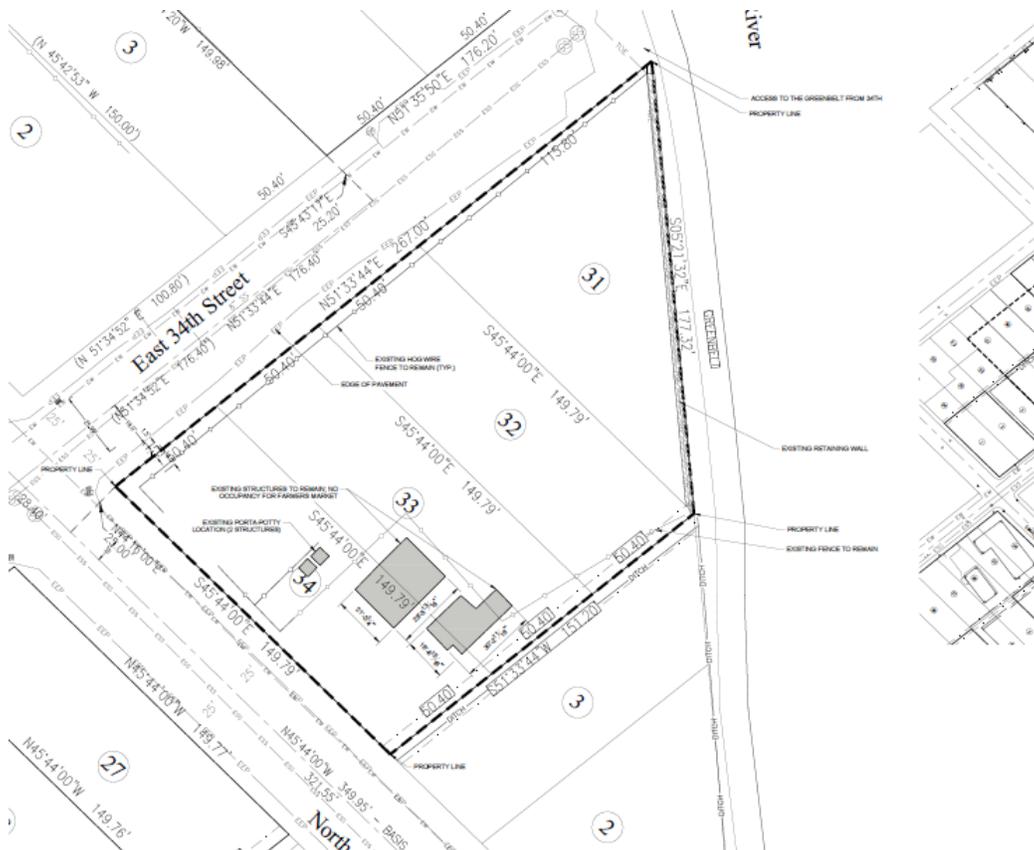




CITY OF GARDEN CITY

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CUPFY2019-4
Conditional Use Permit
 For:
Use: Farmer's Market, Event Center
Location: 215 E. 34th Street, 303 E. 34th Street, and 3342 Carr Street
Applicant: Hannah Ball, Urban Land Development



Staff Contact: Chris Samples (208) 472-2921; csamples@gardencityidaho.org

City of Garden City
Planning and Zoning Commission Staff
Report

Project Description:

Planning and Zoning Commission Public Hearing Date: Wednesday April 17, 2019, at 6:30 p.m.

Application File Number: CUPFY2019-4

Applicant: Hannah Ball with Urban Land Development

Location: 215 E. 34th Street, 303 E. 34th Street, 3342 Carr Street; Ada County Parcel Numbers R2734541395, R2734541500, R2734541520 respectively.

Requested Use: Farmer's Market, Event Center

Project Synopsis: Hannah Ball with Urban Land Development is requesting Conditional Use Permit approval of a seasonal outdoor farmer's market and an event center at several addresses including 215 and 303 E. 34th St., and 3342 Carr St. The properties are located in the general commercial (C-2) zoning district, the Boise River Greenbelt Overlay District, and the Work-Live-Create designation of the Comprehensive Plan.

The proposed uses are a farmers market and an events center.

Farmers Market: The proposed use is slated to operate every Wednesday between June and October from 5:00pm to 9:00 pm, but may close between 8:00 – 8:30 pm depending on actual patronage. 30 – 50 vendors are proposed to be set up in 10' x 10' tent spaces similar to that of the Capital City Public Market. The vendors are to be arranged to maximize their presence along the Greenbelt. Vendors are proposed to be arranged to engage Greenbelt patrons. Expected patronage is between 60 – 100 individuals, with patrons arriving at different times and staying for varying durations. Live music and beer and wine sales are also proposed.

Event Center: The applicant is proposing to hold public events onsite on a non-specified basis. While the applicant has provided a 2019 schedule, the proposal is to continue this use in perpetuity. The proposed use is requested to operate Thursday – Sunday from 12:00 pm – 9:30 pm. Patronage is proposed to be no more than 100 people, but an actual patronage of 400 people is noted as attendance to an event in 2018. The applicant has indicated the impact would be similar to the farmer's market. The applicant has not indicated whether live music and beer and wine sales would be a part of this use. Events are proposed during the following years and months:

- 2019 season to be May- October
- 2020 season to be March- October

- 2021 season to be in permanent location and operating in a full year capacity, but any events will be indoors during the winter season.
- Each year after events to be all year both indoor and in the proposed plaza.

Existing Conditions:

- The subject properties are 0.85 acres.
- The project is in the Boise River and Greenbelt Overlay District
- The project is located in the Live Work Create Comprehensive Plan Land Use Designation
- The subject property is not located in 100 year floodplain designation.
- Surrounding Uses: Commercial Uses
- Existing Use: None. Temporary use permits were previously issued to the property in 2018, but have expired.
- The following easements are located on this property:
 - EAS2006-00049 – Fairview Acres Lateral Water Users Association
 - EAS2006-00049 – Greenbelt Easements
- Access to the site is from 34th Street and Carr Streets
- There are no sidewalks on or adjacent to the site.

Standards for Review: Standards for review of this application are as follows:

1. GCC 8-7A Definitions of Uses
2. GCC 8-3A-3 Allowed Uses
3. GCC 8-3A-4 General Provisions
4. Title 8 Chapter 4 Design and Development Regulations
5. GCC 8-6B-2 Conditional Use

Additional Plans and Comments Noted:

1. Other Plans and Approvals Analysis
2. Department and Agency Comments
3. Public Comments

Staff Analysis:

GCC 8-7A Definitions of Uses

The use “Farmer’s Market” and “Event Center” are not defined terms in Garden City Code. Pursuant to Garden City Code 8-1A-5 (Interpretation), when a term is not defined in Garden City Code, the latest edition of the Merriam-Webster’s Unabridged Dictionary of the English Language is required to be used.

- Farmers Market: *A market at which local farmers sell their agricultural products directly to consumers.*
- Event: *A social occasion or activity.*
- Center: *A facility providing a place for a particular activity or service.*

GCC 8-3A-3 Overlay Districts – Allowed Uses

The property is located in the Boise River and Greenbelt Overlay District. The use “Farmer’s Market” is not listed as a use in Table 8-3A-1. (Allowed uses in All Base Zoning Districts). When a use is not specifically listed, it is prohibited unless the Planning Official “determines that the proposed use is equivalent to a permitted or conditional use” pursuant to Garden City Code 8-2B-2 (Allowed Uses). The Planning Official shall consider the following when making a determination:

1. The impacts on public services and activities associated with the proposed use are substantially similar to those of one (1) or more of the uses listed in the applicable base districts as allowed;
2. The proposed use shall not involve a higher level of activity or density than one (1) or more of the uses listed in the applicable base districts as allowed;
3. The proposed use is within the same use category of an allowed use listed in the latest edition of the North American Industrial Classification System (NAICS), published by the United States Department of Commerce;
4. The proposed use is consistent with the purpose of the district in which the use is proposed to be located; and
5. The proposed use is in substantial conformance with goals and objectives of the comprehensive plan.
6. Should the use be determined equivalent to a use that requires a conditional use permit, the application shall be required to follow the procedures set forth for conditional use permits.

However, pursuant to 8-3E-3B (Boise River and Greenbelt Overlay District, Allowed Uses) uses not identified in Table 8-3A-1 may also be determined to be a permitted or conditional use based upon demonstration that the use is river-dependent or river oriented. Examples listed include kayak rental sales or an outdoor theater facing the river.

The applicant is disputing the need for a conditional use permit and has requested a determination of use based on 8-3A-3 and 8-3E-3A to consider the proposal as the use “retail store”. While the application appears to contain limited information concerning the scope of the proposed uses, an analysis based on what is provided follows.

8-3A-3 (Allowed Use) Farmer’s Market Analysis

The proposed use appears to have a similar level of activity and impact on public services with the following uses:

- Club (Conditional Use): The use of a site owned or operated by an organized association of persons for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests; and not primarily operated for profit or to render a service customarily carried on as a business.

- **Food Store (Conditional Use):** The use of a site for the sale of fresh, partially or fully prepared food for consumption at a different location in conjunction with a full line of consumable goods, toiletries, cleaning supplies, and household supplies. The term "food store" includes grocery store, delicatessens, bakery and convenience stores.
- **Retail Store (Permitted):** The use of a site that offers merchandise or services to the public for monetary compensation. The term "retail store" includes, but is not limited to: hobby, office supplies, stationery and gift stores; specialty stores; apparel and accessories stores; pharmacy and drug; used merchandise stores; book, computer, and music stores; electronics and appliances; florists; furniture and home furnishings; general merchandise stores; health and personal care stores; and sporting goods stores.

The following use is noted for the purposes of this review due to the live music component:

- **Commercial Entertainment Facility (Prohibited):** The use of a site for any profit making activity which is generally related to the entertainment field. The term "commercial entertainment facility" includes motion picture theaters, carnivals, nightclubs, and dance halls.

Due to the nature of the live music component, this will be reviewed separately from the other components of the farmer's market use.

The proposed farmer's market shares several characteristics with these uses, such as operated for a recreational purpose (club), sales of fresh, partially or fully prepared food for consumption (food store), and sales of merchandise or services to the public for monetary compensation (retail store). Relevant NAICS codes for this use may include 45230 – Fruit and Vegetable Markets – This industry comprises establishments primarily engaged in retailing fresh fruit and vegetables.

The following objectives of the purpose statement of the Boise River and Greenbelt Overlay District have been considered for the purposes of this analysis:

- To create nodes of urban development in certain locations in the District through appropriate use and development standards

The following goals and objectives of the Comprehensive Plan have been considered for the purposes of this analysis. Please note the consideration of these goals and objectives does not serve as an analysis of whether the use, as proposed, is in conformance with the Comprehensive Plan as a required finding pursuant to 8-6B-2. Rather, it is simply to determine whether a use is permitted, conditional or prohibited. Conformance with the Comprehensive Plan is addressed in a separate section:

Goal 1. Nurture the City

1.1 Objective: Promote city events, seasonal holidays and celebrations.

1.4 Objective: Create a premier destination place to live, work and recreate.

Goal 2. Improve the City Image

2.1 Objective: Encourage new and distinctive neighborhoods.

Live Music Component:

The proposed live music component could be considered similar to the use “Commercial Entertainment Facility”. The definition of this use provides examples that could contain live music such as night clubs and dance halls. While scope and scale of the live music component could be considered, the application does not provide specific information such as where the live music will be located onsite, identification and mitigation of potential noise impacts to surrounding properties. The application is silent on the duration of the music during the proposed use, but if approved, the proposed schedule (Wednesdays 5:00 pm – 9:00 pm with closure at 8:00 to 8:30) would allow live music played during this time frame.

Determination:

The information available on the record appears to demonstrate that, with the exception of the live music component, the proposed use, without the live music component, as having a similar level of activity to the permitted and conditional uses noted in this report.

Based on the limited information available, the use “Farmer’s Market” is a conditional use in the Boise River and Greenbelt Overlay Zoning District. There does not appear to be enough information on the record to determine whether the addition of live music to the proposed use is similar to the use “Commercial Entertainment Facility”.

8-3A-3 (Allowed Use) Event Center

The proposed use appears to have a similar level of activity and impact on public services with the following uses:

- Club (Conditional Use): The use of a site owned or operated by an organized association of persons for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests; and not primarily operated for profit or to render a service customarily carried on as a business.
- Special Event (Permitted): A temporary use that is open to the public that lasts three days or less.

The applicant has not specifically noted that live music will be part of this use. However, the following use is noted and considered:

- Commercial Entertainment Facility (Prohibited): The use of a site for any profit making activity which is generally related to the entertainment field. The term "commercial entertainment facility" includes motion picture theaters, carnivals, nightclubs, and dance halls.

The proposed event center shares several characteristics with club and special event, such as operated for a recreational purpose primarily for the exclusive use of guests (club), and being open to the public on a temporary basis for less than three days (special event). The proposed use, without a live music component, does not appear to be at the scope and scale of a motion picture theater, carnival, night club or a dance hall or does it appear to be intended for purely entertainment purposes. Relevant NAICS codes for this use may include 532289 – All Other Consumer Goods Rental and 722320 – Caterers.

The following objectives of the purpose statement of the Boise River and Greenbelt Overlay District have been considered for the purposes of this analysis:

- To create nodes of urban development in certain locations in the District through appropriate use and development standards

The following goals and objectives of the Comprehensive Plan have been considered for the purposes of this analysis. Please note the consideration of these goals and objectives does not serve as an analysis of whether the use, as proposed, is in conformance with the Comprehensive Plan as a required finding pursuant to 8-6B-2. Rather, it is simply to determine whether a use is permitted, conditional or prohibited. Conformance with the Comprehensive Plan is addressed in a separate section:

Goal 1. Nurture the City

1.1 Objective: Promote city events, seasonal holidays and celebrations.

1.4 Objective: Create a premier destination place to live, work and recreate.

Goal 2. Improve the City Image

2.1 Objective: Encourage new and distinctive neighborhoods.

Live Music Component:

As noted in the previous section, live music could be similar to the use “Commercial Entertainment Facility”. However, with additional information, scope and scale could be taken into account.

Determination:

The information available on the record appears to demonstrate that, with the exception of the live music component, the proposed use as having a similar level of activity to the permitted and conditional uses noted.

Based on the information available, the use “Event Center”, with the exception of a live music component, is a conditional use in the Boise River and Greenbelt Overlay Zoning District. Incorporating a live music component will require more information to make a determination. There does not appear to be enough information on the record to determine whether the addition of live music to the proposed use is similar to the use “Commercial Entertainment Facility”.

8-3E-3B (River-Dependent/River-Oriented Use) Farmer’s Market/Public Event Space Analysis

8-3E-3B does not provide a specific set of standards to define a river-dependent or a river-oriented use. Examples provided by this section are kayak rental sales or an outdoor theater facing the river. Kayak rental sales appear to be river dependent due to the nature of kayaking. The outdoor theater facing the river is intended to be oriented toward the river rather than being merely adjacent to it.

The term “oriented” is not defined by this title. The Merriam-Webster Dictionary defines oriented as:

- *Oriented: Intellectually, emotionally, or **functionally directed** (emphasis added)*

For the purposes of this analysis, the functional orientation of the use will be considered.

Additional guidance on river-dependent and river-oriented uses can be found in 8-3E-4 (General Provisions). The term “river activated” is used in the context of determining setbacks, but provides a definition of the term and guidance on what is river activated:

River Activated: Spaces and uses that are oriented to and engage the river and greenbelt.

The characteristics of river activated are:

- Primary entrances to buildings that either face the greenbelt or are located within the first 10' of a building side perpendicular to the greenbelt;*
- Active outdoor spaces like patios, decks, and balconies;*
- Ground level transparency in non-residential uses of at least 60%.*
- Open space and landscape areas that emphasize views of the river corridor from adjacent properties.*
- An active mix of uses along the greenbelt that are open and accessible to the public users of the greenbelt.*
- Pedestrian-bicyclist amenities outside of ground floor uses, such as tables and chairs, trash receptacles, drinking fountains, dog waste station, directional and interpretive signage, lighting, bike racks, bike repair stations, and public art to encourage social interaction.*

According to the applicant’s e-mail dated 4/3/2019 and the applicant’s supplemental project letter dated 4/9/2019, the proposed use is river oriented due to:

- *The farmers market is certainly river oriented. It is outdoors along the river and will be visible from and inviting to all users along the river and greenbelt. This use provided a free community event, that welcomes local residents and visitors to our community. As you walk along the Greenbelt the market will encourage you to explore Garden City. This lot is directly on the land side of the Greenbelt and provides a river activated use.*
- *River Oriented -- All lot arrangements will be oriented to the river. Our site is very clean, inviting and welcoming to the community. Access is 8 feet from the Greenbelt on the northwest corner. The pictures provided help support the river orientation, the site will be functionally directed towards the river and welcome visitors in. In the staff report under the River activated section we meet the criteria defined in D, E, F. The retaining wall is much lower than the Greenbelt there; no views of the river are obstructed. Public art will also be on display to encourage art interaction. The pictures also illustrate how there is at least 60% ground level transparency. Tables and chair areas will be provided throughout the site; shaded umbrella areas will be provided on site but will not obstruct patron river views. The arrangement of the site specifically can vary based on vendors of that day, but prior to opening each day the management team will walk the site to ensure compliance with river-oriented design. All signage will be temporary and not fixed to site.*

The proposed uses are adjacent to the Boise River and the Greenbelt and appear to be accessible perpendicular to the Greenbelt. The applicant's supplemental project letter and photos appear to indicate that fencing is at least 60% transparent. Bicycle and pedestrian amenities appear to be shown in the site plan, noted in the supplemental project letter, and shown in photographs of the site. However, the amenities appear limited to 28 bicycle spaces and the Greenbelt. Internal pedestrian connectivity or the location of other pedestrian bicycle amenities such as tables and chairs, trash receptacles, and other amenities does not appear to be shown in the applicant's materials. Internal pedestrian circulation appears to be determined by vendor configuration. A sidewalk waiver is requested and discussed below.

Based on the above information, the uses could be considered river oriented and could be considered an allowed use. The tables found in Garden City Code 8-3A-3 and 8-2B-2 list permitted, conditional, and prohibited uses. Allowed uses under these sections is intended to indicate that a use is allowed, subject to the use being a permitted use (not requiring a conditional use permit), a conditional use or prohibited in the zone. As discussed above, the uses appear to require a conditional use permit pursuant to Garden City Code 8-3A-3. As river oriented uses, conditional use permits should be required.

Dispute of this Determination

Disagreement with the Planning Official's determination is not within the scope of the conditional use permit request. Pursuant to Garden City Code 8-3A-3 (Allowed Uses) and Garden City Code 8-2B-2 (Allowed Uses), an appeal is required to dispute the Planning Official's determination. The appeal is heard by the Commission as a separate matter. The Commission can continue the conditional use application to a date certain while an appeal is resolved, should one be submitted. As of the drafting of this report, an appeal application has not been submitted.

8-3A-4 Boise River and Greenbelt Overlay District – General Provisions

The proposal must comply with the provisions of this section. There appears to be evidence on the record with compliance with the following provision:

- J. Parking: Parking is required to comply with 8-4D (Parking and Off Street Loading Provisions).

The applicant has requested a parking count of 9 off street spaces available at 215 E. 34th Street and a parking alternative based on on-street and shared parking with other properties. The applicant has requested counting on street and off site additional spaces as alternative parking pursuant to 8-4D-6 (Standards for Alternatives to On Site Parking).

Required Parking Analysis

Pursuant to 8-4D-5B (Required Number of Off Street Parking Spaces – Nonresidential Uses), parking for nonresidential uses is determined based on the following criteria:

1. The specific use(s) proposed and/or on the property;
2. Uses in the vicinity of the property;

3. A traffic study, if prepared, forecasting the expected traffic and parking needs expected from the use(s);
4. The availability of on street, shared, and/or public parking within the vicinity of the use; and
5. The availability of public transit, vanpooling or other alternative transportation to serve the use.

Pursuant to 8-4D-6 (Standards for Alternatives to On Site Parking), conditions favorable to providing alternatives to onsite parking are:

1. Shared use:

- a. There are convenient pedestrian connections between separate properties;
- b. The properties and/or uses are within one-fourth (1/4) mile of each other;
- c. The principal operating hours of the uses are not in substantial conflict with one another; and
- d. Directional signs provide notice of the availability of parking.

2. Alternative transportation:

- a. There is a transit stop within one-fourth (1/4) mile of the use; or
- b. There is an incentive program for carpooling, vanpooling, or transit supported by the employer.
- c. There are shower facilities and lockers to support and encourage the use of nonmotorized transportation by employees.

For the proposed farmer's market the applicant has proposed a patron count of between 60 and 100 and a vendor count of between 30 – 50 vendors every Wednesday from June through October between the hours of 5:00 – 9:00pm. Vendor staff can vary based on each vendor, so a count of 1.5 individuals per vendor is average for this analysis based on assuming one person per table and .5 individuals providing assistance,. The applicant has requested 30 spaces for the use of vendors. Based on the applicant's proposal, a total patron and vendor staff count of 175 individuals can be estimated (100 spaces for patrons, 75 spaces for vendors (50 * 1.5, as noted in this report).

For the proposed event center, the applicant has proposed a patron count of 100 individuals. The applicant has requested every Thursday – Sunday between the hours of 12:00 pm – 9:30

pm without limit for the months of the year. However, the applicant has indicated in the supplemental project letter that more than 400 people were on the property for a special event in 2018. Event center vendors and vendor staff counts are not mentioned in the application, but a rate of 1.5 individuals per vendor should be applied similar to the proposed farmer's market. Based on the applicant's proposal and taking the special event patronage from a single event in 2018 into account, a range of 100 – 400 individuals and an unknown amount of vendors can be estimated.

The total counts noted also do not take into account the following:

- The impact of exceeding the 400 patron count noted for the proposed event center. Approval of the proposed conditional use permit and associated parking request would not preclude exceeding the 400 patron count. While conditions of approval could specifically limit a patron count, practical enforcement of this condition is not within the City's resources. Effects from potential traffic congestion would then fall on the Garden City Police Department and the Ada County Highway District to police and mitigate.
- The impact of proposed food trucks for both uses. The applicant has indicated that food trucks would provide food service at the farmer's market, but did not provide an estimated count. Although food trucks are considered the use "Mobile Service" pursuant to 8-2C-47 and 8-7A (Definitions), if food trucks are not located on the site, the food trucks would take up on street parking spaces and would impact the available parking to patrons and vendors.

Based on the application and existing city records, the following uses are noted to be in vicinity of the property. While the applicant has noted a vicinity limited to 32nd – 35th, Clay and Carr Streets, to be consistent with the requirements to determine parking alternatives pursuant to 8-4D-6, the vicinity is considered to be ¼ mile of the site. Please note that this list is not meant to be a comprehensive list, as there are uses, while visible, that may not have a certificate of occupancy:

- Dwelling Unit, Single Family and Two Family, Detached
- Dwelling Unit, Single Family, Attached
- Dwelling Unit, Multi-Family
- Eating Establishment, Limited Service
- Eating Establishment, Full Service
- Food Products Processing, Small Scale
- Food Store
- Lodging
- Personal Service
- Professional Service
- Public Use

A traffic study, such as a traffic impact analysis or a trip generation report, was not provided by the applicant. Ada County Highway District comments have not been received as of the drafting of this report. Idaho Transportation Department comments do not note an objection or require a traffic study. The Commission can require a traffic study if additional information is needed to make a decision.

According to the applicant's parking study exhibit, the following parking spaces are proposed for the uses:

- 323 on-street parking spaces on 32nd, 33rd, 34th, 35th, Clay, and Carr Streets
- 22 off street public parking spaces at the City Parking Lot on 36th Street
- Other off street parking spaces noted in the parking study exhibit, but specific parking numbers were not provided.
- 3306 W. Chinden Blvd is noted in the parking study as providing off street parking and has an occupancy permit currently issued for the use "Food Store". 35 spaces are proposed per the applicant's site plan. A certificate of occupancy has not been issued as of the drafting of this report.

The following Valley Regional Transit route bus stops are within a ¼ mile of the proposed use:

- Route 8: This route operates along Chinden Boulevard connecting to the Town Square Mall seven times between 7:50 am and 2:31 pm. Weekend service is not provided.
- Route 8x: This route operates along Chinden Boulevard connecting to the Town Square Mall six times between 6:15 am and 6:27 pm. Weekend service is not provided.
- Route 11: This route operates five times on weekdays between 6:45 am and 6:03 pm. The route connects from Alworth and Kent to Main and 8th Street in downtown Boise. Weekend service is not provided.
- Schedule information can be found here: <https://www.valleyregionaltransit.org/routes>

Alternative methods of transportation include bicycles, pedestrian, means, and rideshare services such as Uber and Lyft. Bicycle transportation is available to the site via the existing street network and the Greenbelt. The applicant has proposed 28 bicycle parking spaces onsite. Pedestrian connectivity is well established along the Greenbelt, but is limited by a lack of sidewalk on and adjacent to the site.

Determination

Pursuant to Garden City Code 8-4D-5, the following parking determination is made:

- Farmer's Market: A minimum of 150 vehicle spaces.
- Events Center: A minimum of 340 vehicle spaces.

The determination accounts for a 15% reduction in parking from requiring one space per patron and one space per vendor staff. The determination is made based on the following factors:

1. The applicant is proposing to utilize all available on street parking on 32 – 35th, Clay and Carr Streets every Wednesday between June and October from 5:00 pm to 9:00 pm and Thursday – Sunday from 12:30 – 9:00 pm. While the uses may have varying patron levels due to a variety of circumstances such as weather or the type of event being conducted, there is a reasonable expectation that adjacent and surrounding properties would also have need for on-street parking during the time frames requested in the proposal. Many of the uses established along the proposed parking area predate the current code and would not have completed a parking analysis pursuant to 8-4D. The applicant has not provided documentation demonstrating the use of on-street parking along these streets would not deprive other property owners in the area of reasonable use of on-street parking.

2. Public transportation does not appear to adequately service the use. As noted in this report, the frequency and dates of bus service are limited to weekdays and have limited bus runs. Public transportation is available to the proposed farmer's market until no later than 6:27 pm. This service is more limited to the proposed event center, as the use is proposed for evening and weekend use.
3. Pedestrian infrastructure may be inadequate for the proposed use. The Greenbelt appears to provide adequate pedestrian infrastructure. However, the lack of contiguous sidewalks available from the proposed parking areas to the proposed use may present a significant pedestrian hazard. By proposing the majority of parking as on-street parking, users are required to walk along the road or in the unpaved right of way to get to the site. The application does not contain documentation concerning how pedestrian safety will be mitigated in this context. A sidewalk waiver request provided by the applicant is discussed in a later section.
4. The 28 proposed bicycle spaces may be able to adequately service the use, but questions remain on actual use to due variables such as weather. Bicycle connectivity is adequate along the Greenbelt and reasonably available within the local roads subject to state and local traffic laws.
5. However, the context of actual pedestrian and bicycle patronage should be taken into consideration when making a parking determination. The supplemental project letter notes that "around 60% of patrons arrived by foot or bike". Assuming a 60% use of pedestrian and bicycle transportation means as well as assuming 100 patrons for the farmer's market and up to 400 patrons for an event, between 40 and 240 vehicle users would use vehicles and parking spaces. The record is unclear as to whether this 60% estimate was consistent or varied. Variables such as weather can affect actual pedestrian and bicycle numbers.
6. Rideshare services such as Uber and Lyft could reduce the need for parking. However, the application does not appear to contain a loading area for these services. Such services would either be dependent on parking on-street or have to stop in the middle of traffic to pick up and drop off, which could violate state and local traffic laws. Due to these issues, rideshare services cannot be considered a viable alternative transportation method and is not considered a parking alternative.
7. The impact of food trucks to parking spaces cannot be quantified as their number or location was not provided in the application. Patronage and vendor staff levels may have a significant impact on parking counts. Although the applicant has provided patronage and vendor staff levels, without an enforcement mechanism that could limit patronage levels, there is difficulty in enforcing such limits.
8. Shared parking facilities are proposed on properties within a ¼ mile, but there is not enough information on these facilities to determine whether they are adequate to serve the proposed uses. Information on the condition of these properties, number of available spaces, address/parcel number, and their ownership were not provided. While 35 spaces are available at 3306 W. Chinden Blvd., information concerning the hours of operation and patronage levels for the food store use are not provided in the application.

9. The Garden City Parking Lot at 36th Street is a public parking lot that prohibits overnight parking. While overnight parking is not expressly defined in this Title, the limitation appears to conflict with the uses evening hours. Although a public parking lot, the applicant is required to get permission from the City and enter into a shared parking agreement to limit parking at this location to the proposed uses. There is no record of formal permission being granted or a shared parking agreement being entered into with the City.
10. A traffic study was not provided and could not be considered for the purposes of this analysis.

Commission Determination

Although 8-4D-5 requires the Planning Official to determine the required amount of parking, the Commission can, as a condition of approval, set a required amount of parking that differs from the Planning Official's count. The Commission can also determine whether the proposed parking alternatives adequately serve the proposed uses and provide conditions of approval as needed.

Title 8 Chapter 4.

8-4E-6 (Sidewalk Standards)

This subsection requires sidewalks for new and more intense use of property. At times there is overlap between design and use. This subsection and the **Garden City Sidewalk Policy** notes that a sidewalk and landscaping buffer is required for new and more intense use of property. A detached sidewalk with landscaping along E. 34th Street and N. Carr Street is required by this subsection and the Policy. The application does not depict the required sidewalk and landscaping improvements. A sidewalk waiver has been requested pursuant to the Garden City Sidewalk Policy.

The applicant has requested a waiver, citing the following:

In 2019 we anticipate a series of uses on block 35 of 34th Street, lots 31, 32, 33, 34. We are in the process of submitting our SAP/ master plan application that will provide a detailed plan of the sidewalks we are proposing. The master plan needs the approval of the planning staff in order to construct the sidewalk systems. We are asking for an extension until the master plan application is reviewed and modified and or approved.

To request a waiver, the Garden City Sidewalk Policy requires the applicant provide documentation that demonstrates:

1. The lack of sidewalk will not constitute a grant of special privilege inconsistent with the requirements on other properties within Garden City; and
2. The requirement of sidewalk creates an undue hardship beyond that of the requirement of sidewalk elsewhere in Garden City; and
3. The waiver will not unreasonably diminish the health, safety or welfare of the community neighborhood; and
4. The waiver or alternative of a sidewalk is the only reasonable manner to overcome an undue hardship to the subject property; and

5. The waiver or alternative treatment is the minimum relief necessary to allow reasonable use of the subject property.

The Commission may consider the following in making their determination:

- Facts, including costs, demonstrating that construction of a pathway or alternative pedestrian facility is more appropriate.
- The curb, gutter, and concrete sidewalk improvements are already designed and scheduled by the transportation authority, City of Garden City, or Garden City Urban Renewal Agency to be constructed within the next five years.
- The transportation authority is not requiring any improvements.
- The transportation authority has requested that improvements not be constructed.
- The only plausible location for the construction of a sidewalk would create an unsafe situation for the pedestrian or motorist due to the specific physical characteristics of the property.
- The existing adjacent street is of such poor quality that the installation of a sidewalk is infeasible.
- The burden of installation would be disproportionate (see *Determination of Proportionality* below).
- The improvements would include extraordinary costs above and beyond the installation of the same improvements elsewhere in the city for the following reasons:
 - There is an existing structure that will not be removed that impedes the installation; or
 - Drainage would need to be redesigned and reconstructed (substantially more so than in the typical installation of greenfield or infill sidewalk); or
 - There is a public or irrigation structure that impedes the installation.

The Commission will not consider the following in making their determination of and undue hardship:

- Lack of sidewalk on adjacent properties
- Loss of parking
- Ownership of property
- The installation of sidewalk constitutes an unexpected expense to applicant
- Cost of improvement vs. anticipated revenue of project
- The desire of the applicant or property owner to not have a sidewalk

The applicant has had several previous discussions regarding a future specific area plan, master site plan, and planned unit development that includes the subject properties. The policy does not note improvements associated with a future land use application requiring consideration for a sidewalk waiver request. As of the drafting of this report, these applications have not been submitted. The applicant has indicated the proposed uses would be moved into a permanent structure onsite by the year 2021. This appears connected to the future entitlement requests discussed with staff.

8-6B-2 D [Conditional Use] Required Findings

In order to approve a conditional use permit the Planning and Zoning Commission must find:

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;
3. The use will not unreasonably diminish either the health, safety or welfare of the community; and
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

Impacts to Findings 1:

There appears to be evidence on the record that the uses are not appropriate to the location, the lot, the neighborhood, and is compatible with the uses permitted in the applicable zoning district.

The parking proposal may make the uses not appropriate to the area and non compatible with the uses permitted in the Boise River and Greenbelt Overlay District. The parking proposal is discussed in a previous section.

Impacts to Findings 2 and 3:

There appears to be evidence on the record that the uses are not supported by adequate public facilities or services to the surrounding area. There appears to be evidence on the record that the uses will unreasonably diminish either the health, safety or welfare of the community.

As noted in this report, the proposal does not appear to provide adequate sidewalk facilities to serve pedestrians from 34th and Carr Streets. Also noted in this report, the proposal does not appear to provide adequate parking facilities.

The proposal does not appear to provide adequate restroom facilities. According to the applicant's site plan and supplemental project letter, two portable toilets are proposed to serve both the farmer's market and the event center, with the applicant proposing to add more are required. Patronage estimates provided by the applicant estimate up to 100 patrons for each use as well as an actual event count of 400 patrons for a special event in 2018. Vendor staff for the farmer's market is estimated by staff in this report at 75 individuals as noted in this report.

Portable restrooms are regulated by the Central District Health Department for events, but not intended as a permanent sanitary solution. According to the Department document entitled "Event Organizer Information January 2018", number of restroom facilities for a 50/50 mix of men and women is determined based the number of hours of an event and the number of people in attendance per hour.

Table 4-17. Portable unit requirements for number of people per event hours based on a 50/50 mix of men and women.

Number of People	Number of Hours for the Event									
	1	2	3	4	5	6	7	8	9	10
0–500	2	4	4	5	6	7	9	9	10	12
501–1,000	4	6	8	8	9	9	11	12	13	13
1,001–2,000	5	6	9	12	14	16	18	20	23	25
2,001–3,000	6	9	12	16	20	24	26	30	34	38
3,001–4,000	8	13	16	22	25	30	35	40	45	50
4,001–5,000	12	15	20	25	31	38	44	50	56	63
5,001–10,000	15	25	38	50	63	75	88	100	113	125
10,000–15,000	20	38	56	75	94	113	131	150	169	188

For example, the Department would require five portable restrooms with 500 or less people expected to attend for a four hour event.

However, the applicant is seeking a conditional use permit as a permanent entitlement on the property without limit on overall duration of both uses. The request appears to gain approval of the uses in perpetuity and is slated to be in a permanent structure by the year 2021.

Title 6 of the Garden City Code governs water and sewer connections. 6-2-5 (Connection by Meter Required) and 6-3-5 (Sewer Connection Required) require connection to the City's water and sewer system, but in conjunction with the construction of new buildings or structures. Title 6 does not appear to address water and sewer system connections when a new building or structure is not proposed. Permanent restroom facilities would be required with the proposed structure slated for 2021. However, if the Commission finds that permanent restroom facilities are needed to protect the health, safety, and welfare of the community prior to the construction of the structure, conditions of approval requiring permanent restroom facilities connected to the City's water and sewer system can be required.

Impacts to Findings 4:

There appears to be evidence on the record that the uses are in conformance with the comprehensive plan or other adopted plan, policies, and ordinances of the city.

The proposed uses are located in the Live/Work/Create land use designation of the Comprehensive Plan Future Land Use Map:

LIVE-WORK-CREATE: The live-work-create district is located in the Old Town Site generally between 32nd to 37th Streets. This designation reflects an opportunity to create an Arts District within the City where artists, crafts persons, or others can live, work, exhibit and operate a business. A mix of uses, including residential, retail, office and small scale industrial are appropriate for this area. Regulation should be primarily

through form not uses, including maintaining the existing subdivision pattern of small lots, and limiting the maximum building footprint or square footage of a building in relation to lot size. Large scale development that consolidates lots and allows for larger scale industrial or commercial uses should be restricted.

The proposed farmer's market appears to be in conformance with this designation by providing a location where artists and crafts persons can exhibit their work and farmers can sell products.

The proposal appears to be in conformance with the following goals and objectives of the Comprehensive Plan:

Goal 1. Nurture the City

1.1 Objective: Promote city events, seasonal holidays and celebrations.

1.4 Objective: Create a premier destination place to live, work and recreate.

Goal 2. Improve the City Image

2.1 Objective: Encourage new and distinctive neighborhoods.

Goal 3. Create a Heart for the City

The proposal appears to meet these goals and objectives by providing unique uses to the site not found elsewhere in the City.

The proposal appears to be in conformance with the following objectives of the Boise River and Greenbelt Overlay District:

7. To create nodes of urban development in certain locations in the District through appropriate use and development standards.

The proposal could contribute to urban development if appropriate use and development standards are followed.

There appears to be evidence on the record that the uses are in conflict with the comprehensive plan or other adopted plan, policies, and ordinances of the city.

The proposal appears to be in conflict with the following goals and objectives of the Comprehensive Plan:

Goal 7. Connect the City

7.1. Objective: Create pedestrian and bicycle friendly connections.

As noted in this report, the proposal does not appear to provide adequate pedestrian connectivity.

Other Plans and Approvals Analysis

The following other plans were referenced in association with this report:

- Garden City Sidewalk Policy
- Merriam-Webster Dictionary of the English Language
- Valley Ride System Map and Schedules
- Central District Health Department document “Event Organizer Information January 2018”

Comments from Other Departments and Agencies

Idaho Department of Environmental Quality

Standard comments applied.

Idaho Transportation Department

Standard comments applied.

Summary of Comments from Public

Public comments on this application have been received and are attached as exhibits.

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

In the Matter of:)) Conditional Use Permit) Farmers Market / Event Center) 215 and 303 E. 34 th St.;) 3342 N. Carr St;) Garden City, Ada County, Idaho) _____)	CUPFY2019-5 FINDINGS OF FACT, CONCLUSIONS OF LAW; AND DECISION
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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 Hannah Ball of Urban Land Development.
2. The property owner of record is Urban Willow, LLC
3. The application is for the use "Farmer's Market" and the use "Event Center".
4. The location of the project is 215 E. 34th Street, 303 E. 34th Street and 3342 N. Carr Street. Ada County Parcel Numbers R2734541395, R2734541500, R2734541520 respectively; Lot 27, Block 34, Fairview Acres Sub No 5, Lots 33 and 34, Block 35, Fairview Acres Sub No 5, and Lots 31 and 32, Block 35, Fairview Acres Sub No 5, respectively.
5. The subject property is .85 acres.
6. The project is located in the Boise River and Greenbelt Overlay District.
7. The project is located in the Live/Work/Create Garden City Comprehensive Plan Land Use Designation.
8. The existing use on the site is: None
9. Current access to the site is from N. Carr Street and E. 34th Street
10. There are no sidewalks along the site.
11. The following sections of the Garden City Municipal Code apply to this proposal:

This is drafted based on a denial of the request by the Planning and Zoning Commission. The is subject to change based on the Commission's decision.		
Standards	Compliant	Conclusions
GCC 8-7A Definitions of Uses GCC 8-1A-5 Interpretation	Yes	The uses "Farmer's Market" and "Event Center" are not defined terms in Garden City Code. GCC 8-1A-5 requires the use of the Merriam Webster Dictionary to determine the definition of a use. The dictionary defines the uses as: <ul style="list-style-type: none"> • <u>Farmer's Market</u>: A market at which local farmers sell their agricultural

		<p><i>products directly to consumers.</i></p> <ul style="list-style-type: none"> • <u>Event</u>: <i>A social occasion or activity.</i> • <u>Center</u>: <i>A facility providing a place for a particular activity or service.</i>
<p>GCC 8-3A-3 Allowed Uses</p>	<p>Yes</p>	<p>When a use is not listed in this section, a determination of whether the use is equivalent to a permitted or conditional use is required.</p> <p>The use “Farmer’s Market”, without a live music component, is determined to require a conditional use permit based the following:</p> <ul style="list-style-type: none"> • The proposed farmer’s market shares several characteristics with the uses “Club”, “Food Store”, and “Retail Store”, such as operated for a recreational purpose (club), sales of fresh, partially or fully prepared food for consumption (food store), and sales of merchandise or services to the public for monetary compensation (retail store). • Relevant NAICS codes for this use may include 45230 – Fruit and Vegetable Markets – This industry comprises establishments primarily engaged in retailing fresh fruit and vegetables. • The proposed use could be consistent with the following objective of the Boise River and Greenbelt Overlay District purpose statement: “To create nodes of urban development in certain locations in the District through appropriate use and development standards” • The proposed use could be consistent with the following Comprehensive Plan Goals and Objectives:

		<p>Goal 1. Nurture the City</p> <p><i>1.1 Objective: Promote city events, seasonal holidays and celebrations.</i></p> <p><i>1.4 Objective: Create a premier destination place to live, work and recreate.</i></p> <p>Goal 2. Improve the City Image</p> <p><i>2.1 Objective: Encourage new and distinctive neighborhoods.</i></p> <p>There is not enough information on the record to determine if the live music component is a separate use or a component of the farmer's market use.</p> <p>The use "Event Center", without a live music component, is determined to require a conditional use permit based the following:</p> <ul style="list-style-type: none"> • The proposed event center shares several characteristics with the uses "club" and "special event", such as operated for a recreational purpose primarily for the exclusive use of guests (club), and being open to the public on a temporary basis for less than three days (special event). The proposed use, without a live music component, does not appear to be at the scope and scale of a motion picture theater, carnival, night club or a dance hall or does it appear to be intended for purely entertainment purposes. • Relevant NAICS codes for this use may include 532289 – All Other Consumer Goods Rental and 722320 – Caterers. • The proposed use could be
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		<p>consistent with the following objective of the Boise River and Greenbelt Overlay District purpose statement: “To create nodes of urban development in certain locations in the District through appropriate use and development standards”</p> <ul style="list-style-type: none"> The proposed use could be consistent with the following Comprehensive Plan Goals and Objectives: <p>Goal 1. Nurture the City</p> <p><i>1.1 Objective: Promote city events, seasonal holidays and celebrations.</i></p> <p><i>1.4 Objective: Create a premier destination place to live, work and recreate.</i></p> <p>Goal 2. Improve the City Image</p> <p><i>2.1 Objective: Encourage new and distinctive neighborhoods.</i></p> <p>There is not enough information on the record to determine if the live music component is a separate use or a component of the event center use.</p>
<p>GCC 8-3E-3A Allowed Uses</p>	<p>Yes</p>	<p>When a use is not listed in this section, an applicant can request a determination of whether a use is river oriented and an allowed use.</p> <p>8-3E-3B does not provide a specific set of standards to define a river-dependent or a river-oriented use. Examples provided by this section are kayak rental sales or an outdoor theater facing the river. Kayak rental sales appears to be river dependent due to the nature of kayaking. The outdoor theater facing the river is intended to be oriented toward the river rather than being merely adjacent to it.</p>

	<p>The term “oriented” is not defined by this title. The Merriam-Webster Dictionary defines oriented as:</p> <ul style="list-style-type: none"> • <i>Oriented: Intellectually, emotionally, or functionally directed (<u>emphasis added</u>)</i> <p>For the purposes of this analysis, the functional orientation of the use will be considered.</p> <p>Additional guidance on river-dependent and river-oriented uses can be found in 8-3E-4 (General Provisions). The term “river activated” is used in the context of determining setbacks, but provides a definition of the term and guidance on what is river activated:</p> <p><i>River Activated: Spaces and uses that are oriented to and engage the river and greenbelt.</i></p> <p><i>The characteristics of river activated are:</i></p> <ol style="list-style-type: none"> a. <i>Primary entrances to buildings that either face the greenbelt or are located within the first 10' of a building side perpendicular to the greenbelt;</i> b. <i>Active outdoor spaces like patios, decks, and balconies;</i> c. <i>Ground level transparency in non-residential uses of at least 60%.</i> d. <i>Open space and landscape areas that emphasize views of the river corridor from adjacent properties.</i> e. <i>An active mix of uses along the greenbelt that are open and accessible to the public users of the greenbelt.</i> f. <i>Pedestrian-bicyclist amenities outside of ground floor uses, such as tables and chairs, trash receptacles, drinking fountains, dog waste station, directional and interpretive signage, lighting, bike racks, bike repair stations, and public art to encourage social</i>
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		<p><i>interaction.</i></p> <p>The proposed uses are adjacent to the Boise River and the Greenbelt and appear to be accessible perpendicular to the Greenbelt. The applicant's supplemental project letter and photos appear to indicate that fencing is at least 60% transparent. Bicycle and pedestrian amenities appear to be shown in the site plan, noted in the supplemental project letter, and shown in photographs of the site. However, the amenities appear limited to 28 bicycle spaces and the Greenbelt. Internal pedestrian connectivity or the location of other pedestrian bicycle amenities such as tables and chairs, trash receptacles, and other amenities does not appear to be shown in the applicant's materials. Internal pedestrian circulation appears to be determined by vendor configuration.</p> <p>Based on the above information, the uses could be considered river oriented and could be considered an allowed use. The tables found in Garden City Code 8-3A-3 and 8-2B-2 list permitted, conditional, and prohibited uses. Allowed uses under these sections is intended to indicate that a use is allowed, subject to the use being a permitted use (not requiring a conditional use permit), a conditional use or prohibited in the zone. As discussed above, the uses appear to require a conditional use permit pursuant to Garden City Code 8-3A-3. A conditional use permit is required.</p>
<p>GCC 8-3A-4 General Provisions GCC 8-4D Parking and Off Street Loading Provisions</p>	<p>No</p>	<p>The proposed use does not provide enough parking to serve the uses. Pursuant to GCC 8-4D-5 (Required Number of Off Street Parking Spaces – Nonresidential Uses), the following number of required parking spaces have been determined for each use:</p> <p>Farmer's Market: A minimum of 150 vehicle spaces</p> <p>Events Center: A minimum of 340 vehicle spaces</p>

		<p>The determination accounts for a 15% reduction in parking from requiring one space per patron and one space per vendor staff. The determination is made based on the following factors:</p> <ol style="list-style-type: none">1. The applicant is proposing to utilize all available on street parking on 32 – 35th, Clay and Carr Streets every Wednesday between June and October from 5:00 pm to 9:00 pm and Thursday – Sunday from 12:30 – 9:00 pm. While the uses may have varying patron levels due to a variety of circumstances such as weather or the type of event being conducted, there is a reasonable expectation that adjacent and surrounding properties would also have need for on-street parking during the time frames requested in the proposal. Many of the uses established along the proposed parking area predate the current code and would not have completed a parking analysis pursuant to 8-4D. The applicant has not provided documentation demonstrating the use of on-street parking along these streets would not deprive other property owners in the area of reasonable use of on-street parking.2. Public transportation does not appear to adequately service the use. As noted in this report, the frequency and dates of bus service are limited to weekdays and have limited bus runs. Public transportation is available to the proposed farmer's market until no later than 6:27 pm. This service is more limited to the proposed event center, as the use is proposed for evening and weekend use.3. Pedestrian infrastructure may be inadequate for the proposed use.
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		<p>The Greenbelt appears to provide adequate pedestrian infrastructure. However, the lack of contiguous sidewalks available from the proposed parking areas to the proposed use may present a significant pedestrian hazard. By proposing the majority of parking as on-street parking, users are required to walk along the road or in the unpaved right of way to get to the site. The application does not contain documentation concerning how pedestrian safety will be mitigated in this context.</p> <ol style="list-style-type: none">4. The 28 proposed bicycle spaces may be able to adequately service the use, but questions remain on actual use to due variables such as weather. Bicycle connectivity is adequate along the Greenbelt and reasonably available within the local roads subject to state and local traffic laws.5. However, the context of actual pedestrian and bicycle patronage should be taken into consideration when making a parking determination. The supplemental project letter notes that “around 60% of patrons arrived by foot or bike”. Assuming a 60% use of pedestrian and bicycle transportation means as well as assuming 100 patrons for the farmer’s market and up to 400 patrons for an event, between 40 and 240 vehicle users would use vehicles and parking spaces. The record is unclear as to whether this 60% estimate was consistent or varied. Variables such as weather can affect actual pedestrian and bicycle numbers.6. Rideshare services such as Uber and Lyft could reduce the need for parking. However, the application does not appear to contain a
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		<p>loading area for these services. Such services would either be dependent on parking on-street or have to stop in the middle of traffic to pick up and drop off, which could violate state and local traffic laws. Due to these issues, rideshare services cannot be considered a viable alternative transportation method and is not considered a parking alternative.</p> <p>7. The impact of food trucks to parking spaces cannot be quantified as their number or location was not provided in the application. Patronage and vendor staff levels may have a significant impact on parking counts. Although the applicant has provided patronage and vendor staff levels, without an enforcement mechanism that could limit patronage levels, there is difficulty in enforcing such limits.</p> <p>8. Shared parking facilities are proposed on properties within a ¼ mile, but there is not enough information on these facilities to determine whether they are adequate to serve the proposed uses. Information on the condition of these properties, number of available spaces, address/parcel number, and their ownership were not provided. While 35 spaces are available at 3306 W. Chinden Blvd., information concerning the hours of operation and patronage levels for the food store use are not provided in the application.</p> <p>9. The Garden City Parking Lot at 36th Street is a public parking lot that prohibits overnight parking. While overnight parking is not expressly defined in this Title, the limitation appears to conflict with the uses evening hours. Although a public parking lot, the applicant is</p>
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		<p>required to get permission from the City and enter into a shared parking agreement to limit parking at this location to the proposed uses. There is no record of formal permission being granted or a shared parking agreement being entered into with the City.</p> <p>10. A traffic study was not provided and could not be considered for the purposes of this analysis.</p>
Title 8 Chapter 4 Design and Development Regulations	No	The application does not propose sidewalks and landscaping along E. 34 th Street and N. Carr Street pursuant to Garden City Code 8-4E-6 and the Garden City Sidewalk Policy
GCC 8-6B-2 Conditional Use	No	<ol style="list-style-type: none"> 1. The use is not appropriate to the location, the lot, and the neighborhood. The proposal does not provide adequate parking for the proposed use and has a significant negative impact on the availability of on-street parking along E. 32nd – E. 35th, N. Carr, and N. Clay streets. 2. The use is not supported by adequate public facilities or services to the surrounding area; Conditions cannot be established to mitigate adverse impacts. The proposed parking plan is not supported by the existing parking infrastructure. The proposed portable restroom facilities are not capable of supporting the proposed uses and permanent facilities have not been proposed. Sidewalks are not proposed by the applicant as required by Garden City Code 8-4E-6 and the Garden City Sidewalk Policy. 3. The use will not unreasonably diminish either the health, safety or welfare of the community as conditioned; The proposed

		<p>parking plan is not supported by the existing parking infrastructure. The proposed portable restroom facilities are not capable of supporting the proposed uses and permanent facilities have not been proposed. Sidewalks are not proposed by the applicant as required by Garden City Code 8-4E-6 and the Garden City Sidewalk Policy. and;</p> <p>4. The use at this location is not in conformance with the comprehensive plan and other adopted plans, and ordinances of the city.</p>
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12. Other studies, plans or approvals reviewed include:

<p>Garden City Comprehensive Plan</p>	<p>No</p>	<p>The proposal is consistent with the comprehensive land use designations of Mixed Use Commercial and Green Boulevard Corridor.</p> <p>It is not in conformance with Garden City Comprehensive Plan Goals and Objectives:</p> <p>Goal 7. Connect the City</p> <p>7.1. Objective: Create pedestrian and bicycle friendly connections.</p> <p>It is in conformance with Garden City Comprehensive Plan Goals and Objectives:</p> <p>Goal 1. Nurture the City</p> <p>1.1 Objective: Promote city events, seasonal holidays and celebrations. 1.4 Objective: Create a premier destination place to live, work and recreate.</p> <p>Goal 2. Improve the City Image</p>
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		<p>2.1 Objective: Encourage new and distinctive neighborhoods.</p> <p>Goal 3. Create a Heart for the City</p>
Garden City Planning And Zoning Commission Sidewalk Policy	Yes	The policy was reviewed as part of this proposal.
Comments from Other Departments and Agencies	Yes	This approval includes a condition requiring compliance and approval from applicable agencies.

13. A copy of the application and plans was transmitted to interested and affected public agencies and written comments were received from:
 - a. Idaho Transportation Department
 - b. Idaho Department of Environmental Quality
14. The record contains:
 - a. Application Materials
 - b. Letter of Application Acceptance
 - c. Agency Review Transmittal
 - d. Radius Notice
 - e. Legal Advertisement in Idaho Statesman
 - f. Affidavit of property posting
 - g. Agency Comments
 - h. Staff report, and referenced materials
 - i. Public Comments
 - j. Planning and Zoning Commission Hearing Sign Up Sheet
 - k. Signed Findings of Fact, Conclusions of Law, and Decision
15. The application was received February 25, 2019. Notification of application acceptance and completion was sent to the applicant within 30 days of receipt of the application. The Commission Public Hearing was held within sixty (60) days of receipt of an application certified as complete.
16. On March 19, 2019 a letter of acceptance with hearing date was sent to the applicant.
17. A transmittal to other agencies including notice, application and other documents was sent on March 20, 2019 more than fifteen days prior to the public hearing.
18. A legal public hearing notice for the proposed conditional use permit application was published on April 1, 2019, and on March 22, 2019, notice was mailed to all property owners within a 300-foot radius of the said property in compliance with the public notice requirements of Section 8-6A-7 of the Garden City Municipal Code.
19. A sign was posted on or before April 7, 2019, in accordance with Garden City Code for the public hearing of April 17, 2019.
20. On April 17, 2019, at the Planning and Zoning Commission public hearing
 - a. This is a placeholder only. It will change based on the actual proceedings.

CONCLUSIONS OF LAW

The Planning and Zoning Commission reviewed the application with regard to Garden City Code Title 8, and based on the conditions required herein, concludes the application **MEETS/DOES NOT MEET** the standards of approval under **GCC 8-6B-2 Conditional Use**.

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Planning and Zoning Commission hereby **APPROVES/ DENIES** of the application subject to the following conditions:

Items in grey font are potential conditions of approval that apply only to an approval of this application.

Items in red font are potential conditions of denial that apply only to a denial of this application.

Prior to Occupancy

1. A detached sidewalk and landscaping meeting the requirements of Garden City Code and the Garden City Sidewalk Policy shall be installed.
2. Cross parking agreements shall be secured with properties utilized for off street parking.

General Requirements

1. Any changes in the design, construction, operation or use shall be brought to the immediate attention of the Planning Official for determination if the changes are in substantial conformance with the City's action. Any changes to the plans and specifications upon which this approval is based, other than those required by the above conditions, will require submittal of an application for modification and approval of that application prior to commencing any change.
2. This Conditional Use Permit shall not be transferable from one parcel of land to another. Unless otherwise stated in the conditions attached to a permit, the permit shall be granted to the applicant and successors in interest to the premises for which it was approved.
3. This approval is only approval of the conditional use permit. All other applicable permits must be obtained and completed prior to a certificate of compliance or occupancy.
4. The approval is specific to the application provided and reviewed. Final approval is based on substantial conformance. Any changes to the plans and specifications upon which this approval is based, other than those required by the above conditions, will require submittal of an application for modification and approval of that application prior to commencing any change.
5. Final approval is subject to the approval of other reviewing agencies and City Departments. Any more restrictive standards adopted and made applicable by any Transportation Authority, Fire Authority or other Federal, State or Local regulatory agencies shall prevail.
6. All improvements and operations shall comply with applicable local, state and federal requirements and procedures whether specifically addressed in the analysis of this application or not. This shall include but not be limited to 8-4A General Provisions of Design and Development Regulations.
7. Unobstructed easements, including but not limited to, drainage, water, and sewer easements shall be provided as required by the City Public Works or Planning Official.
8. The property owner is responsible to maintain the site to edge of roadway asphalt.

9. If there are any tree grates, they shall be widened to accommodate the growing tree trunk and prevent girdling of any trees planted in tree wells within sidewalks or other public right of way.
10. Plant materials which exhibit evidence of insect pests, disease, and/or damage shall be appropriately treated to correct the problem. Dead and diseased plant materials shall be replaced.
11. Where landscaping might impact motorist or pedestrian sight distance, shrubs shall be maintained below three feet (3') in height and trees shall be pruned so that the lowest branches will be at least seven feet (7') above the ground level.
12. A three foot (3') clearance zone shall be maintained around the circumference of fire hydrants.
13. Retain and protect existing trees, vegetation, and native soils and integrate these features into the overall landscape plan.
14. If trees are staked, the stakes shall be removed within twelve (12) months to prevent damage to the tree.
15. All planting areas that border driveways, parking lots, and other vehicle use areas shall be protected by curbing, wheel stops, or other approved protective devices.
16. Trees shall be planted at least three feet (3') from curbs, sidewalks, driveways and other hard surfaces to buffer from stress caused by vehicle overhang and compacted soils, or planted with sufficient space to provide for the full maturity of the particular tree species. All other plant material, except sod or ground cover, shall be set back a minimum of one foot (1') from any curb edge to protect from vehicle overhang and mechanical damage.
17. The landscape installation shall stabilize all soil and slopes.
18. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
19. This approval is for this application only. Additional permits, licenses and approvals may be necessary.
20. Property maintenance standards shall be maintained as required by Garden City Code.
21. The property owner is responsible for the maintenance of all landscaping and screening devices required.
22. Cross-Connections: All cross-connections between the domestic water lines and the irrigation water lines shall be in accord with the City's adopted standards, specifications and ordinances.
23. Materials submitted after the decision shall not be considered part of the record for this decision. If additional materials or information is submitted after the decision the application may be remanded to the decision making body during which time the decision shall be stayed provided that there is no immediate threat to life or safety.
24. No change in terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his or her authorized representative and an authorized representative of the reviewing agency. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Garden City.
25. The Commission may revoke a conditional use permit for any of the following: A) Violation of Garden City Code or State or Federal Laws; B) Failure to abide by any conditions of this permit; C) Causing or allowing a nuisance as determined by Garden City Code, in connection with the use for which the permit is granted.
26. Any violation of the conditions of this application is a criminal offence.
27. The Commission may revoke a conditional use permit for any of the following: A) Violation of Garden City Code or State or Federal Laws; B) Failure to abide by any conditions of this permit; C) Causing or allowing a nuisance as determined by Garden City Code, in connection with the use for which the permit is granted.

28. A certificate of occupancy or an application for a building permit shall be considered commencement of the use.
29. All previous uses are null and void unless otherwise conditioned.
30. This approval shall become null and void if a building permit or certificate of occupancy has not been issued within one year of the approval. An extension may be granted by the Commission upon findings that the application and or the applicable City regulations have not changed. Such extension shall be applied for sixty (60) days prior to the expiration date for the original approval; only one extension of not more than three hundred sixty five (365) days shall be granted.
31. Should there be a change in use, there is a clear intent to cease the use, or the use is discontinued for more than one year without written documentation submitted to the City, legal noticing, and property posting indicating intent to continue the use, this approval shall become void.
32. There is a 15 day right to appeal to City Council. An appeal shall be made on the form provided by the City and filed with the City Clerk within ten (10) days after the action of the decision.
33. Final decisions are subject to judicial review pursuant to The Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
34. Pursuant to Idaho Code, a request for reconsideration must be submitted within 14 days of the final decision and prior to judicial review. The written request must identify specific deficiencies in the decision for which reconsideration is sought.
35. A takings analysis pursuant to Idaho Code may be requested on final decisions.
36. 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.

Decision for Denial

1. There is a 15 day right to appeal to City Council. An appeal shall be made on the form provided by the City and filed with the City Clerk within ten (10) days after the action of the decision.
2. Final decisions are subject to judicial review pursuant to The Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
3. Pursuant to Idaho Code, a request for reconsideration must be submitted within 14 days of the final decision and prior to judicial review. The written request must identify specific deficiencies in the decision for which reconsideration is sought.
4. A takings analysis pursuant to Idaho Code may be requested on final decisions.
5. 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.

Chairman, Planning and Zoning Commission

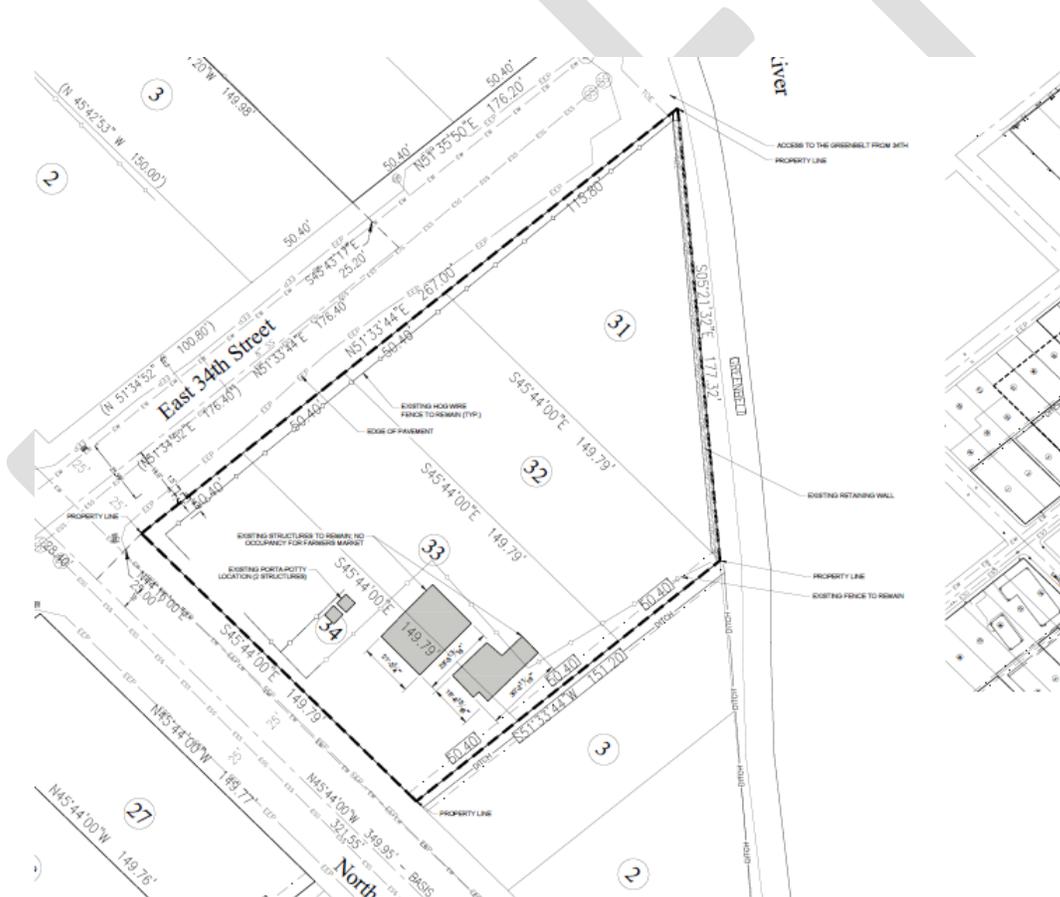
Date



CITY OF GARDEN CITY

6015 Glenwood Street ■ Garden City, Idaho 83714
 ■planning@gardencityidaho.org ■www.gardencityidaho.org
 ■Phone 208/472-2921

CUPFY2019-4
Conditional Use Permit
 For:
Use: Farmer's Market, Event Center
Location: 215 E. 34th Street, 303 E. 34th Street, and 3342 Carr Street
Applicant: Hannah Ball, Urban Land Development



Staff Contact: Chris Samples (208) 472-2921; csamples@gardencityidaho.org

City of Garden City
Planning and Zoning Commission Staff
Report

Project Description:

Planning and Zoning Commission Public Hearing Date: Wednesday April 17, 2019 ,
at 6:30 p.m.

Application File Number: CUPFY2019-4

Applicant: Hannah Ball with Urban Land Development

Location: 303 E. 34th Street, 3342 Carr Street; Ada County Parcel Numbers R2734541500, R2734541520 respectively. (Note: There is a discrepancy between the addresses listed and the scope of work depicted in the application materials. 215 E. 34th Street is listed on the application, but is not shown in the site plan as containing areas for the proposed use.)

Requested Use: Farmer's Market, Event Center

Project Synopsis: Hannah Ball with Urban Land Development is requesting Conditional Use Permit approval of a seasonal outdoor farmer's market at several addresses including 303 E. 34th St., 3342 Carr St., 215 E. 34th St., among others. The properties are located in the general commercial (C-2) zoning district, the Boise River Greenbelt Overlay District, and the Work-Live-Create designation of the Comprehensive Plan.

Existing Conditions:

- The subject properties are 0.68 acres.
- The project is in the Boise River and Greenbelt Overlay District
- The project is located in the Live Work Create Comprehensive Plan Land Use Designation
- The subject property is not located in 100 year floodplain designation.
- Surrounding Uses: Residential Uses
- Existing Use: None. Temporary use permits were previously issued to the property in 2018, but have expired.
- The following easements are located on this property:
 - EAS2006-00049 – Fairview Acres Lateral Water Users Association
 - EAS2006-00049 – Greenbelt Easements
- Access to the site is from 34th Street and Carr Streets
- There are no sidewalks in good repair on or adjacent to the site.

Standards for Review: Standards for review of this application are as follows:

1. GCC 8-7A Definitions of Uses
2. GCC 8-3A-3 Allowed Uses
3. GCC 8-3A-4 General Provisions
4. Title 8 Chapter 4 Design and Development Regulations
5. GCC 8-6B-2 Conditional Use

Additional Plans and Comments Noted:

1. Other Plans and Approvals Analysis
2. Department and Agency Comments
3. Public Comments

Staff Analysis:

GCC 8-7A Definitions of Uses

The use “Farmer’s Market” and “Event Center” are not defined terms in Garden City Code. Pursuant to Garden City Code 8-1A-5 (Interpretation), when a term is not defined in Garden City Code, the latest edition of the Merriam-Webster’s Unabridged Dictionary of the English Language is required to be used.

- Farmers Market: *A market at which local farmers sell their agricultural products directly to consumers.*
- Event: *A social occasion or activity.*
- Center: *A facility providing a place for a particular activity or service.*

While the definition appears to apply to only agricultural products, farmer’s markets such as the Capital City Farmer’s Market have also included the sale of prepared food, artisan products, and similar items. While it appears the applicant has proposed such a use, the application does not appear to contain specific information concerning the scope of activities of the use.

While the proposed event center appears to be within the scope of the definition, the application does not appear to contain specific information concerning the scope of activities of the use.

The Commission should consider whether the scope of the applicant’s proposal fits within the definitions noted above. Additional information may be needed for the Commission to make a determination.

GCC 8-3A-3 Overlay Districts – Allowed Uses

The property is located in the Boise River and Greenbelt Overlay District. The use “Farmer’s Market” is not listed as a use in Table 8-3A-1. (Allowed uses in All Base Zoning Districts). When a use is not specifically listed, it is prohibited unless the Planning Official “determines that the proposed use is equivalent to a permitted or conditional use” pursuant to Garden City Code 8-2B-2 (Allowed Uses). The Planning Official shall consider the following when making a determination:

1. The impacts on public services and activities associated with the proposed use are substantially similar to those of one (1) or more of the uses listed in the applicable base districts as allowed;
2. The proposed use shall not involve a higher level of activity or density than one (1) or more of the uses listed in the applicable base districts as allowed;
3. The proposed use is within the same use category of an allowed use listed in the latest edition of the North American Industrial Classification System (NAICS), published by the United States Department of Commerce;
4. The proposed use is consistent with the purpose of the district in which the use is proposed to be located; and
5. The proposed use is in substantial conformance with goals and objectives of the comprehensive plan.
6. Should the use be determined equivalent to a use that requires a conditional use permit, the application shall be required to follow the procedures set forth for conditional use permits.

However, pursuant to 8-3E-3B (Boise River and Greenbelt Overlay District, Allowed Uses) uses not identified in Table 8-3A-1 may also be determined to be a permitted or conditional use based upon demonstration that the use is river-dependent or river oriented. Examples listed include kayak rental sales or an outdoor theater facing the river.

The applicant is disputing the need for a conditional use permit and has requested a determination of use based on 8-3A-3 and 8-3E-3A to consider the proposal as the use "retail store". While the application appears to contain limited information concerning the scope of the proposed uses, an analysis based on what is provided follows.

8-3A-3 (Allowed Use) Farmer's Market Analysis

The proposed use appears to have a similar level of activity and impact on public services with the following uses:

- Club (Conditional Use): The use of a site owned or operated by an organized association of persons for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests; and not primarily operated for profit or to render a service customarily carried on as a business.
- Food Store (Conditional Use): The use of a site for the sale of fresh, partially or fully prepared food for consumption at a different location in conjunction with a full line of consumable goods, toiletries, cleaning supplies, and household supplies. The term "food store" includes grocery store, delicatessens, bakery and convenience stores.

- Retail Store (Permitted): The use of a site that offers merchandise or services to the public for monetary compensation. The term "retail store" includes, but is not limited to: hobby, office supplies, stationery and gift stores; specialty stores; apparel and accessories stores; pharmacy and drug; used merchandise stores; book, computer, and music stores; electronics and appliances; florists; furniture and home furnishings; general merchandise stores; health and personal care stores; and sporting goods stores.

The proposed farmer's market shares several characteristics with these uses, such as operated for a recreational purpose (club), sales of fresh, partially or fully prepared food for consumption (food store), and sales of merchandise or services to the public for monetary compensation (retail store). Relevant NAICS codes for this use may include 45230 – Fruit and Vegetable Markets – This industry comprises establishments primarily engaged in retailing fresh fruit and vegetables.

The information available on the record appears to frame the proposed use as having a similar level of activity to the uses noted above. However, there does not appear to be enough information on the record to determine if the proposed use appears consistent with the purpose of the Boise River and Greenbelt Overlay District or the Comprehensive Plan. An accounting of needed information is detailed later in this report.

Based on the limited information available, the use "Farmer's Market" is a conditional use in the Boise River and Greenbelt Overlay Zoning District.

8-3A-3 (Allowed Use) Public/Private Event Space

The proposed use appears to have a similar level of activity and impact on public services with the following uses:

- Club (Conditional Use): The use of a site owned or operated by an organized association of persons for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests; and not primarily operated for profit or to render a service customarily carried on as a business.
- Special Event (Permitted): A temporary use that is open to the public that lasts three days or less.

The following use is noted for the purposes of this review, but does not create a similar level of activity and impact on public services:

- Commercial Entertainment Facility (Prohibited): The use of a site for any profit making activity which is generally related to the entertainment field. The term "commercial entertainment facility" includes motion picture theaters, carnivals, nightclubs, and dance halls.

The proposed event center shares several characteristics with club and special event, such as operated for a recreational purpose primarily for the exclusive use of guests (club), and being open to the public on a temporary basis for less than three days (special event). The proposed use does not appear to be at the scope and scale of a motion picture theater, carnival, night club or a dance hall or does it appear to be intended for purely entertainment purposes.

Relevant NAICS codes for this use may include 532289 – All Other Consumer Goods Rental and 722320 – Caterers.

The information available on the record appears to frame the proposed use as having a similar level of activity to the uses noted above. However, there does not appear to be enough information on the record to determine if the proposed use appears consistent with the purpose of the Boise River and Greenbelt Overlay District or the Comprehensive Plan. An accounting of needed information is detailed later in this report.

Based on the limited information available, the use “Event Center” is a conditional use in the Boise River and Greenbelt Overlay Zoning District.

8-3E-3B (River-Dependent/River-Oriented Use) Farmer’s Market/Public Private Event Space Analysis

8-3E-3B does not provide a specific set of standards to define a river-dependent or a river-oriented use. Examples provided by this section are kayak rental sales or an outdoor theater facing the river. Kayak rental sales appears to be river dependent due to the nature of kayaking. The outdoor theater facing the river is intended to be oriented toward the river rather than being merely adjacent to it.

The term “oriented” is not defined by this title. The Merriam-Webster Dictionary defines oriented as:

- *Oriented: Intellectually, emotionally, or **functionally directed** (emphasis added)*

For the purposes of this analysis, the functional orientation of the use will be considered.

Additional guidance on river-dependent and river-oriented uses can be found in 8-3E-4 (General Provisions). The term “river activated” is used in the context of determining setbacks, but provides a definition of the term and guidance on what is river activated:

River Activated: Spaces and uses that are oriented to and engage the river and greenbelt.

The characteristics of river activated are:

- a. *Primary entrances to buildings that either face the greenbelt or are located within the first 10' of a building side perpendicular to the greenbelt;*
- b. *Active outdoor spaces like patios, decks, and balconies;*
- c. *Ground level transparency in non-residential uses of at least 60%.*
- d. *Open space and landscape areas that emphasize views of the river corridor from adjacent properties.*
- e. *An active mix of uses along the greenbelt that are open and accessible to the public users of the greenbelt.*
- f. *Pedestrian-bicyclist amenities outside of ground floor uses, such as tables and chairs, trash receptacles, drinking fountains, dog waste station, directional and interpretive signage, lighting, bike racks, bike repair stations, and public art to encourage social interaction.*

According to the applicant’s e-mail dated 4/3/2019, the proposed use is river oriented due to:

- *The farmers market is certainly river oriented. It is outdoors along the river and will be visible from and inviting to all users along the river and greenbelt. This use provided a free community event, that welcomes local residents and visitors to our community. As you walk along the Greenbelt the market will encourage you to explore Garden City. This lot is directly on the land side of the Greenbelt and provides a river activated use.*

While the proposed uses are adjacent to the Boise River and the Greenbelt, the uses are not directly accessible from the Greenbelt. The revised site plan depicts the entrance to the proposed uses from Carr Street, as a hog fence is shown to remain around most of the property. The revised site plan shows an existing retaining wall placed along the Greenbelt side of the property, with the Greenbelt pathway access adjacent to this wall. The application does not appear to contain information such as the number of vendors, their arrangement on the site, and other similar information related to the uses. Such information could assist evaluating whether the uses are river oriented.

The application does not appear to contain enough information to determine whether the use is river activated. The application does not depict the location of outdoor spaces, whether the retaining wall will present a 60% transparency, whether open space and landscape areas emphasize views along the river, and the location of pedestrian-bicyclist amenities (with the exception of bike racks). Although no new structures are proposed, the revised site plan does not appear to depict entrances facing the Greenbelt or are located within the first 10' perpendicular to the Greenbelt. The application proposes an active mix of uses open to the public, but also proposes holding private events.

The application does not contain enough information to make a determination about whether the use is river oriented. The following information is needed:

- Number of vendors, and how the vendors will be arranged
- Information concerning anticipated patronage levels and dates and hours of operation
- Location of outdoor open space and landscape areas
- Location and configuration of pedestrian-bicyclist amenities outside of ground floor uses, such as tables and chairs, trash receptacles, drinking fountains, dog waste station, directional and interpretive signage, lighting, bike racks, bike repair stations, and public art to encourage social interaction.
- Depiction of ground level transparency of at least 60%
- Location of an entrance from the Greenbelt or within 10' perpendicular to the Greenbelt

Dispute of this Determination

Disagreement with the Planning Official's determination is not within the scope of the permit request. Pursuant to Garden City Code 8-3A-3 (Allowed Uses) and Garden City Code 8-2B-2 (Allowed Uses), an appeal is required to dispute the Planning Official's determination. The appeal is heard by the Commission as a separate matter. The Commission can continue the conditional use application to a date certain while an appeal is resolved, should one be submitted. As of the drafting of this report, an appeal application has not been submitted.

Please note that a determination of river oriented use could not be made based on the information on the record. The applicant can provide this information or is free to appeal the need for this information. An appeal would be handled as noted above.

GCC 8-3A-4 Boise River and Greenbelt Overlay District – General Provisions

The proposal does not appear to contain enough information to determine compliance with these provisions. Additional information is needed concerning:

- H. Screening, Fencing, and Walls: Information demonstrating compliance with this section is needed.
- K. Prohibitions: The revised site plan shows the entire property gated on 34th Street, which is in violation of this provision.
- J. Parking: Parking information is discussed in a following section.

Landscaping, exterior lighting, and natural resources protection are usually reviewed administratively. However, the Commission can request information concerning these requirements at their discretion.

Title 8 Chapter 4. GCC 8-4E-6 (Sidewalk Standards)

This subsection requires sidewalks for new and more intense use of property. At times there is overlap between design and use. This subsection and the ***Garden City Sidewalk Policy*** notes that a sidewalk and landscaping buffer is required for new and more intense use of property. A detached sidewalk with landscaping along E. 34th Street and N. Carr Street is required by this subsection and the Policy. The application does not depict the required sidewalk and landscaping improvements.

8-6B-2 D [Conditional Use] Required Findings

In order to approve a conditional use permit the Planning and Zoning Commission must find:

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;
3. The use will not unreasonably diminish either the health, safety or welfare of the community; and
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

Impacts to Findings 1-4:

The proposal appears to lack enough information to determine whether the proposal is in compliance with the required findings for a conditional use permit. The application does not contain enough information concerning:

- **Scope of application:** The application appears to propose a Wednesday farmers market and an event center, but a specific scope of each use does not appear to be included in the application. The application does not contain information concerning the capacity of the site to handle patrons and vendors safely, number of vendors, vendor specific activities, how the vendors will be arranged, and how vendors will load and unload off site. Information concerning anticipated patronage levels and dates and hours of operation were not provided.
- **Restroom facilities:** The application proposes two portable toilet facilities on the site, but has not included permanent restroom facilities. The application appears to indicate that all proposed uses will be supported by two portable toilets, but an anticipated patronage count is not provided. The application does not indicate whether permanent restroom facilities will be installed.
- **Loading:** Vendor parking and loading is not addressed in the application. The application does not include a parking analysis or parking alternatives pursuant to GCC 8-4D (Parking and Off Street Loading Provisions) to support a specific parking count.

The applicant has provided information concerning parking. However, without the requested information, the context of the parking and its ability to serve the proposed uses cannot be determined.

Other Plans and Approvals Analysis

The Garden City Sidewalk Policy was reviewed in association with this application.

Comments from Other Departments and Agencies

Idaho Department of Environmental Quality

Standard comments applied.

Summary of Comments from Public

There have been no written public comments received to date.

AN ORDINANCE AMENDING TITLE 8 GARDEN CITY DEVELOPMENT CODE; AMENDING THE OVERLAY ZONING DISTRICTS ESTABLISHED BY ADDING A NEW OVERLAY DISTRICT, THE BOISE RIVER AND GREENBELT; AMENDING TABLE 8-3A-1 ALLOWED USES BY IDENTIFYING THE USES ALLOWED IN THE NEW BOISE RIVER AND GREENBELT; ESTABLISHING A NEW ARTICLE, ARTICLE 8-3E BOISE RIVER AND GREENBELT; AMENDING 8-6A-1 BY ESTABLISHING AUTHORITIES RELATED TO ARTICLE 8-3E BOISE RIVER AND GREENBELT AND AMENDING 8-7A-2 DEFINITIONS AND PROVIDING AN EFFECTIVE DATE FOR ADOPTION.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GARDEN CITY, IDAHO:

SECTION 1: GARDEN CITY CODE 8-3A-1 ZONING DISTRICTS ESTABLISHED IS AMENDED BY ADDING THE NEW DISTRICT:

The purpose of the overlay districts is to provide an incentive to implement the comprehensive plan and preserve the rights of property owners. The city hereby establishes the following overlay zoning districts:

Flood hazard (FH)

Surel Mitchell Work-Live-Create (WLC)

Neighborhood Commercial Node (NCN)

Transit Oriented Development (TOD)

Green Boulevard Corridor (GBC)

Boise River and Greenbelt (BRG)

SECTION 2: GARDEN CITY CODE 8-3A-3 ALLOWED USES IS AMENDED BY ADDING THE FOLLOWING PROVISIONS:

- A. Table 8-3A-1 of this section lists allowed uses in the overlay zones.
- B. If a proposed use of property is not specifically listed in table 8-3A-1 of this section, the use shall be prohibited, except if the planning official determines that the proposed use is equivalent to a permitted or conditional use. The planning official's determination shall be based on the criteria set forth in section 8-2B-2 of this title.

C. For uses that may fall into more than one category, the planning official shall determine the most appropriate category based on the more restrictive standards.

D. Except for areas within the Boise River and Greenbelt Overlay District, in the flood hazard overlay district, all uses are allowed that are allowed in the base zoning district.

E. In the Boise River and Greenbelt Overlay District, additional use restrictions apply. See Section 8-3E-3 for these restrictions.

SECTION 3: GARDEN CITY CODE TABLE 8-3A-1 ALLOWED USES IN THE OVERLAY ZONING DISTRICTS IS AMENDED BY ADDING THE FOLLOWING NEW USES AND PROVISIONS:

	WLC	NCN	TOD	GBC	<u>BRG</u>
Accessory use*	P	P			<u>C</u>
Agriculture*	P	P			<u>C²</u>
Amusement center*	C	P ¹			
Animal care facility*	C	C			
Artist studio	P	P			<u>P</u>
Bed and breakfast*	P	P			<u>P</u>
Bicycle sales, service, storage, rental	P	P			<u>P</u>
Building material, garden and equipment*	C	C			
Church or place of religious worship*	C	C			<u>C</u>
Club*	C	C			<u>C</u>
Commercial entertainment facility*	C	C			
Daycare, center*	P	P			<u>P</u>
Daycare, neighborhood*	P	P			<u>P</u>
Daycare, personal*	P	P			<u>P</u>
Drinking establishment, full service*	C	C			<u>C</u>
Drinking establishment, limited service*	P	P			<u>P</u>

SECTION 3: GARDEN CITY CODE TABLE 8-3A-1 ALLOWED USES IN THE OVERLAY ZONING DISTRICTS IS AMENDED BY ADDING THE FOLLOWING NEW USES AND PROVISIONS:

	WLC	NCN	TOD	GBC	<u>BRG</u>
Drive-through establishment*					
Dwelling unit, accessory*	P	P			<u>P</u>
Dwelling unit, group	P	C			<u>C</u>
Dwelling unit, multiple-family*	P	P			<u>P</u>
Dwelling unit, single-family attached	P	P			<u>P</u>
Dwelling unit, single-family detached	P	P			<u>P</u>
Dwelling unit, two-family	P	P			<u>P</u>
Eating establishment, full service	C	C			<u>C</u>
Eating establishment, limited service	P	P			<u>P</u>
Equipment rental, sale and service*	C				
Financial institution*	P	P			
Food products, small scale processing*	P	P			<u>C</u>
Food store*	C	C			<u>C</u>
Fuel sales*	C				
Health club*	P	C			<u>C</u>
Healthcare and social service	P	P			
Home occupation*	P	P			<u>P</u>
Hospital*	C				
Industry, information*	P	C			
Industry, flex*					
Industry, light*					
Kennel, hobby*	P				

SECTION 3: GARDEN CITY CODE TABLE 8-3A-1 ALLOWED USES IN THE OVERLAY ZONING DISTRICTS IS AMENDED BY ADDING THE FOLLOWING NEW USES AND PROVISIONS:

	WLC	NCN	TOD	GBC	<u>BRG</u>
Laboratory - medical, dental, optical	P	P			
Laundromat, self-service cleaner*	P	P			
Laundry and dry cleaning, commercial plant	C				
Laundry and dry cleaning establishment	C	C			
Lending institution					
Lodging*	P	P			<u>C</u>
Manufactured/mobile home park	C	C			
Mortuary*	C	C	C	C	
Motorcycle sale, service, storage, rental	C				
Nursery*	P	P			
Nursing and residential care*	C	C			<u>C</u>
Parking facility	C	C			<u>C³</u>
Personal service*	P	P			<u>P</u>
Professional service*	P	P			<u>P</u>
Public service facility	C	C			<u>C</u>
Public uses	C	C			<u>C</u>
Recreational vehicle park*	C				
Research and development	P	P	P	P	<u>C</u>
Retail production	P	C	C	P	<u>C</u>
Retail store	P	P			<u>P</u>
School*	C	C			

SECTION 3: GARDEN CITY CODE TABLE 8-3A-1 ALLOWED USES IN THE OVERLAY ZONING DISTRICTS IS AMENDED BY ADDING THE FOLLOWING NEW USES AND PROVISIONS:

	WLC	NCN	TOD	GBC	<u>BRG</u>
Service provider*					
Storage facility, self-service					
Storage facility or yard*	C				
Storage yard, commercial recreational vehicle					
Temporary use*	P	P			<u>P</u>
Tobacco entertainment facility*	C	C			
Tobacco retail	P	P			
Vehicle rental*	C	C			
Vehicle sales*	C	C			
Vehicle service*	C	C			
Vehicle washing facility*					
Warehouse and storage, wholesale*	C				
Wireless communication facility*					

* Indicates uses that are subject to specific land use provisions as set forth in chapter 2, article C of this title.

1. Indoor only.

2. Horticultural uses only

3. Only when in combination with a public shared facility that supports river or greenbelt based uses.

SECTION 4: A NEW ARTICLE IS ADDED TO GARDEN CITY CODE, ARTICLE E. BOISE RIVER AND GREENBELT:

ARTICLE E. BOISE RIVER AND GREENBELT

SECTIONS:

- 8-3E-1: Purpose
- 8-3E-2: Applicability
- 8-3E-3: Allowed Uses
- 8-3E-4: General Provisions

8-3E-1 Purpose:

A. The Boise River is the city's most significant natural resource and imparts the unique identity of the City with a river running through it. The Boise River Greenbelt, with its pathways and green spaces, is also significant to the recreational enjoyment, health and conveyance of city residents.

B. The Boise River and Greenbelt (BRG) Overlay District is intended to preserve, protect and enhance the river, and the public's enjoyment and access to the Boise River and Greenbelt through carefully planned and designed development. Mixed use, commercial development, and urban density housing are encouraged that focus on, celebrate, connect and enhance the Boise River environment. Objectives of the provisions in this article:

1. To protect public access and enjoyment of the river and greenbelt through regulations on the location, orientation, density, and appearance of development.
2. To encourage the highest best use development adjacent to the urban river setting through specific use standards.
3. To protect critical wildlife habitat and wetlands along the river through limiting development in these areas.
4. To minimize disruption and alteration of existing waterways through limitations on grading and land clearing.
5. To enhance the natural environment with requirements for appropriate native landscaping, planting and landscape maintenance techniques.
6. To protect and enhance connectivity along the greenbelt and linkages with other parks, paths and green spaces through incentives that encourages dedication or easements for public use.
7. To create nodes of urban development in certain locations in the District through appropriate use and development standards.

8. To provide for emergency and maintenance services to the Boise River and Greenbelt through the requirements for public access.

8-3E-2 Applicability:

- A. Provisions of this article apply to all property within the boundaries of the BRG as shown on the Garden City Zoning Map.
 1. The boundary delineation generally follows the property lines of the parcels or lots of record immediately adjacent to the Boise River and/or the Boise River Greenbelt, and including any adjoining lots or parcels in the same ownership as depicted in the rolls of the Ada County Assessor as of the adoption of this ordinance (date of ordinance adoption).
 2. The boundary may be expanded to including additional properties through the process of developing a master plan as set forth in Section 8-3E-4-B.
- B. Some properties within the BRG are affected by more than one overlay zone. Where this is the case, applicable requirements for each overlay zone shall apply within that zone's boundaries. Where there are conflicts between requirements, the determination of which requirements apply shall be made by the Planning and Zoning Commission in regards to land uses and by the Design Review Committee in regards to site and building design.
- C. Nothing in this Article shall exempt or exclude development from the provisions of Article 8-3B FLOOD HAZARD.

8-3E-3 Allowed Uses:

- A. Allowed uses identified in Table 8-3A-1 shall demonstrate that the use is oriented to the river and greenbelt, and are appropriately designed and scaled to this unique environment. Despite a use identified in Table 8-3A-1, the use shall not be allowed if it fails to meet the standards of this Article.
- B. Uses not identified in Table 8-3A-1 may be allowed upon demonstration that the use is river-dependent or river-oriented. Determination of an allowed use shall be made by the Planning Official. For example, kayak rental sales or an outdoor theater facing the river.
- C. In the fully developed areas of the BRG overlay where the base district is R-2 or R-3, uses are restricted to those uses allowed in the base district, except for parcels in excess of one (1) acre or more in size where uses as identified in Table 8-3A-1 are allowed.
- D. Mixed use, including commercial and urban density residential, are encouraged in the areas along the river between N. Glenwood Street and the city's eastern boundary. Mixed use shall include a minimum of 14 dwelling units/acre including single family attached and multi-family. At least fifty percent (50%) of the gross floor

area of all buildings shall be in residential uses and at least twenty percent (20%) of the gross floor area shall be non-residential land uses to qualify as mixed use.

8-3E-4 General Provisions:

A. Table 8-3E-1 Dimensional Standards:

	Single Family Residential	All Other Uses
Setbacks		
Minimum setback from the Ordinary High-Water Mark (see 8-5C-4B-5)	70'	
Minimum setback from Wetlands/Critical Habitat Areas	50'	
Minimum setback for Front River Activated*	10'	
Minimum rear setback bordering the river*	30'	
Minimum front setback	20'	5'
Minimum rear setback	15'	5'
Minimum side setback	5'	
Height		
Within 10-19' from the greenbelt	2 stories	
Within 20-29' from the greenbelt**	3 stories	
30' and beyond from the greenbelt	4 stories	

* Measured from the greenbelt right of way.

** Excludes upper story decks

1. Minimum setback from the Ordinary High-Water Mark 6,500 cfs and designated wetlands/critical habitat areas shall take priority over any other setback provisions. "River Activated" is defined as spaces and uses that are oriented to and engage the river and greenbelt.
2. The characteristics of river activated are:
 - a. Primary entrances to buildings that either face the greenbelt or are located within the first 10' of a building side perpendicular to the greenbelt;
 - b. Active outdoor spaces like patios, decks, and balconies;
 - c. Ground level transparency in non-residential uses of at least 60%.
 - d. Open space and landscape areas that emphasize views of the river corridor from adjacent properties.
 - e. An active mix of uses along the greenbelt that are open and accessible to the public users of the greenbelt.
 - f. Pedestrian-bicyclist amenities outside of ground floor uses, such as tables and chairs, trash receptacles, drinking fountains, dog waste station, directional and interpretive signage, lighting, bike racks, bike repair stations, and public art to encourage social interaction.

3. River activated setbacks are measured from the landward side of the greenbelt right of way.
4. With the exception of the minimum setback requirements to the Ordinary High Water Mark and wetlands/critical habitat, development approved through a master site plan may deviate from the dimensional standards set forth in Table 8-3E-4. The determination shall be made by the Design Review Committee and their decision for the deviation shall be that the site plan meets all the criteria to the fullest extent possible as set forth in section 8-3E-B-3 below.

B. Master Site Plan

1. A master site plan is required for all development on properties one (1) acre or larger in size, and is optional at the discretion of an applicant for any other property.
2. The master site plan shall include additional property that is reasonably associated by ownership, access, or other physical characteristics with the property subject to the master site plan.
3. A master site plan shall comply with the requirements set forth in section 8 7B.1.1 of this Code.
4. The master site plan shall demonstrate that the proposal satisfies the following approval criteria:
 - a. Creation of an attractive mixed-use environment focused on the river and greenbelt through the use and inter-relationship of open spaces, building locations, building scale and design, and pedestrian-bicycle connections.
 - b. Provision of access and free movement of non-motorized mobility to and through the site in a manner that maximizes exposure to the Boise River and greenbelt.
 - c. Reducing to a minimum any negative impacts of the proposed development on the natural environment.
5. Upon approval of master site plan, all subsequent building and site development must comply with the approved plan and the standards and conditions in this Article.

C. Site Layout Standards.

1. The site layout shall connect to and extend the existing street grid pattern by use of streets, pedestrian-bicycle pathways or shared vehicular-pedestrian-bicycle streets at a minimum of thirty feet (30') in wide. When the extension is a street, on-street parking shall be provided on both sides of the street.

2. Public corridors to the greenbelt that are at least thirty feet (30') in width shall be provided approximately and at least every 300' feet (measured parallel to the greenbelt). Extension of the existing street grid as required in 8-3E-4C1 can satisfy this requirement, or the space can also serve as landscaping, emergency equipment access, water retention zones, or utility easements.
3. Locations to allow for greenbelt and river users' parking, and raft put-in and take-out shall be provided approximately and at least every 300' feet (measured parallel to the greenbelt).
4. Existing streets that terminate within or adjacent to a site shall connect to the greenbelt with a pedestrian-bicycle pathway, meeting the standards specified in Section 8-3E-4G.3.
5. Secondary access may be required to provide for emergency vehicles. The greenbelt may be improved with a pavement width of 22' to meet the requirements for a secondary access.

D. Building Design Standards

1. The configuration and scale of buildings shall be designed to interact with the greenbelt, open spaces and gathering places to create a dynamic and interesting environment.
2. The scale, arrangement and texture of buildings, streetscapes and open space shall vary throughout the development to reflect function, interest and significance.
3. The privacy of adjoining residential buildings should be considered in building design including the location of windows, doors, and outdoor activity areas.
4. Stand-alone building styles shall be discouraged.
5. Buildings facing the greenbelt and river should present an undulating front to the greenbelt so that a large expanse of a building does not dominate the greenbelt and river. This should be accomplished through the use of form changes with setbacks/stepbacks. Additional building design components can contribute to the undulation such as balconies, canopies, awnings, change of materials or colors, porches and outdoor spaces.
6. All residential uses shall provide space in addition to enclosed garages for the storage of recreational and other equipment.
7. Building design for all uses are encouraged to include spaces that support bicycle use including: enclosed bicycle storage with easy connection to the greenbelt and other bicycle trails; cleaning and maintenance facilities; and showers and changing area for uses with employees.

E. Landscaping Standards

1. Native trees, shrubs, or other plants adapted for survival and growth in the river environment shall be the predominant landscaping material. As a

reference to appropriate landscape materials, see the Appendix, "Native Plants of the Boise River", and as adopted by City Council Resolution.

2. Landscaping should be used to provide transitions between uses, soften and buffer utility and loading areas, and provide pleasing textures and variety particularly next to buildings, along walkways, and within pedestrian plazas.
3. A landscape plan shall comply with all of the requirements set forth in section 8-7B-1-G of this Code.
4. Landscaping materials requiring a substantial application of chemicals and fertilizer for survival is discouraged.
5. Landscaping shall include a minimum of 50% tree canopy coverage achieved within a period of ten years over the entire site.
6. Tree maintenance, including trimming to maintain views, shall not endanger the health of the tree, or reduce the minimum tree canopy requirement.
7. Landscaping shall comply with all provision of Article 8-4I Landscaping and Tree Protection Provisions of this Code.

F. Natural Resources Protection

1. Drainage. All drainage from buildings, parking/loading areas, and other impervious surfaces shall be retained on the development site or directed to a drainage facility as part of an overall drainage master plan using dry wells or other City-approved method such as landscaping, retention basin, swale, or similar bio-filtration systems that are not directly connected to the Boise River.
2. Wetlands and critical wildlife habitat.
 - a. No wetland or wildlife habitat areas shall be reduced in size.
 - b. Additional setbacks may be required from critical habitat areas such as winter eagle nesting, perching areas or heron rookeries.
3. Riparian Zone: The area measured twenty-five feet (25') in width from the riverbank is considered the Riparian Zone, and shall be left in a natural vegetative state for river bank stabilization and wildlife. Section 8-3B-5-7 of this Code includes other requirements for the Riparian Zone.
4. Streambank Stabilization. Where streambank stabilization is required, a fifteen feet (15') wide strip of vegetation to cover a minimum of 70% of the river frontage shall be required. In situations where structural stabilization

measures (such as rip-rap, gabbing) are deemed necessary, the design of the structure shall include overplanting with vegetation and the deliberate enhancement of fish habitat.

G. Greenbelt Improvements: In areas where the Boise River Greenbelt has not been improved, the following standards shall apply, as determined by the Public Works Director:

1. The path should be a minimum of 25' from the Ordinary High-Water Mark (6,500 cfs).
2. The path shall provide a 25-foot minimum horizontal clearance for emergency and maintenance vehicle access.
3. The paved section of the path shall be a minimum of 12' in width, and 14' is encouraged in high activity areas where bicycle and pedestrian conflicts are anticipated. The paved section of the intersection of the greenbelt with a street end shall provide adequate access for emergency and maintenance vehicles.
4. The underlying base should be 4 inches of compacted crushed gravel.
5. Pavement thickness should be 2 inches of asphaltic concrete or an equivalent as determined by the Public Works Director.
6. Appropriate treatments should be undertaken to inhibit root growth from coming up through the pavement, including a minimum depth of 24" and a 36" perimeter of a root barrier.
7. The path should be sloped to provide proper drainage. Low spots should be avoided where water may accumulate.
8. Conduit a minimum of 2" wide and buried 36" deep and with pull boxes every 500' located on the landward side of the greenbelt shall be provided.

H. Screening, Fencing, and Walls

1. Non-river activated structures shall be screened from view from the Greenbelt and the river with landscaping that will grow to a height of at least twenty feet (20') within ten (10) years.
2. Fences and walls located within the setback adjacent to the greenbelt shall be limited to three feet in height (3') and setback a minimum of two feet (2'), as measured from the landward side of the Greenbelt right of way.

3. The design of fences and walls should have the following characteristics:
 - a. To visually separate but not hide semi-private spaces.
 - b. To provide separation while encouraging interaction between private property and greenbelt users.
 - c. To be designed in a way, fabricated with materials or setback so as not be a safety hazard to greenbelt users.
 - d. Chain link fences and fences constructed of plastic materials shall be prohibited.

I. Exterior Lighting

1. All exterior lighting shall be designed, located, and lamped in order to prevent or minimize over-lighting, energy waste, glare, and light trespass on adjoining properties and critical wildlife habitat.
2. All nonessential exterior commercial, recreational, and residential lighting shall be turned off after business hours and/or when not in use. Lights on a timer and sensor activated lights are encouraged.
3. Sensor activated lighting shall be located to prevent lighting into adjacent properties or onto the greenbelt. Lighting shall activate only when motion on the property is detected. The maximum lumen output shall be 260 lumens.
4. All building lighting fixtures shall be full cutoff fixtures with the light source fully shielded.
5. All area lights shall be a minimum eighty five degree (85°) full cutoff type luminaries.
6. All floodlights shall provide external shielding angled so that no light escapes above a 25-degree angle measured from the vertical line from the center of the light extended to the ground. Floodlights shall not cause glare or light to shine directly on adjacent property or the greenbelt.
7. Parking lot, pathway and landscaping lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level. Parking lot lighting shall not exceed IESNA recommended foot-candle levels.
8. Lighting plans shall be certified by a licensed expert that the plans meet the specification of this section.

- J. Parking: the regulations and standards for vehicular and bicycle parking as set forth in Article 8-4D shall apply in the Boise River and Greenbelt Overlay District with the following exceptions:

1. All parking requirements for residential uses shall be satisfied on site. The allowance for one street space to qualify as required parking as set forth in section 8-4D-4F5 shall not be allowed in the BRG district.
2. All river activated land uses shall provide one bicycle parking space for every 10 required vehicle spaces and two spaces for every non-residential tenant.
3. All multi-family residential uses shall provide 1.5 bicycle parking spaces for every unit.
4. Bicycle Parking shall not locate on the riverside of the greenbelt.

K. Prohibitions

1. Except at the termination of public streets, no parking areas shall be located between any structure and the Boise River.
2. The location of the following shall not be visible from the Boise River and Greenbelt: dumpsters, mechanical equipment, and outdoor storage.
3. No property within the overlay district shall be gated from public streets.

SECTION 5: GARDEN CITY CODE TABLE 8-6A-1 IS AMENDED BY ADDING THE FOLLOWING PROVISION:

**TABLE 8-6A-1
AUTHORITIES AND PROCESSES**

Permit/Decision	Recommending Authority	Final Decision Maker	Process	Appeal Body
Annexation	PZ	CC	PH	
Change of use to a permitted use	None	PO	A	PZ
Comprehensive plan amendment	DC/PZ	CC	PH	
Conditional use	None	PZ	PH	CC
Conditional use, revocation	None	CC	PH	
Design review, administrative:	None	PO	A	DC

dwelling unit, single- or two-family design; alterations under 25%				
Design review: nonresidential structures and/or sites, and more than two attached or adjacent dwelling units	None	DC	AN	CC
Development agreement or amendment	PZ	CC	PH	
Development code amendment	DC/PZ	CC	PH	
Floodplain/floodway	None	PO	A	PZ
Manufactured/mobile home	None	PO	A	PZ
<u>Master Site Plan</u>	<u>DC</u>	<u>CC</u>	<u>PH</u>	<u>CC</u>
Minor land division	None	PO	AN	CC
Modifications to an approved permit	Same decision maker and process as initial approval			
Nonconforming setback extensions	None	DC	AN	CC
Planned unit development	DC/PZ	CC	PH	
Plat, boundary line amendment	None	PO	A	CC
Plat, final	PO	CC	PH	
Plat, condominium	PO	CC	A	
Plat, preliminary	DC/PZ	CC	PH	
Plat, preliminary and final combined	DC/PZ	CC	PH	
Signs	None	PO	A	DC
Signs, master plan or design review	None	DC	A	CC
Site layout template (minor	None	DC	AN	CC

RESOLUTION NO. 1044-18

BY THE COUNCIL: BEAUMONT, HIGGINS, MITCHELL AND SOUZA

A RESOLUTION TO ADOPT BY REFERENCE IN THE BOISE RIVER AND GREENBELT OVERLAY DISTRICT THE LIST OF PARCELS, MAP OF PARCELS, SITE DEVELOPMENT EXAMPLES, DESIGN EXAMPLES, AND NATIVE PLANTS OF THE BOISE RIVER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Garden City Council, at its regular meeting on the 12th day of February, 2018, passed Ordinance 996-18, which amended Garden City Code 8-3A-1 (Zoning Districts) by adding a new Boise River and Greenbelt Overlay Zoning District; and

WHEREAS, Ordinance 996-18, which amended Garden City Code 8-3A-1 (Zoning Districts) by adding a new Boise River and Greenbelt Overlay Zoning District established that appendices may be adopted by City Council Resolution; and

WHEREAS, Diane T. Kushlan, AICP, of Kushlan Associates, and Garden City staff, have provided the following to meet the needs of the Boise River and Greenbelt Overlay District: (1) the list of parcels in the Boise River and Greenbelt Overlay District; (2) the map of parcels in the Boise River and Greenbelt Overlay District; (3) site development examples allowed in the Boise River and Greenbelt Overlay District; (4) design examples allowed in the Boise River and Greenbelt Overlay District; and (5) native plants of the Boise River allowed in the Boise River and Greenbelt Overlay District; and

WHEREAS, the Garden City Council, at its regular meeting on the 12th day of February, 2018, held a public meeting to consider adoption of the following appendices by reference in the Boise River and Greenbelt Overlay District: (1) the list of parcels in the Boise River and Greenbelt Overlay District; (2) the map of parcels in the Boise River and Greenbelt Overlay District; (3) site development examples allowed in the Boise River and Greenbelt Overlay District; (4) design examples allowed in the Boise River and Greenbelt Overlay District; and (5) native plants of the Boise River allowed in the Boise River and Greenbelt Overlay District.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GARDEN CITY, IDAHO:

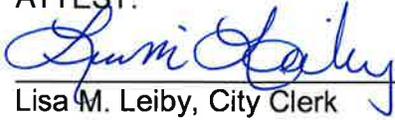
SECTION 1. Having been considered by the City Council in a public meeting on the 12th day of February, 2018, the City Council adopts the following by reference in the Boise River and Greenbelt Overlay District, as more particularly described in Exhibit A attached hereto and incorporated herein by reference: (1) the list of parcels in the Boise River and Greenbelt Overlay District; (2) the map of parcels in the Boise River and Greenbelt Overlay District; (3) site development examples allowed in the Boise River and Greenbelt Overlay District; (4) design examples allowed in the Boise River and

Greenbelt Overlay District; and (5) native plants of the Boise River allowed in the Boise River and Greenbelt Overlay District.

SECTION 2. This Resolution shall be in full force and effect immediately upon its adoption and approval.

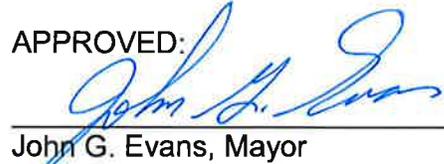
PASSED by the Council and **APPROVED** by the Mayor of the City of Garden City, Idaho, this 12th day of February, 2018.

ATTEST:



Lisa M. Leiby, City Clerk

APPROVED:



John G. Evans, Mayor



Boise River Greenbelt Overlay District

Parcel Number	South side - east to west	Property Owner	address
R2734541990	Riverside Hospitality		2900 Chinden
R2734542745	Riverside Hospitality		2301 N. Garden
R2734542735	Riverside Hospitality		2315 N. Garden
R2734541570	THURAS LLC		240 E 32nd
R2734541600	BRANDT DAVID		215 E 33rd
R2734541390	BLACK ENTERPRISES LLC		3300 N Carr
R2734541490	SUMMERS MARY P		3338 N Carr
R2734541520	Jerry Ahlberg		3340, 3342, & 3344 N Carr
R2734541500	Jerry Ahlberg		303. 305, 307. 309 E 34th
R2734540570	WHEELER LOREN R		304 E 34th
R2734540580	Jerry Ahlberg		E 34th
R2734540604	DAY LLC		E 35th
R2734540440	VICTOR MYERS INVESTMENTS LLC		314 E 35th
R9242370020	NEILL JAMES M		327 E 35th
R9242370030	NEILL JAMES M		3576 N Prospect Way
R9242370040	ASIN GARY C		3588 N Prospect Way
R9242860050	PONTIUS ROBERT G		3590 N Prospect Way
R9242860060	COMPTON JULIE		3594 N Prospect Way
R9242860070	REYNOLDS DONALD KEITH		3596 N Prospect Way
R9242860080	CASPER ALLISON E		3600 N Prospect Way
R9242860090	SWAGGART LINCOLN M		3602 N Prospect Way
R9242860100	HECKLER MICHAEL P		3606 N Prospect Way
R9242370070	WIRKUS KARL		3608 N Prospect Way
R9242370080	EMERSON TAMARA		3612 N Prospect Way
R9242370100	PRESSMAN SCOTT AND BEVERLY FAMILY TRUST		3620 N Prospect Way
R924237014	WATERFRONT DISTRICT HOA INC		3640 N Willowbar Lane
R9242370150	HILL SARA		3648 N Willowbar Lane
R9242370160	MULLANE WILLIAM		3656 N Willowbar Lane
R9242370170	MADISON MICHAEL W		3664 N Willowbar Lane
R9242370180	DURST DARIN		3672 N Willowbar Lane
R9242370190	PERRY EVERETT M		3680 N Willowbar Lane
R9242370200	BASKIN THOMAS P III		3688 N Willowbar Lane

Boise River Greenbelt Overlay District

R9242370210	TWAY GEORGE F	3700 N Willowbar Lane
R9242370220	CURRY JEFFREY K	3712 N Willowbar Lane
R9242370230	WILLIAMS SHANE C	3724 N Willowbar Lane
R9242370240	NOYES KAREN M	3736 N Willowbar Lane
R9242370250	HONCIK CHRIS	3748 N Willowbar Lane
R9242370260	YTREBERG FREDERICK MARTIN	3760 N Willowbar Lane
R9242370270	OSTER J KATHLEEN	3772 N Willowbar Lane
R9242370280	GRIFFIN MEGAN E	3784 N Willowbar Lane
R9242370290	LINJA ROD & SUZANNE LIVING TRUST	3796 N Willowbar Lane
R9242370300	ROWETT JOSEPH	3808 N Willowbar Lane
R9242370310	WATERFRONT DISTRICT HOA INC	3810 N Willowbar Lane
R9242370320	SCHNEIDER ALLAN	3820 N Willowbar Lane
R9242370330	SCHAFFER NORMA	3832 N Willowbar Lane
R9242370340	FRANSEN CURT	3844 N Willowbar Lane
S1005141700	ACHD	3770 N. Adams
S1005141695	ACHD	3775 N. Adams
R2734520430	ADA COUNTY HIGHWAY DISTRICT	311 E 38th St
R2734560310	CITY OF GARDEN CITY	3858 N Reed
R2734560340	SIREK GREGORY	3900 N Reed
R2734560326	STAMBAUGH COLEEN M 2003 TRUST	3908 N Reed
R2734560261	Robert Davis	3920 N Reed
R2734560248	Bert Wolf	3940 N Reed
R2734560070	WOOLF BERT P	3945 N Reed
R2734560237	GUSTAVUS FAYLENE	3964 N Reed
R2734560230	REED DANIEL LEE	3966 N Reed
R2734560211	DADABAY JOHN Y	3986 N Reed
R2734560207	PRATT CURTIS D	3988 N Reed
R2734560200	KIDA TRUST	519 E 40th
R2734560180	Marguerite Weissman	520 E 40th
R2734560160	Marguerite Weissman	508 E 40th
	Ronald Layton	510 E 41st
R2734520810	PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #361 L	501 E. 41st
R2734520806	PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #361 L	503 E 41st
R2734520808	PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #361 L	505 E 41st

Boise River Greenbelt Overlay District

R2734520787	PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #361 L	507 E 41st
R2734520952	TSJ LLC	575 E 4 2nd
S0632346600	TSJ LLC	E 42nd
R2734521145	Boys and Girls Club	610 E 42nd
R2734521191	Boys and Girls Club	610 E 42nd
R2734521723	CITY OF BOISE	E 43rd
R2734521301	Lockner Investments LLC	615 E 43rd
R2734521441	Lockner Investments LLC	615 E 43rd
R2734521711	Slim Pickins, LLC	700 E 43rd
R2734521725	Slim Pickins, LLC	702 E 43rd
R2734521750	FAMCO Investments	701 E 44th
R2734522062	Robert Jones	656 E 44th
R2734522171	Custom Meat Packing	E 45th
R2734522211	Custom Meat Packing	E 45th
R2734522191	Custom Meat Packing	515 E 45th
R2734522400	RIVERVIEW INDUSTRIAL PARK LTD	602 E 45th
R2734522370	RIVERVIEW INDUSTRIAL PARK LTD	512 E 45th
R2734522350	RIVERVIEW INDUSTRIAL PARK LTD	504 E 45th
R2734522425	Riverside Industrial Park LTD	601 E 46th
R2734522510	Riverview Industrial Park	511 E 46th
R2734522570	Riverview Industrial Park	505 E 46th
R2734522601	Riverside Industrial Park	501 E 46th
R2734522741	CHURCHOF JESUS CHRIST OF LATTER-DAYSAINTS	518 E 46th
R2734522773	Riverview Mini Storage	615 E 47th
R2734522801	Riverview Mini Storage	603 E 47th
R2734522820	Riverview Mini Storage	523 E 47th
R2734523024	Riverview Mini Storage	604 E 47th
R2734523011	DILLON BOISE LLC	E 47th
R2734522991	DILLON BOISE LLC	520 E 47th
R5953730670	THOMAS GINGER P	4750 W Mystic Cove
R5953730660	NICOLAYEFF NADINE	4754 W Mystic Cove
R5953730650	PAGE GERALDINE M LIVING TRUST	4758 W Mystic Cove
R5953730640	WARD JUSTIN C	4762 W Mystic Cove
R5953730590	PHELAN CRAIG W	4782 W Mystic Cove

Boise River Greenbelt Overlay District

R5953730580	BOEHRER JULIE	4786 W Mystic Cove
R5953730570	WALLACE BLAZE C	4790 W Mystic Cove
R5953730560	FRANKLIN SARA	4794 W Mystic Cove
R5953730540	HESELTIME WILLIAM	4802 W Mystic Cove
R5953730530	WHITE SAMUEL M	4806 W Mystic Cove
R5953730520	GARRETT CHARITO	4810 W Mystic Cove
R5953730510	MCGRANE PATRICK CHARLE	4814 W Mystic Cove
R5953730490	BOSSERT NICHOLAS CARL	4822 W Mystic Cove
R5953730460	ALLEN SARAH DAWN	4834 W Mystic Cove
R5953730445	ALEXANDER SARAH	4842 W Mystic Cove
R5953730440	ALEXANDER SARAH	4842 W Mystic Cove
R5953730430	BRITTELL RANDY	4846 W Mystic Cove
R5953730420	HOHENLEITNER ANDREW	4850 W Mystic Cove
R5953730410	COOK JOEL E	4854 W Mystic Cove
R5953730380	HINSHAW JESSE	4866 W Mystic Cove
R5953730100	MEEKS STEPHANIE M	4875 W Mystic Cove
R5953730090	SHERWIN CANDACE L	879 W Mystic Cove
R5953730060	BARKER JAMES H & ELIZABETH B TRUST 11/29/17	4885 W Mystic Cove
R5953730050	SHAFFER ROBERT E	4887 W Mystic Cove
R7334160412	LEGACY AT 50TH STREET LLC	416 E 49th
R7334160433	LEGACY AT 50TH STREET LLC	406 E 49th
R5953730040	HETTINGER LISA A	409 E 49th
R7334160322	LEGACY AT 50TH STREET , LLC	445 E 49th
R7334160327	LEGACY AT 50TH STREET LLC	485 E 50TH
R7334160618	LEGACY AT 50TH STREET LLC	503 E 50TH
R7334160612	LEGACY AT 50TH STREET LLC	515 E 50TH
R7334160631	MALLARD POINTE LTD PARTNERSHIP	508 E 50th
R7334160595	Michael Graham	509 E 51st
R7334160599	RUNNING MARK J	511 E 51st
S0630438720	Robert Kresge	531 E 51st
R7334161152	MCFADDEN SHAWN D	E 52nd
R7334161159	RALSTIN JEANNE	602 E 52nd
R7334161148	MCFADDEN SHAWN D	606 E 52nd
R7334160791	FERGUSON JOHN B	609 E 52nd

Boise River Greenbelt Overlay District

R7334160771	FERGUSON JOHN B	5162 Cody Lane
R8191506539	KW RIVER POINTE LLC	6200 N River Point Dr
R8191505778	KW RIVER POINTE LLC	6200 N River Point Dr
R8191505455	MAC2 LLC	6265 N Strawberry Lane
R7400580090	HOWELL WILLIAM R	8520 W Atwater Dr
R7400580100	MAHONEY SUSAN	8530 W Atwater Dr
R7400580110	STOLL TERRY A	8540 W Atwater Dr
R7400580120	HEIM WAYNE A	8550 W Atwater Dr
R7400580130	BAUER STEPHEN B	8560 W Atwater Dr
R7400580140	HILL JAMES ANDREW	8570 W Atwater Dr
R7400580150	KEIM DAVID A	8580 W Atwater Dr
R7400580160	NYHOF DEBRA TRUST	8590 W Atwater Dr
R7400550240	HERRING MURIEL E LIVING TRUST	8600 W Atwater Dr
R7400550250	BROWN KRIS KELLY	8610 W Atwater Dr
R7400550260	LEE RANDOLPH D	8620 W Atwater Dr
R7400570010	CLARK KENNETH J	8630 W Atwater Dr
R7400570020	JEWETT JAMES L	8640 W Atwater Dr
R7400570030	MCCORMACK MARK JOSEPH	8650 W Atwater Dr
R7400570040	FIX DENNIS B	8660 W Atwater Dr
R7400590010	PARROTT TISHA	8670 W Atwater Dr
R7400590020	EUSTERMAN HEATHER A	8680 W Atwater Dr
R7400590030	COOPERRIDER PAUL H	8690 W Atwater Dr
R7400590042	BETHEL SCOTT Z	8700 W Atwater Dr
S0523449515	HUSKINSON-LEADER LLC	W River Beach Ln
S0523449335	HUSKINSON-LEADER LLC	W River Beach Ln
R5181270260	LEADER'S RIVERWOODS SUB HOA INC	W River Beach Ln
S0523449305	HUSKINSON-LEADER LLC	W River Beach Ln
R5181270120	ODOM RONALD D & REBECCA A BOWEN-ODOM LIVING TRUST	8960 W Duck Lake Dr.
R5181270130	MURPHY CHRISTIAN D	8710 W Atwater Dr
R5181270170	DAVIS SUSAN NELSON	8720 W Atwater Dr
R5181270190	GALLAGHER PATRICK T	6320 N River Tree Pl
R5181270230	MUELLER ROBERT	6321 N River Tree Pl
R5181270240	PEDERSON KENNETH	8810 W River Beach Ln
R5181270250	WISNESS WILLIAM A	8820 W River Beach Ln
		8830 W River Beach Ln

Boise River Greenbelt Overlay District

R5181270270	JONES GORDON	8840 W River Beach Ln
R5181270280	LAURA MICHAEL BRANDAN	8850 W River Beach Ln
R5181280010	STERNER SHIRLEY R	8860 W River Beach Ln
R5181280020	SCHALLER HOWARD	8870 W River Beach Ln
R5181280030	HARDEE DANIEL J	8880 W River Beach Ln
R5181280040	GULBRANSON KRISTJAHN	8890 W River Beach Ln
R5181280050	MILLER JAMES A & MARION E FAMILY TRUST	8900 W River Beach Ln
R5181280060	MOR ELI	8910 W River Beach Ln
R5181280070	OELRICH RAYMOND M	8920 W River Beach Ln
R5181280080	MCCAMEY STEPHEN M	8930 W River Beach Ln
R5181280090	PEARSE THOMAS T &	8940 W Duck Lake Dr.
R5181280100	HILL BART	8950 W Duck Lake Dr.
R5181280110	HUSKINSON HERBERT C & LANA REVOCABLE LIVING TRUST	8960 W Duck Lake Dr.
R5181280120	LEADER 1993 REVOCABLE TRUST	8970 W Duck Lake Dr.
R5181280130	GROTH TERRY B	8980 W Duck Lake Dr.
R5181280140	CLARK ERIC	8990 W Duck Lake Dr.
R5181280150	LEON MANUEL	9000 W Duck Lake Dr.
R5181280170	TUDOR MARIUS F	9020 W Duck Lake Dr.
R5181280160	LEADER'S RIVERWOODS SUB HOA INC	W Duck Lake Dr.
Northside - east to west		
R4241270290	INVESTORS PLANTATION RIVER HOA	N Plantation River DR
R4241270320	INVESTORS PLANTATION RIVER HOA	3500 N Plantation River DR
R4241270310	KLOKKE KATHLEEN	3490 N Plantation River DR
R4241270300	MOORE FAMILY TRUST	3480 N Plantation River DR
R4241270280	KIM DAVID T	3470 N Plantation River DR
R4241270270	CHUNG FAMILY REVOCABLE TRUST	3460 N Plantation River DR
R4241270260	BOYD JAMES MICHAEL	3450 N Plantation River DR
R4241270250	JOHNSON STEVEN C	3440 N Plantation River DR
R4241270240	ELLIS ALLEN B	3430 N Plantation River DR
R4241270230	GORDON PHILIP H	3420 N Plantation River DR
R4241270220	DONEGAN DANIEL A	3410 N Plantation River DR
R4241270210	DONEGAN DANIEL A	3400 N Plantation River DR

Boise River Greenbelt Overlay District

R7100480125	AGC REALTY LLC	6515 State St.
S0630223350	AGC REALTY LLC	6515 State St.
R7100410010	GOICOECHEA JERRY J	3695 N Gramarcy LN
R7100410032	STUBBLEFIELD RUBY A FAMILY LIMITED PARTNERSHIP	3749 N Gramarcy LN
R7100410053	THIRY MICHAEL R	3791 N Gramarcy LN
R7100410054	THIRY MICHAEL R	3791 N Gramarcy LN
R7100410060	NICOLONA RANDI LYNN	6339 W Plantation LN
R7100410070	HURT MICHAEL & PAULA TRUST	6355 W Plantation LN
R7100410080	WILLMAN FAMILY TRUST	6367 W Plantation LN
R7100410090	PERRIN FAMILY LIVING TRUST 2-25-2016	6401 W Plantation LN
R7100460023	HENBEST MICHAEL L	6441 W Plantation LN
R7100460042	LAMBUTH DOUGLAS	6461 W Plantation LN
R7100460052	BOLT FAMILY TRUST 12-4-2014	6501 W Plantation LN
R7100460065	BYRNE MARY J	6529 W Plantation LN
R7100460068	WILDE MATTHEW K	6535 W Plantation LN
R7100460076	HENDRICKSON DAVID REVOCABLE LIVING TRUST 04/12/2016	6553 W Plantation LN
R9215520120	ANDERSON ANAVON L SURVIVOR'S TRUST	6565 W Plantation LN
R9215520110	FORD RUSSELL W	6575 W Plantation LN
R9215520100	PETTINETTE FAMILY LIVING TRUST 04/11/2017	6585 W Plantation LN
R9215520090	NOLAN MICHAEL A	6595 W Plantation LN
R1731650080	AVEST COMMERCIAL PROPERTIES LLC	7699 W Riverside DR
R1731650090	RIVERSIDE BUSINESS CENTER CONDOS OWNERS ASSOCIATION	W Riverside DR
R1731650100	FOSTER CARL	7711 W Riverside DR
S0524438979	KISSLER JAMES A LLC	N Glenwood
R5299380100	MCLAUGHLIN THOMAS F	7497 W Hathaway LN
R5299380090	WARD HAROLD RICHARD	7509 W Hathaway LN
R5299380080	GILLESPIE THOMAS C	7521 W Hathaway LN
R5299380070	FICHMAN ROSE ANN	7533 W Hathaway LN
R5299380060	RIVERSIDE GLEN HOMEOWNERS' ASSOCIATION INC	7545 W Hathaway LN
R5299380050	MCEWAN H DOUGLAS	7557 W Hathaway LN
R5299370125	BECK GARY R	W Riverside DR
R5299370152	BECK GARY R	W Hathaway LN
R5299370152	BECK GARY R	W Hathaway LN
R7476260242	KRISTENSEN SAMUEL T	4790 N Rivercove PL

Boise River Greenbelt Overlay District

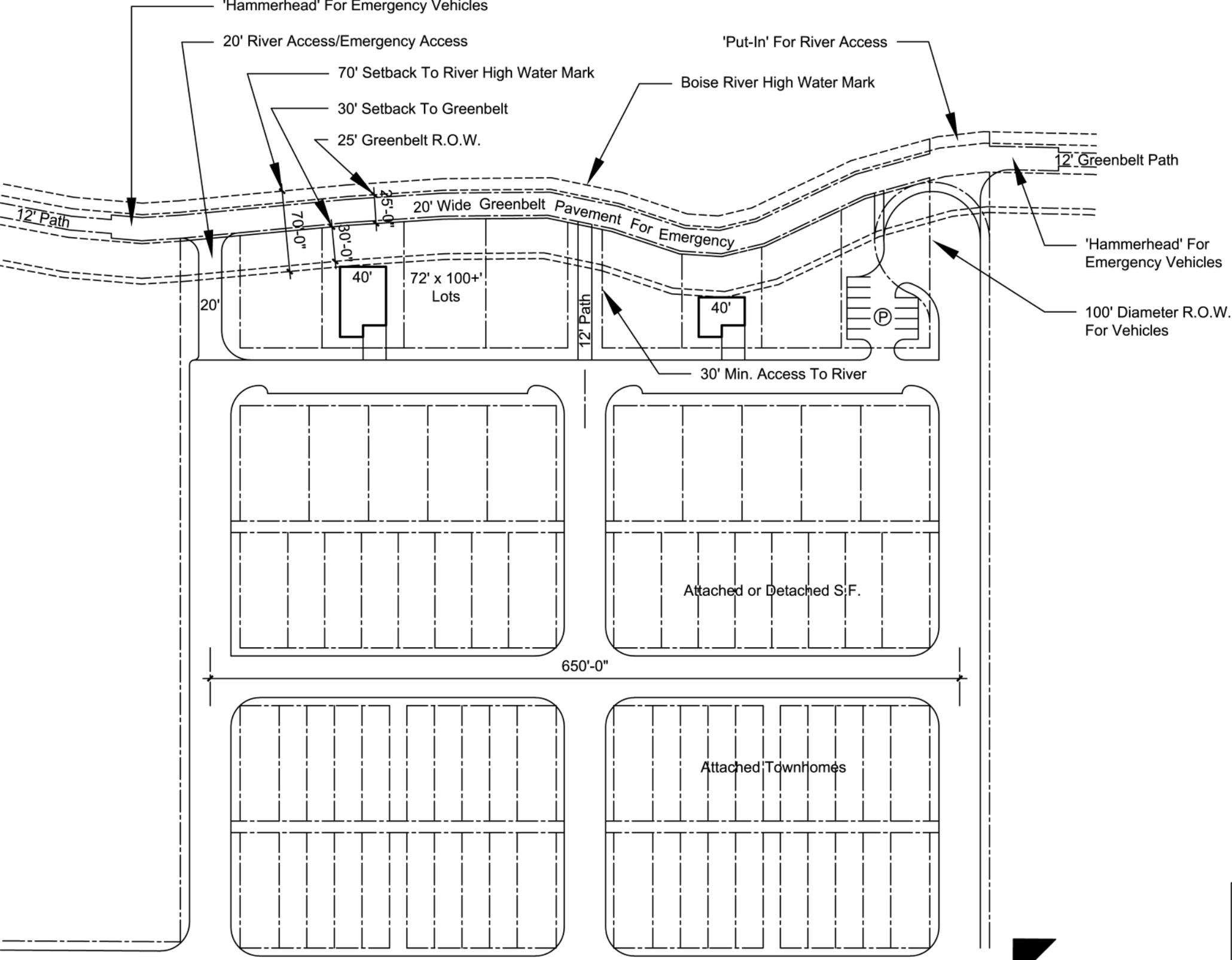
R7476260250	BROWN STEVEN D	4780 N Rivercove PL
R7476260260	ANDERSON HARVEY B & DEBRA J REVOCABLE TRUST	4771 N Rivercove PL
R7476260270	FLEENOR GERALD K JR REVOCABLE TRUST	4783 N Rivercove PL
R7476260350	BOGUE JOHN	4760 N Rivervista PL
R7476260360	CHARLTON DAVID E	4750 N Rivervista PL
R7476260370	ZAKARIAN MARIANNE FAMILY TRUST	4761 N Rivervista PL
R7476280050	BARKER LEONARD SHELDON	4776 N Riverrine PL
R7476280072	VAN DAM WILLIAM C	4770 N Riverrine PL
R7476280065	PLANTING C ARLEN &	4775 N Riverrine PL
R7476280160	PARISH CLARK	4788 N Riverfront PL
R7476280170	MALONE KATHLEEN A LIVING TRUST	4784 N Riverfront PL
R7476280180	GOSSETT LINDA S	4780 N Riverfront PL
R7476280190	PAUL JOHN R	4787 N Riverfront PL
R7476280200	PAUL JOHN R	4795 N Riverfront PL
R7476280320	KAEHLER DONAL A	4820 N Lakes Edge PL
R7476280330	CARTER ANNA	4816 N Lakes Edge PL
R7476280340	LORENSEN GLEN &	4812 N Lakes Edge PL
R7476280350	SANDERS CAROL A	4810 N Lakes Edge PL
R7476280360	DEPOISTER DOUGLAS M LIVING TRUST	4827 N Lakes Edge PL
R7476280370	FIORIELLO FAMILY LIVING TRUST	4833 N Lakes Edge PL
R7476270082	ARKOOSH C THOMAS	4888 N Lakeview PL
R7476270102	RYAN TERRY P	4884 N Lakeview PL
R7476270110	WHITTLES LORNE	4882 N Lakeview PL
R7476270140	THOMPSON JOANNE	4880 N Lakeview PL
R7476270156	ALLOWAY MAXINE	4872 N Lakeview PL
R7476270172	ROBINSON ANNE E REVOCABLE LIVING TRUST	4870 N Lakeview PL
R7476270180	GRAY WILLIAM R III	4866 N Lakeview PL
R7476270190	OVERSTREET ROBERT D	4862 N Lakeview PL
R7476270220	CHRISTOPHERSON TAMMY	4850 N Lakeview PL
R7476270230	CATES LISA FLUCK	4846 N Lakeview PL
R7476270254	S&D REVOCABLE TRUST	4842 N Lakeview PL
R7476270262	MILLER CATHY A	4835 N Lakeview PL
R7476270270	SIMON JOSEPH LEE	4839 N Lakeview PL
R7476300045	LANTZ FAMILY LIVING TRUST	4810 N Lake Shore PL

Boise River Greenbelt Overlay District

R7476300055	BRUNNER TRUST	4786 N Lake Shore PL
R7476300065	SWIGART DENNIS J &	4785 N Lake Shore PL
R7476300080	HOOVER WILLIAM E	4809 N Lake Shore PL
R7476300140	ANDERSON FAMILY TRUST 09/23/2011	4836 N Lake Park PL
R7476300150	WINGER STEVE P	4812 N Lake Park PL
R7476300160	RODENBUSH REBECCA	4811 N Lake Park PL
R7476300170	KLARC ALAN	4835 N Lake Park PL
R7476300210	HODGE RONALD	4838 N Lake Front PL
R7476300220	SATTLER HOWARD E	4814 N Lake Front PL
R7476300230	ITTER RICHARD & KRISTINE LIVING TRUST 11/19/2015	4813 N Lake Front PL
R7476300240	MONTFORD FAMILY LIVING TRUST 12/11/2015	4837 N Lake Front PL
R7476300275	SUTTON JOHN E	4864 N Lakemont PL
R7476300295	BOHECKER DAVID	4840 N Lakemont PL
R7476300307	ZEMLICKA THOMAS E	4863 N Lakemont PL
R7476310030	MATTEFS MARK D	9001 W Riverside DR
R7476310058	ZINK MICHAEL B	9005 W Riverside DR
R7476310070	KUMBROCH UWE W	9009 W Riverside DR
R9529170010	HUSCH GERALD T	9103 W Riverside DR
R9529170020	TOMLINSON HELEN	9111 W Riverside DR
R9529170030	PAVLINIK FAMILY REVOCABLE TRUST	9119 W Riverside DR
R9529170040	CHETWOOD LAWRENCE H	9205 W Pebble Brook LN
R9529170050	CHETWOOD LAWRENCE H	9211 W Pebble Brook LN
R9529170140	WOODS OA INC	W Pebble Brook LN
R9529170060	GINKEL LIVING TRUST 11-16-2001	9217 W Pebble Brook LN
R9529170070	PRINCE LARRY E	9229 W Pebble Brook LN
R9529170080	ULLERY JOHN H & JEANETTE S REVOCABLE LIVING TRUST	9241 W Pebble Brook LN
R9529170090	HALL JEFFREY T	9301 W Pebble Brook LN
R9529170100	PRICE STEVEN B	9313 W Pebble Brook LN
R9529180251	WOODS OA INC	W Pebble Brook LN
R9529170110	O'REILLY RONALD J	9325 W Pebble Brook LN
R9529180301	SHILLINGTON ROBERT S	9403 N Winterwood LN
R9529180290	HAYES SCOTT M	9417 N Winterwood LN
R9529180280	TOMPKINS JEFF	9429 N Winterwood LN
R9529180270	SIMS FAMILY REVOCABLE TRUST	9449 N Winterwood LN

Boise River Greenbelt Overlay District

R9529180260	MURDOCH FAMILY LIVING TRUST	9479 N Winterwood LN
R9529180015	WOODS OA INC	W Pebble Brook LN
R9529180246	BERINGER WILLIAM F	9533 W Pebble Brook LN
R9529180235	JANZEN JOHN M	9555 W Pebble Brook LN
R9529180225	EISENBERG LIVING TRUST	9577 W Pebble Brook LN
R9529180216	ABEND CHRISTOPHER T	9595 W Pebble Brook LN
R9529180203	REDFORD MACK A	9603 W Pebble Brook LN
R9529180190	PAVLINIK DANIEL C & BETH A REVOC FAM TRUST 10/12/12	9629 W Pebble Brook LN
R9529180182	ALLEN ROGER H	9647 W Pebble Brook LN
R9529180172	KAKARIA RAO	9655 W Pebble Brook LN
R9529180162	STONE DOUGLAS M	9660 W Pebble Brook LN
S0523244730	WOODS OA INC	W Pebble Brook LN
R8763270394	ULMER LANE TOWNHOMES HOA INC	Duxbury Pier LN
R2107220100	HARRISON JAMES G III	10151 W River Rock LN
R2107220120	BARKER L SHELDON	10215 W River Rock LN
R2107220130	KRDZALIC JASMIN	10243 W River Rock LN
R2107220140	HEAD WATERS TRUST	10271 W River Rock LN
R2107220150	EDWARDS JOHN T	10309 W River Rock LN
S0523234100	LAND TRUST OF THE TREASURE VALLEY INC	W RIVERSIDE DR
R2107220160	SCHERER LR III REVOCABLE TRUST9/15/2015	10333 W River Rock LN
R2107220170	OLSEN GREGG M	10367 W River Rock LN
R2107220180	2005 MEAD REVOCABLE TRUST	10395 W River Rock LN
R9509720010	PEARSON CHRISTOPHER & HEIDI FAMILY TRUST	10445 W Sultana LN
R9509720020	HILL TIM A	10467 W Sultana LN
R9509720030	MARTIN CATHERINE D REVOCABLE TRUST	10499 W Sultana LN



All Residential Example
 Garden City River Ordinance
 12.8.17 Scale: 1" = 100'

River Activated Examples







Open Fence Examples





Mini-warehouse Conversion Examples









NATIVE PLANTS OF THE BOISE RIVER: Suggested Riparian Plantings

List recommended by Dr. Roger Rosentreter, BLM July 31, 2017

Common Name	Genus and Species	Notes
SHRUBS		
Red-osier dogwood	<i>Cornus sericea</i> (<i>stolonifera</i>)	Red stems 
Woods' rose	<i>Rosa woodsii</i>	Small straight thorns, native 
Silver sagebrush	<i>Artemisia cana</i>	Tolerates ephemeral flooding, for dry sites near the river 

Willows	<i>Salix</i> spp.	Shrub type willows 
Oak leaf sumac	<i>Rhus trilobata</i> (Grow low type or the regular taller shrub)	Drought tolerant, firewise, native 
Golden currant	<i>Ribes aureum</i>	Early spring flowers, drought tolerant 
Black Cottonwoods	<i>Populus</i> spp.	Tall trees

		
Chokecherry	<i>Prunus virginiana</i>	Tall shrubs 
Netleaf hackberry	<i>Celtis reticulata</i>	For dry rocky places near the river 
FORBS		
Louisiana sage	<i>Artemisia ludoviciana</i>	Herbaceous sage

		
Goldenrod	<i>Solidago Canadensis</i> or others	Herbaceous, butterfly attractant
		
Willow aster	<i>Aster hesperius</i>	Tolerates flooding
		

Milkweed	<i>Asclepias speciosa</i>	Monarch butterflies, rhizomatous 
GRASSES, and grass-like plants		
Canada bluegrass	<i>Poa compressa</i>	Tolerates saturated and dry soils, use seeds not plants. Short drought tolerant sod forming grass 
Great Basin wildrye	<i>Elymus cinereus</i>	Tall bunch grass 
Sheep fescue	<i>Festuca ovina</i>	short drought tolerant bunchgrass



*Photos from Google



CONDITIONAL USE PERMIT

Permit info: _____
 Application Date: _____ Rec'd by: _____
 FOR OFFICE USE ONLY

6015 Glenwood Street ▪ Garden City, ID 83714 ▪ 208.472.2921
 ▪ www.gardencityidaho.org ▪ planning@gardencityidaho.org

APPLICANT	PROPERTY OWNER
Name: <u>Hannah Ball</u>	Name: <u>Urban Willows LLC</u>
Company: <u>Urban Land Development</u>	Company: <u>_____</u>
Address: <u>215 E. 34th St</u>	Address: <u>same</u>
City: <u>Garden City</u>	City: <u>_____</u>
State: <u>ID</u> Zip: <u>83714</u>	State: <u>_____</u> Zip: <u>_____</u>
Tel.: <u>808-673-5815</u>	Tel.: <u>_____</u>
E-mail: <u>hannahballcan@gmail.com</u>	E-mail: <u>same</u>

PROPERTY AND DESIGN INFORMATION

Site Address: See attached map / including • 303 E. 34th St
• 3342 Carr St
• 215 E. 34th St

Subdivision Name: <u>Fairview acres -</u>	Lot: <u>27, 34, 33, 32, 31</u>	Block: <u>north of 34th & Carr</u>
Tax Parcel Number: <u>_____</u>	Zoning: <u>C-2</u>	Total Acres: <u>.70</u>
Proposed Use: <u>Farmers market / seasonal outdoor</u>	Floodplain: <u>YES</u> NO	

Describe the proposed use:
This year we are excited to welcome capital city farmers market.
See letter describing uses & how the uses support comprehensive plan & vision!

Check any that are applicable to this application: *If any boxes are checked, attach the Design Review Application* <u>• outdoor activities only on CUP</u>	I will build a new structure <u>no</u>
	I will add 25% or more to the floor area of an existing building <u>no</u>
	I will alter, replace rehabilitate or restore 25% or more of a store façade. <u>no</u>

How is the use appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district?
All uses will ensure we continue to comply with our quite ordinance as well as all permitting process with ABC, Garden City & GCPD.

Is the use supported by adequate public facilities or services such as water/sewer, schools, roads, parks, transit, fire protection and police protection?

Yes it is.
In 2018 we demonstrated our community celebrations including the first annual "Experience Garden City Festival"

How does the use affect the health, safety or welfare of the community?

Only in positive ways - This brings community together through experience, art food & community activity!

How does the use support the goals of the Comprehensive Plan?

The farmers market demonstrates the vision of a "destination" environment, & supports our Business, art & Resident community.

How far is the proposed use from a pedestrian/bicycle pathway?

On the 34th Greenbelt Row / see photos of last years setup & positive turnout.

I consent to this application and hereby certify that information contained on this application and in the accompanying materials is correct to the best of my knowledge. I agree to be responsible for all application materials, fees and application correspondence with the City. I will hold harmless and indemnify the City of Garden City from any and all claims and/or causes of action from or an outcome of the issuance of a permit from the City.

[Signature] 2-25-2019
Signature of the Applicant (date)

[Signature] 2-28-2019
Signature of the Owner (date)

APPLICATION INFORMATION REQUIRED

NOTE:

AN ELECTRONIC COPY OF THE ENTIRE APPLICATION SUBMITTAL REQUIRED

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED UNDER ANY CIRCUMSTANCES

ONE (1) HARD COPY OF EACH CHECKLIST ITEM REQUIRED:

- Compliance Statement and Statement of Intent
- Neighborhood Map
- Will Serve Letter - *on file for all 34th*
- 11"x17" Site Plan
- Irrigation/Ditch Company Authorization Letter - *N/A*
- Photos of Site
- Neighborhood Meeting Verification
- Affidavit of Legal Interest
- Waiver Request of Application Materials - *none*

**Additional information may be required by staff such as a traffic/parking analysis, a use analysis or documents related specifically to a business.*



PLEASE CHECK THE FOLLOWING:

INFORMATION REQUIRED ON COMPLIANCE STATEMENT AND STATEMENT OF INTENT:

- Statement explaining how the proposed use(s) is compliant with the standards of review for the proposed application. Cite the ordinances the proposed use(s) is compliant with
- Should include purpose, scope, and intent of project
- Information concerning noxious uses, noise, vibration, and any other aspects of the use or structure that may impact adjacent properties or the surrounding community

INFORMATION REQUIRED ON NEIGHBORHOOD MAP:

- 8 ½" x 11" size minimum
- Location of contiguous lots and lot(s) immediately across from any public or private street, building envelopes and/or existing buildings and structures at a scale not less than one inch equals one hundred feet (1" = 100')
- Impact of the proposed siting on existing buildings, structures, and/or building envelopes

INFORMATION REQUIRED ON SITE PLAN:

- Scale not less than 1" = 20', legend, and north arrow.
- Property boundary, dimensions, setbacks and parcel size.
- Location of the proposed building, improvement, sign, fence or other structure, and the relationship to the platted building envelope and/or building zone
- Building envelope dimensions with the center of the envelope location established in relation to the property lines
- Adjacent public and private street right of way lines
- Total square footage of all proposed structures calculated for each floor. If the application is for an addition or alteration to an existing building or structure, then the new or altered portions shall be clearly indicated on the plans and the square footage of new or altered portion and the existing building shall be included in the calculations

- For uses classified as drive-through, the site plan shall demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties as required in Section 8-2C-13 of Title 8.

INFORMATION REQUIRED FOR IRRIGATION/DITCH AUTHORIZATION LETTER:

- Required if irrigation canal/irrigation ditch runs through property or along property lines

INFORMATION FOR NEIGHBORHOOD MEETING VERIFICATION:

- Copy of notice sent to property owners within 300' of an applicable property
- List of notice recipients with names and addresses
- Sign-up sheet from meeting

INFORMATION REQUIRED FOR WAIVER REQUEST OF APPLICATION MATERIALS:

- Statement must include a list of the application materials to be waived and an explanation for the request

Statement of Intent: Conditional Use permit 2019-2020

Site: 215 E. 34th Street
3342 Carr Street, 303 E. 34th Street, Garden City Idaho.

Dear members of Garden City planning and Planning & Zoning Commission.

It is my intent to facilitate bringing a farmers market to Garden City! Capital City farmers market has expressed interest for the 2019 year!

2018 Summer Operations:

During the summer of 2018 we commenced operations of a temporary outdoor eatery, weekly farmer's market, and community space using Temporary Use provisions provided for in Garden City's current municipal code. The reason for this was simple – we wanted to pre-energize an otherwise vacant lot (a classic "Tactical Urbanist" tactic endorsed by city planners across America). Before we commenced operations, we sought out and secured the proper approvals from all necessary government agencies and authorities. We were grateful for the City's collaboration to make this vision a reality.

Our intention was to generate increased foot traffic, build community, and create general awareness and excitement about the area. Results exceeded our expectations. We, and the City, have enjoyed numerous positive articles in notable publications including The Idaho Statesman and Greenbelt Magazine, tremendous positive feedback from the local community.

Our activities include a weekly farmers market, life celebrations including weddings and birthdays, community events including the experience Garden City festival.

We look forward to a wonderful season in Garden City.

Thank you

Hannah Ball
Urban Land Development | 808-673-5815

If you need a quick response please text or call

From: [Hannah Ball](#)
To: [Christian Samples](#); [Jenah Thornborrow](#); [Charles Wadams](#)
Cc: [Sherry](#); den@givenspursley.com; will@stackrockgroup.com; ieiblen@baengineers.com
Subject: Letter for the Farmers market to be an approved use.
Date: Wednesday, April 3, 2019 2:28:10 PM
Attachments: [ATT00001.htm](#)
[190318_34th CUP-Layout1.pdf](#)
[ATT00002.htm](#)
[190226_ULD_EX_EXISTING PARKING STUDY_19-1250.14.pdf](#)
[ATT00003.htm](#)

Hello everyone,

Here are our documents to have the farmers market be a planner decision use.

Here is the statement as well as;

- site map, showing site, portable bathroom locations, bike parking.
- A parking study of all off street available spaces.

Dear Garden City Planning Officials

RE: Farmers Market proposed for 303 E 34th Street (Block 35, lots 31, 32,33, 34)

It is my intent to host an outdoor farmers market on the above lots on Wednesdays, from 5- 9 pm, June-October 2019. This is a free community event, open to the public, that encourages a wonderful river activated use. This year's market will be Capital City Public Market, a market with 25 years of experience. We are estimating 100 people to visit the market this year, total occupancy would be around 150 people estimated.

The property is located in the C-2 zone and the Boise River and Greenbelt (BRG) overlay zone. Farmers market is not specifically listed as a use in the City Code's use tables, but the Code authorizes the planning official to permit additional uses in two different sections of Code.

Section 8-3E-3 authorizes the planning official to permit additional uses "upon demonstration that the use is river-dependent or river oriented" such an "outdoor theater facing the river". The farmers market is certainly river oriented. It is outdoors along the river and will be visible from and inviting to all users along the river and greenbelt. This use provided a free community event, that welcomes local residents and visitors to our community. As you walk along the Greenbelt the market will encourage you to explore Garden City. This lot is directly on the land side of the Greenbelt and provides a river activated use.

Alternatively, Section 8-2B-2.B authorizes the planning official to permit a proposed use that is equivalent to other permitted uses. The Farmers Market is equivalent to the use contemplated in a Retail Store, which is a permitted use in both zones. Like a retail store, the farmers market will offer merchandise (produce, art, crafts, housewares, etc) for sale to the public, an activity appropriate in a general commercial zone. The farmers market will be even less intensive than the permitted retail store use due to the limited hours of operation, seasonal aspect, lack of a permanent structure, and pedestrian and bike-friendly access.

Commuting to the market; most patrons will come by bike or foot on the Greenbelt. 28 bike parking spaces (bike rack) will be available. A parking study is attached in addition and an estimated 300 street parking spaces are available. 9 parking spaces are available at 215. 34th Street, 34th Street can accommodate 84 spaces, the 36th Street Parking lot can accommodated

22 spaces. We can accommodate the number of patrons we are expecting.

A farmers market provides great economic growth to an area, it offers quality food for local community. Attached are a link to the benefits of a farmers market, and the strong economic benefits they provide.

<https://agri.idaho.gov/main/wp-content/uploads/2018/01/booklet-FarmersMarketx-sm.pdf>

<https://energize.cityofboise.org/media/472760/farmers-market-guide.pdf>

<https://www.capitalcitypublicmarket.com/>

We are excited to offer this wonderful amenity to the Garden City community, and look forward to starting operations.

Thank you

Hannah Ball
Urban Land Development | 808-673-5815

Total Control Panel

[Login](#)

To: [Remove](#) this sender from my allow list
csamples@gardencityidaho.org

From:
hannahballcan@gmail.com

You received this message because the sender is on your allow list.

From: [Hannah Ball](#)
To: [Christian Samples](#); [Jenah Thornborrow](#)
Cc: den@givenspursley.com; Sherry; will@stackrockgroup.com
Subject: Response to staff report for CUPFY- 2019-4
Date: Tuesday, April 9, 2019 2:37:49 PM
Attachments: [ATT00001.htm](#)

4-9-2019

Dear Garden City officials:

This is my response letter to the staff report regarding CUPFY2019-4 for a farmers market.

My goals are to encourage a healthy community, to support the goal improving the City's image as a vibrant place to visit and live and work, to celebrate art and culture, and to invite members of the community together through a community event! Please consider how important a farmers market is to our community and how these events will help improve our image.

To provide clarification on a few topics stated in the staff report (4-5-2019)

- 215 E. 34th Street location was included in the addresses for the application to show parking, no activity will take place in this structure. This is strictly to show parking outside.
- If ever there was a mention of a "private event" we can eliminate that as a use. The farmers market and events will all be public.
- Expected number of vendors -- Since this is a new location for this market we cannot provide exact numbers but we can estimate based on last year's data collected. We anticipate anywhere from 30-50 vendors (see vendor logistics section for loading and details). The vendors usually have the same setup, which is a 10'x10' tent space. The vendors provide sales directly to consumers; the products sold range from produce, art, food products, and handmade goods. Here are some examples of vendors that participate <https://www.capitalcitypublicmarket.com/vendors>. The Capital City Public Market has 25 years of experience in vetting vendors, establishing a process, arranging vendors, and having successful Market operations.
- The arrangement of vendors – It is to the benefit and success of the market to arrange vendors in a manner that invites in Greenbelt and pedestrian traffic. The staff report mentioned no access directly off the Greenbelt. The lot fronts and is fully visible along a considerable stretch of the Greenbelt. There is immediate access to the lot just 8' from the Greenbelt, through public right of way. The vendors will be arranged in a format that invites patrons in from the Greenbelt and does not block views along the Greenbelt. Photos provided help show conditions of the retaining wall, entrance points and illustrate how this is a river activated use.
- Landscaping & Lot beautification -- This lot was purchased in 2018 as a trailer park; it included 15 mobile homes. My goal in purchasing and redeveloping this property was to

establish a more community-friendly use, to encourage a sense of place, and help promote the neighborhood as a family-friendly environment & destination location while development tasks are in process. The retaining wall was in place and we have added landscaping to it. We have cleaned this stretch of Greenbelt and continue to improve this lot and surrounding lots. Trash cans will be provided on site, but those are part of the daily operation tasks of set up and take down.

- Patron Count -- Based on last year's numbers we can estimate around 60-100 patrons taking part in the market. Not all patrons will be arriving on site at the same time and staying the entire duration; patrons usually stay around an hour to shop then continue to other activities. Site capacity is ample for the expected amount of vendors and patrons. If more space is needed for next year's operations, we can pursue conversations with ACHD and the City about closing the street. In 2018, the Experience Garden City festival took place on this lot and there were 400 people on the lot at a given time; the Chief of Police and Fire Marshall reported no incidents from that event on this lot.

- Hours of Operations -- Capital City Public Market will be open once per week on Wednesdays during the months of June – October, 5-9 PM. This time might shift based on turnout; set up may start a bit earlier, and closing may be 8- 8:30, a lot of this will be performance driven. All hours will comply with our quiet ordinance.

- Vendor Loading -- Vendors usually arrive 1 hour prior to opening to set up. The vendors will enter through the CarrStreet entrance (10 ft wide entrance). Vendors will require about 30 parking spaces and are encouraged to park at 215 E. 34th Street (9 spaces), City parking lot on 36th Street (22 spaces), or on 34th Street south of Clay Street. Total available vendor parking is over 50 spaces.

- Parking -- We have performed a parking study of all available on street parking spaces. The study documented over 300 parking spaces (see parking study); in addition there are 9 spaces available at 215 E. 34th Street & the City parking lot can accommodate 22 cars. Most patrons will come by foot or bike. 28 bike spaces will be available, near the northwest corner to not block the 2 entrance points. In last year's market operations we saw that around 60% of patrons arrived by foot or bike.

- During the Market -- As mentioned in the Staff Report, we would like to have food trucks (all will be permitted through Garden City food truck policy). The market is meant to be interactive, I would like patrons to be able to get hot food, listen to live music, and purchase a glass of beer or wine for consumption (we understand an additional catering permit will need to be submitted).

- Additional uses on lot for the summer 2019 season -- On non-Wednesdays we have found from last year's season that the community wanted and enjoyed this place to gather. We have submitted a list of events we would like to host; all will be open to the public and most will support a local charity. Community yard games is a wonderful way to bring the community together, promote celebrations, create a premier destination place to live and work, improve the city image, create a public gathering place and help

support a river walk environment (all Comprehensive Plan goals). Last year a few favorite events were: pumpkin painting for kids and a surf organization membership drive. During these events we will obtain a catering permit as well as ensure all food trucks are fully registered. No more than 100 patrons are expected and the logistics of parking, loading and infrastructure remains the same as the Wednesday event. We would like to host our activities and events Thursday- Sunday. Monday will be a closed day for lot maintenance. The hours of operation for event days will be 12-9:30 PM and will comply with applicable quiet ordinances. No shipping containers will be onsite.

- River Oriented -- All lot arrangements will be oriented to the river. Our site is very clean, inviting and welcoming to the community. Access is 8 feet from the Greenbelt on the northwest corner. The pictures provided help support the river orientation, the site will be functionally directed towards the river and welcome visitors in. In the staff report under the River activated section we meet the criteria defined in D, E, F. The retaining wall is much lower than the Greenbelt there; no views of the river are obstructed. Public art will also be on display to encourage art interaction. The pictures also illustrate how there is at least 60% ground level transparency. Tables and chair areas will be provided throughout the site; shaded umbrella areas will be provided on site but will not obstruct patron river views. The arrangement of the site specifically can vary based on vendors of that day, but prior to opening each day the management team will walk the site to ensure compliance with river-oriented design. All signage will be temporary and not fixed to site.

- Restroom Facilities -- This season, 2019, restroom facilities will be portable. We have a specific location for these and maintain them daily. The location is screened and non-visible from the street or Greenbelt location. There are 2 portable bathrooms as well as 2 handwashing stations on site. We believe this will be sufficient for the number of vendors and patrons, but if more are needed we would be happy to accommodate.



Above photo: first access from Greenbelt.



Above photo: large entrance for vendor loading.



Above photo: Side entrance, also loading size.



Above photo: 2nd pedestrian entrance with 1 bike rack.



Above photo: retaining wall and sight lines.



Above photo : river activated set up from last season.



Above photo: vendor set up 2018 season



Above photo: 2018 season, clean and well maintained lot.

Total Control Panel

[Login](#)

To: [Remove](#) this sender from my allow list
csamples@gardencityidaho.org

From:
hannahballcan@gmail.com

You received this message because the sender is on your allow list.

From: [Hannah Ball](#)
To: [Christian Samples](#)
Cc: den@givenspursley.com; Sherry; will@stackrockgroup.com; [Jenah Thornborrow](#)
Subject: Re: Response to staff report for CUPFY- 2019-4
Date: Thursday, April 11, 2019 3:02:37 PM

Hello Chris,

Good clarification.

The additional events I'm wanting

- 2019 season to be may- October
- 2020 season to be March- October
- 2021 season to be in permanent location and operating in a full year capacity, but any events will be indoors during the winter season.
- each year after events to be all year both indoor and in the proposed plaza.

Let me know if you need any additional information!

Thank you

Hannah Ball
Urban Land Development | 808-673-5815

If you need a quick response please text or call

On Apr 11, 2019, at 2:14 PM, Christian Samples <csamples@gardencityidaho.org> wrote:

Hi Hannah, I'm close to finishing the report and had a question. For the events you are proposing (excluding the farmer's market use), is there a monthly duration that these will held or is the intent to be able to hold events throughout the year? The application appears to indicate events are proposed throughout the year, but I wanted to make sure given the seasonal duration of the farmer's market.

Thank you,

Chris

From: Hannah Ball [<mailto:hannahballcan@gmail.com>]
Sent: Tuesday, April 9, 2019 3:34 PM
To: Christian Samples
Cc: den@givenspursley.com; Sherry; will@stackrockgroup.com; [Jenah Thornborrow](#)
Subject: Re: Response to staff report for CUPFY- 2019-4

I believe that is everything

Thank you!

Hannah Ball
Urban Land Development | 808-673-5815

From: [Hannah Ball](#)
To: [Christian Samples](#); [Jenah Thornborrow](#)
Cc: [Sherry](#); den@givenspursley.com; will@stackrockgroup.com
Subject: Re: CUPFY2019 - 4 - Initial Review
Date: Wednesday, April 3, 2019 3:01:40 PM

Side walk Waiver request

Dear Garden City Planning Staff;

In 2019 we anticipate a series of uses on block 35 of 34th Street, lots 31, 32, 33, 34.

We are in the process of submitting our SAP/ master plan application that will provide a detailed plan of the sidewalks we are proposing. The master plan needs the approval of the planning staff in order to construct the sidewalk systems.

We are asking for an extension until the master plan application is reviewed and modified and or approved.

Thank you,

Hannah Ball

Urban Land Development.

On Apr 3, 2019, at 2:38 PM, Christian Samples <csamples@gardencityidaho.org> wrote:

The waiver is a letter you draft rather than a form. The waiver is a sidewalk waiver request.

Thank you,

Chris

From: Hannah Ball [<mailto:hannahballcan@gmail.com>]
Sent: Wednesday, April 3, 2019 1:41 PM
To: Christian Samples
Cc: Sherry
Subject: Re: CUPFY2019 - 4 - Initial Review

Hello Chris,

I'll get you all this information shortly! Sorry for the delay. Is a sidewalk waiver an actual form? I'm drafting a sidewalk letter basically stating we will have sidewalks once the sidewalk plan is approved through the SAP. It will need city approvals.

What would you recommend calling this "waiver" ?

Thank you

Hannah Ball
Urban Land Development | 808-673-5815

If you need a quick response please text or call

On Mar 29, 2019, at 3:45 PM, Christian Samples <csamples@gardencityidaho.org> wrote:

Hi Hannah and Sherry, I am working on the preliminary staff report for CUPFY2019 – 4. While I am still working on the report, there are issues/questions that the Commission will likely have concerns with. I am bringing them to your attention to give you the opportunity to address them. I will have a preliminary report to you next Wednesday. The preliminary report will reflect these questions/concerns and any response you provide me prior to next Wednesday. The final report will go out on April 10, 2019.

<!--[if !supportLists]-->1. <!--[endif]-->How many patrons are you expecting? The Commission will need a number to reference when considering your project.

<!--[if !supportLists]-->2. <!--[endif]-->Where will parking be located? I recognize in previous discussions we have had that bicycling was proposed as the primary transportation method. However, the Commission will still have questions concerning how vehicle parking will be located. One of the legal findings they have to reach is that the use is supported by adequate public facilities or services to the surrounding area. If you are relying on public parking to fulfill the parking requirements, this directly impacts ACHD facilities.

<!--[if !supportLists]-->3. <!--[endif]-->Will permanent restrooms be provided? The Commission will have questions about Central District Health Department requirements for portable toilets (e.g. placement, length of stay in a calendar year). They can require permanent restrooms based on the scope of your use and health department requirements.

<!--[if !supportLists]-->4. <!--[endif]-->The statement of intent lists weddings, birthdays, and community events. I understand that there are provisions for event permits in code intended to handle onetime events. I don't believe the Commission will consider this within the scope of a farmer's market and may evaluate them as a separate permanent use or defer to event permits and not grant a separate approval for permanent events.

<!--[if !supportLists]-->5. <!--[endif]-->How will vendors be arranged? What is the maximum number of vendors you anticipate?

<!--[if !supportLists]-->6. <!--[endif]-->Is this intended to be year round or seasonally? The application suggests it is seasonal, but I did not find specific dates mentioned. If the dates are there, let me know.

<!--[if !supportLists]-->7. <!--[endif]-->Garden City Code 8-4E-6 and the Garden City Sidewalk Policy requires sidewalks for this use. I know you have the 34th Street PUD/SAP coming, but the code requires sidewalks associated with this use. You may request a sidewalk waiver pursuant to the policy: [Link](#) If you wish to request a waiver, I will need a letter with evidence supporting your request by April 8, 2019.

Thanks,

<image001.jpg>

Chris Samples, AICP

Associate Planner

Development Services, **Garden City**

p: 208-472-2922

a: 6015 Glenwood Street, Garden City, ID 83714

w: www.gardencityidaho.org e: csamples@gardencityidaho.org

[<image002.png>](#) [<image003.png>](#) [<image004.png>](#)

Total Control Panel

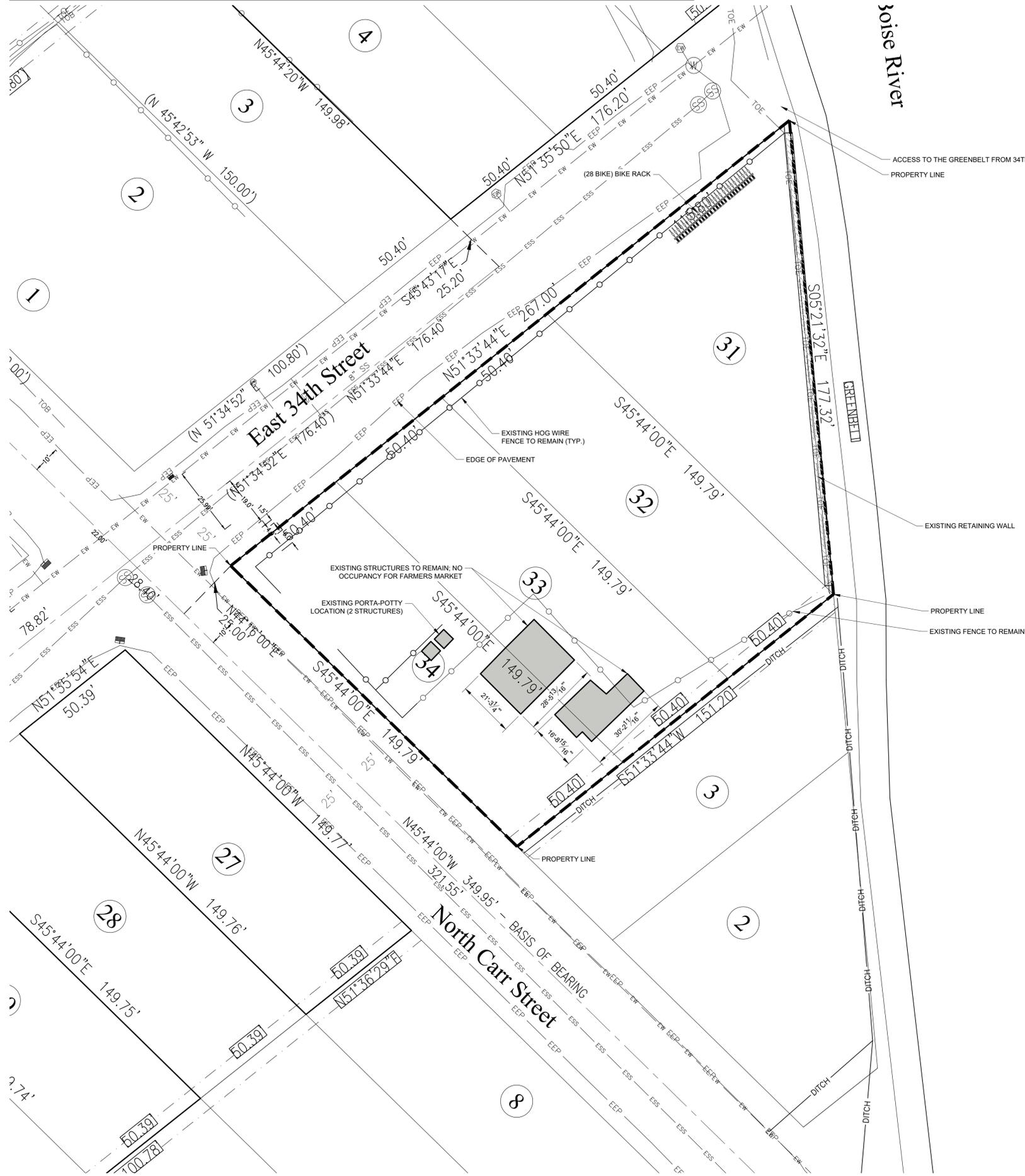
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To: csamples@gardencityidaho.org [Remove](#) this sender from my allow list

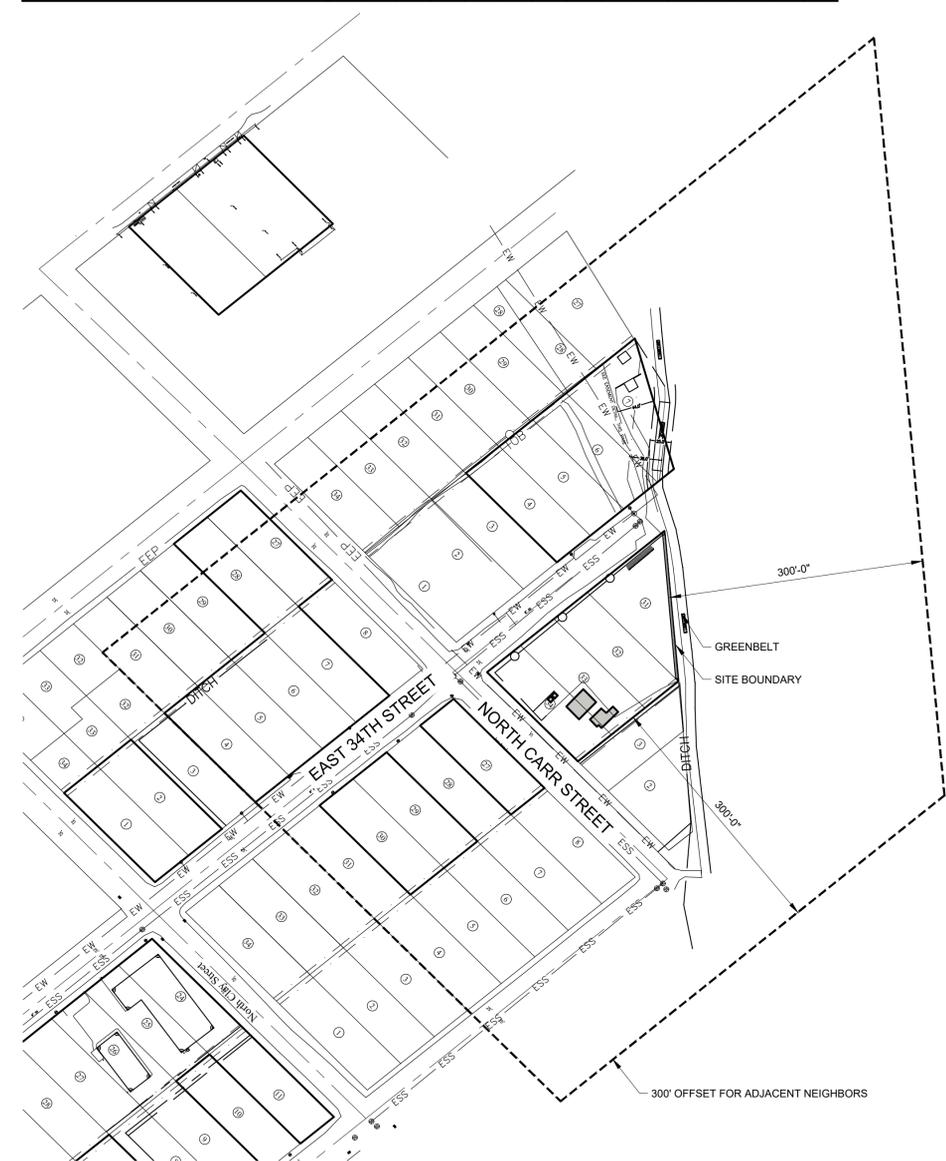
From:
hannahballcan@gmail.com

You received this message because the sender is on your allow list.

SITE PLAN OF EXISTING ELEMENTS:



NEIGHBORHOOD OVERVIEW:

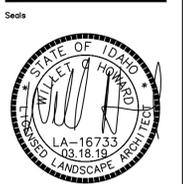


STACK ROCK GROUP
 LANDSCAPE ARCHITECTURE & MASTER PLANNING
 (208) 345-0500
 404 S 8th St, #154
 Boise, ID 83702
 StackRockGroup.com
 WILLET C HOWARD, PLA OFFICE: (208) 345.0500 EMAIL: WILLET@STACKROCKGROUP.COM
 WWW.STACKROCKGROUP.COM

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34TH ST. CUP SITE OVERVIEW

GARDEN CITY, ID

REVISIONS

MRK	DATE	Description
△	**	**

JOB NO: 19-1250
 DATE: 03.18.19
 DRAWN BY: KG
 CHECKED BY: WH

DRAWING TITLE

SITE OVERVIEW

SHEET NUMBER
L1.00

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STACK ROCK GROUP - CITY REVIEW SET

Bike racks

Boise River Greenbelt

E 34th St



Trailhead Ice

N Carr St

Requesting additional occupancy & use on this space 3342 Carr

- Cup In this entire lot
- to include farmers market
- yard games
- corn whole to tournament
- Experience Gardencity event
- food truck's with permits
- Life celebrations & weddings
- Harvest parents day celebration
- Food can festival drive for charity



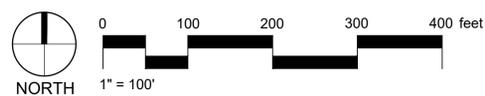
**URBAN LAND DEVELOPMENT -
PARKING STUDY - GARDEN CITY**

STREET	# OF STREET PARKING STALLS
32nd	33
33rd	24.00
34th	84.00
35th	67
Clay St.	63.00
Car St.	52
TOTAL	323.00

- NOTE:
- STREET PARKING STALLS ARE MEASURED AT 20' X 10'
- NOTE:
- NO PARKING WITHIN 15' OF A FIRE HYDRANT
 - NO PARKING WITH 20' OF A CROSSWALK
 - NO PARKING IN FRONT OF PUBLIC OR PRIVATE DRIVEWAYS
 - NO PARKING WHERE INDICATED BY SIGNAGE

LEGEND:

-  POTENTIAL SURFACE PARKING
-  NO PARKING*

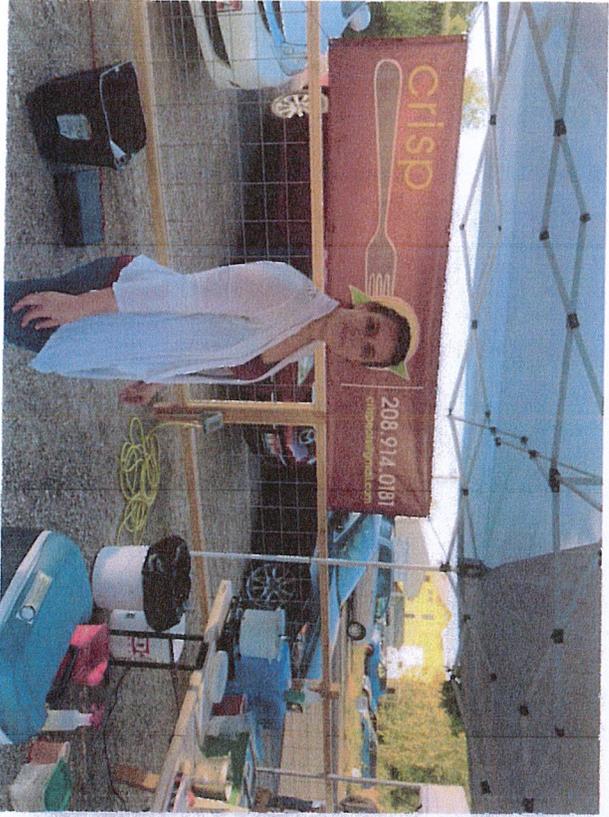














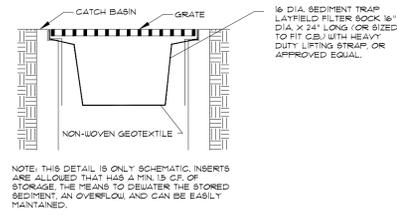
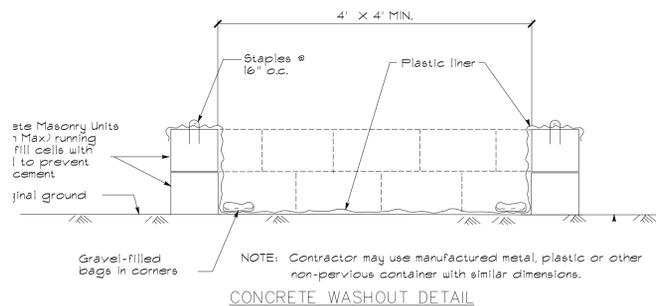
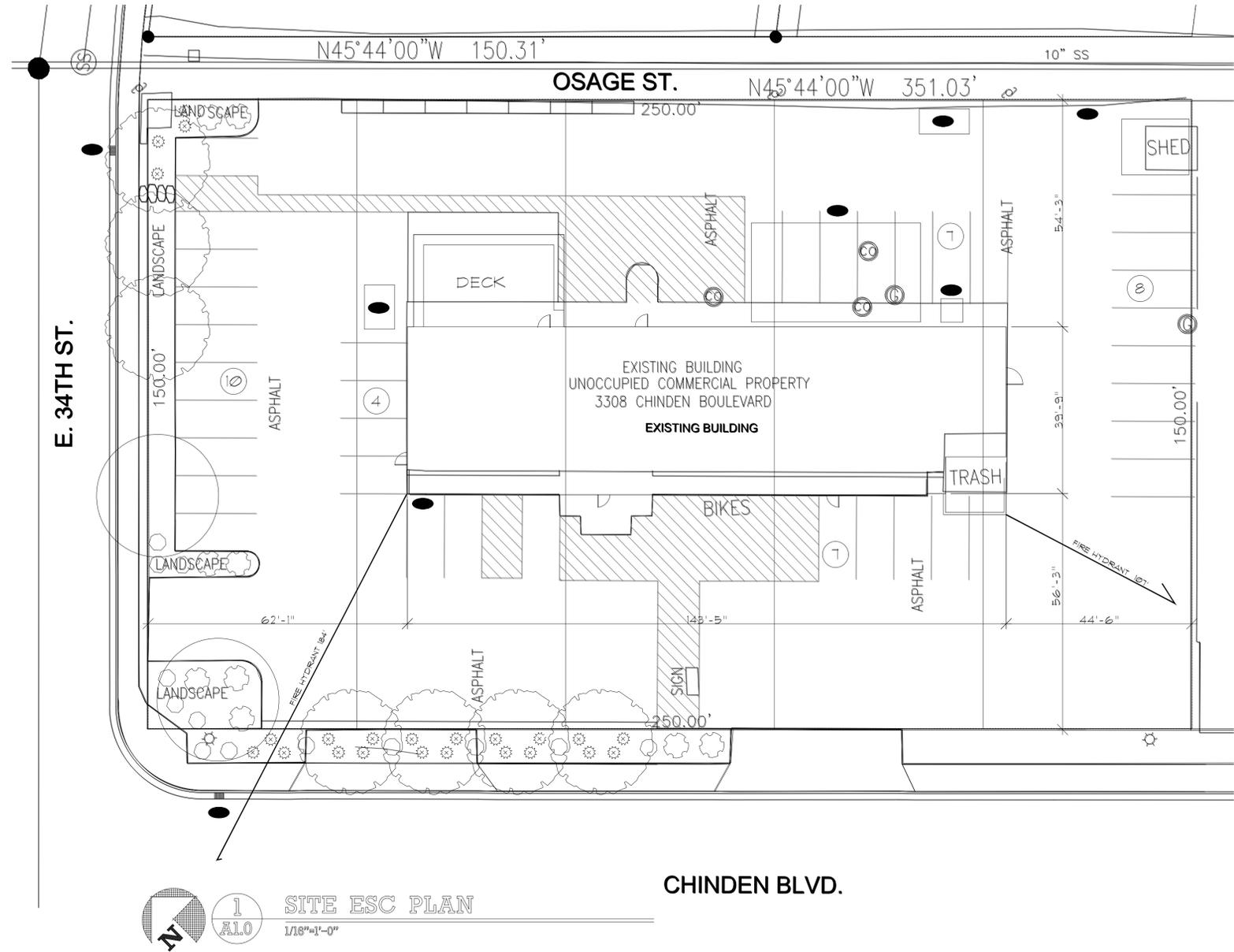


General Notes

- A. THIS SHEET IS INTENDED TO BE USED IN CONJUNCTION W/ THE APPROVED EROSION & SEDIMENT CONTROL PLAN DOCUMENT ALONG W/ THE APPROVED PERMIT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL APPLICABLE SAFETY LAWS OF ANY JURISDICTIONAL BODY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL BARRICADES, SAFETY DEVICES & TRAFFIC CONTROL W/IN & AROUND THE CONSTRUCTION AREA.
- B. TEMPORARY EROSION CONTROL BEST MANAGEMENT PRACTICES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
- C. THE EROSION CONTROL PLAN IS INTENDED TO GENERALLY REPRESENT THE EROSION CONTROL PRACTICES & DEVICES REQUIRED TO PREVENT SEDIMENT FROM LEAVING THE SITE. THE RESPONSIBLE PERSON SHALL INSPECT THE SITE PERIODICALLY, ESPECIALLY AFTER RAIN EVENTS, TO VERIFY THAT NO SEDIMENT IS LEAVING THE SITE. ADDITIONAL INSTALLATION OF DEVICES AND/OR PRACTICES MAY BE REQUIRED, AS SITE CONDITIONS DICTATE.
- D. ALL NECESSARY ACTION SHALL BE TAKEN TO MINIMIZE DEPOSITING & TRACKING OF MUD, DIRT, SAND, GRAVEL, ROCK OR DEBRIS ONTO THE PUBLIC RIGHT-OF-WAY.
- E. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CLEAN-UP OF THE PUBLIC RIGHTS-OF-WAY OR ADJACENT PRIVATE PROPERTY FROM ANY DEPOSITING OR TRACKING OF MUD, DIRT, SAND, GRAVEL, ROCK OR DEBRIS, OR SHALL REIMBURSE THE CITY FOR ANY EXPENSES INCURRED BY THE CITY TO EFFECTUATE THE CLEAN-UP.
- F. NO DEBRIS, DIRT, AGGREGATE OR EXCAVATED MATERIALS, OR CONSTRUCTION SUPPLIES SHALL BE PLACED ON THE PUBLIC RIGHT-OF-WAY UNLESS PERMITTED BY THE ADA COUNTY HIGHWAY DISTRICT OR OTHER CONTROLLING ENTITY. IN ADDITION, PUBLIC SIDEWALKS SHALL NOT BE REMOVED, BLOCKED OR OTHERWISE RENDERED UNUSABLE BY CONSTRUCTION ACTIVITY. EQUIPMENT OR MATERIALS OR PORTABLE TOILETS, UNTIL A SIGNING & DETOUR PLAN IN ACCORDANCE W/ MUTCD TRAFFIC CONTROL FOR PEDESTRIAN SAFETY & ACCESS HAS BEEN APPROVED BY ACHD & IS IN PLACE.
- G. ALL TEMPORARY EROSION & SEDIMENT & CONTROL MEASURES SHALL BE APPROVED AFTER FINAL SITE STABILIZATION. TRAPPED SEDIMENT & OTHER DISTURBED SOIL AREAS RESULTING FROM THE REMOVAL OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED W/IN 30 DAYS FROM THE REMOVAL OF THE TEMPORARY MEASURES.
- H. THE BEST MANAGEMENT PRACTICES SHALL MEET THE CRITERIA & SPECIFICATIONS OF THE STATE OF IDAHO CATALOG OF BEST MANAGEMENT PRACTICES FOR IDAHO CITIES & COUNTIES PREPARED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY.
- I. CONTRACTOR SHALL NOT SWEEP OR FLUSH ANY DEBRIS INTO ANY EXISTING STORM DRAIN FACILITIES.
- J. AT A MINIMUM, THE CONTRACTOR'S "RESPONSIBLE PERSON" SHALL INSPECT THE SITE BEFORE & AFTER STORM EVENTS & AT 24-HOUR INTERVALS DURING EXTENDED STORMS. THE EROSION & SEDIMENT CONTROL PLAN PERMIT MAY REQUIRE ADDITIONAL INSPECTIONS.
- K. THE CURRENT CONSTRUCTION SITE INSPECTION CHECKLIST SHALL BE AVAILABLE AT THE JOB SITE FOR REVIEW DURING REGULAR HOURS OF CONSTRUCTION.

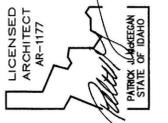
Key Notes

1. INLET PROTECTION INSERT (SOCK) @ ALL STORM DRAINS AND IRRIGATION BOXES. ANY AFFECTED DOWNSTREAM INLETS NOT INDICATED ON PLAN SHALL ALSO BE PROTECTED. SEE DETAIL THIS SHEET.
2. CONSTRUCTION SITE ENTRANCE.
3. SOLID WASTE RECEPTACLE.
4. EROSION CONTROL SIGN.
5. CONCRETE TRUCK WASHOUT. SEE DETAIL THIS SHEET.
6. PORTA-POTTY.
7. CONSTRUCTION MATERIALS STAGING AREA.



ZONING RECAP		
ZONE:	C-1	
LEGAL:	R2134541125	
SITE PROPERTIES:		
SETBACKS:	REQUIRED:	EXISTING:
FRONT CHINDEN:	5'	56'
SIDE (INTERIOR):	5'	44'
SIDE (STREET) 34TH:	5'	62'
SIDE (STREET) OSAGE:	5'	54'
HEIGHT:	45'-0" MAX.	18'-0"±
LOT COVERAGE:	BUILDING LANDSCAPING ON SITE LANDSCAPING ON ROW PAVING	6396 SF (17%) 1642 SF (5%) 1064 SF 29462 SF (78%)
LOT AREA:		37500 SF± (.86 ACRE)
PARKING:	RETAIL = 25	
BICYCLE PARKING:	1/20 = 2 REQUIRED	

BUILDING PERMIT SUBMITTAL



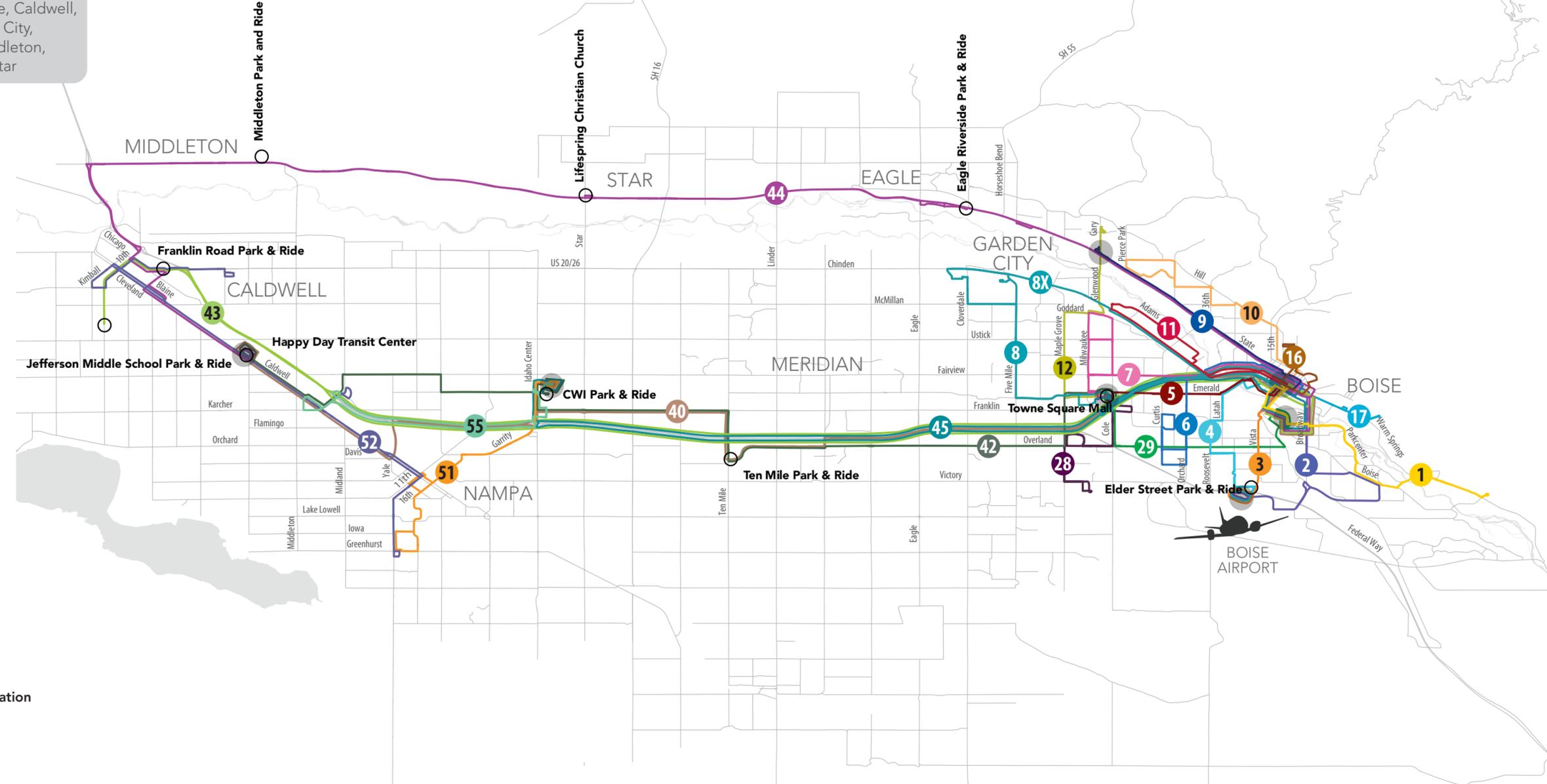
Roots Zero Waste Market TI
3308 W. Chinden Blvd. Garden City, Idaho 83713
PMA, Inc. dba Patrick McKeegan Architects
PO Box 5845 - Boise, Idaho 83705 - (208) 573-1415
www.mckeeganarch.com

AS1.0
SITE ESC PLAN

PROJECT: 218014 DATE: 12-26-18 DRAWN: MC/MO
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VALLEYRIDE SYSTEM MAP

Serving • Boise, Caldwell, Eagle, Garden City, Meridian, Middleton, Nampa, and Star



- 1 Route
- Stops
- Transfer Location
- Park & Ride

ROUTES

ADA COUNTY

- 1 Harris Ranch via Parkcenter
- 2 Broadway
- 3 Vista
- 4 Roosevelt
- 5 Emerald
- 6 Orchard
- 7 Fairview (Routes 7A • 7B)
- 8 Five Mile
- 8X Five Mile • Chinden
- 9 State Street
- 10 Hill Road
- 11 Garden City
- 12 Maple Grove
- 16 VA • Hyde Park
- 17 Warm Springs
- 28 Cole • Victory
- 29 Overland

INTERCOUNTY

- 40 Nampa • Meridian Express
- 42 Happy Day Transit Center • Towne Square Mall
- 43 Caldwell Express
- 44 Highway 44 Express
- 45 BSU Express

CANYON COUNTY

- 51 East Nampa
- 52 Caldwell Blvd
- 55 CWI Shuttle

Routes and times subject to change without notice.



PARK & RIDES

	ROUTES
JEFFERSON MIDDLE SCHOOL 3311 10th Avenue Caldwell	43
MIDDLETON PARK AND RIDE 520 W. Main Street Middleton	44
LIFESPING CHRISTIAN CHURCH 174 N. Star Road Star	44
EAGLE RIVERSIDE Highway 44 & Riverside Drive Eagle	44
TEN MILE Overland Road & Ten Mile Road Meridian	40
COLLEGE OF WESTERN IDAHO E. Terra Linda Way Nampa	40, 42
HAPPY DAY TRANSIT CENTER 5807 Cleveland Blvd. Caldwell	40, 42, 44, 52
TOWNE SQUARE MALL By Dillard's	5, 7B, 8, 8x, 12, 28, 29, 42
BOISE STATE Elder Street & Vista Avenue Boise	3, 4
FRANKLIN ROAD Between Michigan Avenue & 21st Avenue Caldwell	43, 44, 52

Please refer to individual route maps for a more detailed description of bus stops, routes, and schedules. Maps and schedules can be found at valleyregionaltransit.org.





ENVIRONMENTAL HEALTH AND PREPAREDNESS
707 NORTH ARMSTRONG PLACE
BOISE, ID 83704-0825
TEL. (208) 327-7499
FAX (208) 327-8553
cdhd.idaho.gov

"Partnering to promote, protect and preserve health in our community."

Event Organizer
Information January 2018

In an effort to help you with the organization of your event, I have enclosed a Notification of Event Application. Please fill this out and return it to Central District Health Department (CDHD) a minimum of 30 days prior to your event.

An adequate number of portable toilets with hand washing facilities shall be provided for the food vendors and patrons. A licensed contractor will need to provide this service. The recommended number of portable toilets to be available at special events is based on event duration and number of people in attendance. The Portable Toilet guide from the Idaho Technical Guidance Manual for sewage disposal is attached for your convenience. A minimum of 2 (two) hand washing stations are recommended. One additional hand washing station is recommended for every 10 (ten) toilets.

Gray water disposal for the food vendors must be readily available. Final disposal of gray water must be at an approved facility.

Some vendors may need to dispose of cooking grease and oils during the event. A contractor can provide grease barrels for pick-up and disposal at an approved facility.

Please note: all food vendors must make an application for a Temporary Food Establishment License with CDHD Office of Environmental Health. The event coordinator must inform all food vendors that an application is required and must be submitted to the health department 30 days prior to the event. An application and vendor packet is included for your convenience and may be printed from our website. <http://cdhd.idaho.gov/EH/food/forms.htm>

We will make the determination if a permit to operate is required after receiving the application.

If you have any questions, please feel free to call.

A handwritten signature in black ink that reads 'Tom Schmalz'.

Tom Schmalz
Environmental Health Supervisor
Facility Based Programs

Enclosures



ENVIRONMENTAL HEALTH AND PREPAREDNESS
707 NORTH ARMSTRONG PLACE
BOISE, ID 83704-0825
TEL. (208) 327-7499
FAX (208) 327-8553
cdhd.idaho.gov

"Partnering to promote, protect and preserve health in our community."

NOTIFICATION OF EVENT

(Name of Event)

(Event Sponsor)

(Location of Event-with Zip Code and address if applicable)

(Dates of Event)

(Daily Beginning and Ending Times)

Event Coordinator or Contact Person _____

Phone No. _____ Cell Phone No. _____ FAX _____

E-Mail Address _____

Provide a list of vendors at least 30 days prior to the event. The list should include Health Department license numbers (if already licensed), mailing address, telephone numbers and e-mail.

Note: Portable toilets require at least one hand sink with soap and paper towels at each location. Hand sinks and gray water barrels are generally provided by the portable toilet company at special request.

Table 4-15. Portable units required per number of employees if the units are serviced once per week.

Total Number of Employees	Minimum Number of Units (8-hour days/40-hour week)
1–10	1
11–20	2
21–30	3
31–40	4
Over 40	1 additional unit for each 10 additional employees.

Table 4-16. Portable units required per number of employees if the units are serviced more than once per week.

Total Number of Employees	Minimum Number of Units (8-hour days/40-hour week)
1–15	1
16–35	2
36–55	3
56–75	4
76–95	5
Over 95	1 additional unit for each 20 additional employees.

Table 4-17. Portable unit requirements for number of people per event hours based on a 50/50 mix of men and women.

Number of People	Number of Hours for the Event									
	1	2	3	4	5	6	7	8	9	10
0–500	2	4	4	5	6	7	9	9	10	12
501–1,000	4	6	8	8	9	9	11	12	13	13
1,001–2,000	5	6	9	12	14	16	18	20	23	25
2,001–3,000	6	9	12	16	20	24	26	30	34	38
3,001–4,000	8	13	16	22	25	30	35	40	45	50
4,001–5,000	12	15	20	25	31	38	44	50	56	63
5,001–10,000	15	25	38	50	63	75	88	100	113	125
10,000–15,000	20	38	56	75	94	113	131	150	169	188

Number of People	Number of Hours for the Event									
	1	2	3	4	5	6	7	8	9	10
15,000–20,000	25	50	75	100	125	150	175	200	225	250
20,000–25,000	38	69	99	130	160	191	221	252	282	313
25,000–30,000	46	82	119	156	192	229	266	302	339	376
30,000–35,000	53	96	139	181	224	267	310	352	395	438
35,000–40,000	61	109	158	207	256	305	354	403	452	501
40,000–45,000	68	123	178	233	288	343	398	453	508	563
45,000–50,000	76	137	198	259	320	381	442	503	564	626

4.18.4 Service Requirements

1. Work site units should be serviced weekly.
2. Special events with more than 500 people in attendance should have a service attendant on site during the event.
3. The employer, event promoter, or manager must be responsible for the hygiene and use of each portable sanitation unit.
4. Units should be serviced and removed from a site as soon as possible after the completion of an event.
5. All equipment used to pump or transport sewage from a portable sanitation unit must be permitted by an Idaho health district under the requirements of IDAPA 58.01.15.
6. All sewage removed from a portable sanitation unit must be disposed of at a location approved by the health district or DEQ through the pumper’s permit application.

4.18 Portable Sanitation Units

Revision: March 20, 2015

Installer registration permit: Not applicable

Licensed professional engineer required: No

4.18.1 Description

Portable sanitation units are prefabricated, portable, self-contained toilets that may be housed in trailers or as stand-alone units used for special or temporary events, construction sites, parks, and other events or locations with restroom needs.

4.18.2 Approval Conditions

1. Permanent sewage disposal facilities are not available.
2. All units must be serviced by a pumper with equipment that is permitted through a health district under IDAPA 58.01.15.
3. Units must be manufactured to meet the most current version of ANSI standard Z4.3.
4. Chemicals and biologicals, if used in the waste container, must be compatible with the final disposal site. Chemicals considered hazardous wastes must not be used.
5. Toilets shall contain an adequate supply of toilet paper and hand sanitizer (potable water hand-washing stations may be supplied instead of hand sanitizer).

4.18.3 Units Required

1. Table 4-15 and Table 4-16 provide work site requirements.
2. Table 4-17 provides special event requirements.
3. Campouts and overnight event requirements are at least 1 unit for every 50 participants.
4. The following should be taken into consideration when selecting the number of units for an event:
 - a. If the units are serving an event with food and beverage service 10%–20% more units should be added to the recommended totals in Table 4-16.
 - b. Traffic flow.
 - c. Outside temperature (i.e., on warmer days attendees will take in more liquids).
 - d. Special needs (e.g., changing tables, children use, handicapped accessibility).
 - e. Urinals may be substituted for one-third of the total units specified if facilities will not serve women.

January 17, 2019

Dear Resident,

The City of Garden City requires a meeting between the applicant of a Conditional Use proposal and the residents of the neighborhood in which the development site is located, prior to formal submittal of the application to the City. This letter is such notice of an opportunity to review and discuss our application to the Planning and Zoning Commission to define uses on N. 34th Street on properties north of Carr Street. Please see site location map accompanying this letter.

This is not a public hearing; public officials will not be present. If you have any questions regarding this neighborhood meeting, please contact the Planning Division of Garden City at (208) 472-2921. If you have questions about the development project, please contact the representative listed below.

Purpose

To review the proposed uses and provide comments to the design team.

When

January 29, Tuesday, 5:30pm-7pm

Where

Urban Land Development Office at 215 E 34th Street, Garden City. Please see location on map attached.

Project Description

Our application consists of a list of uses to be allowed on properties on N 34th Street.

What is the 34th Street Market?

The 34th Street Market will offer a gathering place for the community to enjoy a weekly farmer's market and serve as a street food park that includes. We aim to offer a space for community art display outdoor vendors, live music, and other special community events.

It is our objective to focus on attracting more foot and bicycle traffic to the 34th Street corridor by organizing family friendly community events in an outdoor gathering space.

The market will invite foot and bicycle traffic along the Greenbelt to stop and explore works from local artists and food growers, enjoy refreshments, dine, interact with community members, artists and vendors, and shop local in a family-friendly gathering place.

Market Goals

Our goal is to serve local residents and families, as well create an opportunity for the greater Treasure Valley community, tourists and visitors to enjoy the talent, amenities and the riverfront beauty that Garden City has to offer. Additionally, we aim to offer families an ongoing, outdoor event space, where families are encouraged to enjoy the extension of the Whitewater Park, Esther Simplot Park and Quinn's Pond, local Garden City businesses along the Greenbelt, as well as the ongoing community improvements and outdoor offering shopping in the area.

If you have questions about the meeting or proposed development project, please contact:

Hannah Ball, Urban Land Development, LLC

hannahballcan@gmail.com

808.673.5815

From: [planning](#)
To: [Christian Samples](#); [building](#)
Subject: FW: Garden City Agency Notice - PZ
Date: Wednesday, March 20, 2019 4:14:34 PM

From: Joseph Canning [mailto:jdcanning@baengineers.com]
Sent: Wednesday, March 20, 2019 3:30 PM
To: [planning](#)
Subject: RE: Garden City Agency Notice - PZ

Chris,

I know our office is working on Hannah's project – CUPFY2019-4. One of my staff members is handling it, but I should not comment on it.

Thanks,

Joe Canning

From: [planning](#) <planning@GARDENCITYIDAHO.ORG>
Sent: Wednesday, March 20, 2019 2:58 PM
To: bill.bosworth@idfg.idaho.gov; [building](mailto:building@GARDENCITYIDAHO.ORG) <building@GARDENCITYIDAHO.ORG>; Caleb.Lakey@itd.idaho.gov; [Colin Schmidt](mailto:Colin.Schmidt@GARDENCITYIDAHO.ORG) <cschmidt@GARDENCITYIDAHO.ORG>; [Kevin Wallis](mailto:Kevin.Wallis@GARDENCITYIDAHO.ORG) <kwallis@GARDENCITYIDAHO.ORG>; [Lisa Leiby](mailto:Lisa.Leiby@GARDENCITYIDAHO.ORG) <lleiby@GARDENCITYIDAHO.ORG>; [Lindsey Pettyjohn_Library](mailto:Lindsey.Pettyjohn_Library@gardencitylibrary.org) <lpettyjohn@gardencitylibrary.org>; [Elfreda Higgins](mailto:Elfreda.Higgins@GARDENCITYIDAHO.ORG) <ehiggins@GARDENCITYIDAHO.ORG>; [Jeff Souza](mailto:Jeff.Souza@GARDENCITYIDAHO.ORG) <jsouza@GARDENCITYIDAHO.ORG>; [Jeff Souza Home](mailto:Jeff.Souza.Home@councilmansouza@cableone.net) <councilmansouza@cableone.net>; [John Evans](mailto:John.Evans@GARDENCITYIDAHO.ORG) <jevans@GARDENCITYIDAHO.ORG>; [planning](mailto:planning@GARDENCITYIDAHO.ORG) <planning@GARDENCITYIDAHO.ORG>; [Susanna Smith](mailto:Susanna.Smith@GARDENCITYIDAHO.ORG) <ssmith@GARDENCITYIDAHO.ORG>; [Troy Vaughn](mailto:Troy.Vaughn@GARDENCITYIDAHO.ORG) <tvaughn@GARDENCITYIDAHO.ORG>; [Abe Blount](mailto:Abe.Blount@gardencitypolice.org) <ablount@gardencitypolice.org>; [Charles Wadams](mailto:Charles.Wadams@GARDENCITYIDAHO.ORG) <cwadams@GARDENCITYIDAHO.ORG>; [Pam Beaumont](mailto:Pam.Beaumont@GARDENCITYIDAHO.ORG) <pbeaumont@GARDENCITYIDAHO.ORG>; [Pam Beaumont Home](mailto:Pam.Beaumont.Home@pbeaumont730@gmail.com) <pbeaumont730@gmail.com>; [William Mitchell](mailto:William.Mitchell@GARDENCITYIDAHO.ORG) <wmitchell@GARDENCITYIDAHO.ORG>; [Joseph Canning](mailto:Joseph.Canning@baengineers.com) <jdcanning@baengineers.com>; [Jenah Thornborrow](mailto:Jenah.Thornborrow@GARDENCITYIDAHO.ORG) <jthorn@GARDENCITYIDAHO.ORG>; [Lindsey Pettyjohn_Library](mailto:Lindsey.Pettyjohn_Library@gardencitylibrary.org) <lpettyjohn@gardencitylibrary.org>; [Pam Beaumont Home](mailto:Pam.Beaumont.Home@pbeaumont730@gmail.com) <pbeaumont730@gmail.com>; [Rick Allen](mailto:Rick.Allen@gardencitypolice.org) <rallen@gardencitypolice.org>; [Tom Patterson](mailto:Tom.Patterson@gardencitypolice.org) <tpatterson@gardencitypolice.org>; Alicia.martin@deq.idaho.gov; [bob_kibler@fws.gov](mailto:bob.kibler@fws.gov); Bryce@sawtoothlaw.com; bujak.charissa@epa.gov; Carla.bernardi@cableone.biz; clittle@achdidaho.org; cmiller@compassidaho.org; criddle@cityofboise.org; dfluke@cityofboise.org; dgordon@cityofboise.org; dsperfma@adaweb.net; exline.eric@westada.org; greg.j.martinez@usace.army.mil; info@westernada.com; jamie.huff@dhs.gov; kmoeller@idahostatesman.com; lanette.daw@boiseschools.org; lbadigia@cdhd.idaho.gov; lisaharm@msn.com; mack@settlersirrigation.org; mark.wasdahl@itd.idaho.gov; mark@pioneerirrigation.com; mreno@cdhd.idaho.gov; msinglet@intgas.com; nadine.curtis@idpr.idaho.gov; newdrycreek@hotmail.com; Projectmgr@boiseriver.org;

pvc1953@aol.com; rjohnson@cityofboise.org; rolson@republicservices.com;
rphillips@idahopower.com; Shelley@nacfire.org; syarrington@achdidaho.org;
tlaws@cityofboise.org; wbsdmb@qwestoffice.net; William.m.terry@usps.gov;
d3development.services@itd.idaho.gov; RMurbach@republicservices.com;
yulia@sunshinehomesllc.com; building <building@GARDENCITYIDAHO.ORG>; wed2no1@yahoo.com

Subject: Garden City Agency Notice - PZ

**THE FOLLOWING ITEMS WILL BE CONSIDERED IN A QUASI JUDICIAL HEARING
AT GARDEN CITY IDAHO:**

CUPFY2019-4: Hannah Ball with Urban Land Development is requesting Conditional Use Permit approval of a seasonal outdoor farmer's market at several addresses including 303 E. 34th St., 3342 Carr St., 215 E. 34th St., among others. The properties are located in the general commercial (C-2) zoning district, the Boise River Greenbelt Overlay District, and the Work-Live-Create designation of the Comprehensive Plan.

CUPFY2019-6: Michael Nelson with Rocky Mountain Audio Visual Inc. is requesting Conditional Use Permit approval of a parking lot at N. 36th Street, Ada County Parcel R2734530132, Fairview Acres Sub. #4. The 0.099 acre lot is within the highway commercial (C-1) zoning district, and the Work-Live-Create and Transit Oriented Development designations of the Comprehensive Plan.

Application materials can be found at:

<https://gardencityidaho.org/index.asp?SEC=435AAA7D-EB0F-4395-AA73-B9091191194B&DE=AC475746-109A-4659-8889-11F31890485F>

NOTE: Please send comments to Garden City Development Services by **Friday, April 5, 2019**. If you do not respond by this date it will be considered "No Comment." It is the responsibility of those interested and/or affected jurisdictions to schedule their own applicable meeting. In some cases, Garden City's applications are processed before other jurisdictions' response, and the conditions of approval state that the approval is subject to statutory requirements of affected other jurisdictions. Please address your comments to the applicant as well as Development Services Department planning@gardencityidaho.org or Development Services Department, 6015 Glenwood, Garden City, Idaho 83714.

Garden City Development Services

Planning

City of Garden City

p: 208-472-2921

f: 208-472-2926

a: 6015 Glenwood Street, Garden City, ID 83714

w: www.gardencityidaho.org

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From:

jdcanning@baengineers.com

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IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

April 5, 2019

Garden City Development Services Division
6015 Glenwood Street
Garden City, ID 83714

VIA EMAIL

Development Application	CUPFY2019-4
Project Name	SEASONAL OUTDOOR FARMERS MARKET
Project Location	303 East 34 th Street, 3342 Carr Street, 215 East 34 th Street, east of US-2026 milepost 46.75
Project Description	Establish and operate a seasonal outdoor farmers market
Applicant	Hannah Ball, Urban Land Development

The Idaho Transportation Department (ITD) reviewed the referenced conditional use permit application and has the following comments:

1. This project does not abut the State highway system.
2. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State highway.
3. Idaho Administrative Procedures Act (IDAPA) 39.03.60 rules govern advertising along the State highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
4. ITD does not object to the establishment of a farmers market as presented in the application.

If you have any questions, you may contact Ken Couch at (208) 332-7190 or me at (208) 334-8338.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov

From: [Court Etherington](#)
To: [Christian Samples](#); [building](#)
Subject: Proposed Farmers Market in Garden City
Date: Tuesday, April 9, 2019 3:34:45 PM

Dear Garden City & Council Members,
I would like to express my interest and support for a Farmers Market in Garden City. We went last year when it was at 34th st and the River. It was awesome. My wife and I would really like to see this again in 2019.
We are homeowners in Waterfront Dist and something like this goes along with the cool vibes already in East GC.
Thank you for your support of a Farmers Market!

--



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4.9/5 For Hughes Group Based on 600+ Ratings & Reviews

HUGHES REAL ESTATE GROUP:

302 TOTAL HOMES SOLD & PENDING YTD 2019

\$104,684,363 SOLD & PENDING SALES VOLUME YTD 2019



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From: [Joe Jaszewski](#)
To: [Christian Samples](#); [building](#); [hannahballcan@gmail.com](#)
Subject: Comments on CUP FY 2019-4- farmers market
Date: Tuesday, April 9, 2019 2:46:52 PM

To whom it may concern,

I'm writing in strong support of the proposed farmer's market conditional use permit (CUP FY 2019-4- farmers market) by Hannah Ball.

Community events that bring about social connections with your neighbors while providing an important service are exactly why we bought our townhouse in a mixed-use area like the Waterfront District last year. I wish there were more of them. I can think of no better current use for the properties listed on [34th street](#). There are thousands of people who live within walking distance of this area who can stroll over along the Greenbelt can shop locally and support local businesses while meeting our neighbors; the exact vision of the Work-Live-Create neighborhood.

I would hope that Garden City leadership sees this as an opportunity perfectly in-line with the comprehensive plan, and also in line with building a health community. I greatly appreciate Ms. vision for this area and I truly hope it comes to fruition.

Best,
Joe Jaszewski
[492 E. Thurman Mill St.](#)

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From: ybruce333@gmail.com
To: Christian.Samples
Subject: Garden City Proposed Market
Date: Tuesday, April 9, 2019 3:27:49 PM

Good afternoon,

As a local tax-paying resident, I fully support this venture and any others that will enhance Garden City. I don't understand the opposition to such wonderful plans and ideas.

Yvette Etherington

Sent from my iPhone

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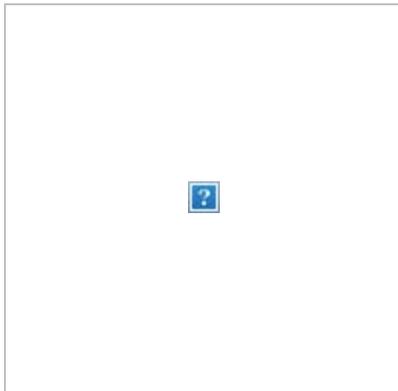
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From: [Warn Reserve Bitters](#)
To: building@garencityidaho.org; [Christian Samples](#)
Subject: 34th Street Market
Date: Wednesday, April 10, 2019 3:20:30 PM

I'm writing in support of the 34th Street Market for 2019. It was a welcome event to visit last year while walking/riding bikes on the green belt. It was small, quaint and a delightful place to take break and enjoy local music, food, beer, and vendors. It has been something my family has been waiting in anticipation for all winter. Please allow this awesome market to continue!

Adrienne Warn
208-921-4851

--



Adrienne Warn

Co-Founder
[DrinkUsIn.com](#)
Adrienne.Warn@WarnReserve.com
208.921.4851

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To:
csamples@garencityidaho.org
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adrienne.warn@warnreserve.com

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From: [Clare Baxter](#)
To: [Christian Samples](#); [building](#)
Subject: Farmers Market Garden City
Date: Wednesday, April 10, 2019 3:31:36 PM

Hi!

I live above Garden City on Kelly Way and consider Garden City part of my neighborhood. I want to express my support of both the Community Garden and the mid-week Farmers Market.

It is so exciting to see all the positive changes to this area and I look forward to watching Garden City grow.

Thank you!

Clare

Clare Baxter
Production Management
baxterclare@icloud.com
208.965.6912
<https://www.linkedin.com/in/clarebaxter>

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From: [Court Etherington](#)
To: [Christian Samples](#); [building](#)
Subject: Proposed Farmers Market in Garden City
Date: Tuesday, April 09, 2019 3:34:44 PM

Dear Garden City & Council Members,
I would like to express my interest and support for a Farmers Market in Garden City. We went last year when it was at 34th st and the River. It was awesome. My wife and I would really like to see this again in 2019.
We are homeowners in Waterfront Dist and something like this goes along with the cool vibes already in East GC.
Thank you for your support of a Farmers Market!

--



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4.9/5 For Hughes Group Based on 600+ Ratings & Reviews

HUGHES REAL ESTATE GROUP:

302 TOTAL HOMES SOLD & PENDING YTD 2019

\$104,684,363 SOLD & PENDING SALES VOLUME YTD 2019



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From: [Caitlin Copple Masingill](#)
To: [Christian Samples](#); [building](#)
Cc: [Jeffrey Masingill](#)
Subject: Support for 34th St. Farmers Market
Date: Tuesday, April 09, 2019 5:14:18 PM

To Whom It May Concern:

My husband Jeff Masingill and I live at 283 E Thurman Mill Lane in 36 Oak, a couple of blocks from the proposed market location. We fully support this wonderful addition to the neighborhood. We intentionally chose to live in Garden City because of the vibrant, urban feel that comes from mixed use developments. We hope Garden City will continue to be an interesting place to live rather than like neighboring communities that surround Boise that lack much character or charm.

I'm sorry to write after 5 pm but I just saw that this is happening via Facebook. I hope you will still consider our comments.

Best,
Caitlin Copple Masingill

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To: building@gardencityidaho.org
From: ccmasingill@gmail.com

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From: [Caitlin Straubinger](#)
To: [Christian Samples](#); building@gardencity.org
Subject: Wednesday Farmer's Market
Date: Wednesday, April 10, 2019 4:49:05 PM

Garden City Planning and Zoning Commission:

I am writing to express my support of the proposed Wednesday evening Farmer's Market on 34th Street.

I live nearby (on 36th Street) and believe that the market would be a wonderful venue to build community and connectivity among the residents of Garden City.

In reviewing the working draft of the comprehensive plan for Garden City, I notice several objectives that would be supported by the Wednesday market, including:

Objective 3.2: Create public gathering places at multiple locations throughout the city.

Objective 10.5: Create a "Main Street" commercial districts along portions of Adams Street, 34/36/50th Streets, and at other locations that add identity and are compatible with the neighborhood.

Objective 12.3: Create a premier destination for work, recreation, entertainment, culture and commerce.

My family loves living in Garden City and look forward to supporting our neighborhood's vibrant events, including the proposed Wednesday market (CUP FY 2019-4).

Please let me know if you have any questions.

Thank you for your dedication to Garden City!

Caitlin Straubinger
262 E. 36th Street
407-227-7108

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From: [Erin Shearer](#)
To: [Christian Samples](#); [building](#)
Subject: CUP FY 2019-4
Date: Wednesday, April 10, 2019 3:42:28 PM

To whom it may concern- writing in support of continuing the special use permit for the farmers market to take place in Garden City. As a resident of the West end I've greatly appreciated the ability to do business closer to home, without having to fuss with traffic, search for parking and gives my family and I an opportunity to enjoy bike trips on the greenbelt. I also feel that having a farmers market available in Garden City provides access to an underserved population and has the ability to promote a sense of community.

Thank you,
Erin Shearer

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From: [Joe Jaszewski](#)
To: [Christian Samples](#); [building](#); [hannahballcan@gmail.com](#)
Subject: Comments on CUP FY 2019-4- farmers market
Date: Tuesday, April 09, 2019 2:46:54 PM

To whom it may concern,

I'm writing in strong support of the proposed farmer's market conditional use permit (CUP FY 2019-4- farmers market) by Hannah Ball.

Community events that bring about social connections with your neighbors while providing an important service are exactly why we bought our townhouse in a mixed-use area like the Waterfront District last year. I wish there were more of them. I can think of no better current use for the properties listed on [34th street](#). There are thousands of people who live within walking distance of this area who can stroll over along the Greenbelt can shop locally and support local businesses while meeting our neighbors; the exact vision of the Work-Live-Create neighborhood.

I would hope that Garden City leadership sees this as an opportunity perfectly in-line with the comprehensive plan, and also in line with building a health community. I greatly appreciate Ms. vision for this area and I truly hope it comes to fruition.

Best,
Joe Jaszewski
[492 E. Thurman Mill St.](#)

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To:
[building@gardencityidaho.org](#)
From: joeja6@gmail.com

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From: [Jason Jones](#)
To: [Christian Samples](#); [building](#)
Subject: Garden City Market at 34th street
Date: Tuesday, April 09, 2019 3:38:58 PM

I'm writing to express support for the proposed market in my neighborhood. I think the city should do whatever is in their power to guarantee that the market is passed and is able to activate what is currently an under-utilized space.

Jason Jones
Mobile: (225)284-9102

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From:
jason.fizzixguy.jones@gmail.com

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From: [Joe Peraino](#)
To: [building](#)
Subject: Farmers Market
Date: Wednesday, April 10, 2019 3:45:24 PM

Hi, I won't be able to attend the meeting this Wednesday but I did want to say that we need more farmers markets filled with good local food all around town, not just downtown. All people should have access to clean nutritious food. Thank you

Joe Peraino

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From: sharikovpp@gmail.com		Low (90): Pass

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From: [Kristen Eismont](#)
To: [building](#)
Subject: Support for a Garden City Market
Date: Tuesday, April 09, 2019 4:01:27 PM

This communication is to show support for a Garden City Market.

A market in Garden City invites locals and other city residents to visit our community, explore the growing area and creates positive conversations that organically further the community outreach and enhance the brand of Garden City.

The market is simply a perfect addition to the neighborhood as Garden City is known to offer and support local entrepreneurs engaging in culinary, beverage, retail and artisan works.

I urge you to consider the positive experiences and contributions that a market will provide and vote 'YES' to allow Garden City to have a market.

Thank you,

Mrs. Kristen Jones
210 E 33rd Street
Garden City, Idaho
83714

Sent from my iPhone--Please excuse the brevity and any typos that may occur.

Total Control Panel

[Login](#)

To:	Message Score: 30	High (60): Pass
building@gardencityidaho.org	My Spam Blocking Level: High	Medium (75): Pass
From: kejoness1865@gmail.com		Low (90): Pass
	Block this sender	
	Block gmail.com	

This message was delivered because the content filter score did not exceed your filter level.

From: [Quick Finley](#)
To: [building](#)
Subject: Support of CUP FY 2019-4 Farmer's Market
Date: Wednesday, April 10, 2019 4:07:03 PM

To whom it may concern:

I am writing in support of the continuation of the mid-week 34th St. Farmer's Market for the 2019 season. I do not fully city official's concerns in regard to continuing the market. But I would like to express the positive aspects I have noted about the market and it's location.

-Located conveniently on the Greenbelt, which boosts foot traffic and alleviates automobile traffic and parking.

-Brings extra business to the surrounding area (It's a fun date night to grab a coffee at Push & Pour and a wine at Tellaya Winery on the same evening that I have attended the market.)

-I feel like the market is just another important piece in changing the perception of Garden City. Its clean, vibrant, and fresh set up bring lots of people down to the 34th street area who would normally just speed past on Chinden on their way into downtown Boise.

-Supporting our local small businesses and farmers who might otherwise have very limited avenues of income is crucial to our community. A well run farmer's market is such a simple answer to this! And we already have an established one at 34th street, there is no sense in "re-inventing the wheel".

-Having an option for fresh foods and local products mid-week is awesome!

Please considering renewing the 34th St. Farmer's Market permit for the 2019 season, thank you.

Stephanie Alvis

Total Control Panel

[Login](#)

To:
building@gardencityidaho.org
From: quickfinley@gmail.com

Message Score: 10
My Spam Blocking Level: High

High (60): **Pass**
Medium (75): **Pass**
Low (90): **Pass**

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[Block](#) gmail.com

This message was delivered because the content filter score did not exceed your filter level.

From: [Quick Finley](#)
To: [Christian Samples](#)
Subject: Support of CUP FY 2019-4
Date: Wednesday, April 10, 2019 4:05:54 PM

To whom it may concern:

I am writing in support of the continuation of the mid-week 34th St. Farmer's Market for the 2019 season. I do not fully city official's concerns in regard to continuing the market. But I would like to express the positive aspects I have noted about the market and it's location.

-Located conveniently on the Greenbelt, which boosts foot traffic and alleviates automobile traffic and parking.

-Brings extra business to the surrounding area (It's a fun date night to grab a coffee at Push & Pour and a wine at Tellaya Winery on the same evening that I have attended the market.)

-I feel like the market is just another important piece in changing the perception of Garden City. Its clean, vibrant, and fresh set up bring lots of people down to the 34th street area who would normally just speed past on Chinden on their way into downtown Boise.

-Supporting our local small businesses and farmers who might otherwise have very limited avenues of income is crucial to our community. A well run farmer's market is such a simple answer to this! And we already have an established one at 34th street, there is no sense in "re-inventing the wheel".

-Having an option for fresh foods and local products mid-week is awesome!

Please considering renewing the 34th St. Farmer's Market permit for the 2019 season, thank you.

Stephanie Alvis

Total Control Panel

[Login](#)

To:
csamples@gardencityidaho.org
From: quickfinley@gmail.com

Message Score: 1
My Spam Blocking Level: High

High (60): **Pass**
Medium (75): **Pass**
Low (90): **Pass**

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This message was delivered because the content filter score did not exceed your filter level.

From: [Susan Rehman](#)
To: building@gardencityidaho.org
Subject: 34th Street Market
Date: Wednesday, April 10, 2019 4:18:01 PM

This letter is in support of the 34th street market. I participated as a vendor last fall every Tuesday last fall. It was such a positive place in Garden City, drawing locals, people off the Greenbelt, river surfers, and more. Most cities seek out and even sponsor farmers markets because they are such great community builders and draw customers to local businesses. Please vote in favor of the 34th Street Market. Its an asset to Garden City.

Sincerely,
Susan Rehman
SeedsRoots&Shoots

Total Control Panel

[Login](#)

To:	Message Score: 1	High (60): Pass
building@gardencityidaho.org	My Spam Blocking Level: High	Medium (75): Pass
From:		Low (90): Pass
ms.susanrehman@gmail.com	Block this sender	
	Block gmail.com	

This message was delivered because the content filter score did not exceed your filter level.

From: [Dave Daniel](#)
To: [Christian Samples](#)
Cc: [Hannah Ball](#)
Subject: Comments on CUP FY 2019-4- farmers market
Date: Tuesday, April 9, 2019 4:30:06 PM
Attachments: [image003.png](#)

To Whom it May Concern

I'm writing in strong support of a Farmer's Market on 34th street. As a business owner in GC, and to soon be building my residence here, I can't think of a better addition to the Garden City area. A key part to this also is being along the river and green belt with easy access by bike or foot. I've been fortunate enough to live in other beautiful areas with great Farmer's Market's such as Jackson Hole, WY and Issaquah, WA and there was nothing but a positive impact on the community including community gathering and getting to know your neighbors, the promotion of buying local, high quality unprocessed foods and also getting to know the people that provide your food. Thanks for your consideration.

Dave Daniel
110 East 40th



ID - 208 999 6543

WA – 425 606 7093

www.moldingmud.com

www.instagram.com/moldingmud

Total Control Panel

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To: csamples@gardencityidaho.org
From: dave@moldingmud.com

Message Score: 1
My Spam Blocking Level: High

High (60): **Pass**
Medium (75): **Pass**
Low (90): **Pass**

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[Block](#) moldingmud.com

This message was delivered because the content filter score did not exceed your filter level.

From: [Kristen Eismont](#)
To: [Christian Samples](#)
Subject: Support for Garden City Market
Date: Tuesday, April 9, 2019 3:58:46 PM

This communication is to show support for a Garden City Market.

A market in Garden City invites locals and other city residents to visit our community, explore the growing area and creates positive conversations that organically further the community outreach and brand of Garden City.

The market is simply a perfect addition to the neighborhood as Garden City is known to offer and support local entrepreneurs engaging in culinary, beverage, retail and artisan works.

I urge you to consider the positive experiences and contributions that a Market will provide and vote 'YES' to allow Garden City to have a Market.

Thank you,

Mrs. Kristen Jones
210 E 33rd Street
Garden City, Idaho
83714

Sent from my iPhone--Please excuse the brevity and any typos that may occur.

Total Control Panel

[Login](#)

To:	Message Score: 30	High (60): Pass
csamples@gardencityidaho.org	My Spam Blocking Level: High	Medium (75): Pass
From: kejoness1865@gmail.com		Low (90): Pass
	Block this sender	
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DEVELOPMENT SERVICES DEPARTMENT

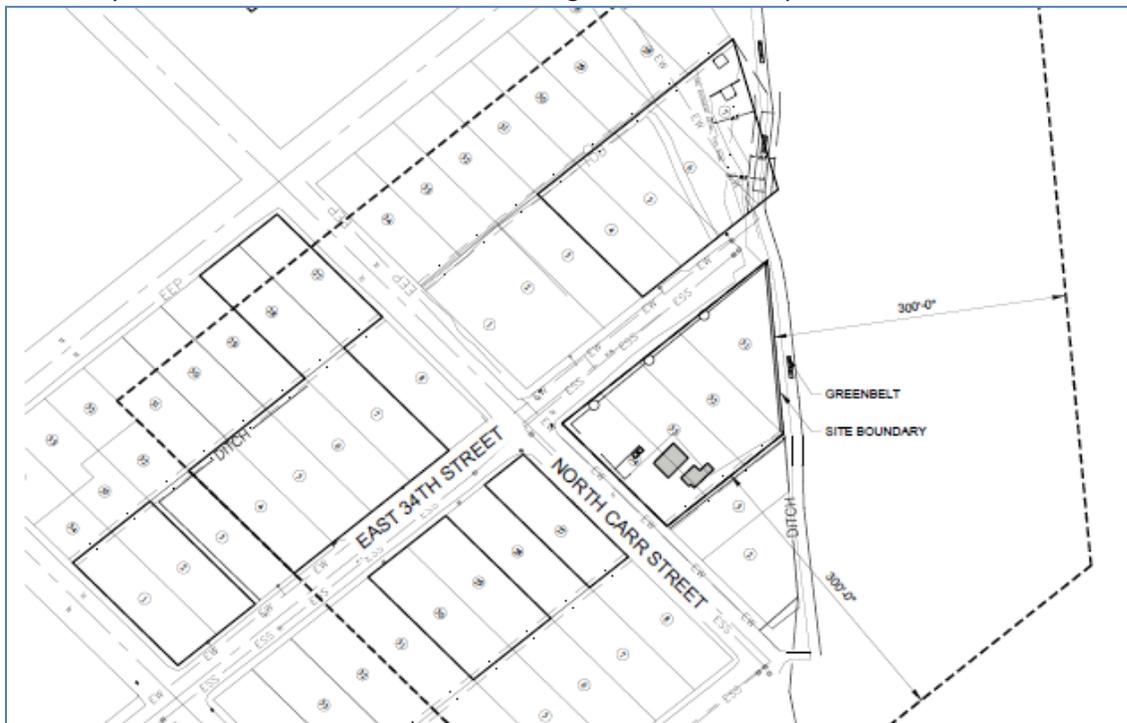
6015 Glenwood Street ■ Garden City, Idaho 83714 ■ www.gardencityidaho.org
Phone 208/472-2921 ■ Fax 208/472-2996 ■ planning@gardencityidaho.org

March 22, 2019

Dear Property Owner:

This is an Official Notice of a Public Hearing regarding a property near your own. You are invited to attend a public hearing of the Planning and Zoning Commission on **Wednesday, April 17, 2019 at 6:30pm** and offer your testimony for consideration at Garden City City Hall, 6015 N. Glenwood Street, Garden City, Idaho. **Anyone who submits written or oral testimony has the right to appeal all or a portion of the decision.** Applicants or affected property owners shall have no more than fourteen (14) days after a final decision is rendered to request reconsideration by the final decision-maker. If you wish to offer testimony on this item and are unable to attend this meeting, you may submit your comments to the Garden City Development Services office and they will be entered in the public record on your behalf. *Due to sunshine laws we request that the applicant or public do not contact the decision makers directly. Please either submit your comments through staff or on the record at the public hearing. Auxiliary aids or services for persons with disabilities are available upon request. Please call Development Services three (3) or more days prior to this public meeting so that arrangements can be made.*

APPLICATION CUPFY2019-4: Hannah Ball with Urban Land Development is requesting Conditional Use Permit approval of a seasonal outdoor farmer's market at several addresses including 303 E. 34th St., 3342 Carr St., 215 E. 34th St., among others. The properties are located in the general commercial (C-2) zoning district, the Boise River Greenbelt Overlay District, and the Work-Live-Create designation of the Comprehensive Plan.



The application materials can be found online at www.gardencityidaho.org in the correlating date of the hearing in the 'Calendar/Agendas' link on the home page. A staff report and draft decision document will also be available one week prior to the hearing.

What to Expect at a Public Hearing:

Each application on the agenda will adhere to the following procedure:

1. The applicant will have the ability to represent the application (default 15 minute time limit).
2. A staff member will present the *Staff Report* (default 15 minute time limit).

3. The Chair will open the Public Hearing during which time you will have the ability to give testimony (default 3 minute time limit per person and up to 15 minutes time limit for spokesman in cases where spokesmen are pre-authorized by the chairman time limit).
4. The applicant will then be able to give rebuttal testimony.
5. Close of Public Hearing and discussion among decision making body.
6. The decision makers may approve, deny, continue for additional deliberations or make a recommendation to City Council.

General Rules for Testimony:

1. No person shall be permitted to testify or speak before the hearing agency at a public hearing unless such person has signed his name and written his contact address on sign-up sheets to be provided by the city. This requirement shall not apply to staff or technical witnesses directed by the Chairperson/Mayor to give evidence or information to the hearing agency.
2. No person shall be permitted to speak before the Committee/Council/Commission at a public hearing until such person is recognized by the chairperson.
3. Testimony should directly address the subject at hand.
4. Testimony should not be repetitious with other entries into the record.
5. Testimony should not be personally derogatory.
6. Testimony should comply with time restrictions established by the hearing agency.
7. If oral testimony fails to comply with the aforementioned standards, the chairperson may declare such testimony out of order and require it to cease.
8. All public hearing proceedings shall be recorded electronically and all persons speaking at such public hearings shall speak before a microphone in such a manner as will assure that the recorded testimony or remarks will be complete.

Standards for Written Testimony:

Written testimony and exhibits from the public to be admitted at a public hearing shall comply with the following standards:

1. Written testimony and exhibits must be submitted at least seven (7) calendar days prior to the date of the pertinent public hearing. This provision may be varied through notice to potential hearing participants.
2. Written testimony should include the signature and address of the submitter.
3. Written testimony should address the issue at hand.
4. Written testimony should not be personally derogatory.
5. If written testimony or an exhibit fails to comply with the aforementioned standards, the Chairperson/Mayor or Committee/Council/Commission may declare such testimony inadmissible.

If you wish to give testimony and cannot attend the public hearing please submit the following form, or any additional written testimony containing the following information below to Garden City Development Services no later than **Tuesday, April 9, 2019.**

Garden City Development Services, 6015 N. Glenwood St., Garden City, Idaho 83714

.....
CUPFY2019-4 – Seasonal Outdoor Farmer’s Market

Your Name _____ Date _____

Your Physical Address: _____

(Please select) I wish to be kept informed of any additional future meeting dates: Yes No

(Please select) Regarding this application I: Support the Application Am Neutral Oppose the Request

Comments:

Signature: _____

From: [planning](#)
To: bill.bosworth@idfg.idaho.gov; [building](#); Caleb.Lakey@itd.idaho.gov; Colin Schmidt; Kevin Wallis; Lisa Leiby; Lindsey Pettyjohn Library; Elfreda Higgins; Jeff Souza; Jeff Souza Home; John Evans; [planning](#); Susanna Smith; Troy Vaughn; Abe Blount; Charles Wadams; Pam Beaumont; Pam Beaumont Home; William Mitchell; Joe Canning Work; Jenah Thornborrow; Lindsey Pettyjohn Library; Pam Beaumont Home; Rick Allen; Tom Patterson; Alicia.martin@deq.idaho.gov; bob_kibler@fws.gov; Bryce@sawtoothlaw.com; bujak.charissa@epa.gov; Carla.bernardi@cableone.biz; clittle@achdidaho.org; cmiller@compassidaho.org; criddle@cityofboise.org; dfluke@cityofboise.org; dgordon@cityofboise.org; dsperfma@adaweb.net; exline.eric@westada.org; greg.j.martinez@usace.army.mil; info@westernada.com; jamie.huff@dhs.gov; kmoeller@idahostatesman.com; lanette.daw@boiseschools.org; lbadigia@cdhd.idaho.gov; lisaharm@msn.com; mack@settlersirrigation.org; mark.wasdahl@itd.idaho.gov; mark@pioneerirrigation.com; mreno@cdhd.idaho.gov; msinglet@intgas.com; nadine.curtis@idpr.idaho.gov; newdrycreek@hotmail.com; Projectmgr@boiseriver.org; pvc1953@aol.com; rjohnson@cityofboise.org; rolson@republicservices.com; rphillips@idahopower.com; Shelley@nacfire.org; syarrington@achdidaho.org; tlaws@cityofboise.org; wbsdmb@qwestoffice.net; William.m.terry@usps.gov; d3development.services@itd.idaho.gov; RMurbach@republicservices.com; yulia@sunshinehomesllc.com; [building](#); wed2no1@yahoo.com
Subject: Garden City Agency Notice - PZ
Date: Wednesday, March 20, 2019 2:58:04 PM

THE FOLLOWING ITEMS WILL BE CONSIDERED IN A QUASI JUDICIAL HEARING AT GARDEN CITY IDAHO:

CUPFY2019-4: Hannah Ball with Urban Land Development is requesting Conditional Use Permit approval of a seasonal outdoor farmer's market at several addresses including 303 E. 34th St., 3342 Carr St., 215 E. 34th St., among others. The properties are located in the general commercial (C-2) zoning district, the Boise River Greenbelt Overlay District, and the Work-Live-Create designation of the Comprehensive Plan.

CUPFY2019-6: Michael Nelson with Rocky Mountain Audio Visual Inc. is requesting Conditional Use Permit approval of a parking lot at N. 36th Street, Ada County Parcel R2734530132, Fairview Acres Sub. #4. The 0.099 acre lot is within the highway commercial (C-1) zoning district, and the Work-Live-Create and Transit Oriented Development designations of the Comprehensive Plan.

Application materials can be found at:

<https://gardencityidaho.org/index.asp?SEC=435AAA7D-EB0F-4395-AA73-B9091191194B&DE=AC475746-109A-4659-8889-11F31890485F>

NOTE: Please send comments to Garden City Development Services by **Friday, April 5, 2019**. If you do not respond by this date it will be considered "No Comment." It is the responsibility of those interested and/or affected jurisdictions to schedule their own applicable meeting. In some cases, Garden City's applications are processed before other jurisdictions' response, and the conditions of approval state that the approval is subject to statutory requirements of affected other jurisdictions. Please address your comments to the applicant as well as Development Services Department planning@gardencityidaho.org or Development Services Department, 6015 Glenwood, Garden City, Idaho 83714.

City of Garden City

p: 208-472-2921

f: 208-472-2926

a: 6015 Glenwood Street, Garden City, ID 83714

w: www.gardencityidaho.org

LEGAL NOTICE OF PUBLIC HEARINGS

PURSUANT TO ESTABLISHED PROCEDURE, NOTICE IS HEREBY GIVEN THAT THE GARDEN CITY PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING AT 6:30 P.M. WEDNESDAY, APRIL 17, 2019, AT GARDEN CITY HALL, 6015 GLENWOOD STREET, GARDEN CITY, IDAHO TO CONSIDER A REQUEST FOR:

CUPFY2019-4: Hannah Ball with Urban Land Development is requesting Conditional Use Permit approval of a seasonal outdoor farmer's market at several addresses including 303 E. 34th St., 3342 Carr St., 215 E. 34th St., among others. The properties are located in the general commercial (C-2) zoning district, the Boise River Greenbelt Overlay District, and the Work-Live-Create designation of the Comprehensive Plan.

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We are pleased to make reasonable accommodations for members of the public who are disabled or require special assistance. For those requiring special arrangements for any meeting, please contact our office at 472-2921, at least 72 hours prior to the time of the meeting. Due to sunshine laws it is requested that the applicant and public do not contact the decision makers directly. All documentation and comments should be submitted through staff or at the Public Hearing.

Publish 4.1.2019



6015 Glenwood Street Garden City, Idaho 83714
Phone 208/472-2921 Fax 208/472-2926 www.gardencityidaho.org

Affidavit of Property Posting

I, (name) Hannah Ball do hereby attest that the property located at (site address) 215 E. 34th St, Garden City, Idaho, was posted on (date) 4-7-19. This posting was for (application number) 10. The date of posting was no less than ten (10) days prior to the public hearing for which the application is to be heard in conformance with Section 8-6A-7 of the Garden City Code. The property was posted in compliance with Garden City standards of form, size, lettering, content, and placement for posting property for public notice.

BY: Hannah Ball

TITLE owner

State of Idaho)
)SS
County of Ada)

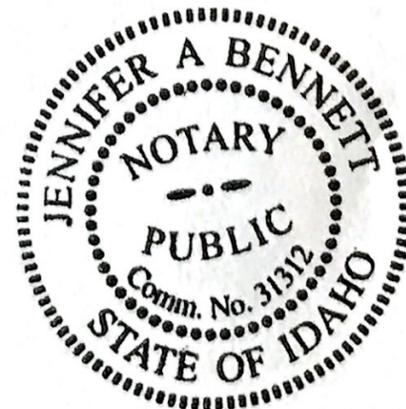
On this 7th day of April (month), 2019 (year), before me, the undersigned, a Notary Public in and for said State, personally appeared Hannah Ball (person responsible for posting) known or identified to me to be the person whose name is subscribed to be the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Jennifer A. Bennett
Notary Public for Idaho

Residing at Ada Co.

Commission Expires: 8/10/2024



City of Garden City PUBLIC HEARING NOTICE

Planning & Zoning Commission

April 17, 2019 at 6:30 PM

Location: 6051 Glenwood

CUPFY 2019-4

PURPOSE: Planning & Zoning Commission

LOCATION: 303 E. 34th Street

APPLICATION BY: Hannah Ball
Urban Land Development

Contact the City Planner at 208-472-2921 with any questions

City of Garden City PUBLIC HEARING NOTICE

Planning & Zoning Commission

April 17, 2019 at 6:30 PM

Location: 6051 Glenwood
CUPFY 2019-4

PURPOSE: Planning & Zoning Commission

LOCATION: 303 E. 34th Street

APPLICATION BY: Hannah Ball
Urban Land Development

Contact the City Planner at 208-472-2921 with any questions