

BY THE COUNCIL: HELLER, JACOBS, JORGENSEN, AND PAGE

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING OR REPEALING GARDEN CITY CODE TITLE 5 (“TRAFFIC”), CHAPTER 1 (“TRAFFIC CODE”), SECTION 4 (“STOPPING, STANDING OR PARKING”); CHAPTER 9 (“PERMITS”); TITLE 8 (“DEVELOPMENT CODE”), CHAPTER 1 (“GENERAL REGULATIONS”), ARTICLE C (“PROPERTY MAINTENANCE PROVISIONS”), SECTION 3 (“PROPERTY MAINTENANCE STANDARDS”); CHAPTER 2 (“BASE ZONING DISTRICT REGULATIONS”), ARTICLE B (“BASE ZONING DISTRICT PROVISIONS”), SECTION 2 (“ALLOWED USES”); REPEALING CHAPTER 3 (“OVERLAY ZONING DISTRICT REGULATIONS”), ARTICLE D (“NEIGHBORHOOD COMMERCIAL NODE”), SECTION 3 (“GENERAL PROVISIONS”), SUBSECTION C (“PARKING”); AMENDING CHAPTER 4 (“DESIGN AND DEVELOPMENT REGULATIONS”), ARTICLE D (“PARKING AND OFF STREET LOADING PROVISIONS”), SECTION 1 (“PURPOSE”); SECTION 2 (“APPLICABILITY”); SECTION 3 (“PARKING DESIGN AND IMPROVEMENT STANDARDS”); SECTION 4 (“PARKING USE STANDARDS”); SECTION 5 (“REQUIRED NUMBER OF OFF STREET PARKING SPACES”); SECTION 6 (“STANDARDS FOR ALTERNATIVES TO ON SITE PARKING”); SECTION 7 (“OFF STREET LOADING STANDARDS”); ADDING SECTION 8 (“PARKING BENEFITS DISTRICT”); AMENDING CHAPTER 6 (“ADMINISTRATION”), ARTICLE B (“SPECIFIC PROVISIONS”), SECTION 8 (“MINOR PLANNED UNIT DEVELOPMENT”), SUBSECTION D (“GENERAL PROVISIONS FOR THE SITE LAYOUT TEMPLATE”); AND AMENDING CHAPTER 7 (“REFERENCES”), ARTICLE A (“DEFINITIONS”), SECTION 2 (“DEFINITIONS OF TERMS”), REPEALING ALL ORDINANCES OR PARTS THEREOF TO THE EXTENT THEY CONFLICT WITH THIS ORDINANCE; PROVIDING ALL OTHER ORDINANCES INCLUDED IN THE OFFICIAL CODE ARE STILL IN EFFECT NOTWITHSTANDING SOME PROVISIONS THEREOF BEING ELIMINATED; REPEALING ANY OTHER ORDINANCE CREATING OR REGULATING PARKING; PROVIDING FOR SEVERABILITY; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, provisions of Title 50, Chapter 9, of the Idaho Code authorize publication of compiled Ordinances of a municipality; and

WHEREAS, the current Development Code regarding traffic and parking, including Title 5 (“Traffic”), Chapter 1 (“Traffic Code”), Section 4 (“Stopping, Standing or Parking”); Chapter 9 (“Permits”), was originally codified on the 14th day of October 2018, by Ordinance No. 1013, which established traffic and parking guidelines; and

WHEREAS, the current Development Code regarding traffic and parking, including Title 8 (“Development Code”), Chapter 1 (“General Regulations”), Article C (“Property Maintenance Provisions”), Section 3 (“Property Maintenance Standards”); Chapter 2 (“Base Zoning District Regulations”), Article B (“Base Zoning District Provisions”), Section

2 (“Allowed Uses”); Repealing Chapter 3 (“Overlay Zoning District Regulations”), Article D (“Neighborhood Commercial Node”), Section 3 (“General Provisions”), Subsection C (“Parking”); Amending Chapter 4 (“Design And Development Regulations”), Article D (“Parking And Off Street Loading Provisions”), Section 1 (“Purpose”); Section 2 (“Applicability”); Section 3 (“Parking Design And Improvement Standards”); Section 4 (“Parking Use Standards”); Section 5 (“Required Number Of Off Street Parking Spaces”); Section 6 (“Standards For Alternatives To On Site Parking”); and Section 7 (“Off Street Loading Standards”), was originally codified on 8th day of September 2008, by Ordinance No. 898, which established the parking process and guidelines; and

WHEREAS, the parking code has been modified over the years; and

WHEREAS, the City Council for the City of Garden City intends to update and modify parking to meet the needs of current and future development and growth within the city; and

WHEREAS, the City Council for the City of Garden City intends to amend the procedures and definitions applicable to parking.

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

SECTION 1. The foregoing recitals are hereby incorporated into this Ordinance as if fully set forth herein.

SECTION 2. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. The fact that some provisions of the official municipal code for the City of Garden City have been deliberately eliminated by the governing body shall not serve to cause any interruption in the continuous effectiveness of Ordinances included in said official Code. All other Ordinances shall continue in full force and effect unless specifically repealed or amended.

SECTION 4. That portions of Title 5 (“Traffic”), Chapter 1 (“Traffic Code”), Section 4 (“Stopping, Standing or Parking”), Garden City Code be, and the same is hereby amended, to read as follows:

5-1-4 **STOPPING, STANDING OR PARKING**

G. Parking Time Limitation: No vehicle, including major recreational vehicles or equipment, shall be parked continuously at the same location or combination of locations on any public street or public alley in the city for more than forty-eight (48) hours, unless legal and in conjunction with a valid parking permit. At the expiration of forty-eight (48) hours, vehicles must be removed from any public street or public alley and may not be parked again on any public street or public alley for at least forty-eight (48) hours. For

the purpose of this section, “major recreational vehicles or equipment” are defined as including, but not limited to, boats and boat trailers, pickup campers, or coaches (designed to be mounted on ~~automotive~~ motor vehicles), motorized dwellings, tent trailers, tractor trailers, semi-tractors, oversized commercial vehicles, and utility trailers.

SECTION 6. That portions of Title 5 (“Traffic”), Chapter 9 (“Permits”), Section 1 (“Permit Regulations”) Garden City Code be, and the same is hereby added, to read as follows:

5-9-1 PERMIT REGULATIONS

A. Permit Issuance

1. Permits may be issued as set forth in Garden City Code Title 8-4D-8, “Parking Benefit Districts”, and adopted by Resolution;

2. A priority or temporary permit may be initiated or renewed by filing an application pursuant to this section and paying the applicable fee. A renewal permit application for priority permits shall be reviewed and approved in accordance with this section;

3. Applications and application procedures shall be provided by the City;

4. No permit shall be issued unless the applicable fee has been paid.

B. Permit Requirements

1. Annual Permits shall be valid for the calendar year commencing January 1 - December 31;

2. Permits are issued to a specified motor vehicle;

3. Permits are not prorated and are not transferable;

4. Motor vehicles must be licensed and registered;

5. A parking permit for an adopted Parking Benefit District shall be valid only for that Parking Benefit District;

6. Until its expiration, surrender or revocation, a parking permit shall remain valid for the length of time the holder continues to reside at, own, and/or operate a business within the Parking Benefit District.

C. Priority

1. Annual or Monthly Permits

a. As the number of available parking permits within the Parking Benefit District may be limited by regulation, permits shall be offered on a priority basis;

b. One permit shall be offered, in priority identified as follows, to:

(1) Properties within the Parking Benefit District with uses that were legally established prior to the adoption of the Parking Benefit District and do not contain off-street parking, which shall have highest priority;

(2) Properties within the Parking Benefit District with uses that were legally established prior to the adoption of the Parking Benefit District and are adjacent to public right-of-way, which shall have secondary priority;

(3) All other properties within the Parking Benefit District, which shall have third priority;

(4) Additional permits for residents, business owners, and employees within the Parking Benefit District, which shall have fourth priority;

c. Once the priority permits have been offered, any remaining parking permits within a Parking Benefit District may be offered to the public.

D. Temporary permits

1. Temporary parking permits are available within each Parking Benefit District for a one (1) time, one (1) day use;

2. Each property within the Parking Benefit District with a valid Ada County issued address is eligible for twelve (12) temporary permits free of charge each year;

3. Each day permit shall be valid only for the day that is indicated on the permit.

E. Limitations

1. Issuance of a parking permit does not guarantee or reserve a parking space within a Parking Benefit district;

2. Temporary permits may not be offered in all Parking Benefit Districts.

F. Violations: A parking permit does not authorize the stopping, standing, or parking of any motor vehicle in any place or during any time when the stopping, standing, or parking of motor vehicles is prohibited or set aside for specified motor vehicle types. The issuance of a permit shall not excuse the holder from compliance with any traffic regulation

G. Penalties

1. Whenever the holder of a parking permit is not in compliance with one or more of the applicable provisions of the policy controlling the issuance or renewal of permits, the City may direct the permit holder to surrender the permit;

2. The parking permit of any individual found to have committed three or more violations of this section within any preceding twelve (12) month period shall be revoked. The City shall provide written notification to such person by certified mail, return receipt requested, revoking the permit, and ordering the surrender of such permit to the City. A signed return receipt shall be prima facie evidence of the delivery of the notice to surrender the permit. Failure to surrender a revoked permit when ordered to do so constitutes a separate violation of this section;

3. A person who has had a permit revoked shall not be reissued a permit for a period of two (2) years from the date of revocation.

SECTION 7. That portions of Title 8 (“Development Code”), Chapter 1 (“General Regulations”), Article C (“Property Maintenance Provisions”), Section 3 (“Property Maintenance Standards”), Garden City Code be, and the same is hereby amended, to read as follows:

8-1C-3 PROPERTY MAINTENANCE

A. All land visible from the public right-of-way, including exterior premises and vacant land, whether improved or unimproved, and exterior areas under any roof not enclosed by the walls, doors, or windows of any building, shall be maintained free from the following:

4. Vehicles: Vehicles that are inoperable, which includes motor vehicles without current registration, for more than three (3) months shall be enclosed in a structure or located in the rear or side yard and screened from view.

T. Outdoor Parking and Loading:

1. Loading may not impede bicycle lanes, multi-use paths, sidewalks, or vehicular travel on public roads;

2. Non-residential on street parking is not permitted on a routine basis unless in conjunction with permit parking;

3. Parking of one commercial motor vehicle per property may be allowed at a residential dwelling, provided it is operated by the occupant and used to commute from home to work at an off-site location or used as part of an approved home occupation;

4. One boat and one recreational vehicle less than thirty feet (30') in length may be stored on an approved pad in the side or rear yard at a residential dwelling;

5. Motor Vehicles that are inoperable or vehicles without current registration shall not be parked on a public street;

5. Any off-street loading space located within fifty feet (50') of a residential use shall not operate between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.

SECTION 8. That portions of Title 8 (“Development Code”), Chapter 2 (“Base Zoning District Regulations”), Article B (“Base Zoning District Provisions”), Section 2 (“Allowed uses”), Garden City Code be, and the same is hereby amended, to read as follows:

8-2B-2 ALLOWED USES

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

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	M	LI
Parking facility			C	C	C	C	C	C

SECTION 9. The current Title 8 (“Development Code”), Chapter 3 (“Overlay Zoning District Regulations”), Article D (“Neighborhood Commercial Node”), Section 3 (“General Provisions”), Subsection C (“Parking”); is hereby repealed in its entirety.

8-3D-3 GENERAL PROVISIONS

~~C. Parking:~~

~~1. Location And Screening Of Parking And Drive Aisles:~~

~~a. Parking should be behind the buildings or screened from view from all streets.~~

~~b. A five foot (5') wide landscape buffer area with a six foot (6') tall solid screening wall or privacy fence should be located between a lot on Adams Street or Alworth Street and a residential lot outside the overlay district. This buffer area may double as the required setback.~~

2. ~~Parking Requirements:~~

- ~~a. One parking space shall be required per five hundred (500) square feet of nonresidential uses.~~
- ~~b. One parking space shall be required for each residential dwelling unit, except as allowed in subsection C2c of this section.~~
- ~~c. One half (0.5) of a parking space may be allowed per unit of senior housing; or affordable housing or units under five hundred fifty (550) square feet. The reduction is allowed upon review and approval by the planning and zoning commission, and based on the current market conditions, location of the dwelling unit and access to nonautomobile forms of transportation.~~

3. ~~Fulfillment Of Parking Requirements: Parking requirements may be fulfilled through any combination of the following:~~

- ~~a. Parking spaces on the development site;~~
- ~~b. One on street parallel parking space in front of the development site;~~
- ~~c. All diagonal or right angle parking in front of the development site consistent with the master plan;~~
- ~~d. Parking in a shared parking lot within seven hundred fifty feet (750') of the development site; and/or~~
- ~~e. Payment to the city of the cost for construction of a space in a public parking facility.~~

SECTION 10. That portions of Title 8 (“Development Code”), Chapter 4 (“Design and Development Regulations”), Article D (“Parking and Off-Street Loading Provisions”), Section 1 (“Purpose”), Garden City Code be, and the same is hereby amended, to read as follows:

8-4D-1 **PURPOSE**

This article provides regulations and standards for vehicular and bicycle parking and loading facilities with the following purposes:

- A. To minimize adverse impacts on the surrounding neighborhood, including but not limited to congestion, traffic hazards, and decreased access ~~To provide for off street parking and loading areas that minimize traffic hazards and congestion and mitigates impacts on surrounding properties.~~

~~B. To limit the amount of land required for parking with the consequent impacts on water quality and storm drainage~~

~~C.B. To maximize the use and efficiency of parking facilities and to minimize adverse impacts to systems such as economic, environmental, water quality, storm drainage, and urban design that can result from impermeable surfaces such as parking lots, driveways, and drive aisles~~

~~D.C. To recognize that each development has unique parking needs and to provide for a flexible approach for determining parking space requirements~~ offer flexible criteria to meet those parking needs

~~E.D. To provide for parking that is compatible in scale and supports the pattern of compact, mixed-use development identified~~ to implement the neighborhoods identified in the city's comprehensive plan

F. To provide objective criteria to inform developers, businesses, and decision makers

G. To provide for safe and convenient interactions between motor vehicles, bicycles, and pedestrians

H. To encourage active transportation options and enhanced pedestrian safety

I. To mitigate the visual impact of large concentrations of exposed parking; and

J. To provide parking design standards and use standards.

SECTION 11. That portions of Title 8 (“Development Code”), Chapter 4 (“Design and Development Regulations”), Article D (“Parking and Off-Street Loading Provisions”), Section 2 (“Applicability”), Garden City Code be, and the same is hereby amended, to read as follows:

8-4D-2 APPLICABILITY:

A. The design standards as set forth in section 8-4D-3, “Parking Design and Improvement Standards”, of this article shall apply to any new construction, alteration, or moving of a structure or any new or more intense use of property. Except where there is a change in use, the provisions of this article shall not apply to any existing building or structure

B. Construction or modification of any parking area, ~~except single-family residential parking areas,~~ shall comply with plans that have been approved by the city Garden City code, adopted plans, and permit requirements

C. The number of required off street parking spaces, as set forth in section 8-4D-5, “Required Number of Off-Street Parking Spaces”, of this article, shall be provided for all allowed permitted and conditionally permitted uses in any district

SECTION 12. That portions of Title 8 (“Development Code”), Chapter 4 (“Design and Development Regulations”), Article D (“Parking and Off-Street Loading Provisions”), Section 3 (“Parking Design and Improvement Standards”), Garden City Code be, and the same is hereby amended, to read as follows:

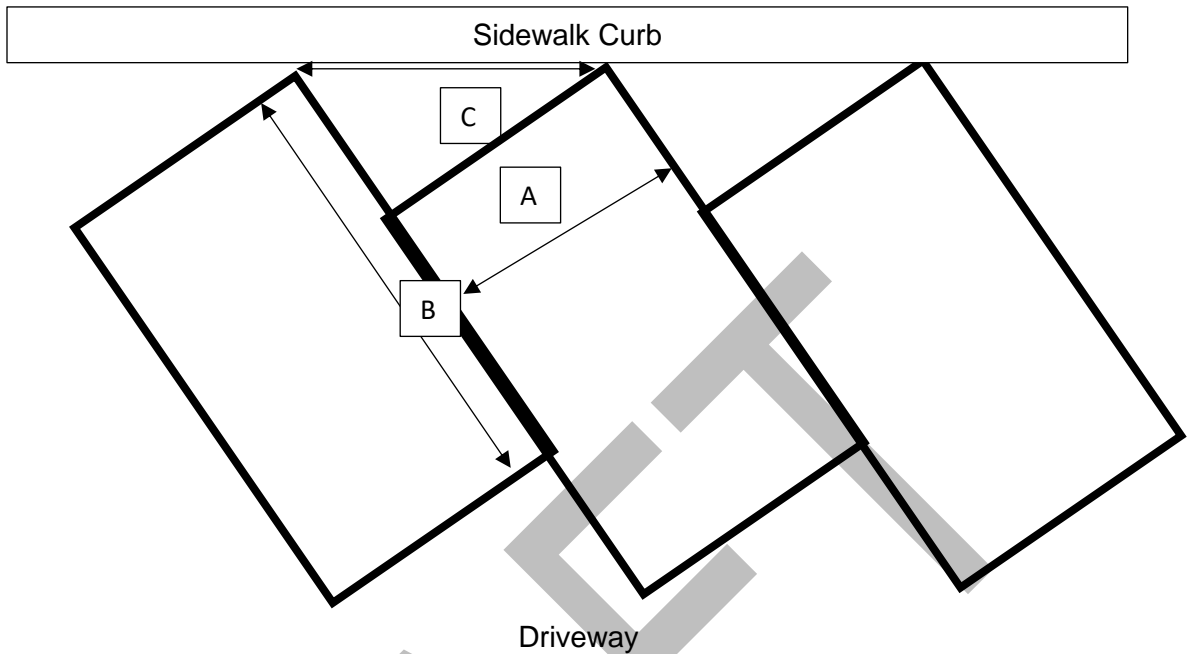
8-4D-3 PARKING DESIGN AND IMPROVEMENT STANDARDS

A. Design and Layout of Motor Vehicle Parking Areas:

1. The dimensional standards for parking spaces are required as identified in Table 8-4D-1 as follows: Required: All parking areas shall be designed and constructed to provide the type and number of off street parking spaces required by section 8-4D-5 of this article, and designed as required by this section.

<u>Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS</u>				
<u>Parking Angle</u>	<u>Stall Width</u> (A)	<u>Stall Length</u> (Depth) (B)	<u>Curb Length</u> Per Car (C)	<u>Driveway</u> <u>Width*</u> <u>Must also</u> <u>meet fire</u> <u>requirements</u>
<u>Standard</u>				
<u>0°</u>	<u>9'0"</u>	<u>9'0"</u>	<u>23'0"</u>	<u>12'0"</u>
<u>30°</u>	<u>9'0"</u>	<u>17'8"</u>	<u>18'0"</u>	<u>12'0"</u>
<u>45°</u>	<u>9'0"</u>	<u>18'5"</u>	<u>12'9"</u>	<u>12'0"</u>
<u>60°</u>	<u>9'0"</u>	<u>19'10"</u>	<u>10'5"</u>	<u>14'0"</u>
<u>90°</u>	<u>9'0"</u>	<u>18'0"</u>	<u>9'0"</u>	<u>19'0"</u>
<u>Compact</u>				
<u>0°</u>	<u>7'6"</u>	<u>14'0"</u>	<u>18'0"</u>	<u>10'0"</u>
<u>30°</u>	<u>7'6"</u>	<u>14'6"</u>	<u>12'6"</u>	<u>12'0"</u>
<u>45°</u>	<u>7'6"</u>	<u>16'0"</u>	<u>10'7"</u>	<u>12'0"</u>
<u>60°</u>	<u>7'6"</u>	<u>16'9"</u>	<u>8'9"</u>	<u>14'0"</u>
<u>90°</u>	<u>7'6"</u>	<u>15'0"</u>	<u>7'6"</u>	<u>19'0"</u>
<u>When parking is in a structure, the structural columns may encroach up to 6" into the parking spaces.</u>				
<u>The standards do not apply to automated parking systems that will not have people entering the structure to park.</u>				

Figure 8-4D-1: Dimensional Standards



2. Provisions for Accessible Parking:

a. Accessible spaces shall be designed in accordance with current adopted building codes and current Americans with Disabilities Act (ADA) guidelines.

2.3. General Provisions for Location of Motor Vehicle Parking Areas:

a. No part of any parking area for more than ten (10) motor vehicles shall be closer than twenty feet (20') to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot, unless separated by screen in compliance with the provisions as set forth in article I, "Landscaping ~~And~~ and Tree Protection Provisions", of this chapter;

b. If a parking area is located on the same lot with a single-family dwelling unit, the parking area may be located within the front yard required for such building ~~if approved by the planning official after a recommendation from the design review consultant(s) as set forth by section 8-6B-3 of this title and only if parking elsewhere is not feasible or possible;~~

c. Parking areas shall not be located closer than four feet (4') to any established public street ~~or other than a road designated as an alley right-of way;~~

d. A pedestrian route that is compliant with current Americans with Disabilities Act (ADA) ADA-standards must be provided from the parking to each primary entrance;

e. Parking shall be provided on-site unless permitted by the provisions set forth in section 8-4D-6, "Standards for Alternatives to On Site Parking", of this article;

f. No parking areas shall be allowed within fifteen feet (15') of the Greenbelt or Nature Path travel way except at the terminus of public streets.

3.4. Location and Design of Motor Vehicle Parking Spaces for Single- and Two-Family Dwellings Residential Uses:

~~a. Parking spaces for detached residential dwelling units shall be located on the same lot as the dwelling which the space is intended to serve.~~

~~b. a. Parking shall be located within the development site, unless approved through section 8-4D-6, "Standards for Alternatives to On Site Parking", of this article;~~

~~b. In no instances shall motor vehicle parking for attached residential dwelling units shall be located not more than three hundred feet (300') one-quarter (1/4) mile from the dwelling structure(s);~~

~~c. The size of the required parking space(s) for a residential single family dwelling unit(s) shall be at least ten feet by twenty feet (10' x 20'). Garage spaces shall be measured from the exterior dimensions;~~

~~d.c. Other requirements apply to t~~ The location of garages and carports as shall comply with the provisions set forth in article B, "Design Provisions for Residential Structures", of this chapter.

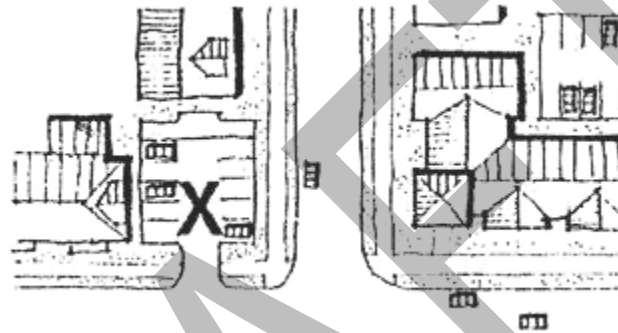
4.5. Multifamily, Nonresidential and Mixed-Uses Developments: Location of parking spaces and parking lots for multifamily, nonresidential uses, and mixed-uses developments:

a. Motor vehicle parking shall be located within the development site, unless approved through section 8-4D-6, "Standards for Alternatives to On Site Parking", of this article;

b. In no instances shall motor vehicle Pparking shall be located not more than one-fourth (1/4) mile from the use, measured as walked via public right-of-way or easement as otherwise dedicated to the public, as allowed by the provisions set forth in section 8-4D-6 of this article;

- c. Surface parking lots shall not be located within forty feet (40') of a corner;
- d. Parking spaces shall not ~~interfere with the visibility and access to the~~ be placed between the public right of way and the main building entrance;
- d. ~~Off-street~~ Parking spaces shall not be located in any required landscape area.

Figure 8-4D-12
Acceptable And Unacceptable Location for A Parking Lot



~~5.6.~~ Other Requirements: Other requirements that apply to the location, layout, and design of surface parking lots:

- a. Parking lots shall be designed in compliance with the requirements as set forth in article C, "Design Provisions for Nonresidential Structures," of this chapter;
- b. Parking lots shall be designed in accordance with article I, "Landscaping and Tree Protection Provisions," of this chapter;
- c. The design of the parking area shall minimize the trespass of lights from motor vehicles on adjacent properties and rights-of-way.

~~6. Parking Area Dimensional Standards:~~ ~~Parking lot layouts shall conform to the layouts and specifications identified in the "Garden City Design and Construction Guide", as amended.~~

7. Parking Area Access Requirements:

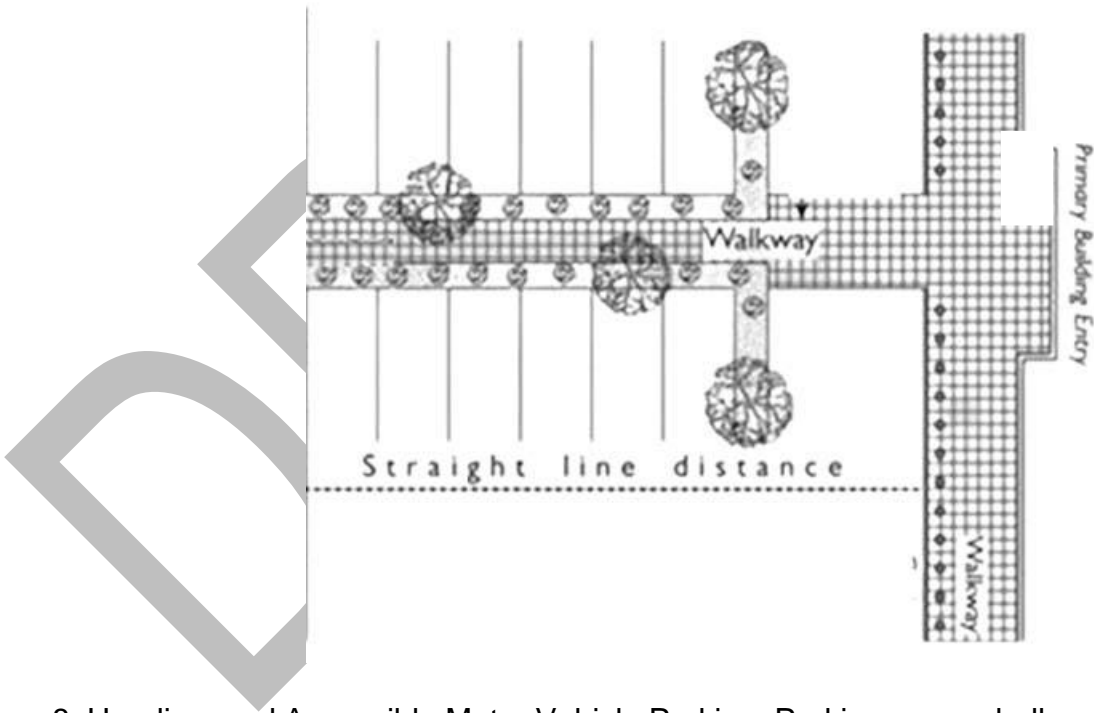
- a. Parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from, or onto, a public or private street shall be traveling in a forward motion. Except for an alley and parallel spaces, driveway configurations which require backing in, from, or out onto the street, are not allowed;

b. Parking areas shall be designed so that all motor vehicles are able to turn around within the site boundaries;

c. Access driveways for parking areas shall be located in such a way that any vehicle entering, or leaving, such an area shall be clearly visible by a pedestrian, or motorist, approaching the access or driveway from a public or private street or sidewalk. Motor Vehicle Access shall conform to the clear vision requirements in section 8-4E-3, "Public Street Connections", of this chapter and the vehicle and pedestrian circulation standards in section 8-4E-4, "Internal Circulation Standards", of this chapter;

d. Pedestrian routes shall facilitate passage from parking spaces to the principal entrance and meet standards set forth in 8-4E-6 and 8-4E-7.

Figure 8-4D-3
Example Acceptable Pedestrian Route



8. Handicapped Accessible Motor Vehicle Parking: Parking areas shall conform to current adopted building code standards and current Americans with Disabilities Act (ADA) standards for parking spaces. ~~Parking spaces and access lanes shall be marked including handicapped symbols and signs.~~

9. Motor Vehicle Parking Structure Design:

a. Shall meet all design criteria as set forth in 8-4C-4 Special Provisions for Specific Nonresidential Development;

b. The ground floor adjacent to public right of way shall be designed so that the facades appear to be commercial in nature;

c. Blank walls shall be interrupted at intervals of no more than twenty feet (20') with a variety of treatments including but not limited to fenestration, trellises for landscaping, artwork, and other similar treatments;

d. Passive security features shall be provided. These features include but are not limited to open space or light wells that eliminate dark areas, light sources, or video monitors. This provision is not required for automated parking systems that will not have people entering the structure to park;

e. Stair and elevator towers shall be located to minimize pedestrians crossing drive aisles internal to the parking structure;

f. The stalls shall conform with Table 8-4D-1 Minimal Dimensional Standards for Motor Vehicle Stalls;

g. All entrances and exits shall be:

(1) Clearly defined and identifiable using architectural treatments, lighting, and signage;

(2) Pedestrian entrances shall be adequately covered, recessed, or treated with a permanent architectural feature to provide weather protection;

(3) Designed to reduce safety hazard(s) when vehicles enter and exit the facility. A clear vision triangle shall be provided and maintained per 8-4E-3 Public Street Connections and pedestrian pathway(s) and sidewalk(s) that cross drive aisles shall be clearly delineated.

B. Improvements:

1. Surface: All off street motor vehicle parking areas and driveways into and through a parking area shall be ~~improved with a compacted gravel base, not less than four inches (4") thick, surfaced with~~ dustless material, including, but not limited to, asphalt, concrete, pavers, infiltration pavers, paver bricks, or recycled asphalt:

a. This standard shall not apply to temporary uses;

~~b. Residential~~ Single Family Residential uses may provide a substitute surface material where it can be demonstrated that the materials do not generate dust.

2. Drainage: All parking and loading areas shall provide proper drainage of surface water to prevent the flow of water onto adjacent properties ~~or, walkways, or streets~~;

3. Wheel Restraints: All off street parking areas for nonresidential uses shall be provided with a substantial wheel restraint to prevent cars from encroaching upon abutting private and public property or overhanging beyond the designated parking stall dimensions. This standard shall not apply to temporary uses;

4. Overhangs: When a bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two feet (2') in length if two feet (2') is added to the width of the sidewalk or landscaped area planted in ground cover;

5. Lighting: Any parking area for nonresidential uses which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate parking lots shall be so arranged as to reflect the light away from the adjoining property and ~~be on a motion detector or timer~~ adhere to 8-4A-4 Outdoor Lighting;

6. Encroachment: No parking shall encroach on adjacent property, in the on-site required landscape area, or across pedestrian pathways.

C. Space for bicycle parking shall be provided consistent with the following location and design standards:

1. Bicycle parking spaces shall:

a. Be a minimum space six feet (6') long by two feet (2') wide;

b. On- site spaces shall be located as close as possible within fifty feet (50') to the building entrance(s);

c. Public bicycle spaces may be provided within three hundred feet (300') of the property in lieu of on-site spaces. If public bicycle spaces are provided, legally binding documentation including property owner approval, maintenance responsibility, and public use allowance shall be provided to the city;

~~e.~~d. Be separated by a physical barrier to protect the bicycle from damage by motor vehicles if located within a motor vehicle parking area. The physical barrier can be curbs, poles, wheel stops, or other similar features;

d.e. Be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered;

e.f. Be easily accessible from the street;

f.g. Not impede pedestrian movement or loading;

d.h. Not impede pedestrian or vehicular circulation, ~~and~~ or loading areas should be harmonious with their environment. The facilities shall be incorporated, whenever possible, into the structure's design or street furniture; and

e.i. Be located in highly well lighted areas to minimize theft and vandalism well-lit and adhere to 8-4A-4 Outdoor Lighting.

2. The bicycle support shall:

a. Support bicycles in a stable position without damage to the frame, wheels, or other components;

b. Provide for a bicycle to be locked to the frame and front wheel with one lock;

c. Be securely anchored to the lot surface so bicycles cannot be easily removed and shall be of sufficient strength to resist theft and vandalism; and

d. Not be placed too close to a wall or other obstruction so as to make use difficult to use. There shall be sufficient space (at least twenty-four inches (24" inches)) besides each parked bicycle to allow easy access.

D. Spaces for Electric Vehicle parking shall be provided consistent with the following location and design standards:

1. EV Charging Spaces shall:

a. Charging equipment shall be designed and located so as to not impede pedestrian or vehicle travel or create hazards within the public right-of-way;

b. Charging equipment shall be protected by wheel stops, bollards, or similar devices to prevent damage;

c. Charger cords shall be retractable or have a hanging or storage location outside of pedestrian pathways;

d. Cords connecting chargers to vehicles shall not cross driveways, sidewalks, or loading areas;

e. EV parking spaces with an installed Electric Vehicle Charging Station may be signed to reserve the parking space for EV users;

f. All Electric Vehicle Charging Stations shall include an emergency power shutoff located in a location easily accessible by emergency responders.

SECTION 13. That portions of Title 8 (“Development Code”), Chapter 4 (“Design and Development Regulations”), Article D (“Parking and Off Street Loading Provisions”), Section 4 (“Parking Use Standards”) Garden City Code be, and the same is hereby amended, to read as follows:

8-4D-4 **PARKING USE STANDARDS**

A. ~~Number Of Spaces: No use shall provide less than the minimum or more than the maximum number of off street parking spaces required under section 8-4D-5, “Required Number Of of Off Street Parking Spaces”, of t~~This article

B. ~~Change Of Use: Upon any change of use, the number of vehicle parking spaces to be provided, including motor vehicle, bicycle, and accessible motor vehicle requirements,~~ shall be calculated according to the requirements of this article for the new use

C. ~~Use Of Property; Phased Projects: The use of any property is conditional upon the unqualified continuance and availability of the parking as required by this code In phased projects, individual phases of the project are exempt from the maximum parking standards, provided that the project does not exceed the maximum allowable parking at build-out.~~

D. ~~Equivalent Facilities: No required parking area or space provided, as required by this article, shall later be eliminated, reduced, or converted in any manner unless other equivalent facilities approved by the city are provided~~

E. ~~Temporary Uses: Required motor vehicle parking spaces shall be used for motor vehicle parking only, except as may be allowed for a temporary use in compliance with the requirements as set forth in section 8-2C-36 38, “Temporary Uses”, of this title~~

F. ~~Parking Use for Residential Dwellings:~~

~~1. Parking of one commercial vehicle as defined in chapter 7 of this title per property may be allowed, provided it is operated by the occupant and used to commute from home to work at an off-site location or used as part of an approved home occupation;~~

2. Vehicles without current registration shall not be parked or stored on any residential property other than in an enclosed space; and

3. One boat and one travel trailer less than six feet (6') in length may be stored in the side or rear yard;

4. Tandem parking use is allowed to meet the parking requirements; and One on-street parking space a minimum of twenty feet (20') in length may qualify as a required parking space.

SECTION 14. That portions of Title 8 (“Development Code”), Chapter 4 (“Design and Development Regulations”), Article D (“Parking and Off Street Loading Provisions”), Section 5 (“Required Number of Off-Street Parking Spaces”), Garden City Code be, and the same is hereby amended, to read as follows:

8-4D-5 REQUIRED NUMBER OF OFF-STREET PARKING SPACES

A. Residential Uses: The minimum number of required off street motor vehicle parking for residential uses shall be in accord with table 8-4D-2 of this subsection

TABLE 8-4D-2 REQUIRED <u>MOTOR VEHICLE</u> PARKING SPACES FOR RESIDENTIAL USES		
Use	Total Parking Spaces Per Dwelling Unit	Required Parking Spaces Per Dwelling Unit Required <u>Covered</u> Parking <u>Per Dwelling</u> Unit <u>Spaces Within an</u> Enclosed <u>Garage or</u> Carport
<u>Dwelling, Accessory:</u>	<u>0</u>	<u>0</u>
<u>Dwelling, multi-family and Dwelling, Group:</u>		
<u>1 and 2 bedrooms</u>	1	1
<u>More than 4 2 bedrooms</u>	2	1
<u>Dwelling, single-family (attached and detached) and Dwelling, two-family attached:</u>		
<u>1 and 2 bedrooms</u>	<u>2</u>	1
<u>More than 4 2 bedrooms</u>	2	<u>2</u>
<u>Dwelling, single-family detached</u>	2	4
<u>Dwelling, 2 unit:</u>		
<u>1 bedroom</u>	2	4
<u>More than 1 bedroom</u>	<u>2</u>	<u>2</u>

Guest Parking

For developments with more than 2 dwelling units there shall be 0.5 additional parking spaces/unit provided for guest parking for the first 10 dwelling units. There shall be 0.1 parking spaces/unit provided for guest parking for every unit after the first 10 units.

B. Non-Residential Uses: The minimum number of required off street motor vehicle parking for non-residential uses shall be in accord with table 8-4D-3 of this subsection

<u>TABLE 8-4D-3 REQUIRED MOTOR VEHICLE PARKING SPACES FOR NON-RESIDENTIAL USES</u>		
<u>Parking Needs</u>	<u>Uses</u>	<u>Minimum Number of Spaces Required</u>
<u>High</u>	<u>Amusement center;</u> <u>Church or place of religious worship;</u> <u>Club;</u> <u>Commercial entertainment facility;</u> <u>Drinking establishment, full service;</u> <u>Drinking establishment, limited service;</u> <u>Eating establishment, full service;</u> <u>Eating establishment, limited service;</u> <u>Hospital;</u> <u>Mortuary;</u> <u>Personal service;</u> <u>Public service facility;</u> <u>Public uses (libraries and similar functions);</u> <u>School;</u> <u>Service provider;</u> <u>Tobacco entertainment facility;</u> <u>Warehouse and storage, wholesale (when utilized as a terminal yard).</u>	<u>1 space per every 500 gross square feet</u>
<u>Medium</u>	<u>Animal care facility;</u> <u>Artist studio;</u> <u>Bicycle sales, service, storage, rental;</u> <u>Building material, garden, and equipment;</u>	<u>1 space per every 1,000 gross square feet</u>

	<u>processing;</u> <u>Daycare, center;</u> <u>Daycare, neighborhood;</u> <u>Equipment rental, sale,</u> <u>and service</u> <u>Food products, Fuel</u> <u>sales;</u> <u>Industry, flex;</u> <u>Industry, light;</u> <u>Drive-through</u> <u>establishment;</u> <u>Financial institution</u> <u>Food products, small</u> <u>scale processing;</u> <u>Food store;</u> <u>Health club;</u> <u>Healthcare and social</u> <u>service;</u> <u>Industry, information;</u> <u>Laboratory - medical,</u> <u>dental, optical;</u> <u>Laundromat, self-service</u> <u>cleaner;</u> <u>Lending institution;</u> <u>Nursery;</u> <u>Nursing and residential</u> <u>care;</u> <u>Professional service;</u> <u>Public uses</u> <u>(administrative offices</u> <u>and similar functions);</u> <u>Research and</u> <u>development;</u> <u>Retail production;</u> <u>Retail store;</u> <u>Sexually oriented</u> <u>businesses;</u> <u>Vehicle service;</u> <u>Tobacco retail store.</u>	
<u>Low</u>	<u>Fuel yard;</u> <u>Kennel;</u> <u>Laundry and dry-</u> <u>cleaning establishment;</u> <u>Laundry and dry</u> <u>cleaning, commercial</u> <u>plant;</u>	<u>1 space per every 2,000</u> <u>gross square feet</u>

	<u>Public uses (parks and similar functions);</u> <u>Storage facility or yard;</u> <u>Storage facility, self-service;</u> <u>Storage yard, commercial recreational vehicle;</u> <u>Vehicle; rental;</u> <u>Vehicle sales;</u> <u>Vehicle washing facility;</u> <u>Vehicle wrecking yard;</u> <u>Warehouse and storage, wholesale (when utilized for the principal purpose of storage).</u>	
<u>Negligible</u>	<u>Agriculture;</u> <u>Home occupation;</u> <u>Daycare, personal;</u> <u>Wireless communication facility.</u>	<u>No Parking Required</u>
	<u>Bed and breakfast;</u> <u>Lodging</u>	<u>.5 per guest room + 1 per 1,000 gross square feet</u>
	<u>Manufactured/mobile home park.</u>	<u>Refer to 8-4J Manufactured and Mobile Home</u>
	<u>Recreational vehicle park</u>	<u>Refer to 8-2C-33: RECREATIONAL VEHICLE PARK</u>
	<u>Temporary Use</u>	<u>Determined based on equivalent use.</u>

~~B. Nonresidential And Mixed Uses: The minimum and maximum number of required off street vehicle parking for nonresidential uses and mixed use shall be determined by the planning official based on the following criteria:~~

- ~~1. The specific use(s) proposed and/or on the property;~~
- ~~2. Uses in the vicinity of the property;~~
- ~~3. A traffic study, if prepared, forecasting the expected traffic and parking needs expected from the use(s);~~
- ~~4. The availability of on street, shared, and/or public parking within the vicinity of the use; and~~

5. The availability of public transit, vanpooling or other alternative transportation to serve the use.

C. Appeal: When in the determination of the planning official, there is insufficient parking or the proposed parking is oversupplied to meet the needs of the use(s), the planning official's determination may be appealed to the planning and zoning commission in accordance with the provisions set forth in section 8-6A-9, "Appeals", of this title.

DC. Bicycle Parking Standards

1. Bicycle parking facilities shall be provided for any new non-residential structure, or an addition to any non-residential existing structure, that exceeds fifteen thousand (15,000) square feet in gross floor area, or any multi-family development of three (3) or more units;

2. Bicycle parking facilities shall be provided in compliance with table 8-4D-34 of this subsection, with fractional requirements for bicycle parking over 0.5 to be rounded up.

**TABLE 8-4D-34
REQUIRED BICYCLE PARKING SPACES**

<u>Parking Needs</u>	Type Of Use	Minimum Number Of of Bicycle Parking Spaces Required
	<u>Amusement center;</u> <u>Artist studio;</u> <u>Church or place of religious worship;</u> <u>Club;</u> <u>Commercial entertainment facility;</u> <u>Drinking establishment, full service;</u> <u>Drinking establishment, limited service;</u> <u>Eating establishment, full service;</u> <u>Eating establishment, limited service;</u> <u>Personal service;</u> <u>Public service facility;</u> <u>Public uses (libraries and similar functions);</u> <u>School;</u> <u>Tobacco entertainment facility;</u> <u>Drive-through establishment;</u> <u>All nonresidential structures</u>	1 space per <u>500 square feet</u> 20 vehicle spaces and <u>1 space per</u> commercial tenant
<u>High</u>	<u>Hospital;</u> <u>Mortuary;</u> <u>Warehouse and storage, wholesale</u> <u>(when utilized as a terminal yard);</u> <u>Animal care facility;</u>	<u>1 space per 1,000 square feet</u>

	<u>Bicycle sales, service, storage, rental;</u> <u>Building material, garden, and equipment;</u> <u>processing;</u> <u>Daycare, center;</u> <u>Daycare, neighborhood;</u> <u>Equipment rental, sale, and service</u> <u>Food products, Fuel sales;</u> <u>Industry, flex;</u> <u>Industry, light;</u> <u>Financial institution</u> <u>Food products, small scale processing;</u> <u>Food store;</u> <u>Health club;</u> <u>Healthcare and social service;</u> <u>Industry, information;</u> <u>Laboratory - medical, dental, optical;</u> <u>Laundromat, self-service cleaner;</u> <u>Lending institution;</u> <u>Nursery;</u> <u>Nursing and residential care;</u> <u>Professional service;</u> <u>Public uses (administrative offices and similar functions);</u> <u>Research and development;</u> <u>Retail production;</u> <u>Retail store;</u> <u>Service provider;</u> <u>Sexually oriented businesses;</u> <u>Vehicle service;</u> <u>Tobacco retail store</u>	
<u>Medium</u>	<u>Fuel yard;</u> <u>Kennel;</u> <u>Laundry and dry-cleaning establishment;</u> <u>Laundry and dry cleaning, commercial plant;</u> <u>Public uses (parks and similar functions);</u> <u>Storage facility or yard;</u> <u>Storage facility, self-service;</u> <u>Storage yard, commercial recreational vehicle;</u> <u>Vehicle; rental;</u> <u>Vehicle sales;</u>	<u>1 space per 4,000 square feet</u>

	<u>Vehicle washing facility;</u> <u>Warehouse and storage, wholesale (when utilized for the principal purpose of storage).</u>	
<u>Low</u>	<u>Agriculture;</u> <u>Home occupation;</u> <u>Daycare, personal;</u> <u>Vehicle wrecking yard;</u> <u>Wireless communication facility.</u>	<u>No spaces required</u>
	<u>Manufactured/mobile home park;</u> <u>Multi-family residential structures (3 or more dwelling units) including units in a mixed-use project.</u>	<u>0.5 spaces/unit for the first 10 dwelling units. Then 0.1 parking spaces/unit for every unit after the first 10 units; and</u> <u>3 spaces or One covered additional space for every 6 dwelling units/home</u>
	<u>Bed and breakfast;</u> <u>Lodging Recreational vehicle park.</u>	<u>1 space per 1,000 square feet; and</u> <u>One space per room/pad that is available for rent</u>

D. Calculation of Required Spaces: The number of required parking spaces shall be calculated according to the following rules:

1. Use Determination: The use or uses as defined in 8-7A-1 "Definition of Uses" that best describes the proposed use or uses shall be utilized. If a proposed use is not specifically listed the decision maker will determine and utilize the parking ratio of a defined use that is most like the proposed use. If no use is specified, the high parking needs category of Table 8-4D-3 and Table 8-4D-4 will be utilized;
2. Square footage determination: The area to be included in the calculations when based on square footage shall be the gross area within a structure on site dedicated to the use. Areas dedicated to landscaping, ancillary storage, open space etc. shall not be included in the calculation;
3. Fractions. If the calculation of required parking results in the requirement of a fractional space, such fraction, if one-half (0.5) or greater, shall be considered one additional space; if the fraction is less than one-half (0.5), it shall result in no additional spaces;
4. Bedrooms. Where an on-site parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom as determined by the adopted building code shall be counted as a bedroom;

5. Sites with Multiple Uses. If more than one (1) use is located on a site, the number of required parking spaces shall be equal to the sum of the requirements of each use;

6. EV parking spaces may be provided. Each EV parking space provided shall be counted towards the minimum off-street parking requirements for the project;

7. Tandem Parking. Tandem parking that is self-service (as opposed to valet or mechanically operated) cannot be used for required parking unless:

a. Self-service tandem parking is intended for residential single-family dwellings and/or manufactured/ mobile home use; and

b. Parking is controlled by a single tenant; or

c. Through a conditional use permit or planned unit development.

8. Compact Parking. A maximum of fifty percent (50%) of the required parking spaces can be compact. Multifamily, mixed use, and nonresidential compact spaces shall be clearly marked as such on the pavement or curb or otherwise signed;

9. Upon any change of use, the number of vehicle parking spaces to be provided shall be calculated according to the requirements of this policy for the new use.

10. Parking of non-residential spaces as reviewed and approved under the provisions of Garden City Code 8-3C, "Suren Mitchell Work-Live-Create", prior to September 12, 2022, shall not be required to provide additional parking for the non-residential spaces so long as the use is primarily for the production or sales of goods and services and there is no increase in the square footage dedicated to non-residential use.

SECTION 15. That portions of Title 8 ("Development Code"), Chapter 4 ("Design and Development Regulations"), Article D ("Parking and Off Street Loading Provisions"), Section 6 ("Standards for Alternatives to On-Site Parking"), Garden City Code be, and the same is hereby amended, to read as follows:

8-4D-6 STANDARDS FOR ALTERNATIVES TO ON-SITE EQUIVALENT PARKING ADJUSTMENTS:

~~Alternatives to providing on-site parking are encouraged, including, but not limited to, shared use facilities, access to transit and availability of other forms of transportation such as carpools and vanpools.~~

A. Equivalent Parking Adjustments

1. No required parking, serving any use, may be reduced in amount or changed in design, location, or maintenance, below the requirements for such use, unless an equivalent substitute facility or adjustment is provided;

2. Alternatives to providing on-site parking may be achieved by utilizing criteria found in Table 8-4D-6 "Equivalent Parking Adjustments";

3. If requesting equivalent parking:

a. Adequate documentation shall be required to demonstrate the requested on-site reduction is warranted;

b. Adequate documentation shall be required to demonstrate compliance;

c. All contracts, agreements, and programs shall provide legally binding documentation;

d. The decision maker or Planning Official may require additional information or documentation not identified in Table 8-4D-6 Equivalent Parking Adjustments to determine compliance;

e. The applicant may request an exception of one (1) or more requirements or criteria identified in Table 8-4D-6 Equivalent Parking Adjustments. Should it be determined by the decision maker that the requirement(s) are unnecessary for compliance with the purpose, intent, and requested adjustment, the decision maker can allow for an exception.

4. Reductions pertain only to the parking spaces that are subject to the parking adjustment that is being requested. For example, an adjustment that pertains only to non-residential uses shall not be applied to the parking requirements for a portion of a project that is residential;

~~A. Conditions: Conditions favorable to providing alternatives to on-site parking are as follows:~~

~~1. Shared use:~~

~~a. There are convenient pedestrian connections between separate properties;~~

~~b. The properties and/or uses are within one-fourth (1/4) mile of each other;~~

~~c. The principal operating hours of the uses are not in substantial conflict with one another; and~~

~~d. Directional signs provide notice of the availability of parking.~~

~~2. Alternative transportation:~~

~~a. There is a transit stop within one-fourth (1/4) mile of the use; or~~

~~b. There is an incentive program for carpooling, vanpooling, or transit supported by the employer.~~

~~c. There are shower facilities and lockers to support and encourage the use of nonmotorized transportation by employees.~~

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B. Agreement:

~~1. All parties involved with a joint use parking area shall submit a written agreement to the planning official, signed by the applicable parties involved. The agreement shall specify the following:~~

~~a. Party or parties responsible for construction; and~~

~~b. Party or parties responsible for maintenance.~~

~~2. The applicant or owner shall record such agreement with the Ada County recorder prior to issuance of any permits.~~

~~3. The shared use parking agreement may be terminated by the parties only if off street parking is provided in conformance with this article and approved by the planning official prior to the termination.~~

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**TABLE 8-4D-6
EQUIVALENT PARKING ADJUSTMENTS**

<u>METHOD and DESCRIPTION</u>	<u>APPLICABILITY</u>	<u>REQUIREMENTS and CRITERIA</u>	<u>MAXIMUM ALLOWED REDUCTION</u>
<p><u>Parking Time Limits/ Pay for Parking.</u></p> <p><u>Paid parking and parking time maximums keep the available stock of on-site parking fluid.</u></p>	<p><u>Residential guest parking and non-residential uses.</u></p>	<ul style="list-style-type: none"> <u>All parking dedicated to the non-residential use or guest parking that is requesting a reduction must have the time limit or hourly parking fee.</u> <u>Must have agreement with towing company or other enforcement mechanism to ensure compliance.</u> <u>Documentation demonstrating that the program will be ongoing and effectively managed to meet the purpose is required.</u> <u>Timeframe established needs to reflect intention of strategy. For example, 2 hours maximum parking, or patrons must pay by the hour.</u> 	<p><u>20% for non-residential uses and 40% of residential guest parking.</u></p>
<p><u>Unbundle Parking.</u></p> <p><u>Allow for the choice of other methods of transportation over the cost of paying for parking.</u></p>	<p><u>Residential uses.</u></p>	<ul style="list-style-type: none"> <u>All off-street spaces shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.</u> <u>Renters or buyers of on-site inclusionary affordable units shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units.</u> <u>All spaces requesting the reduction must be unbundled.</u> <u>The parking space must be leased or sold at market value.</u> <u>The dwellings must be within a development adjacent to public streets with metered or permit parking.</u> 	<p><u>25%.</u></p>

<p><u>Car Share.</u></p> <p><u>A single car would be shared amongst multiple users on one site. This reduces the need for individual cars.</u></p>	<p><u>Residential uses.</u></p>	<ul style="list-style-type: none"> • <u>Legal agreement.</u> • <u>Documentation demonstrating that the program will be ongoing and effectively managed to meet the purpose is required.</u> • <u>No surcharge to the user of the shared car.</u> • <u>Car must be available to users, except when in use by another user or undergoing maintenance.</u> • <u>The car must be stored within ¼ mile as walked rather than measured from the shortest distance on a map.</u> • <u>Car must be equally available to all users.</u> <u>A minimum of one car shall be provided for every 10 dwelling units.</u> 	<p><u>Four spaces for every car share car provided.</u></p>
<p><u>Parking Benefit District.</u></p>	<p><u>All Uses.</u></p>	<p><u>There must be an applicable adopted Parking Benefit District.</u></p>	<p><u>0-100% dependent upon the adopted district's allowance.</u></p>
<p><u>Parking Agreement.</u></p> <p><u>Provides parking off-site and allows for flexibility for changes over time.</u></p>	<p><u>All uses.</u></p>	<ul style="list-style-type: none"> • <u>All parties involved with a joint use parking area shall submit a written agreement that is signed by the applicable parties involved and notarized.</u> • <u>The agreement shall specify the following:</u> <ul style="list-style-type: none"> ○ <u>Party or parties responsible for construction; and</u> ○ <u>Party or parties responsible for maintenance.</u> ○ <u>The shared use parking agreement may be terminated by the parties only if off street parking is provided in conformance with this article and approved by the planning official prior to the termination.</u> 	<p><u>100%.</u></p>

		<ul style="list-style-type: none"> • <u>The agreement shall be recorded with the Ada County recorder prior to issuance of any permits.</u> • <u>Directional signs must be provided noting the availability of parking.</u> • <u>Parking must be signed and dedicated for the use(s) utilizing the parking.</u> • <u>There must be continuous, code compliant sidewalk that connects the use to the parking.</u> • <u>If Americans with Disabilities Act (ADA) accessible parking is provided through a parking agreement, there shall be an Americans with Disabilities Act (ADA) accessible route between the two locations.</u> • <u>The parking must be within ¼ mile as walked rather than measured from the shortest distance on a map.</u> • <u>For Americans with Disabilities Act (ADA) accessible spaces the distance shall comply with Americans with Disabilities Act (ADA) guidelines and the adopted building code. Meet criteria for Shared Parking: Different Users on same site.</u> • <u>The parking must be complaint parking for all uses utilizing the parking area.</u> • <u>Parking dedicated to tenants is monitored with stickers/towing, etc.</u> 	
<u>Public Parking System Participation.</u> <u>Provides parking off-site and allows for</u>	<u>All uses.</u>	<ul style="list-style-type: none"> • <u>There must be an active program adopted by City Council to utilize this method.</u> • <u>An In-lieu fee shall be provided. The amount of the in-lieu fee shall be calculated and paid as set forth in a resolution of the City Council.</u> 	<u>100%.</u>

<p><u>flexibility for changes over time.</u></p>		<ul style="list-style-type: none"> • <u>Use of Funds. In-lieu fees shall be used for programs to reduce parking impacts including, but not limited to, the costs of any of the following:</u> <ul style="list-style-type: none"> ○ <u>Off-street parking facilities, including acquisition, development, and maintenance.</u> ○ <u>Transit operations for services within Garden City.</u> ○ <u>Transit incentives for ridesharing and transit use; or</u> ○ <u>Bicycle and pedestrian capital facilities or maintenance thereof.</u> • <u>The parking must be within ¼ mile as walked rather than measured from the shortest distance on a map.</u> • <u>For Americans with Disabilities Act (ADA) accessible- spaces the distance shall comply with Americans with Disabilities Act (ADA) guidelines and the adopted building code.</u> • <u>There must be continuous, Americans with Disabilities Act (ADA) compliant sidewalk that connects the use to the parking.</u> 	
<p><u>Shared Parking: Mixed Use.</u></p> <p><u>Uses on the same or nearby sites utilizing the same parking stalls at separate times.</u></p>	<p><u>All uses.</u></p>	<ul style="list-style-type: none"> • <u>A parking demand study shall be provided that is prepared by an independent traffic engineering professional supports the proposed by demonstrating:</u> <ul style="list-style-type: none"> ○ <u>The principal operating hours of the uses will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces.</u> 	<p><u>1 space per each space that can fully accommodate more than one use.</u></p>

		<ul style="list-style-type: none"> • <u>In the case of a shared parking facility that serves more than one property, a parking agreement has been prepared consistent with the provisions of off-site parking facilities. The parking provided will be adequate to serve each use.</u> 	
<p><u>Shared Parking: Live: Work.</u></p> <p><u>Uses on the same lot where the employee and resident are the same allows for a reduction in employee parking needs.</u></p>	<p><u>All uses that have a non-residential use that also includes a residence of the business owner or an employee on the same site.</u></p>	<ul style="list-style-type: none"> • <u>Documentation demonstrating primary residency and full-time employment are on-site for each individual for which a parking reduction is requested.</u> • <u>Documentation must be updated with each tenant change.</u> 	<ul style="list-style-type: none"> • <u>Reduction of one space for each full-time resident whose primary employment is also at the same property.</u>
<p><u>Affordable Housing.</u></p> <p><u>Due to the demand on household budgets that are below the AMI (Area Median Income) there is less availability to be able to afford a vehicle.</u></p>	<p><u>Residential uses.</u></p>	<ul style="list-style-type: none"> • <u>Documentation demonstrating legally binding program.</u> • <u>Calculation of the parking minimums and maximums shall be the total of all the non-residential and residential uses on site.</u> • <u>Program must provide 15 years or more of affordable housing. Must provide each unit with an annual transit pass for each of the years that the units are dedicated to affordable housing.</u> 	<ul style="list-style-type: none"> • <u>125 % reduction for the portion of the housing that is dedicated to 60-31% AMI.</u> • <u>150 % reduction for the portion of the dwelling units that are dedicated to 30% or less of AM.I</u>
<p><u>Existing Structure</u></p>	<p><u>All non-residential</u></p>	<ul style="list-style-type: none"> • <u>Documentation demonstrating that there is no room on site to provide the required parking without causing the existing structure to be demolished or necessitating site improvements that would render the site non-compliant with code.</u> • <u>Substantial alterations of the structure and site cannot occur in conjunction with the new use.</u> 	<ul style="list-style-type: none"> • <u>50%</u>

<p><u>Transit Pass.</u></p> <p><u>Providing a pass, it makes it more convenient to the resident or employee to choose transit. Depending on the size of the development or employer it also creates a volume of ridership at a concentrated location.</u></p>	<p><u>All uses.</u></p>	<ul style="list-style-type: none"> • <u>Documentation demonstrating legally binding program.</u> • <u>The pass must be provided annually Transit passes must be provided to all employees of non-residential or per bedroom of residential.</u> 	<ul style="list-style-type: none"> • <u>20%.</u>
<p><u>Transit Funding.</u></p> <p><u>Provided dedicated funding to Valley Regional Transit so that they can provide better services. More convenient and usable services may result in increased ridership.</u></p>	<p><u>All uses.</u></p>	<ul style="list-style-type: none"> • <u>Legal agreement for annual funding with the city.</u> • <u>Funding must be provided annually.</u> 	<ul style="list-style-type: none"> • <u>The fee for space reduction shall be based on an adopted fee schedule.</u> • <u>Up to 50% total reduction.</u>
<p><u>Construction of Transit or Micro mobility infrastructure.</u></p> <p><u>Comfortable and safe access to transit stops will promote the use of transit. Potential infrastructure may include sidewalks.</u></p>	<p><u>All Uses.</u></p>	<ul style="list-style-type: none"> • <u>The cost to construct the infrastructure.</u> • <u>Infrastructure must be approved by Valley Regional Transit and Garden City as a viable transit supportive infrastructure, such as, but not limited to sidewalk not adjacent to subject site, a bike share program, or bus shelter.</u> • <u>The fee for space reduction shall be based on an adopted fee schedule.</u> • <u>Improvements must be beyond that which is already required by code (such as code</u> 	<p><u>75%.</u></p>

<p>bicycle lanes, bus shelters, pull-outs, self-service bike station (bike share), ride-share spaces, etc.</p> <p>Providing construction of facilities off-sets costs that can be reallocated to operations, potentially facilitating more frequent service. More convenient and usable services may result in increased ridership.</p>		<p><u>required sidewalk installation adjacent to the subject project) or otherwise required for a parking adjustment.</u></p> <ul style="list-style-type: none"> • <u>The improvements cannot be scheduled in a transportation agency capital improvement plan for construction within the next five years.</u> • <u>Infrastructure must be within ¼ walkable mile rather than measured from the shortest distance on a map.</u> <u>Infrastructure must be fully compliant (e.g., a sidewalk street connection must be detached and provide street trees, and if applicable, on street parking).</u> 	
<p><u>Existing Multimodal.</u></p>	<p><u>All uses.</u></p>	<ul style="list-style-type: none"> • <u>A density of 25 units/ acre or greater and a Floor Area Ratio (FAR)>1.</u> • <u>There is a direct improved bicycle connection to the Greenbelt or other bicycle trails;</u> • <u>Americans with Disabilities Act (ADA) compliant sidewalks that are existing or within a public planned and funded within a public five-year capital improvement plan from the site to and within ½ mile as walked of transit; and to and within ¼ mile as walked of at least the following basic services:</u> <ul style="list-style-type: none"> ○ <u>Two or more Eating Establishments and or Drinking Establishments;</u> ○ <u>A place for entertainment;</u> ○ <u>School;</u> ○ <u>Food store; and</u> ○ <u>At least two of the following;</u> 	<p><u>25% within ¼ mile.</u></p> <p><u>10% within ½ mile.</u></p>

		<p><u>A Church or place of religious worship;</u> <u>Day care; Park; Library; Laundry or dry</u> <u>cleaning establishment; Personal</u> <u>services; Professional services;</u></p> <ul style="list-style-type: none">○ <u>Health care and social services; Post</u> <u>office; and/ or Health club.</u>	
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B. Reductions to On-site Parking. Required parking for any use may be reduced through an approval of a conditional use permit or a planned unit development. Parking reductions will be specific to the use that is evaluated. A change of use will nullify a parking reduction approval.

1. Criteria for Approval of a Parking Reduction. The decision maker may approve reduced parking if it finds that:

a. The subject property is deprived the rights and privileges enjoyed legally by other properties in the vicinity because of the parking requirements;

b. Special conditions, including, but not limited to, the nature of the proposed operation; transportation characteristics of the use and, or persons residing, working, or visiting the site exist that will reduce the parking demand at the site beyond that which could be reasonably achieved through utilizing the criteria of Table 8-4D-6 "Equivalent Parking Adjustments";

c. The use(s) will adequately be served by the proposed on-site parking; and

d. Parking demand generated by the project will not have an impact on the supply of on-street parking in the surrounding area.

C. Parking Demand Study. In order to evaluate a proposed project's compliance with the above criteria, a parking demand study that substantiates the basis for granting a reduced or increased number of spaces shall be submitted. The study should minimally provide the following information:

1. A statement documenting the need for a reduction in parking;

2. A detailed site plan and parking space count;

3. Anticipated occupant load per the current adopted building code for all structures on site;

4. Anticipated number of outdoor patrons of the site; and

5. Documentation providing verification of conditions that warrant a parking reduction or increase.

SECTION 16. That portions of Title 8 ("Development Code"), Chapter 4 ("Design and Development Regulations"), Article D ("Parking and Off Street Loading Provisions"), Section 7 ("Off Street Loading Standards"), Garden City Code be, and the same is hereby amended, to read as follows:

8-4D-7 **OFF STREET LOADING STANDARDS:**

A. Off Street Loading Space Requirements:

1. Off street loading spaces for nonresidential uses shall be provided as set forth in table 8-4D-4 of this subsection.

TABLE 8-4D-6
REQUIRED LOADING SPACES

Gross Floor Area in Square Feet	Required Type and Number Of Spaces
0 to 36,000	1 type B
36,001 to 100,000	1 type A and 1 type B
Each additional 75,000 or fraction thereof	1 additional type A

2. Type A spaces shall be not less than twelve feet (12') in width and thirty-five feet (35') in length. Type B spaces shall be not less than fifteen feet (15') in width and sixty-five feet (65') in length.

BA. Off Street Loading Space and Access Requirements

1. All spaces shall have fourteen feet (14') of vertical clearance;

2. On-site drive aisles, on-site parking, or private roads can be designed to have a dual purpose to accommodate the required loading;

4.3. Access driveways for parking areas shall be located in such a way that any vehicle entering or leaving such an area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street. Access shall conform to the clear vision requirements and the vehicle and pedestrian circulation standards in article E, "Transportation and Connectivity Provisions", of this chapter;

2.4. Except for an alley, loading areas shall be designed so vehicles shall not back out into the street; or project into the public right of way or setback area;

3.5. Convenient access to loading spaces from streets or alleys shall be provided with not less than fifteen feet (15') in width.

CB. Off Street Loading Requirements Adjacent to A Residential District

1. No dedicated off-street loading space shall be located closer than fifty feet (50') to a residential district unless fully enclosed or within an enclosure of walls twelve feet (12') high;
2. No dedicated off-street loading space shall face an abutting residential district;
3. ~~Any off-street loading space located within fifty feet (50') of a residential district shall not operate between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.~~

SECTION 17. That portions of Title 8 ("Development Code"), Chapter 4 ("Design and Development Regulations"), Article D ("Parking and Off Street Loading Provisions"), Section 7 ("Off Street Loading Standards"), Garden City Code be, and the same is hereby amended, to read as follows:

8-4D-8 PARKING BENEFIT DISTRICT

A. Definition: A Parking Benefit District is an area within which public parking is restricted, in which revenues from public parking fees, permit sales, and citations within the Parking Benefit District is allocated for projects supportive of public parking, and transit, bicycle, and pedestrian infrastructure within the district boundary

B. Purpose: Parking Benefit Districts are intended to facilitate and preserve the ability for parking of vehicles by persons attending nearby public amenities, recreational or commercial facilities, or events in areas where public parking is limited; to protect residents, businesses, customers, and guests of those areas from unreasonable burdens in gaining access to their residences, businesses, or accommodations; and; to preserve the value of property in those areas; and to preserve the safety of children and other pedestrians and traffic safety

C. Establishment of a District

1. Boundaries: The boundaries of each Parking Benefit District shall be adopted by ordinance in accordance with Development Code Amendment processes;

2. Administration: By resolution, the city shall adopt administrative measures for each Parking Benefit District;

a. Required elements:

(1) Parking management solutions established, which may include but are not limited to one or more of the following:

(A) Paid on-street public parking and or other paid public parking;

(B) Paid special event parking;

(C) Time limited parking;

(D) Permit parking.

(2) Time limitations setting the days of the week and the times of day for each of the parking management solutions allowed within the Parking Benefit District;

(3) Fees for each of the parking management solutions provided in the Parking Benefit District;

(4) Permit Restrictions:

(A) If permit parking is permitted, the maximum number of permits available within the Parking Benefit District;

(B) If permit parking is permitted, the areas where permit parking is prohibited in order to preserve the public's access to areas of activity and public amenities.

(5) Reduction, if any, to the number of required on-site parking spaces required for new uses or redeveloped properties;

b. Noticing: At least thirty (30) days prior to the start of any enforcement of the regulations, mail written notice to:

(1) Each owner and the occupant of every address within the parking district;

(2) Each owner and the occupant of every address within five hundred (500) feet outside the boundaries of the parking district;

(3) The written notice must contain the following information:

(A) The existence and boundaries of the parking district;

(B) The effective date of the parking regulations;

(C) The location of the time-restricted parking spaces, if any;

(D) If permit parking is established:

- (a) Duration and cost of parking permits;
- (b) Number of parking permits available in the Parking;
- (c) Priority permit eligibility;
- (d) Information on applying for parking permits; and
- (e) The locations that prohibit permit parking.

D. District Identification

1. Within any Parking Benefit District, each parking space subject to the Parking Benefit District's regulations shall be clearly marked;

a. Such markings may include markings to reserve one or more spaces exclusively for parking of motorbikes, motor scooters, motorcycles, bicycles, recreational vehicles, other oversized vehicles and any other legally operable vehicle and accessibility spaces;

2. Where permit parking or time limited parking is permitted, signs indicating the required permits or limitations on parking shall be installed throughout the area with such allowances.

E. Use of Fees and Revenue:

1. Fees and revenue from the Parking Benefit District shall be first used for administrative costs of the district; then the remaining funds shall be utilized for parking supportive projects in and within one-quarter (¼) mile of the Parking Benefit District;

2. Parking supportive projects include but are not limited to:

a. Additional public parking stalls;

b. Parking stall infrastructure such as parking applications; public structured or surface lots; meters; striping; etc.

c. Pedestrian infrastructure including sidewalks and streetscapes, including but not limited to streetlights, street trees; refuse receptacles; etc.;

d. Bicycle paths and facilities;

e. Transit infrastructure, including micromobility infrastructure, and operations.

3. Additional private or public funds may be combined to fund parking supportive projects within the Parking Benefit District.

SECTION 18. That portions of Title 8 (“Development Code”), Chapter 6 (“Administration”), Article B (“Specific Provisions”), Section 8 (“Minor Planned Unit Development”), Subsection D (“General Provisions for the Site Layout Template”) Garden City Code be, and the same is hereby amended, to read as follows:

D. General Provisions for The Site Layout Template

1. Site Layout Template: All minor planned unit developments (PUDs) shall be based on an approved site layout template, prepared by a licensed architect and reviewed as set forth in section 8-6B-3, “Design Review,” of this chapter and adopted through a public hearing process as set forth in section 8-6A-7 of this chapter.

2. The site layout template shall provide for the following elements:

- a. Location of proposed building footprints, common areas, private open space, paved areas, service areas, access lanes, parking, pedestrian walkways and linkages;
- b. Calculation of the number of units, building stories, parking spaces and amount of common area; and
- c. A plan that shows the opportunities for future connectivity with adjoining properties.

3. The site layout template shall meet the following criteria:

- a. Fire access and protection shall be in compliance with the International Fire Code;
- b. The common area shall be a minimum of eight percent (8%) of the site with a minimum dimension of twenty feet (20’);
- c. The minimum width of the access lane shall be twenty feet (20’);
- d. Interconnectivity shall be designed to allow for shared access or shared common area with adjoining property. Shared access may be one (1) of the following:
 - (1) An access lane that has the ability to be widened or extended;
 - (2) Multiple pedestrian connections;
 - (3) A common area that has the ability to be widened or extended.

e. The minimum dwelling unit size shall be five hundred fifty (550) square feet;

f. Minimum Setbacks:

(1) Between condominiums and multi-family structures without a firewall separation shall be ten feet (10');

(2) Between townhouse structures shall be six feet (6');

(3) To property lines external to the original lot of record shall be five feet (5');

(4) To an internal access lane shall be five feet (5').

g. Maximum Building Height: Maximum building height shall be thirty feet (30'), except where requirements of the International Fire Code can be satisfied, a maximum height of fifty-five feet (55') shall be allowed.

h. Required Parking:

Units under 700 square feet in size	1 parking space
Units 700 to 1,000 square feet in size	1.5 parking spaces
Units over 1,000 square feet in size	2.0 parking spaces
Commercial space	1 unit per 1,000 square feet

(1) Parking spaces shall be a minimum of ten feet by twenty feet (10' x 20') in dimension.

(2) Required parking spaces shall be provided in a garage or carport, with the exception that required parking may be satisfied through surface parking spaces when the spaces are well integrated into the site design and shielded from adjoining properties; or are provided in diagonal parking spaces wholly or partially on public property.

SECTION 19. That portions of Title 8 ("Development Code"), Chapter 7 ("References"), Article A ("Definitions"), Section 2 ("Definitions of Terms"), Garden City Code be, and the same is hereby amended, to read as follows:

8-7A-2 **DEFINITION OF TERMS:**

AMERICANS WITH
DISABILITIES ACT (ADA)

A federal civil rights law that prohibits discrimination on the basis of a disability that substantially limits one or more major life activities.

ELECTRIC VEHICLE
CHARGING SPACE:

An area at which electric vehicles can park and obtain electrical current to recharge batteries and that is accessory to a principal use of the property.

MOTOR VEHICLE:

Defined in Title 5 of this code.

SECTION 20. If any provision or section of this Ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision or section shall be considered separately and apart from the remaining provisions and sections of this Ordinance, which shall remain in full force and effect.

SECTION 21. All Ordinances of the City of Garden City that conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 22. That the Summary of the Ordinance, attached hereto as Exhibit A, is hereby approved as to both form and content.

SECTION 23. This Ordinance shall be in full force from and after passage, approval, and publication.

PASSED by the City Council and **APPROVED** by the Mayor of Garden City, Idaho, this ____ day of _____, 2023.

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. 1034-22**

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. 1034-22 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 _____, 2023.

Charles I. Wadams
City Attorney

**SUMMARY OF ORDINANCE NO. 1034-22
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 _____, 2023, that Ordinance No. 1034-22 entitled:

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING OR REPEALING GARDEN CITY CODE TITLE 5 (“TRAFFIC”), CHAPTER 1 (“TRAFFIC CODE”), SECTION 4 (“STOPPING, STANDING OR PARKING”); CHAPTER 9 (“PERMITS”); TITLE 8 (“DEVELOPMENT CODE”), CHAPTER 1 (“GENERAL REGULATIONS”), ARTICLE C (“PROPERTY MAINTENANCE PROVISIONS”), SECTION 3 (“PROPERTY MAINTENANCE STANDARDS”); CHAPTER 2 (“BASE ZONING DISTRICT REGULATIONS”), ARTICLE B (“BASE ZONING DISTRICT PROVISIONS”), SECTION 2 (“ALLOWED USES”); REPEALING CHAPTER 3 (“OVERLAY ZONING DISTRICT REGULATIONS”), ARTICLE D (“NEIGHBORHOOD COMMERCIAL NODE”), SECTION 3 (“GENERAL PROVISIONS”), SUBSECTION C (“PARKING”); AMENDING CHAPTER 4 (“DESIGN AND DEVELOPMENT REGULATIONS”), ARTICLE D (“PARKING AND OFF STREET LOADING PROVISIONS”), SECTION 1 (“PURPOSE”); SECTION 2 (“APPLICABILITY”); SECTION 3 (“PARKING DESIGN AND IMPROVEMENT STANDARDS); SECTION 4 (“PARKING USE STANDARDS”); SECTION 5 (“REQUIRED NUMBER OF OFF STREET PARKING SPACES”); SECTION 6 (“STANDARDS FOR ALTERNATIVES TO ON SITE PARKING”); SECTION 7 (“OFF STREET LOADING STANDARDS”); ADDING SECTION 8 (“PARKING BENEFITS DISTRICT”); AMENDING CHAPTER 6 (“ADMINISTRATION”), ARTICLE B (“SPECIFIC PROVISIONS”), SECTION 8 (“MINOR PLANNED UNIT DEVELOPMENT”), SUBSECTION D (“GENERAL PROVISIONS FOR THE SITE LAYOUT TEMPLATE”); AND AMENDING CHAPTER 7 (“REFERENCES”), ARTICLE A (“DEFINITIONS”), SECTION 2 (“DEFINITIONS OF TERMS”), REPEALING ALL ORDINANCES OR PARTS THEREOF TO THE EXTENT THEY CONFLICT WITH THIS ORDINANCE; PROVIDING ALL OTHER ORDINANCES INCLUDED IN THE OFFICIAL CODE ARE STILL IN EFFECT NOTWITHSTANDING SOME PROVISIONS THEREOF BEING ELIMINATED; REPEALING ANY OTHER ORDINANCE CREATING OR REGULATING PARKING; PROVIDING FOR SEVERABILITY; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

This Ordinance amends the Development Code to update parking requirements. The purpose of these amendments is to update parking requirements in the building code with objective standards to provide for current and future development and growth in the city.

Finally, the Ordinance provides for severability, repeals conflicting Code provisions to the extent of a conflict, and provides an effective date.

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 Idaho Code § 50-901A (4).

DATED this _____ day of _____, 2023.

ATTEST:

CITY OF GARDEN CITY, IDAHO:

Lisa M. Leiby, City Clerk

John G. Evans, Mayor

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