



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: 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.