

**8-2B-1: PURPOSE:**

A. Residential Districts: The purpose of the four (4) residential districts is to provide a full range of housing products within the city in areas that are exclusively for residential uses. The four (4) districts are contrasted by the density and housing products that are allowed within each district:

<b>District</b>	<b>Maximum Density</b>	<b>Minimum Density</b>	<b>Typical Housing Types</b>
Rural density residential district (R-1 <a href="#">or A or R1-A referred to in the remainder of this Title as R-1</a> )	1 du/acre	N/A	Single-family detached dwelling units
<del>Low density</del> Traditional residential district (R-2)	6 du/acre	N/A	Single-family detached and attached; and two-family dwelling units
<del>Medium density</del> <u>Mixed use residential (R-3MUR)</u>	35 du/acre	14 du/acre in TOD locations of the comprehensive plan or neighborhood commercial nodes unless successful obtainment of a conditional use permit	Single-family <u>attached</u> , two-family and multiple-family dwelling units
<a href="#">Medium density residential (R-3)</a>	<a href="#">35 du/acre</a>	<a href="#">14 du/acre in TOD locations of the comprehensive plan or neighborhood commercial nodes unless successful obtainment of a conditional use permit</a>	<a href="#">Single-family attached, two-family and multiple-family dwelling units</a>
Medium-high density residential (R-20)	No max	14 du/acre unless successful obtainment of a conditional use permit	Multiple-family dwelling units

District	Maximum Density	Minimum Density	Typical Housing Types
Mixed use (M)	No max	14 du/acre unless successful obtainment of a conditional use permit	Single-family attached and multiple-family dwelling units

B. Commercial: The purpose of the two (2) commercial districts is to provide a full range of commercial uses and services for both the residents of Garden City and the region. Location determines the type and form of commercial uses. More intense commercial activities are intended to be located along arterial streets in the highway commercial (C-1) district. Activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood are to be located in the general mixed use commercial (C-2) district.

C. Mixed Use: The mixed use residential (M) district allows for a mix of commercial and residential uses that are complementary of one another. The purpose is to accommodate and encourage further expansion and renewal in designated areas of the community. A variety of residential, office, and commercial uses are encouraged in an effort to provide a mix of activities necessary to establish a truly urban character. All densities of residential, professional offices, neighborhood services retail uses may be located within this designation.

[C. Mixed Use Residential: The mixed use residential \(M\) district allows for a mix of commercial and residential uses that are complementary of one another. The purpose is to accommodate and encourage further expansion and renewal in designated areas of the community. A variety of residential, office, and commercial uses are encouraged in an effort to provide a mix of activities necessary to establish a truly urban character. All densities of residential, professional offices, neighborhood services retail uses may be located within this designation.](#)

D. Light Industrial (LI): The purpose of the light industrial (LI) district is to provide for employment centers of light manufacturing, offices, research and development, warehousing and distributing, and encourage the development of industrial uses which are clean, quiet and free of hazardous or objectionable elements.

E. Specific Area Plan (SAP): The purpose of the specific area plan (SAP) district is to provide a means to create zoning regulations and a master plan for unique areas and developments where a different zoning district may not achieve desired results. An SAP district for a property shall implement provisions

of, and be consistent with, the Garden City comprehensive plan future land use map and policies. Each SAP district includes its own nontransferable set of regulations. (Ord. 898-08, 9-8-2008; amd. Ord. 967-14, 6-9-2014; Ord. 975-15, 4-27-2015; Ord. 1018-20, 2-8-2021)

**8-2B-2: ALLOWED USES:**

A. Table 8-2B-1 lists allowed uses as permitted (P), conditional (C), or prohibited ( ) uses.

B. If a proposed use of property is not specifically listed in Table 8-2B-1, the use shall be prohibited, except if the planning official determines that the proposed use is equivalent to a permitted or conditional use. In making the determination, the planning official shall consider the following:

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.

C. Uses that are listed followed by an asterisk (\*) are subject to the specific provisions for the use as set forth in article C, "Land Use Provisions," of this chapter. Any use that cannot comply with the provision as set forth in article C, "Land Use Provisions," of this chapter shall be subject to a conditional use permit as set forth in chapter 6, "Administration," of this title.

D. For uses that may fall into more than one (1) category, the planning official shall determine the most appropriate category based on the more restrictive standards.

E. Each specific area plan district will have its own permitted, conditional, or prohibited uses identified.

**TABLE 8-2B-1  
ALLOWED USES IN ALL BASE ZONING DISTRICTS**

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

	P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district								
	R-1	R-2	R-3	R-20	C-1	C-2	MUR	M	LI
Accessory use*	P	P	P	P	P	P	<u>P</u>	P	P
Agriculture*	P	P	P	P		P	<u>P</u>	P	P
Amusement center*			<u>C</u>		P	C	<u>C</u>	C	C
Animal care facility*	C		<u>C</u>		C	C	<u>C</u>	C	P
Artist studio*	C	C	P	P	P	P	<u>P</u>	P	P
Bed and breakfast*	C	C	C	C	P	P	<u>P</u>	P	
Bicycle sales, service, storage, rental					P	P	<u>P</u>	P	P
Building material, garden and equipment*			<u>C</u>		C	C	<u>C</u>	C	C
Church or place of religious worship*	C	C	C	C	C	C	<u>C</u>	C	C
Club*			<u>C</u>		C	C	<u>C</u>	C	
Commercial entertainment facility*					C	C	-		
Daycare, center*			<u>C</u>		C	C	<u>C</u>	C	C
Daycare, neighborhood*	C	C	P	P		<u>P</u>	<u>P</u>	P	
Daycare, personal*	P	P	P	P		<u>P</u>	<u>P</u>	P	
Drinking establishment, full service*					C	C	-		C
Drinking establishment, limited service*					P	P	<u>P</u>	P	C
Drive-through establishment*					C	C	-		C

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as set forth in article C of this chapter.

	R-1	R-2	R-3	R-20	C-1	C-2	MUR	M	LI
P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district									
Dwelling unit, accessory*	P	P	P	P	P	P	<u>P</u>	P	P
Dwelling unit, group			C	P		P	<u>C</u>	C	
Dwelling unit, multiple-family*		C	P	P	C	P	<u>P</u>	P	
Dwelling unit, single-family attached		P	P	P	C	P	<u>P</u>	P	
Dwelling unit, single-family detached	P	P	P	P	C	P	<u>P</u>	P	
Dwelling unit, two-family		P	P	P	C	P	<u>P</u>	P	
Eating establishment, full service		C	C	C	P	P	<u>P</u>	P	C
Eating establishment, limited service		C	C	P	P	P	<u>P</u>	P	P
Equipment rental, sale and service*					C	C	-		P
Financial institution*				C	P	P	<u>P</u>	P	P
Food products, processing*					C		-		P
Food products, small scale processing*	C	C	C	C	P	P	<u>P</u>	P	P
Food store*			C	C	P	P	<u>P</u>	P	P
Fuel sales*					C	C	-		C
Fuel yard					C		-		C
Health club*			C	C	P	P	<u>P</u>	P	
Healthcare and social service			C	C	P	P	<u>P</u>	P	C
Home occupation*	P	P	P	P	C	P	<u>P</u>	P	
Hospital*			<u>C</u>		C	C	<u>C</u>	C	

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as set forth in article C of this chapter.

	P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district								
	R-1	R-2	R-3	R-20	C-1	C-2	MUR	M	LI
Industry, flex*					C	C			C
Industry, information*					P	P	<u>P</u>	P	P
Industry, light*					C		-		P
Kennel, hobby*	P	P	P	P		P	<u>P</u>	P	C
Laboratory - medical, dental, optical					P	P	<u>P</u>	P	P
Laundromat, self-service cleaner*				C	P	P	<u>P</u>	P	P
Laundry and dry cleaning, commercial plant					P	C	-		P
Laundry and dry cleaning establishment			<u>C</u>	C	P	C	<u>C</u>	C	P
Lending institution					C		-		
Lodging*			<u>C</u>	C	C	C	<u>C</u>	C	
Manufactured/mobile home park		C	C	C		C	<u>C</u>	C	
Mortuary*			<u>C</u>		C	C	<u>C</u>	C	
Nursery*	P				P	P	<u>P</u>	P	C
Nursing and residential care*		C	C	C	C	C	-		
Parking facility			C	C	C	C	<u>C</u>	C	C
Personal service*				C	P	P	<u>P</u>	P	P
Professional service*				C	P	P	<u>P</u>	P	P
Public service facility	C	C	C	C	P	C	<u>C</u>	C	P
Public uses	C	C	C	C	P	P	<u>C</u>	C	C

**TABLE 8-2B-1**  
**ALLOWED USES IN ALL BASE ZONING DISTRICTS**

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

	P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district								
	R-1	R-2	R-3	R-20	C-1	C-2	MUR	M	LI
Recreational vehicle park*					C	C	-		
Research and development				C	P	P	<u>P</u>	P	P
Retail production*	C	C	C	P	P	P	<u>P</u>	P	C
Retail store				C	P	P	<u>P</u>	P	C
School*		C	C	C	C	C	<u>C</u>	C	C
Service provider*					P	C	-		P
Sexually oriented businesses*					C		-		
Small cell facility*	P	P	P	P	P	P	<u>P</u>	P	P
Storage facility or yard*					C		-		C
Storage facility, self-service					C		-		P
Storage yard, commercial recreational vehicle*					C		-		C
Temporary use*	P	P	P	P	P	P	<u>P</u>	P	
Tobacco entertainment facility*			<u>C</u>		C	C	<u>C</u>	C	C
Tobacco retail store				C	P	P	<u>P</u>	P	C
Vehicle rental*					C	C	-		C
Vehicle sales*					C	C	-		C
Vehicle service*			<u>C</u>		C	C	<u>C</u>	C	P
Vehicle washing facility*			<u>C</u>		P	<u>C</u>	<u>C</u>	C	C

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ALLOWED USES IN ALL BASE ZONING DISTRICTS**

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

P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district									
				<b>R-20</b>			<b>MUR</b>		
	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>		<b>C-1</b>	<b>C-2</b>		<b>M</b>	<b>LI</b>
Vehicle wrecking yard									C
Warehouse and storage, wholesale*					C	C			P
Wireless communication facility*					C				C

(Ord. 898-08, 9-8-2008; amd. Ord. 905-09, 3-23-2009; Ord. 944-12, 5-14-2012; Ord. 967-14, 6-9-2014; Ord. 972-14, 11-24-2014; Ord. 975-15, 4-27-2015; Ord. 991-17, 2-13-2017; Ord. 1018-20, 2-8-2021; Ord. 1006-19, 9-26-2022; Ord. 1034-22, 6-12-2023)

**8-2B-3: FORM STANDARDS:**

A. Table 8-2B-2, "Form Standards In All Base Zoning Districts", of this section shall be used for determining maximum building height, required setbacks, maximum lot coverage and minimum lot size standards for development in each of the respective base zoning districts.

B. Subsections E through H of this section set forth certain exceptions and additional clarification for the form standards.

C. Exceptions from the form standards are allowed as set forth in chapter 3, "Overlay Zoning District Regulations", of this title, and through a planned unit development (PUD) as set forth in chapter 6, article B, "Specific Provisions", of this title.

D. Additional provisions as set forth in chapter 4, "Design And Development Regulations", of this title may also affect the form standards.



**TABLE 8-2B-2  
FORM STANDARDS IN ALL BASE ZONING DISTRICTS**

District	Maximum Height*	Setbacks				Maximum Lot Coverage	Minimum Lot Area/DU*
		Front	Rear	Interior Side	Street Side		
R-1	35'	20'	15'	5'	20'	30%	1 acre
R-2	35'	15'/20**	15'	0/5**	20'	70%	6,000* sq. ft.
R-3	<u>72'</u>	5'/20**	15'	0/5**	5'	70%	n/a
R-20		5'	5'	0'	5'	80%	n/a
C-1		5'	5**	5**	5'	n/a	3,000 sq. ft.
C-2	<u>72'</u>	5'	5'	5'	5'	n/a	n/a
<u>M</u>	<u>72'</u>	<u>10' max</u>	<u>5'</u>	<u>0/3'</u>	<u>0'</u>	<u>n/a</u>	<u>n/a</u>
<u>MUR</u>		<u>5'/20*40' max</u>	<u>15'5'</u>	<u>0/5*0/3'</u>	<u>5'0'</u>	<u>70%n/a</u>	<u>n/an/a</u>
LI	55'	15'	5**	5**	20'	n/a	n/a

\* Indicates an exception that follows.

E. Maximum Height Limit:

1. The maximum height limitations shall not apply to the following architectural features not intended for human occupation: spire or steeple, belfry, cupola, chimney. Such architectural features shall have a maximum height limit of twenty feet (20') as measured from the roofline.

2. The maximum height limitations shall not apply to the following: fire and hose tower; power line tower; water tank or tower; windmill; wireless communication facility, or other commercial or personal tower and/or antenna structure; or other appurtenances usually required to be placed above the level of the ground and not intended for human occupancy.

F. Setbacks:

1. Setback requirements of city adopted streetscapes or adopted design districts shall supersede Table 8-2B-2.
2. Forty percent (40%) or more of the building mass shall comply with the minimum setback.
3. Encroachments allowed in any setback:
  - a. Open structures, canopies, balconies, platforms, covered patios, cornices, eaves or other projections, which do not increase the volume of space enclosed by the building and do not project into any required setback by more than two feet (2').
  - b. Chimneys, pop-out windows, direct vent gas fireplaces, window seats and other projections which do not increase the usable floor area and do not exceed eight feet (8') in width may project up to two feet (2') into any required setback.
4. Covered front porches with a minimum of five feet (5') depth or more may encroach into the front yard setback.
5. Accessory structures shall not be located in any front yard setback and shall be set back a minimum of five feet (5') from any side or rear property line.
6. Corner Lot Setbacks: Corner properties shall have one (1) interior side setback and one (1) rear setback.
7. Multi-family dwellings shall be considered as one (1) building for the purpose of determining front, side and rear yard setbacks. The entire group as a unit shall require one front, one rear and two (2) side yards as specified for dwellings in the appropriate district.
8. When access is taken from a public street, the entrance of the garage shall be set back a minimum of twenty feet (20') from the back of the sidewalk, or property line if no sidewalk is present, as measured perpendicular from the foundation of the structure abutting the driveway. The purpose of this setback is to provide visibility for vehicles entering into the right-of-way and prevent vehicles parked in a driveway from encroaching into the sidewalk or roadway.
9. In all districts, no new or substantially improved structure shall be permitted within seventy feet (70') from the riverbank of the Boise River without a design review and conditional use permit with approval of city council or otherwise designated by city council.

- a. Approvals must find that the structure is required by public necessity, public recreation or wildlife habitat improvements;
- b. The structure meets the approval of the Federal Emergency Management Agency and national Flood Insurance Program and does not jeopardize the city's participation in the national Flood Insurance Program; and
- c. Is in conformance with the Garden City comprehensive plan.

10. Structures subject to a "0'/5'" interior side setback must have a 5' interior side setback when the interior side is adjacent to a structure not permitted in the subject structure's district.

G. Minimum Lot Size:

1. Certain uses require a minimum lot size that is different than what is identified in Table 8-2B-2, "Form Standards In All Base Zoning Districts". The specific minimum lot size for these uses is set forth in article C, "Land Use Provisions", of this chapter.
2. Each lot shall be of sufficient size to meet the minimum setbacks as established in this section and accommodate the use intended for the zone.
3. In the R-2 district, the minimum lot size may be reduced to five thousand (5,000) square feet for a single-family detached dwelling unit that shares a driveway with an adjoining lot or has an alley loaded garage.

H. Minimum Street Frontage: Properties with street frontages on cul-de-sacs or with a side property line at an eighty (80) degree angle or less to the front property shall have a minimum of thirty feet (30') street frontage measured as a chord measurement. (Ord. 898-08, 9-8-2008; amd. Ord. 944-12, 5-14-2012; Ord. 967-14, 6-9-2014; Ord. 975-15, 4-27-2015)

**8-4I-5: PERIMETER LANDSCAPING PROVISIONS:**

- A. Purpose: The perimeter landscaping shall provide the following benefits:
1. To provide a visual barrier between different land uses;
  2. To enhance the streetscape;
  3. To provide privacy; and

4. To protect uses from wind, dust, noise, traffic, glare, visual disorder, and harmful or noxious effects. (Ord. 898-08, 9-8-2008)

B. Applicability: Required perimeter landscaping meeting the standards set forth in subsection C of this section is required in the following situations:

1. Between a new or substantially altered nonresidential use and a residential use or vacant residentially zoned property where such uses are not separated by an arterial street; (Ord. 944-12, 5-14-2012)

2. Along the common property line between an adjacent nonresidential use and a residential use or vacant residentially zoned property;

3. Along the common property line between a multi-family residential use and a single-family or two-family residential use or vacant single-family or two-family zoned property;

4. Between a nonresidential or multi-family use and a public park;

5. Between a loading or utility service area, vehicle repair bay, or vehicle fueling area and all property lines;

6. Between other paved vehicular use areas, including driveways, and vehicle storage areas and all property lines;

7. Between a carport for five (5) or more vehicles serving a residential use and an adjoining lot with a residential use or vacant residentially zoned property.;

8. Between a windowless structure/structure that does not allow for a view into the adjacent lot and the adjacent lot. In this scenario, the standards set forth in subsection C may be used in lieu of the vegetative landscaping buffer.

C. Standards:

1. A perimeter landscaping area shall be at least ~~ten-five~~ feet (10'5") wide measured from the property line to the interior of the lot. When both properties are redeveloped, where perimeter landscaping is applicable, the total area will be a minimum of ten feet (10') where perimeter landscaping is applicable.;

2. A screen consisting of vegetation shall be at least ~~six-five~~ feet (65') wide and six feet (6') in height at maturity;

3. At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage. Such trees shall be class iii trees if the structure closest to the tree is 35 feet (35') or taller in height.

4. Additional standards for parking lots and carports are set forth in section 8-4I-6, "Parking Lot Landscaping Provisions", of this article.

5. Structures less than one hundred twenty (120) square feet, including, but not limited to, trash enclosures and storage sheds may encroach into the perimeter landscape area.

6. Perimeter landscape areas shall provide for pedestrian access from residential development to abutting commercial districts and vice versa. (Ord. 898-08, 9-8-2008)

**8-4B-4: MULTI-FAMILY RESIDENTIAL DWELLING UNITS:**

A. Building Setbacks: Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties.

B. Building Design:

1. All building elevations shall have a minimum portion of the elevation devoted to architectural features designed to provide articulation and variety. These features shall include, but are not limited to, windows, bays and offsetting walls that extend at least two feet (2'); recessed entrances; and changes in material types. Changes in material types shall have a minimum dimension of two feet (2') and minimum area of twenty five (25) square feet.

2. Main entrances, which are the primary point(s) of entry where the majority of building users will enter and leave, shall be designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification.

3. Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.

4. Roof forms shall be distinctive and include variety and detail when viewed from the street. Sloped roofs shall have a significant pitch. Flat roofs should include distinctive cornice treatments.

5. Exterior building materials and finishes shall convey an impression of permanence and durability. Materials such as masonry, stone, stucco, wood, terra cotta, and tile are encouraged.

6. Windows are required to allow views to exterior activity areas or vistas. Windows shall be provided on any building facing any common area used for children's recreation. Windows shall not, wherever possible and notwithstanding other design standards, be provided to allow for views into preexisting single-family dwelling units' rear yards. For structures between X feet (X') and X feet (X'), first floor windows not attached to a residence shall be X feet (X') or taller.

7. All roof and wall mounted mechanical, electrical, communications, and service equipment should be screened from public view from the adjacent public streets and properties by the use of parapets, walls, fences, enclosures, or by other suitable means.

C. Multiple Buildings On One Site: Development of multiple structures on one site shall comply with the requirements set forth in subsection 8-4C-4B, "Multiple Nonresidential Structures On One Development Site", of this chapter. (Ord. 898-08, 9-8-2008)

#### **8-4C-3: GENERAL PROVISIONS FOR NONRESIDENTIAL DEVELOPMENT:**

The provisions that follow establish an objective statement followed by guidelines for meeting that objective. In any situation, there may be a range of alternative methods for achieving the objective. The design review process set forth in chapter 6, "Administration", of this title provides the process for allowing innovation and creativity in meeting the development design objectives.

A. Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.

4. First Floor Facades: First floor facades visible from a public street should include surfaces in windows, showcases, displays, or pedestrian access elements as follows: for retail uses at least fifty percent (50%), for all other uses at least fifteen percent (15%). Such facades in all buildings between X feet (X') and X feet (X') in height must be X foot (X') or taller.

9. Landmark-based Setbacks: Structures that are at least X feet (X') in height and adjacent to the Greenbelt, public right-of-way areas, or R-2 and R-3 districts shall be set back Y feet (Y') from the subject landmark/district boundary. If the structure exceeds X feet (X') in height, the setback length will increase in increments of Z feet (Z') for every A feet (A') in excess.