



## DEVELOPMENT SERVICES DEPARTMENT

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**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:

#### **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.

### 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.