off street parking spaces required by this chapter for any specific use shall not be considered as providing parking spaces for any other use except where a joint/collective parking facility has been approved pursuant to the following:
  - 1. The applicant shall show that:
    - a. There is no substantial conflict in the principal operating hours of the building, structure or use for which the joint/collective parking facility is proposed;
    - b. The peak hours of parking demand from the uses shall not coincide so that the peak demand will be less than the parking required;
    - c. The shared parking spaces shall serve the uses without conflict;
    - d. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if a joint/collective parking facility was not requested; and
    - e. If a public transit system serves the area, the applicant may provide documentation showing that the parking demand will be reduced.
  - 2. The proposed reduction of required spaces, applicable to each use, shall be shown by the applicant.
  - 3. The city may require the applicant to submit survey data, or additional documentation substantiating a request for a joint/collective parking facility.

4. The joint/collective parking facility may be on a site other than the site where the use is located, but shall be located no further than that permitted by subsection [8-4-4-1A](#) of this chapter.
5. The spaces to be provided shall be available as long as the uses requiring the spaces are in operation.
6. The parties concerned in the joint/collective parking facility shall submit a written agreement in a form to be recorded for such joint/collective use, approved by the city attorney as to form and content, and such agreement, when approved as conforming to the provisions of this chapter, shall be recorded in the office of the county recorder and copies thereof filed with the zoning administrator prior to issuance of a building/zoning permit, or prior to issuance of a certificate of occupancy, whichever occurs first. The agreement shall include:
  - a. A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking;
  - b. A guarantee among the landowners for access to a use of the joint/collective parking facility;
  - c. A provision that the city may require parking facilities in addition to those originally approved upon findings by the city council that adequate parking to serve the uses has not been provided;
  - d. A provision stating that the city council, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the agreement at any time; and
  - e. Any other information required to be documented on such agreement by the city in an effort to assure compliance with this title.
7. The zoning administrator may permit a maximum reduction in the number of spaces to be provided not exceeding twenty percent (20%) of the sum of the number of spaces required for each use only if the provisions of this chapter have been met. The maximum allowable reduction in the number of spaces to be provided shall not exceed twenty percent (20%) of the sum of the number required for each use served unless a conditional use is approved by the city council.
8. No use shall be continued if the parking is removed from a joint/collective parking facility unless substitute parking facilities are provided.

**8-4-4-5: PARKING IN LIEU PAYMENTS:**

Within the central business district, as defined by the city of Eagle comprehensive plan, the required number of parking spaces may be met by a cash in lieu payment to the city prior to issuance of a building/zoning permit or certificate of occupancy, whichever occurs first. The fee shall be for the city to provide public off-street parking in the vicinity of the use, the maximum distance of which shall not exceed the maximum distance permitted by this title. The fee shall be five thousand seven hundred dollars (\$5,700.00) per space, or such sum as may be adopted by resolution of the city council. In addition to the above fee the owner shall be required to pay an annual per space maintenance fee as shall be determined by resolution of the city council.

The city shall not provide more than twenty (20) spaces for any single use without the specific approval of the city council. When considering in lieu payments the city

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may set limitations on the number of spaces for which an in-lieu fee may be tendered.

All in lieu funds received for reduction of parking spaces under this section shall be placed into a special and separate parking improvement and acquisition account to be used solely for the purchase and improvement of municipal parking lots and structures to be located within the central business district, as defined by the city of Eagle comprehensive plan, and may be for use by the general public.

Updates and Clarifications Based on the City Council Public Hearings on February 13 and 27, 2023:

Based on the City Council's discussions during the February 13 and 27, 2023 public hearing, the draft code was amended. The below are the amendments and clarifications:

- Applicability: 8-4D-2 has been amended to apply only to new construction and redevelopment rather than applying to changes of use.
- Dimensions: Table 8-4D-1: In instances where the parking space dimensional sizes were smaller than other municipalities codes, they were changed to the City of Boise's current code's size requirements. All dimensional requirements were not removed because this has created a dilemma in administration that has resulted in Garden City referring to other codes to determine adequacy of proposed stall widths.
- Residential Parking Table 8-4D-2 reversed recommendation for allowance of one space per 2 bedrooms. The current draft notes that studio and one bedroom require one space and units with more than 1 bedroom require 2 spaces. The guest parking remains as recommended with 0.5 spaces required for the first 10 units then 0.1 spaces per unit required thereafter. The table has remained simplified.
- Mixed Use calculation is as follows: 8-4D-5 D.5. Sites with Multiple Uses. If more than one (1) use is located on a site, the number of required parking spaces shall be equal to the sum of the requirements of each use.
- 8-4D-5 D. 8. Compact parking has been reduced from 50% to 30%.
- Table 8-4D-6 Equivalent Parking Adjustments. There has been slight rewording for clarification purposes.
- 8-4D-6 Standards for Equivalent Parking Adjustments Sections B and C have been reworded to simplify.
- 8-4D-8 Parking Benefit District has been reclassified as Parking District. It has also been reworded to clarify that the area could be utilized for areas that may warrant an increase or decrease in parking regulations. Public parking measures are allowed but not mandatory.

For reference, a summary of size of cars and percentage of motor vehicle types has been provided below<sup>1</sup>.

<a href="#">Most Popular Vehicle Type By State - iSeeCars</a>					
State	Dominant Vehicle Type	SUVs	Cars	Trucks	Minivans
Idaho	SUVs	40.2%	25.0%	31.2%	2.2%

Vehicle Sizes			
	Largest typical width	Largest typical length	Examples
Compact	6'	15.33'	2023 Toyota Corolla <b>Dimensions:</b> 183" L x 70" W x 57" H  2000 Toyota Corolla <b>Dimensions:</b> 174" L x 67" W x 55" H  2023 Subaru WRX <b>Dimensions:</b> 184" L x 72" W x 58" H  2006 Subaru Impreza <b>Dimensions:</b> 176" L x 67-68" W x 57-59" H  2023 Nissan Sentra <b>Dimensions:</b> 183" L x 72" W x 57" H  2012 Nissan Sentra <b>Dimensions:</b> 180" L x 71" W x 59-60" H  2023 Volkswagen GTI <b>Dimensions:</b> 169" L x 70" W x 58" H  2004 Volkswagen Golf <b>Dimensions:</b> 165" L x 68" W x 57" H
Mid-sized	6.08'	16.33'	2023 Honda Accord <b>Dimensions:</b> 196" L x 73" W x 57" H  2006 Honda Accord <b>Dimensions:</b> 188-191" L x 71-72" W x 56-57" H  2023 Toyota Camry <b>Dimensions:</b> 192-193" L x 72" W x 56-57" H  2010 Toyota Camry <b>Dimensions:</b> 189" L x 72" W x 58" H  2023 Hyundai Sonata <b>Dimensions:</b> 193" L x 73" W x 57" H

<sup>1</sup> Staff has not validated the accuracy of this information.

			<p>2015 Hyundai Sonata <b>Dimensions:</b> 191" L x 73" W x 58" H</p> <p>2023 Nissan Altima <b>Dimensions:</b> 193" L x 73" W x 57" H</p> <p>2018 Nissan Altima <b>Dimensions:</b> 192" L x 72" W x 58" H</p> <p>2023 Toyota Rav 4 <b>Dimensions:</b> 181-182" L x 73" W x 67-69" H</p>
Full Sized	7.3'	22.16'	<p>2023 Ford F-150 <b>Dimensions:</b> 209-250" L x 80-87" W x 75-80" H</p> <p>2023 Ford F-350 <b>Dimensions:</b> 232-266" L x 80" W x 79-81" H</p> <p>2017 Ford Raptor <b>Dimensions:</b> 220-251" L x 80-86" W x 76-79" H</p> <p>2023 Ram 1500 <b>Dimensions:</b> 229-242" L x 82-88" W x 77-81" H</p> <p>2023 Ram 2500 <b>Dimensions:</b> 232-261" L x 79-80" W x 78-81" H</p> <p>2015 Toyota Tundra <b>Dimensions:</b> 229-248" L x 80" W x 76" H</p> <p>2023 Toyota Tacoma <b>Dimensions:</b> 212-226" L x 74-75" W x 71-72" H</p> <p>2010 Nissan Titan <b>Dimensions:</b> 225-244" L x 80" W x 75-77" H</p> <p>2023 Chevy Silverado <b>Dimensions:</b> 211-242" L x 81" W x 75-79" H</p>

Updates were also held with the City Council on November 14, 2022, and November 28, 2022. Direction was not discussed during these work sessions.

A work session was held with the City Council on January 23, 2023.

### City Council Comments

1. Lack of an adequate transit system necessitates auto use. Parking needs to be adequate to accommodate the auto use.
2. Concerns that EV parking be flexible and the enforcement of parking.
3. Define Travel Trailer.

4. 8-4D-6 B.1: The use of the term “only” precludes other methods of reduction that are identified in code.

The below changes were incorporated to address City Council Comments and Planning and Zoning Commission discussion/ public comments:

1. 8-1C-3 The term “travel trailer” was amended to “recreational vehicle” which is defined in GCC 8-7A-2 Definition of Terms.
2. 8-1C-3 A. 4. 4. Vehicles that are inoperable, which includes motor vehicles without current registration, for more than three (3) months shall be enclosed in a structure or located in the rear or side yard and screened from view.
  - a. The provision has not been amended. Proof of registration could be requested without going on site.
3. Table 8-4D-2 as drafted without public comment incorporated.
  - a. This was not updated due to conflicting comments and the City Council’s discussion about maintaining an adequate number of spaces while the valley does not have adequate public transportation.
4. 8-4D-3 C: Language included: Public bicycle spaces may be provided within three hundred feet (300’) of the property in lieu of on-site spaces. If public bicycle spaces are provided, legally binding documentation including property owner approval, maintenance responsibility, and public use allowance shall be provided to the city.
5. 8-4D-3 D language was added: If no use is specified, the high parking needs category of Table 8-4D-3 and Table 8-4D-4 will be utilized.
6. 8-4D-5 E.1 was amended to remove the requirement for EV spaces and has been replaced by: EV parking spaces *may* be provided. Each EV parking space provided shall be counted towards the minimum off-street parking requirements for the project.

This was relocated to the G Calculation of Required Spaces.

  - a. The reason was to address the City Council’s concern of EV flexibility and enforcement.
7. EV space design standards were relocated to 8-4D-B. D
  - a. The reason was to address the City Council’s concern of EV flexibility and enforcement.
8. Definitions related to EV spaces were deleted and replaced with: EV Charging Spaces.
  - a. The reason was to address the City Council’s concern of EV flexibility and enforcement.
9. 8-4D5 G 9 The clause noting grandfather provisions has been stricken.
  - a. The City Attorney confirmed that it was not necessary.
10. 8-4D-6 B.1 the word “only” was stricken.

Work Sessions were held with the Planning and Zoning Commission on November 16, 2022, and December 21, 2022.

During the December 21, 2022, work session:

- A. The approach of tiered non-residential parking requirements is appropriate.
- B. Concurrence with the Design Consultants:
  - a. Only require one space for two-bedroom units.
  - b. Do not require a space for accessory dwelling units.



- c. Maintain the current ¼ mile radius.
- d. Increase required bicycle spaces.
- C. Ensure that there is adequate flexibility.
  - a. The proposed section 8-4D-6 B was noted as providing adequate flexibility.

Additional discussion for the record included statements by Chairman Rasmussen reasons to support a repeal of required motor vehicle parking requirements:

- A. In the last 10-15 years there have been two hundred cities that have eliminated parking minimums in at least portions of their city to allow for more flexibility in land use.
- B. A repeal of parking requirements increases tax revenues without impacting rate payers.
- C. Required parking restricts development potential. Eliminating parking minimums allows developers to decide where appropriate.
- D. Encouraging affordable and mixed housing is correlated to reducing parking minimums.
- E. Idaho cities, including, but not limited to Mountain Home and Twin Falls have eliminated parking in downtown districts.
- F. Garden City is poised to be a leader in parking regulations, based on adequate amenities to eliminate parking minimums.
- G. The following Garden City Comprehensive Plan Goals, Objectives, and Action Steps support the elimination of parking minimums.
  - a. Goal 2: Improve City image.
  - b. Objective 2.1: Encourage new and distinctive neighborhoods.
  - c. Goal 6: Diversity in housing.
  - d. Objective 6.2: Continue to be a leader and set an example for the region in creating a diversity of housing.
  - e. Action Step 6.2.1: Better understand the future housing challenges and need for affordable housing.
  - f. Goal 7: Connect the city.
  - g. Objective 7.2 Promote public transportation.

Changes from the November potential ordinance drafts to the December draft included:

- 1. There is only one working draft option.
  - a. Added a four-tiered approach to the consistent approach that breaks uses into high, medium, low, and negligible parking needs categories.
- 2. Removal of proposed accessibility standards to avoid conflict with future building codes or federal ADA guidelines.
- 3. Removal of garage requirement for one/two-bedroom units and multi-family units.
- 4. Addition of required electronic vehicle spaces.
- 5. Increase in bicycle parking requirements.
- 6. Addition of criteria reducing parking requirements for existing structures by 50%.
- 7. Removal of parking adjustments that are *de minimis* or difficult to administer.
- 8. Removal of required loading facilities. Provisions for when loading facilities are provided remain.
- 9. Addition of Parking Benefit District enabling criteria provided.

Some specific considerations that were discussed with the Design Review Consultants included:

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1. Only require one space for two-bedroom units.
  2. Do not require a space for accessory dwelling units. This diverges from the Planning and Zoning Commission's 2020 review of ADUs noting 1 space.
  3. Live Work units where work units are less than 500 square feet do not require a parking space.
  4. Increase bicycle parking requirements.
  5. Several public comments requested that ½ mile be considered the walkable area. Due to current code, comprehensive plan, and best practices, it was recommended to maintain the current ¼ mile radius.
  6. An impact fee for parking and or methods to reduce auto reliance such as connected low stress bicycle routes and transit capital improvements could be considered.
  7. Remove negligible or difficult to administer Equivalent Parking options.