



DEVELOPMENT SERVICES DEPARTMENT

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

To: Mayor and City Council
From: Jenah Thornborrow, Development Services Director
Subject: Potential changes to GCC 8-3E: Ordinance 1005-19
Date: May 15, 2019

Requested Action

- 1) Decision on the proposed changes to Garden City Ordinance: The City Council can sustain, modify with conditions, or reject the recommendations; or remand the application to the reviewing body for additional proceedings and findings.
- 2) If changes to the ordinance are approved, the first reading of ordinance 1005-19.

Background

Garden City Council noted that they would like to review Garden City Code 8-3E, the Boise River and Greenbelt ordinance. During the March 11, 2019 City Council meeting two items were specifically discussed. The first item was identifying a trigger for the requirement of a master plan. The second was that the code considers the City Council the final decision maker as well as the appeal body. The second issue has already been addressed in ordinance 1004-19 that passed on April 22, 2019.

Garden City Code requires that revisions to Title 8 go through a neighborhood meeting process before application can be submitted. During the City Council on March 25, 2019, the neighborhood meeting was conducted. There were numerous concerns with the code identified. Some of the concerns are relatively straight forward and could immediately make the ordinance more useable for property owners who are intending on developing within the overlay. Some of the concerns are more complex and would arguably need a committee and, or experts to weigh in on potential changes.

Through the work sessions with the Design Review Committee on April 15, 2019, and with the Planning and Zoning Commission on April 17, 2019 appointed boards staff presented items that could be relatively easily addressed could move forward as a stop gap measure:

1. Criteria that would trigger a Master Site Plan.
2. Clarification as to how to apply the 50% canopy requirement.

The identified concerns that were identified to be more complex included:

1. The 'native' landscape requirements.
2. The ordinance should include provisions to ensure compatibility with neighborhood.
3. Is the desire for mixed use nodes to be required west of Glenwood?

4. Should this ordinance apply to every property adjacent to the Boise River in Garden City?
5. Do the uses that are identified as permitted, conditional, and prohibited make sense?
6. Concerns related to design criteria including setbacks, fill, base flood elevation, streetscape, height, etc.
7. Is there any portion of this code in its current that may constitute regulatory takings?

The appointed boards concurred that it would be beneficial to have a committee consisting of experts and affected property owners address the more complex issues.

On May 6, 2019 the Design Review Committee, and May 15, 2019 the Planning and Zoning Commission, recommended approval of changes to the master site plan requirement and tree canopy requirement. Both boards also recommended that the more complex issues identified be addressed promptly.

Recommended Changes

Issue 1- Master Site Plan:

A master site plan is required for all development on properties one (1) acre or larger in size.

Any development triggers a master site plan, which may not be congruent with the ability to routinely maintain or operate a legal existing use.

Potential Change:

GCC 8-3E-4 General Provisions: B. Master Site Plan

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. The master site plan is required when a Design Review Committee approval is required by this Title except when the approval is only required due to façade changes on existing structures or for an addition to an existing structure that is less than 25% of the gross square footage of the existing structure. The calculation shall be based on a cumulative calculation of all changes over a five-year period.

Comments on Potential Change:

There has been no public or agency comment specific to this change.

Issue 2- Tree Canopy Coverage:

The requirement of 50% tree canopy coverage on the entire site could be impossible in some instances where the applicant is striving to achieve the allowed densities or propose a use that is not compatible with a heavy tree canopy.

During the neighborhood meeting two interpretations of the intent of this provision were identified. One opinion is that the intent of this provision is intended to protect the tree canopy adjacent to the greenbelt and Boise River. The other understanding is that the intent of this provision is to create design standards that provide highly vegetated developments to reduce the effects of drive aisles, parking areas, etc.

Potential Change:

GCC 8-3E-4 General Provisions: E. Landscape Standards

5. Landscaping shall include a minimum of 50% tree canopy coverage in the required setback bordering the river. The calculation of tree canopy is calculated by the anticipated diameter of the crown spread of the tree species at maturity.

In parking areas that are not in a structure class II or III trees shall be provided at a rated of not less than one tree per every five parking spaces and shall be evenly distributed. A minimum of one class II or III trees shall be provided for parking areas under five spaces. ~~achieved within a period of ten years over the entire site.~~

Comments on Potential Change:

The City has received letters of support from Local Construct and The Land Group for the proposed changes. There has been testimony from the public in opposition of this change for the following reasons:

- The parking area standards are not more robust than what would be required elsewhere in the City.
- Choosing to address the canopy without fully addressing the entire ordinance first leaves the community vulnerable to undesirable development.
- The intent of the 50% canopy provisions was unclear. This should be clear and stated prior to amending the code.
- A timeframe to achieve canopy should be addressed.

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	CPAFY2019-3
)	
Boise River Overlay)	FINDINGS OF FACT,
Text Amendment)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
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THIS MATTER came before the Garden City Council for consideration on May 28, 2019. The Design Review Committee reviewed the application and materials submitted. Based on the evidence presented, pursuant to Garden City Code Table 8-6A-1, the Design Review Committee makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT

1. The applicant is the City.
2. The application is for a code amendment to Garden City Code Title 8 [Development Code] Chapter 3 [Overlay Zoning District Regulations] Article E [Boise River and Greenbelt].
3. A neighborhood meeting was held on March 25, 2019.
4. On April 1, 2019 public notice was posted at the Garden City Hall, Garden City Police Department, and Garden City Library.
5. On April 9, 2019 a public service announcement was sent.
6. A copy of the application was transmitted to affected public agencies on April 9, 2019 and written comments were received from:
 - a. Idaho Transportation Department.
7. A legal notice was published in the Idaho Statesman on April 19, 2019.
8. Work sessions open to the public were held with the Design Review Committee on April 15, 2019 and with the Planning and Zoning Commission on April 17, 2019.
9. During the Design Review Committee public hearing on May 6, 2019:
 - a. Staff member Jenah Thornborrow represented the proposed amendments.
 - b. Testimony was received by Wendy Carver-Herbert in opposition to the changes. She testified that the intent of the canopy should be fully vetted with a working group prior to making changes and consideration of time to reach intended size and adherence to native landscaping should be met. She further noted that the parking lot requirements were less than other sections of code.
 - c. The Committee made the following recommendations to be included in the code changes:
 - i. The parking areas should require trees of one per five spaces.

The Committee unanimously recommended approval with the draft changes noted.

10. During the Planning and Zoning Commission public hearing on May 15, 2019:
 - a. Staff member Jenah Thornborrow represented the proposed amendments.
 - b. Testimony was received by Wendy Carver-Herbert in opposition. Her concerns included:
 - i. Choosing to address the canopy leaves the community vulnerable to redevelopment without fully addressing the entire ordinance first.
 - ii. The intent of the 50% canopy provisions was unclear. This should be clear and stated prior to amending the code.
 - iii. A timeframe to achieve canopy should be addressed.

The Planning and Zoning Commission unanimously recommended approval as drafted noting that the recommendation include an immediate additional broader review.

11. During the City Council public hearing on May 28, 2019:
 - a. Staff member Jenah Thornborrow represented the proposed amendments.
 - b. No member of the public was present.
 - c. The Council made the following recommendations to be included in the code changes:
 - i. XXX.
 - d. The Council unanimously recommended approval with the draft changes noted.

12. The record contains:
 - a. Neighborhood meeting noticing materials;
 - b. Noticing documents;
 - c. Memorandums to Planning and Zoning Commission, Design Review Committee, and City Council;
 - d. Agency Comments;
 - e. Public Comments;
 - f. Design Review Committee minutes and transcribable record of work sessions and hearing;
 - g. Planning and Zoning minutes and transcribable record of work sessions and hearing;
 - h. Design Review Committee recommendation;
 - i. Planning and Zoning Commission recommendation.

CONCLUSIONS OF LAW

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

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

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

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

There is no evidence text amendment will be detrimental to the public health, safety, and welfare of the community.

3. The text amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.

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

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the City Council hereby **DOES APPROVE** of the proposed changes to Garden City Code, subject to the following conditions:

1. The Boise River Overlay district is reviewed more thoroughly with a committee and experts in the line of landscaping.

Mayor, John G. Evans

Date

AN ORDINANCE AMENDING TITLE 8 GARDEN CITY DEVELOPMENT CODE AMENDING [DEVELOPMENT CODE] CHAPTER 3 [OVERLAY ZONING DISTRICT REGULATIONS] ARTICLE E [BOISE RIVER AND GREENBELT] 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 8-3E-4 GENERAL PROVISIONS: B. MASTER SITE PLAN IS AMENDED BY THE FOLLOWING PROVISIONS:

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. The master site plan is required- when a Design Review Committee approval is required by this Title except when the approval is only required due to façade changes on existing structures or for an addition to an existing structure that is less than 25% of the gross square footage of the existing structure.
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.I 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.

SECTION 2: GARDEN CITY CODE 8-3E-4 GENERAL PROVISIONS: E. LANDSCAPE STANDARDS IS AMENDED BY THE FOLLOWING PROVISIONS:

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 **in the required setback bordering the river. The calculation of tree canopy is calculated by the anticipated diameter of the crown spread of the tree species at maturity.**

In parking areas that are not in a structure class II or III trees shall be provided at a rated of not less than one tree per every **five** parking spaces and shall be evenly distributed. A minimum of one class II or III trees shall be provided for parking areas under **five** spaces. ~~achieved within a period of ten years over the entire site.~~

~~5.6.~~ Tree maintenance, including trimming to maintain views, shall not endanger the health of the tree, or reduce the minimum tree canopy requirement.

~~6.7.~~ Landscaping shall comply with all provision of Article 8-4I Landscaping and Tree Protection Provisions of this Code.

SECTION 3: If any one or more sections or subsections of these Chapters are for any reason held to be invalid or unconstitutional, such shall not affect the validity of the remaining portions of these Chapters and the same are and shall remain in full force and effect.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication thereof.

SECTION 5: PASSED by the City Council and **APPROVED** by the Mayor of the City of Garden City, Idaho, this 24th day of June 2019.

ATTEST:

APPROVED:

Lisa M. Leiby, City Clerk

John G. Evans, Mayor

EXHIBIT "A"

**STATEMENT OF GARDEN CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 1005-19**

The undersigned, Charles I. Wadams, in his capacity as City Attorney of the City of Garden City, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. 1005-19 of the City of Garden City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this ____ day of _____, 2019.

Charles I. Wadams
City Attorney

**SUMMARY OF ORDINANCE NO. 1005-19
OF THE CITY OF GARDEN CITY, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Garden City, Idaho, adopted at its regular meeting of _____, _____, 2019, that Ordinance No. 1005-19 entitled:

AN ORDINANCE AMENDING TITLE 8 GARDEN CITY DEVELOPMENT CODE AMENDING [DEVELOPMENT CODE] CHAPTER 3 [OVERLAY ZONING DISTRICT REGULATIONS] ARTICLE E [BOISE RIVER AND GREENBELT] AND PROVIDING AN EFFECTIVE DATE FOR ADOPTION.

This ordinance identifies criteria that prompts the requirement for a Master Site Plan. The ordinance also better defines the tree canopy requirement found in Boise River and Greenbelt overlay.

The effective date of the ordinance is from and after passage, approval, and publication. A copy of the full text of the ordinance is available at the city clerk's office, 6015 N. Glenwood Street, Garden City, Idaho 83714. Examination may be requested in writing or in person during regular business hours of the city clerk's office, from 8:00 a.m. until 5:00 p.m., pursuant to Section 50-901A(4), Idaho Code.

DATED this ____ day of _____, 2019.

ATTEST: _____ CITY OF GARDEN CITY, IDAHO:

Lisa M. Leiby, City Clerk

John G. Evans, Mayor

BEFORE THE DESIGN REVIEW COMMITTEE
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	CPAFY2019-3
)	
Boise River Overlay)	FINDINGS OF FACT,
Text Amendment)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
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THIS MATTER came before the Garden City Design Review Committee for consideration on May 6, 2019. The Design Review Committee reviewed the application and materials submitted. Based on the evidence presented, pursuant to Garden City Code Table 8-6A-1, the Design Review Committee makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT

1. The applicant is the City.
2. The application is for a code amendment to Garden City Code Title 8 [Development Code] Chapter 3 [Overlay Zoning District Regulations] Article E [Boise River and Greenbelt].
3. A neighborhood meeting was held on March 25, 2019.
4. On April 1, 2019 public notice was posted at the Garden City Hall, Garden City Police Department, and Garden City Library.
5. On April 9, 2019 a public service announcement was sent.
6. A copy of the application was transmitted to affected public agencies on April 9, 2019 and written comments were received from:
 - a. Idaho Transportation Department.
7. A legal notice was published in the Idaho Statesman on April 19, 2019.
8. During the Design Review Committee meeting on May 6, 2019:
 - a. Staff member Jenah Thornborrow represented the proposed amendments.
 - b. Testimony was received by Wendy Carver-Herbert in opposition to the changes. She testified that the intent of the canopy should be fully vetted with a working group prior to making changes and consideration of time to reach intended size and adherence to native landscaping should be met. She further noted that the parking lot requirements were less than other sections of code.
 - c. The Committee made the following recommendations to be included in the code changes:
 - i. The parking areas should require trees of one per five spaces.
 - d. The Committee unanimously recommended approval with the draft changes noted.
9. The record contains:
 - a. Staff Report;

- b. Agency Comments;
- c. Public Comments (none provided);
- d. Design Review Findings of Fact, Conclusions of Law and Decision;
- e. Design Review Committee Minutes.

CONCLUSIONS OF LAW

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

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

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

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

There is no evidence text amendment will be detrimental to the public health, safety, and welfare of the community.

3. The text amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.

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

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Design Review Committee hereby **RECOMMENDS APPROVAL** of the application, subject to the following conditions:

- 1. Parking areas shall require one tree per five parking spaces.
- 2. The Boise River Overlay district is reviewed more thoroughly with a committee and experts in the line of landscaping.

This signature verifies that this decision document has been reviewed and approved by the Design Review Committee

5-19-2017
Date

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

In the Matter of:)	CPAFY2019-3
)	
Boise River Overlay)	FINDINGS OF FACT,
Text Amendment)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
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THIS MATTER came before the Garden City Planning and Zoning Commission for consideration on May 15, 2019. The Planning and Zoning Commission reviewed the application and materials submitted. Based on the evidence presented, pursuant to Garden City Code Table 8-6A-1, the Planning and Zoning Commission makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT

1. The applicant is the City.
2. The application is for a code amendment to Garden City Code Title 8 [Development Code] Chapter 3 [Overlay Zoning District Regulations] Article E [Boise River and Greenbelt].
3. A neighborhood meeting was held on March 25, 2019.
4. On April 1, 2019 public notice was posted at the Garden City Hall, Garden City Police Department, and Garden City Library.
5. On April 9, 2019 a public service announcement was sent.
6. A copy of the application was transmitted to affected public agencies on April 9, 2019 and written comments were received from:
 - a. Idaho Transportation Department.
7. A legal notice was published in the Idaho Statesman on April 19, 2019.
8. During the Planning and Zoning Commission meeting on May 15, 2019:
 - a. Staff member Jenah Thornborrow represented the proposed amendments.
 - b. Comments were provided by Joann Mushret and Margie Rosenberg in opposition to the changes.
 - c. Testimony was received by Wendy Carver-Herbert in opposition. Her concerns included:
 - i. The parking area standards are not more robust than what would be required elsewhere in the City.
 - ii. Choosing to address the canopy leaves the community vulnerable to redevelopment without fully addressing the entire ordinance first.
 - iii. The intent of the 50% canopy provisions was unclear. This should be clear and stated prior to amending the code.
 - iv. A timeframe to achieve canopy should be addressed.

- d. The Planning and Zoning Commission unanimously recommended approval as drafted noting that the recommendation include an immediate additional broader review.
9. The record contains:
- a. Staff Report;
 - b. Agency Comments;
 - c. Public Comments (none provided);
 - d. Planning and Zoning Commission Findings of Fact, Conclusions of Law and Decision;
 - e. Planning and Zoning Commission Minutes.

CONCLUSIONS OF LAW

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

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

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

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

There is no evidence text amendment will be detrimental to the public health, safety, and welfare of the community.

3. The text amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.

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

DECISION

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

1. The Boise River Overlay district is reviewed more thoroughly with a committee that includes experts in matters proposed by the ordinance.

Chairman

Date



Patrick Boel
Director of Construction
patrick@localconstruct.com
(208)-519-5719

April 10, 2019

Jenah Thornborrow
Design Review Committee
6015 Glenwood Street
Garden City, Idaho 83714

GCC 8-3E-4 General Provisions: E. Landscape Standards

Dear Ms. Thornborrow,

We represent a land owner in Garden City whose property is impacted by the 50% tree canopy coverage provision in Garden City Code section 8-3E-4.

We fully support the potential change you have suggested to the Design Review Committee below:

Landscaping shall include a minimum of 50% tree canopy coverage in the required setback bordering the river. The calculation of tree canopy is calculated by the anticipated diameter of the crown spread of the tree species at maturity.

We wanted to thank you for clarifying the intent of this provision.

Regards,

Patrick Boel



April 13, 2019

Jenah Thornborrow
Development Services Director
6015 Glenwood St.
Garden City, Idaho 83714

via email: jthorn@gardencityidaho.org

RE: CPAFY2019-3 | Potential changes to GCC 8-3E

Dear Ms. Thornborrow:

Please accept this letter regarding potential changes currently being considered by Garden City to GCC 8-3E, the Boise River and Greenbelt ordinance. I am writing in response to the memo from Ms. Thornborrow to the Planning & Zoning Commission dated April 17, 2019. Understanding that the City is contemplating other changes to the BRG Ordinance, I wanted to focus this letter of support on the specific topic of tree canopy coverage.

In Ms. Thornborrow's discussion of the issue, she notes that I have verbally expressed concern with the ordinance as currently adopted. I do believe that the current standard of "a minimum of 50% tree canopy coverage achieved within a period of ten years over the entire site" is unachievable in nearly all instances. A detailed explanation of this concern was provided in a letter associated with file DSRFY2019-1.

I support staff's recommended revision to GCC 8-3E-4, Item 5 which would clarify the tree canopy standards desired by the City to be:

5. Landscaping shall include a minimum of 50% tree canopy coverage in the required setback bordering the river. The tree canopy shall be calculated by the anticipated diameter of the crown spread of the tree species at maturity.

The clarified requirement sets a standard that is achievable for most types of development. I would still encourage the City to consider a mechanism to grant exemptions from this standard, which may be appropriate for some land uses like parkland, open space or similar uses that are suitable in BRG overlay areas but are generally not contemplated as thoroughly in the ordinance.

Thank you for the opportunity to provide comment and contribute to Garden City.

Sincerely,


Jason Densmer, PE, Principal
The Land Group, Inc.

*Wendy Carver-Herbert
8515 W. Atwater Dr.
Garden City, ID 83714
(303)718-7220*

May 21, 2019

Mayor John Evans
Garden City City Council
City of Garden City
6015 Glenwood St.
Garden City, ID 83714

RE: Application CPAFY2019-3

Dear Mayor and Council Members,

I'm writing as a voice for the 12 neighbors who share a property line with a 5-acre, undeveloped lot at 6265 N. Strawberry Glenn Rd. This property is within the Boise River and Greenbelt Overlay (BRG). However, 11 out of the 12 adjacent properties are not. It's disappointing that the City is electing at this time to only address two out of the 10 or more issues raised about the BRG.

It's concerning that the City is not addressing provisions that ensure compatibility and a complementary transition in height, scale and density with existing, established surrounding neighborhoods in low and medium density areas of the city, as well as changes in minimum setback requirements that were previously more generous in certain circumstances. Frankly, it's questionable whether the BRG should have ever been implemented west of Glenwood St. in the first place. Unfortunately, the City is choosing to solve the problem of the 50% tree canopy requirement for developers, without addressing the matters that are important to existing homeowners. By doing so the city leaves existing neighborhoods immediately vulnerable to developers who will be able to use any concessions they make to minimum requirements in the BRG as a negotiating tool that would have been an expected requirement prior to its ratification.

Addressing the 50% tree canopy requirement is not as straightforward as presented by Development Service Director Jenah Thornborrow in her May 15, 2019 letter to the Planning and Zoning Commission.

Ms. Thornborrow states, "It is unclear if the intent of this provision is to protect the tree canopy adjacent to the greenbelt and Boise River, or if the intent is to create design standards that provide highly vegetated developments to reduce the effects of drive aisles, parking areas, etc."

In order to address the issue of how to define 50% canopy coverage, the city must first clearly define what its intent is for this requirement. That definition is not provided in the proposed ordinance change. Without that definition it makes it difficult to create a well-conceived landscape requirement that is designed for the specific needs of Garden City's river environment.

For example, if the intent of the requirement is to provide a highly vegetated development, then is a requirement of 50% canopy coverage at maturity and one tree for every five parking spaces adequate enough? Is the intent to provide the right mix of vegetation along the river only? This code revision does not address the length of time it will take that vegetation to get to maturity, should it? Which of the 302 properties in the BRG does this requirement apply to – only properties being redeveloped, or could it mistakenly imply as a requirement for all properties?

Also, by attempting to solve for the problem of adequate canopy coverage without addressing the native landscape requirements at the same time is counterproductive. How can a landowner adequately plan for and address whether they have met the canopy coverage requirement unless they know what is an acceptable native variety.

It is the responsibility of City leaders to balance the rights of existing property owners and residents with those of developing landowners. I have previously stated in public testimony that we are greatly concerned that the rights of existing and established homeowners are being systematically eroded to the benefit of developing landowners. The implementation of the BRG last year, and maximum density increase for R-3 zoning from 10 du/acre to 35 du/acre in April 2015, are just two examples of recent changes that are impacting low and medium density neighborhoods in ways that are not in accordance with the City's Comprehensive Plan.

I request that City Council make no changes to the BRG at this time and move to immediately begin a review of the ordinance so that all issues can be addressed equally and fairly to the benefit of all Garden City property owners who are impacted.

Respectfully,

A handwritten signature in cursive script that reads "Wendy Carver-Herbert".

Wendy Carver-Herbert



**Your Safety • Your Mobility
Your Economic Opportunity**

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

April 23, 2019

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

VIA EMAIL

Development Application	CPAFY2018-3
Project Name	BOISE RIVER OVERLAY AMENDMENT
Project Description	Amendment of Garden City Code Title 8 [Development Code], Chapter 3 [Overlay Zoning District Regulations], Article E [Boise River and Greenbelt] related to changes to the Boise River Overlay.
Applicant	City of Garden City

The Idaho Transportation Department (ITD) reviewed the comprehensive plan amendment and has the following comments:

1. ITD does not object to the amendment to the Garden City Code 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



**Your Safety • Your Mobility
Your Economic Opportunity**

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

April 5, 2019

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

VIA EMAIL

Development Application	CPAFY2019-2
Project Description	The intent of the proposed Garden City Code amendment is to repeal certain general administrative processes and provision related to the creation of boards and adopt those provisions by resolution. <ul style="list-style-type: none">• Title 8 (Development Code), Chapter 6 (Administration), Article A (General Provisions)• Title 2 (Boards and Commissions)
Applicant	City of Garden City

The Idaho Transportation Department (ITD) reviewed the application for a city code amendment and has the following comments:

1. ITD does not object to the amendments to the Garden City Code 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



DEVELOPMENT SERVICES DEPARTMENT

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

To: Design Review Committee
From: Jenah Thornborrow, Development Services Director
Subject: Potential changes to GCC 8-3E
Date: May 6, 2019

Requested Action

Recommendation to City Council

Background

Garden City Council noted that they would like to review Garden City Code 8-3E, the Boise River and Greenbelt ordinance. During the March 11, 2019 City Council meeting two items were specifically discussed. The first item was identifying a trigger for the requirement of a master plan. The second was that the code considers the City Council the final decision maker as well as the appeal body. The second issue has already been addressed in ordinance 1004-19 that passed on April 22, 2019.

Garden City Code requires that revisions to Title 8 go through a neighborhood meeting process before application can be submitted. During the City Council on March 25, 2019, the neighborhood meeting was conducted. There were a number of suggestions that could be explored. Some of the suggestions are relatively straight forward and could immediately make the ordinance more useable for property owners who are intending on developing within the overlay. Some of the suggestions are more complex and would arguably need a committee and, or experts to weigh in on potential changes.

On April 15, 2019 there was a work session with the Design Review Committee where the committee noted that they felt that the comments that are straight forward include:

1. Criteria that would trigger a Master Site Plan.
2. Clarification as to how to apply the 50% canopy requirement.

During the work session it was directed that the code amendment should include a mechanism that prevents the trigger for a Master Site Plan from easily being evaded.

The Design Review Committee noted that they felt that a a more complex analysis should be conducted on the ordinance in its entirety and minimally reviewing:

1. The canopy requirement and 'native' landscape requirements.
2. The ordinance should include provisions to ensure compatibility with neighborhood.

3. Is the desire for mixed use nodes to be required west of Glenwood?
4. Should this ordinance apply to every property adjacent to the Boise River in Garden City?
5. Do the uses that are identified as permitted, conditional, and prohibited make sense?
6. Concerns related to design criteria including setbacks, fill, base flood elevation, streetscape, height, etc.
7. Is there any portion of this code in its current that may constitute regulatory takings?

Draft Changes

Issue:

A master site plan is required for all development on properties one (1) acre or larger in size.

Any development triggers a master site plan, which may not be congruent with the ability to routinely maintain or operate a legal existing use.

Potential Change:

GCC 8-3E-4 General Provisions: B. Master Site Plan

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. The master site plan is required- when a Design Review Committee approval is required by this Title except when the approval is only required due to façade changes on existing structures or for an addition to an existing structure that is less than 25% of the gross square footage of the existing structure. The calculation shall be based on a cumulative calculation of all changes over a five year period.

Issue:

The 50% tree canopy requirement of the entire site could be impossible in some instances where the applicant is striving to achieve the allowed densities or propose a use that is not compatible with a heavy tree canopy.

It was unclear if the intent of this provision is intended to protect the tree canopy adjacent to the greenbelt and Boise River or if the intent is to create design standards that provide highly vegetated developments to reduce the effects of drive aisles, parking areas, etc.

The City has received letters of support from Local Construct and The Land Group for the proposed changes.

Potential Change:

GCC 8-3E-4 General Provisions: E. Landscape Standards

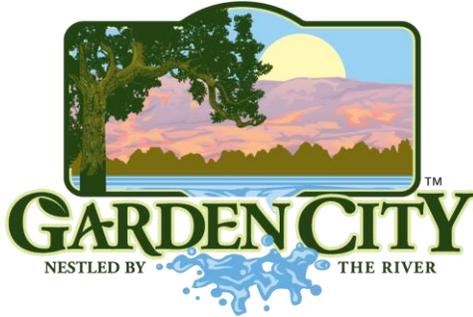
5. Landscaping shall include a minimum of 50% tree canopy coverage in the required setback bordering the river. The calculation of tree canopy is calculated by the anticipated diameter of the crown spread of the tree species at maturity.

In parking areas that are not in a structure class II or III trees shall be provided at a rated of not less than one tree per every eight parking spaces and shall be evenly distributed. A minimum of one class II or III trees shall be provided for parking areas under eight spaces. ~~achieved within a period of ten years over the entire site.~~

Potential Recommendations

Staff has identified three potential recommendations that the committee could make:

1. Make identified recommended changes by the committee immediately, with a subsequent in-depth review of the ordinance to be done in conjunction with a committee, experts, or both.
2. Make no changes to the Boise River Overlay ordinance.
3. Make all identified recommended changes by the committee immediately, with no subsequent further review of the ordinance.



DEVELOPMENT SERVICES DEPARTMENT

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

To: Planning and Zoning Commission
From: Jenah Thornborrow, Development Services Director
Subject: Potential changes to GCC 8-3E
Date: May 15, 2019

Requested Action

Recommendation to City Council

Background

Garden City Council noted that they would like to review Garden City Code 8-3E, the Boise River and Greenbelt ordinance. During the March 11, 2019 City Council meeting two items were specifically discussed. The first item was identifying a trigger for the requirement of a master plan. The second was that the code considers the City Council the final decision maker as well as the appeal body. The second issue has already been addressed in ordinance 1004-19 that passed on April 22, 2019.

Garden City Code requires that revisions to Title 8 go through a neighborhood meeting process before application can be submitted. During the City Council on March 25, 2019, the neighborhood meeting was conducted. There were a number of suggestions that could be explored. Some of the suggestions are relatively straight forward and could immediately make the ordinance more useable for property owners who are intending on developing within the overlay. Some of the suggestions are more complex and would arguably need a committee and, or experts to weigh in on potential changes.

On April 17, 2019 there was a work session with the Planning and Zoning Commission where the Commission noted that they felt that the comments that are straight forward include:

1. Criteria that would trigger a Master Site Plan.
2. Clarification as to how to apply the 50% canopy requirement.

During the work session it was directed that the code amendment should include a mechanism that prevents the trigger for a Master Site Plan from easily being evaded.

The Planning and Zoning Commission noted that they felt that a more complex analysis should be conducted on the ordinance in its entirety and minimally reviewing issues that were identified during the neighborhood meeting in March:

1. The 'native' landscape requirements.

2. The ordinance should include provisions to ensure compatibility with neighborhood.
3. Is the desire for mixed use nodes to be required west of Glenwood?
4. Should this ordinance apply to every property adjacent to the Boise River in Garden City?
5. Do the uses that are identified as permitted, conditional, and prohibited make sense?
6. Concerns related to design criteria including setbacks, fill, base flood elevation, streetscape, height, etc.
7. Is there any portion of this code in its current that may constitute regulatory takings?

Draft Changes

Issue:

A master site plan is required for all development on properties one (1) acre or larger in size.

Any development triggers a master site plan, which may not be congruent with the ability to routinely maintain or operate a legal existing use.

Potential Change:

GCC 8-3E-4 General Provisions: B. Master Site Plan

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. The master site plan is required when a Design Review Committee approval is required by this Title except when the approval is only required due to façade changes on existing structures or for an addition to an existing structure that is less than 25% of the gross square footage of the existing structure. The calculation shall be based on a cumulative calculation of all changes over a five year period.

Issue:

The 50% tree canopy requirement of the entire site could be impossible in some instances where the applicant is striving to achieve the allowed densities or propose a use that is not compatible with a heavy tree canopy.

It was unclear if the intent of this provision is intended to protect the tree canopy adjacent to the greenbelt and Boise River or if the intent is to create design standards that provide highly vegetated developments to reduce the effects of drive aisles, parking areas, etc.

The City has received letters of support from Local Construct and The Land Group for the proposed changes.

Potential Change:

GCC 8-3E-4 General Provisions: E. Landscape Standards

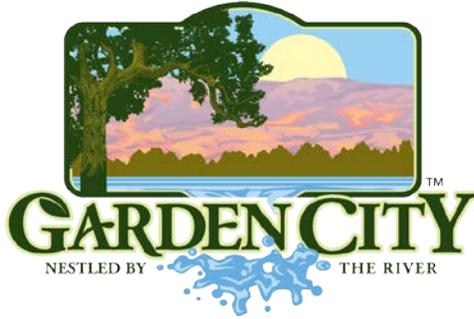
5. Landscaping shall include a minimum of 50% tree canopy coverage in the required setback bordering the river. The calculation of tree canopy is calculated by the anticipated diameter of the crown spread of the tree species at maturity.

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Potential Recommendations

Staff has identified three potential recommendations that the Commission could make:

1. Make identified recommended changes by the committee immediately, with a subsequent in-depth review of the ordinance to be done in conjunction with a committee, experts, or both.
2. Make no changes to the Boise River Overlay ordinance.
3. Make all identified recommended changes by the Commission immediately, with no subsequent further review of the ordinance.



DEVELOPMENT SERVICES DEPARTMENT

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

To: Design Review Committee
From: Jenah Thornborrow, Development Services Director
Subject: Potential changes to GCC 8-3E
Date: April 15, 2019

Requested Action

Discussion Only

Background

Garden City Council noted that they would like to review Garden City Code 8-3E, the Boise River and Greenbelt ordinance. During the March 11, 2019 City Council meeting two items were specifically discussed. The first item was identifying a trigger for the requirement of a master plan. The second was that the code considers the City Council the final decision maker as well as the appeal body.

Garden City Code requires that revisions to Title 8 go through a neighborhood meeting process before application can be submitted. During the City Council on March 25, 2019, the neighborhood meeting was conducted. There were a number of suggestions that could be explored. Some of the suggestions are relatively straight forward and could immediately make the ordinance more useable for property owners who are intending on developing within the overlay. Some of the suggestions are more complex and would arguably need a committee and, or experts to weigh in on potential changes.

Comments that may be straight forward:

1. The City Council should not be the final decision maker and appellant body.
2. Criteria that would trigger a Master Site Plan.
3. Clarification as to how to apply the 50% canopy requirement.

Staff has provided potential code revisions that may address these concerns in this memorandum.

Comments that may require a more complex analysis include:

1. 'Native' landscape requirements need reviewed by an expert.
2. The ordinance should include provisions to ensure compatibility with neighborhood.
3. Is the desire for mixed use nodes to be required west of Glenwood?

4. Should this ordinance apply to every property adjacent to the Boise River in Garden City?
5. Do the uses that are identified as permitted, conditional, and prohibited make sense?
6. Concerns related to design criteria including setbacks, fill, base flood elevation, streetscape, height, etc.
7. Is there any portion of this code in its current that may constitute regulatory takings?

As these items are more complex, staff not has provided potential code revisions to address these concerns.

Identified Potential Changes

Issue:

A master site plan is required for all development on properties one (1) acre or larger in size.

Any development triggers a master site plan, which may not be congruent with the ability to routinely maintain or operate a legal existing use.

Potential Change:

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Issue:

The 50% tree canopy requirement of the entire site could be impossible in some instances where the applicant is striving to achieve the allowed densities or propose a use that is not compatible with a heavy tree canopy.

It is unclear if the intent of this provision is intended to protect the tree canopy adjacent to the greenbelt and Boise River or if the intent is to create design standards that provide highly vegetated developments to reduce the effects of drive aisles, parking areas, etc.

Staff has reviewed a number of ordinances. The City of Sacramento, CA requires 50% shading of parking areas calculated by using the expected diameter of the tree crown at 15 years. There was concern verbally noted to staff by Jason Densmer with the Land Group that this is too arduous of a requirement. Staff has drafted a potential change noting this requirement adjacent to the river, with a parking lot following the requirements as identified in a City of Pottstown, PA ordinance requiring one tree per eight parking spaces.

Potential Change:

GCC 8-3E-4 General Provisions: E. Landscape Standards

5. Landscaping shall include a minimum of 50% tree canopy coverage in the required setback bordering the river. The calculation of tree canopy is calculated by the anticipated diameter of the crown spread of the tree species at maturity.

In parking areas that are not in a structure class II or III trees shall be provided at a rated of not less than one tree per every eight parking spaces and shall be evenly distributed. A minimum of one class II or III trees shall be provided for parking areas under eight spaces. ~~achieved within a period of ten years over the entire site.~~

Issue:

The City Council is the final decision maker and appeal body for Master Site Plans.

Potential Change:

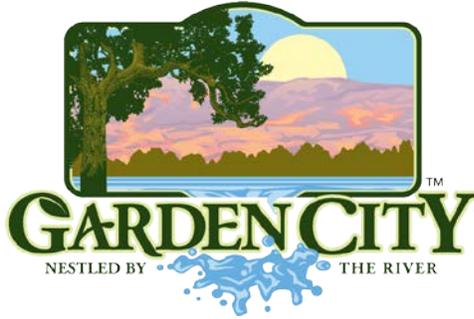
GCC Table 8-6A-1 Authorities and Processes

Permit/Decision	Recommending Authority	Final Decision Maker	Process	Appeal Body
Master Site Plan	DC	CC	PH	CC

Potential Recommendations

Staff has identified three potential recommendations that the Committee could make:

1. Make no changes to the Boise River Overlay ordinance.
2. Make all identified recommended changes by the Design Review Committee immediately, with no subsequent further review of the ordinance.
3. Make identified recommended changes by the Design Review Committee immediately, with a subsequent in depth review of the ordinance to be done in conjunction with a committee, experts, or both.



DEVELOPMENT SERVICES DEPARTMENT

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

To: Planning and Zoning Commission
From: Jenah Thornborrow, Development Services Director
Subject: Potential changes to GCC 8-3E
Date: April 17, 2019

Requested Action

Discussion Only

Background

Garden City Council noted that they would like to review Garden City Code 8-3E, the Boise River and Greenbelt ordinance. During the March 11, 2019 City Council meeting two items were specifically discussed. The first item was identifying a trigger for the requirement of a master plan. The second was that the code considers the City Council the final decision maker as well as the appeal body.

Garden City Code requires that revisions to Title 8 go through a neighborhood meeting process before application can be submitted. During the City Council on March 25, 2019, the neighborhood meeting was conducted. There were a number of suggestions that could be explored. Some of the suggestions are relatively straight forward and could immediately make the ordinance more useable for property owners who are intending on developing within the overlay. Some of the suggestions are more complex and would arguably need a committee and, or experts to weigh in on potential changes.

Comments that may be straight forward:

1. The City Council should not be the final decision maker and appellant body.
2. Criteria that would trigger a Master Site Plan.
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Staff has provided potential code revisions that may address these concerns in this memorandum.

Comments that may require a more complex analysis include:

1. 'Native' landscape requirements need reviewed by an expert.
2. The ordinance should include provisions to ensure compatibility with neighborhood.
3. Is the desire for mixed use nodes to be required west of Glenwood?

4. Should this ordinance apply to every property adjacent to the Boise River in Garden City?
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6. Concerns related to design criteria including setbacks, fill, base flood elevation, streetscape, height, etc.
7. Is there any portion of this code in its current that may constitute regulatory takings?

As these items are more complex, staff not has provided potential code revisions to address these concerns.

Identified Potential Changes

Issue:

A master site plan is required for all development on properties one (1) acre or larger in size.

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Potential Change:

GCC 8-3E-4 General Provisions: B. Master Site Plan

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Issue:

The 50% tree canopy requirement of the entire site could be impossible in some instances where the applicant is striving to achieve the allowed densities or propose a use that is not compatible with a heavy tree canopy.

It is unclear if the intent of this provision is intended to protect the tree canopy adjacent to the greenbelt and Boise River or if the intent is to create design standards that provide highly vegetated developments to reduce the effects of drive aisles, parking areas, etc.

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5. Landscaping shall include a minimum of 50% tree canopy coverage in the required setback bordering the river. The calculation of tree canopy is calculated by the anticipated diameter of the crown spread of the tree species at maturity.

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Issue:

The City Council is the final decision maker and appeal body for Master Site Plans.

Potential Change:

GCC Table 8-6A-1 Authorities and Processes

Permit/Decision	Recommending Authority	Final Decision Maker	Process	Appeal Body
Master Site Plan	DC	CC	PH	CC

Potential Recommendations

Staff has identified three potential recommendations that the Commission could make:

1. Make no changes to the Boise River Overlay ordinance.
2. Make all identified recommended changes by the Commission immediately, with no subsequent further review of the ordinance.
3. Make identified recommended changes by the Commission immediately, with a subsequent in depth review of the ordinance to be done in conjunction with a committee, experts, or both.



DEVELOPMENT SERVICES DEPARTMENT

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

To: Mayor and City Council
From: Jenah Thornborrow, Development Services Director
Subject: Neighborhood Meeting for potential changes to GCC 8-3E
Date: For March 25, 2019 Meeting

Requested Action

Discussion Only

Background

At the previous meeting City Council identified that they would like certain provisions of Garden City Code 8-3E, the Boise River and Greenbelt ordinance to be reviewed for potential changes. The two items that were specifically discussed were a trigger for the requirement of a master plan and the final decision/appeal body. It was determined that these two items would be discussed at the subsequent meeting. Additional changes that could be linked to current quasi-judicial matters were not discussed.

Garden City Code requires that revisions to Title 8 go through a neighborhood meeting process before application can be submitted. This meeting has been noticed for a neighborhood meeting to fulfill this code requirement prior to commencing on a formal application to amend Garden City Code Title 8.

The below highlighted and redline are to recap the discussion.

8-3E-4 General Provisions:

B. Master Site Plan

1. A master site plan is required for all [perhaps significant or substantial improvement may be more appropriate than all] development on properties one (1) acre or larger in size, and shall include additional property that is reasonably associated by ownership, access, or other physical characteristics with the property subject to the master site plan.

For reference the definition of significant and substantial improvement have been provided per **GCC 8-7A-2 DEFINITIONS OF TERMS:**

SIGNIFICANT IMPROVEMENT:	Any repair, reconstruction or improvement to property the cost of which equals or exceeds twenty five percent (25%) of the tax assessed value either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, significant improvement is the value of all
---------------------------------	---

combined improvements within a five (5) year time frame.

SUBSTANTIAL IMPROVEMENT:

Any repair, reconstruction or improvement to property the cost of which equals or exceeds fifty percent (50%) of the tax assessed value either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition substantial improvement is the value of all combined improvements within a five (5) year time frame.

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

Permit/Decision	Recommending Authority	Final Decision Maker	Process	Appeal Body
Master Site Plan	DC	CC	PH	CC

- CC = Council A = Administrative
- PO = Planning Official AN = Administrative with Public Notice
- PZ = Commission PH = Public Hearing
- DC = Design Committee

Sign In - BRG

3.25.19

Name

Contact

1. Bob Taunton

bobtaunton@
tauntongroup.com

Hannah Ball

hannahballcan@gmail

Wendy Cawver-Herbert

wendycawverherbert@gmail

Margie Rosenberg

maggie.mayz@yahoo.com

JoAnn Musholt

joann.musholt@bcglobal.net

Melody Arsenault

Melody.Arsenault-@outlook.com

Kim David

kckethly@gmail.com

Kristen Jones

keismontjones31@gmail.
com



Garden City Neighborhood Meeting Public Service Announcement

NOTICE IS HEREBY GIVEN that the City of Garden City Council will hold a neighborhood meeting on **Monday, March 25th, 2019 from 5:00-7:30 p.m.** at Garden City Hall Council Chambers at 6015 Glenwood St., Garden City, Idaho to discuss file No. CPAFY2019-3: City of Garden City is requesting an amendment of Garden City Municipal Code related to changes to the Boise River Overlay.

This is not a public hearing. Once the neighborhood meeting is held, the file will be publicly noticed for a public hearing, anticipated for **Monday, April 15, 2019 at 3:00 p.m.** in front of the Design Review Committee, **Wednesday, April 17, 2019 at 6:30 p.m.** in front of the Planning and Zoning Commission, and **Monday, April 22, 2019 at 6:00 p.m.** in front of Garden City Council.



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Garden City Neighborhood Meeting Public Service Announcement

planning

Wed 3/13/2019 1:21 PM

To: planning <planning@GARDENCITYIDAHO.ORG>; mboydston@ktvb.com <mboydston@ktvb.com>; sberg@idahostatesman.com <sberg@idahostatesman.com>; awebb@idahostatesman.com <awebb@idahostatesman.com>; gardencitynews@msn.com <gardencitynews@msn.com>; jplatt@kboi2.com <jplatt@kboi2.com>; soshirin@kboi2.com <soshirin@kboi2.com>; news@kboi2.com <news@kboi2.com>; news@idahoonyourside.com <news@idahoonyourside.com>; ktvbnews@ktvb.com <ktvbnews@ktvb.com>; kmoeller@idahostatesman.com <kmoeller@idahostatesman.com>; kmcgwire@adaweb.net <kmcgwire@adaweb.net>; Susanna Smith <ssmith@GARDENCITYIDAHO.ORG>; Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>; info@boiseweekly.com <info@boiseweekly.com>; kekeluv@gmail.com <kekeluv@gmail.com>; newsroom@idahostatesman.com <newsroom@idahostatesman.com>; LCochrane@spinkbutler.com <LCochrane@spinkbutler.com>;

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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

Agency Notice Recipient Emails

bill.bosworth@idfg.idaho.gov;
building@gardencityidaho.org ;
Caleb.Lakey@itd.idaho.gov;
cschmidt@gardencityidaho.org;
kwallis@gardencityidaho.org;
lleiby@gardencityidaho.org;
lpettyjohn@gardencitylibrary.org;
ehiggins@gardencityidaho.org;
jsouza@gardencityidaho.org;
councilmansouza@cableone.net;
jevans@gardencityidaho.org;
planning@gardencityidaho.org;
ssmith@gardencityidaho.org;
tvaughn@gardencityidaho.org;
abablount@gardencityidaho.org;
cwadams@gardencityidaho.org;
pbeaumont@gardencityidaho.org;
pbeaumont730@gmail.com;
wmitchell@gardencityidaho.org;
jdcanning@baengineers.com;
jthorn@gardencityidaho.org;
lindseypettyjohn_library@gardencityidaho.org;
pambeaumont@home@gardencityidaho.org;
rallen@gardencityidaho.org;
tompatterson@gardencityidaho.org;
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;

danielpavlinik@gmail.com;
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@gardencityidaho.org;
wed2no1@yahoo.com;
jackson-heim@hotmail.com;

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

CPAFY2019-3: City of Garden City is requesting an amendment of Garden City Code Title 8 [Development Code], Chapter 3 [Overlay Zoning District Regulations], Article E [Boise River and Greenbelt] related to changes to the Boise River Overlay.

CPAFY2019-4: Mark Estess is requesting an amendment to Garden City Code Title 8 [Development Code], Chapter 2 [Base Zoning District Regulations], Article B [Base Zoning District Provisions] and C [Land Use Provisions] in order to update existing land use zoning regulations for the deployment of wireless infrastructure.

Application materials can be found at

<https://gardencityidaho.org/index.asp?SEC=435AAA7D-EB0F-4395-AA73-B9091191194B&DE=C82BE9A3-B366-412F-9B26-2D4F0863364E>

NOTE: Please send comments to Garden City Development Services by **April 22, 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 Neighborhood Meeting Public Service Announcement

NOTICE IS HEREBY GIVEN that the City of Garden City Council will hold a neighborhood meeting on **Monday, March 25th, 2019 from 5:00-7:30 p.m.** at Garden City Hall Council Chambers at 6015 Glenwood St., Garden City, Idaho to discuss file No. CPAFY2019-3: City of Garden City is requesting an amendment of Garden City Municipal Code related to changes to the Boise River Overlay.

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Garden City Public Hearing City Code Text Amendment Request

NOTICE IS HEREBY GIVEN that the City of Garden City Design Review Committee will conduct a Public Hearing **Monday, May 6, 2019 at 3:00p.m.** at Garden City Hall Council Chambers at 6015 Glenwood, Garden City Idaho to consider file No. **CPAFY2019-3**: City of Garden City is requesting an amendment of Garden City Municipal Code related to changes to the Boise River Overlay.

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The Garden City Council will hold a third hearing on **Tuesday, May 28, 2019 at 6:00pm** at Garden City Hall Council Chambers at 6015 Glenwood, Garden City, Idaho to consider the same.

All persons desiring to provide oral testimony should appear at the hearing. Written testimony may be sent to the City of Garden City Development Services Department, 6015 Glenwood, Garden City, Idaho, 83714 or emailed to planning@gardencityidaho.org with "CPAFY2019-3 – Testimony" as the subject title. Written comments must be received not less than one week ahead of time to be in the packet submitted for review. Written materials may be accepted up to 24 hours prior to the hearing.

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.

The application materials are located <http://www.gardencityidaho.org/> in the corresponding calendar event.

CPAFY2019-3 Interested Party Notice

planning

Tue 4/9/2019 3:44 PM

Bcc:bobtaunton@tauntongroup.com <bobtaunton@tauntongroup.com>; hannahballcan@gmail.com <hannahballcan@gmail.com>; wendycarverherbert@gmail.com <wendycarverherbert@gmail.com>; maggie.mayz@yahoo.com <maggie.mayz@yahoo.com>; joann.musholt@sbcglobal.net <joann.musholt@sbcglobal.net>; melody.arsenault@outlook.com <melody.arsenault@outlook.com>; kckeithly@gmail.com <kckeithly@gmail.com>; keismontjones31@gmail.com <keismontjones31@gmail.com>;

NOTICE IS HEREBY GIVEN that the City of Garden City Design Review Committee will conduct a Public Hearing **Monday, May 6, 2019 at 3:00p.m.** at Garden City Hall Council Chambers at 6015 N. Glenwood St., Garden City Idaho to consider file No. **CPAFY2019-3**: City of Garden City is requesting an amendment of Garden City Municipal Code related to changes to the Boise River Overlay.

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The application materials are located <http://www.gardencityidaho.org/> in the corresponding calendar event.



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



Garden City Neighborhood Meeting Public Service Announcement

NOTICE IS HEREBY GIVEN that the City of Garden City Council will hold a neighborhood meeting on **Monday, March 25th, 2019 from 5:00-7:30 p.m.** at Garden City Hall Council Chambers at 6015 Glenwood St., Garden City, Idaho to discuss file No. CPAFY2019-3: City of Garden City is requesting an amendment of Garden City Municipal Code related to changes to the Boise River Overlay.

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Garden City Agency Notice

planning

Tue 4/9/2019 3:40 PM

Bcc:bill.bosworth@idfg.idaho.gov <bill.bosworth@idfg.idaho.gov>; building <building@GARDENCITYIDAHO.ORG>; Caleb.Lakey@itd.idaho.gov <Caleb.Lakey@itd.idaho.gov>; Colin Schmidt <cschmidt@GARDENCITYIDAHO.ORG>; Kevin Wallis <kwallis@GARDENCITYIDAHO.ORG>; Lisa Leiby <lleiby@GARDENCITYIDAHO.ORG>; Lindsey Pettyjohn_Library <lpettyjohn@gardencitylibrary.org>; Elfreda Higgins <ehiggins@GARDENCITYIDAHO.ORG>; Jeff Souza <jsouza@GARDENCITYIDAHO.ORG>; Jeff Souza Home <councilmansouza@cableone.net>; John Evans <jevans@GARDENCITYIDAHO.ORG>; planning <planning@GARDENCITYIDAHO.ORG>; Susanna Smith <ssmith@GARDENCITYIDAHO.ORG>; Troy Vaughn <tvaughn@GARDENCITYIDAHO.ORG>; Abe Blount <ablount@gardencitypolice.org>; Charles Wadams <cwadams@GARDENCITYIDAHO.ORG>; Pam Beaumont <pbeaumont@GARDENCITYIDAHO.ORG>; Pam Beaumont Home <pbeaumont730@gmail.com>; William Mitchell <wmitchell@GARDENCITYIDAHO.ORG>; Joe Canning_Work <jdcanning@baengineers.com>; Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>; Lindsey Pettyjohn_Library <lpettyjohn@gardencitylibrary.org>; Pam Beaumont Home <pbeaumont730@gmail.com>; Rick Allen <rallen@gardencitypolice.org>; Tom Patterson <tpatterson@gardencitypolice.org>; Alicia.martin@deq.idaho.gov <Alicia.martin@deq.idaho.gov>; bob_kibler@fws.gov <bob_kibler@fws.gov>; Bryce@sawtoothlaw.com <Bryce@sawtoothlaw.com>; bujak.charissa@epa.gov <bujak.charissa@epa.gov>; Carla.bernardi@cableone.biz <Carla.bernardi@cableone.biz>; clittle@achdidaho.org <clittle@achdidaho.org>; cmiller@compassidaho.org <cmiller@compassidaho.org>; criddle@cityofboise.org <criddle@cityofboise.org>; dfluke@cityofboise.org <dfluke@cityofboise.org>; dgordon@cityofboise.org <dgordon@cityofboise.org>; dsperfma@adaweb.net <dsperfma@adaweb.net>; exline.eric@westada.org <exline.eric@westada.org>; greg.j.martinez@usace.army.mil <greg.j.martinez@usace.army.mil>; info@westernada.com <info@westernada.com>; jamie.huff@dhs.gov <jamie.huff@dhs.gov>; kmoeller@idahostatesman.com <kmoeller@idahostatesman.com>; lanette.daw@boiseschools.org <lanette.daw@boiseschools.org>; lbadigia@cdhd.idaho.gov <lbadigia@cdhd.idaho.gov>; lisaharm@msn.com <lisaharm@msn.com>; mack@settlersirrigation.org <mack@settlersirrigation.org>; mark.wasdahl@itd.idaho.gov <mark.wasdahl@itd.idaho.gov>; danielpavlinik@gmail.com <danielpavlinik@gmail.com>; mark@pioneerirrigation.com <mark@pioneerirrigation.com>; mreno@cdhd.idaho.gov <mreno@cdhd.idaho.gov>; msinglet@intgas.com <msinglet@intgas.com>; nadine.curtis@idpr.idaho.gov <nadine.curtis@idpr.idaho.gov>; newdrycreek@hotmail.com <newdrycreek@hotmail.com>; Projectmgr@boiseriver.org <Projectmgr@boiseriver.org>; pvc1953@aol.com <pvc1953@aol.com>; rjohnson@cityofboise.org <rjohnson@cityofboise.org>; rjohanson@cityofboise.org <rjohanson@cityofboise.org>; rolson@republicservices.com <rolson@republicservices.com>; rphillips@idahopower.com <rphillips@idahopower.com>; Shelley@nacfire.org <Shelley@nacfire.org>; syarrington@achdidaho.org <syarrington@achdidaho.org>; tlaw@cityofboise.org <tlaw@cityofboise.org>; wbsdmb@qwestoffice.net <wbsdmb@qwestoffice.net>; William.m.terry@usps.gov <William.m.terry@usps.gov>; d3development.services@itd.idaho.gov <d3development.services@itd.idaho.gov>; RMurbach@republicservices.com <RMurbach@republicservices.com>; yulia@sunshinehomesllc.com <yulia@sunshinehomesllc.com>; building <building@GARDENCITYIDAHO.ORG>; wed2no1@yahoo.com <wed2no1@yahoo.com>; jackson-heim@hotmail.com <jackson-heim@hotmail.com>;

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

CPAFY2019-3: City of Garden City is requesting an amendment of Garden City Code Title 8 [Development Code], Chapter 3 [Overlay Zoning District Regulations], Article E [Boise River and Greenbelt] related to changes to the Boise River Overlay.

CPAFY2019-4: Mark Estess is requesting an amendment to Garden City Code Title 8 [Development Code], Chapter 2 [Base Zoning District Regulations], Article B [Base Zoning District Provisions] and C [Land Use Provisions] in order to update existing land use zoning regulations for the deployment of wireless infrastructure.

Application materials can be found at

<https://gardencityidaho.org/index.asp?SEC=435AAA7D-EB0F-4395-AA73-B9091191194B&DE=C82BE9A3-B366-412F-9B26-2D4F0863364E>

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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

Garden City Neighborhood Meeting Public Service Announcement

planning

Wed 3/13/2019 1:21 PM

To: planning <planning@GARDENCITYIDAHO.ORG>; mboydston@ktvb.com <mboydston@ktvb.com>; sberg@idahostatesman.com <sberg@idahostatesman.com>; awebb@idahostatesman.com <awebb@idahostatesman.com>; gardencitynews@msn.com <gardencitynews@msn.com>; jplatt@kboi2.com <jplatt@kboi2.com>; soshirin@kboi2.com <soshirin@kboi2.com>; news@kboi2.com <news@kboi2.com>; news@idahoonyourside.com <news@idahoonyourside.com>; ktvbnews@ktvb.com <ktvbnews@ktvb.com>; kmoeller@idahostatesman.com <kmoeller@idahostatesman.com>; kmcgwire@adaweb.net <kmcgwire@adaweb.net>; Susanna Smith <ssmith@GARDENCITYIDAHO.ORG>; Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>; info@boiseweekly.com <info@boiseweekly.com>; kekeluv@gmail.com <kekeluv@gmail.com>; newsroom@idahostatesman.com <newsroom@idahostatesman.com>; LCochrane@spinkbutler.com <LCochrane@spinkbutler.com>;

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Garden City Development Services

Planning

City of Garden City

p: 208-472-2921

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a: 6015 Glenwood Street, Garden City, ID 83714

w: www.gardencityidaho.org

Garden City Public Service Announcement

planning

Tue 4/9/2019 3:48 PM

Bcc:planning <planning@GARDENCITYIDAHO.ORG>; mboydston@ktvb.com <mboydston@ktvb.com>; sberg@idahostatesman.com <sberg@idahostatesman.com>; awebb@idahostatesman.com <awebb@idahostatesman.com>; gardencitynews@msn.com <gardencitynews@msn.com>; jplatt@kboi2.com <jplatt@kboi2.com>; soshirin@kboi2.com <soshirin@kboi2.com>; news@kboi2.com <news@kboi2.com>; news@idahoonyourside.com <news@idahoonyourside.com>; ktvbnews@ktvb.com <ktvbnews@ktvb.com>; kmoeller@idahostatesman.com <kmoeller@idahostatesman.com>; kmcgwire@adaweb.net <kmcgwire@adaweb.net>; Susanna Smith <ssmith@GARDENCITYIDAHO.ORG>; Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>; info@boiseweekly.com <info@boiseweekly.com>; kekeluv@gmail.com <kekeluv@gmail.com>; newsroom@idahostatesman.com <newsroom@idahostatesman.com>; LCochran@spinkbutler.com <LCochran@spinkbutler.com>;

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Planning

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Date	Name	Address	Address 2
3/25/2019	Bob Taunton		
3/25/2019	Hannah Ball		
3/25/2019	Wendy Carver-Herbert		
3/25/2019	Margie Rosenberg		
3/25/2019	JoAnn Musholt		
3/25/2019	Melody Arsenault		
3/25/2019	Kim David		
3/25/2019	Kristen Jones		

Email

bobtaunton@tauntongroup.com;
hannahballcan@gmail.com;
wendycarverherbert@gmail.com;
maggie.mayz@yahoo.com;
joann.musholt@sbcglobal.net;
melody.arsenault@outlook.com;
kckethly@gmail.com;
keismontjones31@gmail.com;

Phone

Idaho Statesman

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Order Confirmation

Customer

GARDEN CITY CITY OF

Customer Account

264046

Customer Address

6015 GLENWOOD ST
GARDEN CITY ID 837141347 USA

Customer Phone

208-472-2900

Customer Fax

Sales Rep

jhildreth@idahostatesman.com

Payor Customer

GARDEN CITY CITY OF

Payor Account

264046

Payor Address

6015 GLENWOOD ST
GARDEN CITY ID 837141347 USA

Payor Phone

208-472-2900

Customer EMail

lleiby@gardencityidaho.org

Order Taker

lcordero@mcclatchy.com

PO Number

Legal Notice

Payment Method

Invoice

Blind Box

Tear Sheets

1

Proofs

0

Affidavits

1

Net Amount

\$104.24

Tax Amount

\$0.00

Total Amount

\$104.24

Payment Amount

\$0.00

Amount Due

\$104.24

Ad Order Number

0004170081

Order Source

Ordered By

Mary Katayama

Special Pricing

Invoice Text

LEGAL NOTICE OF PUBLIC HEARINGS

Promo Type

Package Buy

Materials

