

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 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 14<sup>th</sup> 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 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 District shall be valid only for that Parking 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 District.

C. Priority

1. Annual or Monthly Permits

a. As the number of available parking permits within the Parking 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 District with uses that were legally established prior to the adoption of the Parking District and do not contain off-street parking, which shall have highest priority.

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

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

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

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

D. Temporary permits

1. Temporary parking permits may be available within each Parking District for a one (1) time, one (1) day use.

2. Each property within the Parking 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 District.

2. Temporary permits may not be offered in all Parking 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			<u>C</u>	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 demands needs and to provide for a flexible approach for determining parking space requirements offer flexible criteria to meet those parking demands;

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, significant improvement alteration, or moving of a structure ~~or any new or more intense use of property~~. ~~Except where required by a conditional use permit 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 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:

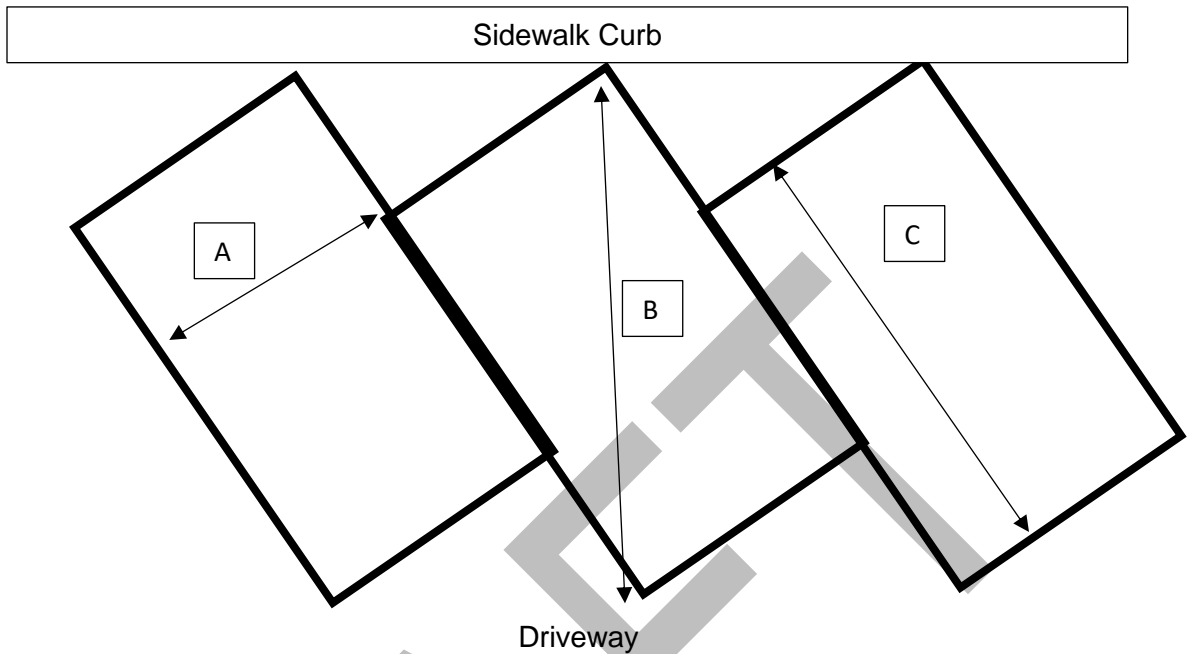
**8-4D-3 PARKING DESIGN AND IMPROVEMENT STANDARDS**

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 Depth</u> (B)	<u>Length Per Car</u> (C)	<u>Driveway Width*</u> <u>Must also meet fire requirements</u>
<u>Standard</u>				
0°	<u>9'0"</u>	<u>9'0"</u>	<u>23'0"</u>	<u>12'0"</u>
30°	<u>9'0"</u>	<u>17'8"</u>	<u>18'0"</u>	<u>12'0"</u>
45°	<u>9'0"</u>	<u>20'6"</u>	<u>12'9"</u>	<u>13'0"</u>
60°	<u>9'0"</u>	<u>21'10"</u>	<u>10'6"</u>	<u>16'0"</u>
90°	<u>9'0"</u>	<u>20'0"</u>	<u>9'0"</u>	<u>22'0"</u>
<u>Compact</u>				
0°	<u>7'6"</u>	<u>7'6"</u>	<u>14'0"</u>	<u>12'0"</u>
30°	<u>7'6"</u>	<u>14'6"</u>	<u>12.6'</u>	<u>15'0"</u>
45°	<u>7'6"</u>	<u>16'0"</u>	<u>10'6"</u>	<u>15'0"</u>
60°	<u>7'6"</u>	<u>16'9"</u>	<u>8'9"</u>	<u>15'0"</u>
90°	<u>7'6"</u>	<u>15'0"</u>	<u>7'6"</u>	<u>23'0"</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>				
<u>Curb length to be measured from front of space if no curb is provided.</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, or for spaces designated for the use of the public.

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, "Equivalent Parking Adjustments", of this article;

b. for attached residential dwelling units shall be located not more than three hundred feet (300') from the 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. b. 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, "Equivalent Parking Adjustments", of this article;

b. Parking shall be located not more than one-fourth (1/4) mile from the use, as allowed by the provisions set forth in section 8-4D-6 of this article;

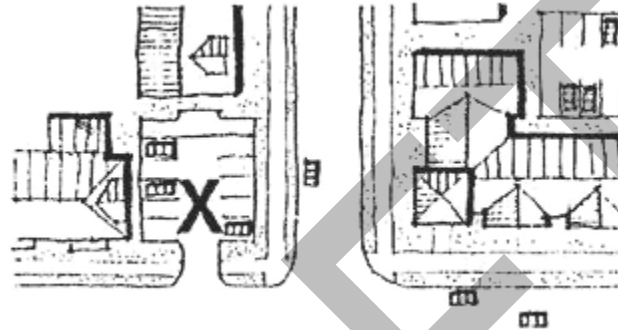
b e. Surface pParking lots shall not be located within forty feet (40') of a corner;

~~c-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 e. 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:~~

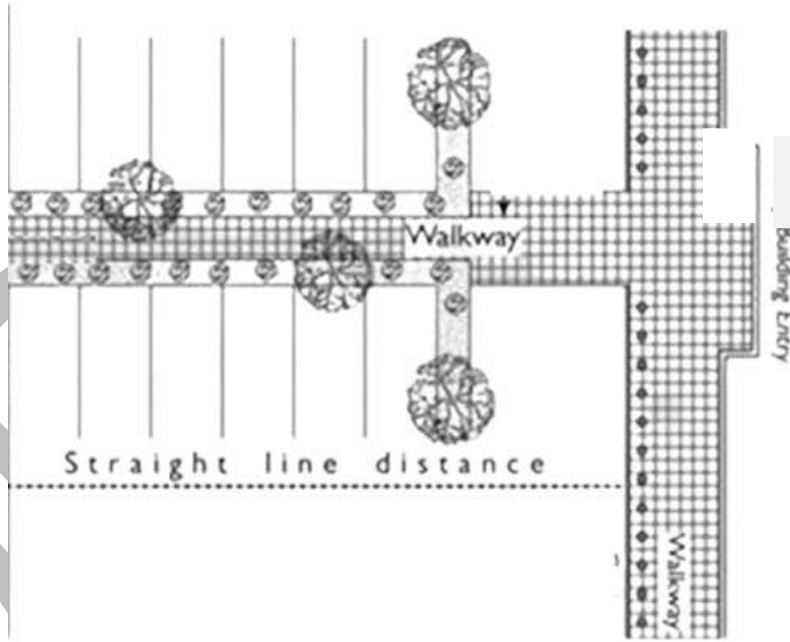
~~a. Parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from, or onto, a public or private street shall be traveling in a forward motion. Except for an alley and parallel spaces, driveway configurations which require backing in, from, or out onto the 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; and

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; and

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; and

(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; and

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 by under section 8-4D-5, “Required Number Of of Off Street Parking Spaces”, of this article.~~

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

~~B.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.~~

~~C.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.~~

~~D.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

<b>TABLE 8-4D-2            REQUIRED <u>MOTOR VEHICLE</u> PARKING SPACES FOR <u>DWELLING</u>            (RESIDENTIAL) USES</b>		
Use	Total Required Parking Spaces Per Dwelling Unit	Required <u>Covered</u> Parking Per Dwelling Unit Within an Enclosed Garage or Carport
<u>Dwelling, Accessory:</u>	<u>0</u>	<u>0</u>
<u>Dwelling, multi-family Dwelling Units: Single Family, Two Family, Group with 6 or fewer units, and Multi-family with 6 or fewer units</u>		
<u>Studio and 1 bedroom</u>	1	1
<u>More than 1 bedroom</u>	2	1
<u>Dwelling Units: Group and Multi-family with 10 or more units</u>		
	<u>1.6</u>	<u>0</u>
<u>Dwelling, single-family (attached and detached) and Dwelling, two-family attached:</u>		
<u>1 bedroom</u>	2	1
<u>More than 1 bedroom</u>	2	2
<u>Dwelling, single-family detached</u>	2	1
<u>Dwelling, 2-unit:</u>		
<u>1 bedroom</u>	2	1

More than 1 bedroom	2	2
<p><b><u>Guest Parking</u></b>  For developments with more than 2 dwelling units there shall be 0.5 additional parking spaces/unit provided for guest parking <u>for the first 10 dwelling units.</u> There shall be 0.1 parking spaces/unit provided for guest parking for every unit after the first 10 units.</p>		

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.

<b><u>TABLE 8-4D-3 REQUIRED MOTOR VEHICLE PARKING SPACES FOR NON-RESIDENTIAL USES</u></b>		
<u>Parking Demands</u>	<u>Uses</u>	<u>Minimum Number of Spaces Required</u>
<u>High</u>	<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>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>Bicycle sales, service, storage, rental;</u>	<u>1 space per every 1,000 gross square feet</u>

	<u>Building material,</u> <u>garden, and equipment;</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>1 space per every 2,000</u> <u>gross square feet</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>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>.5 per guest room + 1 per</u>
	<u>Lodging</u>	<u>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>

~~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.

DRAFT

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

<u>Parking Demands</u>	Type Of Use	Minimum Number 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>	<p>1 space per <u>500 square feet</u> <del>20 vehicle spaces</del> and <del>1 space per commercial tenant</del></p>
<u>High</u>	<u>Hospital;</u> <u>Mortuary;</u> <u>Warehouse and storage, wholesale (when utilized as a terminal yard);</u> <u>Animal care facility;</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>	<p><u>1 space per 1,000 square feet</u></p>

	<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>Vehicle washing facility;</u> <u>Warehouse and storage, wholesale (when utilized for the principal purpose of storage).</u>	<u>1 space per 4,000 square feet</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>  Multi-family residential structures (3 or more dwelling units) including units in a mixed-use project.	<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> <del>3 spaces or</del> <u>One covered 1 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>

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.~~

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 demands category of Table 8-4D-3 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 dedicated to a use.

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 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. The self-service tandem parking is proposed for residential single-family dwellings and/or manufactured/ mobile home uses; and

b. The tandem parking is controlled by a single tenant; or

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

8. Compact Parking. A maximum of thirty percent (30%) 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.

**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. 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.~~

**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.~~

**A. Equivalent Parking Adjustments**

1. Alternatives to providing on-site parking may be achieved by utilizing criteria found in this section.

2. If requesting equivalent parking:

a. If equivalent parking is provided off site:

i. In no instances shall motor vehicle parking for residential uses be located more than three hundred feet (300') from the dwelling, measured as walked, rather measured from the shortest distance on the map, via public right-of-way or easement as otherwise dedicated to the public.

ii. In no instances shall motor vehicle parking for non-residential uses be located more than one-fourth (1/4) mile from the use, measured as walked, rather measured from the shortest distance on the map, via public right-of-way or easement as otherwise dedicated to the public.

iii. There must be continuous, code compliant sidewalk that connects the use to the parking.

iv. If Americans with Disabilities Act (ADA) accessible parking is provided, there shall be an ADA accessible route between the two locations. The distance shall comply with ADA guidelines and the adopted building code.

2. 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.

3. Available public parking such as on-street motor vehicle parking or public motor vehicle parking lots are not to be utilized for the evaluation, unless there is an established program that is adopted by City Council. Provided that there is an active public program that is adopted by the City Council, such as a public parking facility that provides permit parking, or an *in lieu* fee program, a reduction of one on-site parking space per each equivalent parking space provided by the applicant through the public parking system shall be allowed.

B. Required findings for approval of a parking adjustment.

1. A request for parking reduction is not a guarantee that the reduction will be granted. The decision maker may approve reduced parking if it finds that:

- a. 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.
- b. The use(s) will adequately be served by the proposed parking.
- c. Parking demand generated by the project will not have an impact on the supply of public parking in the surrounding area.
- d. The parking reduction does not preclude or significantly diminish the ability for a different future use of the property to be adequately parked.
- e. The parking of the use will not create a nonconformity on another property.
- f. The administration of the alternative will not create a burden to the city.

C. To evaluate a proposed project's compliance with the above criteria, documentation that substantiates the basis for granting a reduced number of spaces shall be submitted.

1. Parking Demand Study: A parking demand study shall be submitted to evaluate the request. The parking demand study should minimally provide the following information:

- a. The number of spaces that the reduction is requesting;
- b. A statement documenting the need for a reduction in parking;
- c. A detailed site plan and parking space count;

- d. Anticipated occupant load per the current adopted building code for all structures on site;
- e. Anticipated number of outdoor patrons of the site; and
- f. Documentation providing verification of conditions that warrant a parking reduction.
- g. The study must demonstrate that:
  - i. The parking reduction methodology will be effective;
  - ii. The proposed reduction will be a sustainable and legal; and
  - iii. The reduction request is based on reputable sources and data and the data supports comparable local conditions.

2. Additional Documentation

- a. The decision maker or Planning Official may require additional information or documentation to determine compliance.
- b. All contracts, agreements, and programs shall be legally binding.

**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 DISTRICT**

A. Definition: A Parking district is an area within which parking regulations may deviate from this code and, or, where supplementary public parking regulations are established.

B. Purpose: Parking 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 Parking District

1. Elements to that shall be adopted by ordinance in accordance with Development Code Amendment processes:

- a. The legal boundaries of each parking district.
- b. Reductions or increases, if any, to the number of required on-site parking spaces required for new construction or redeveloping properties.
- c. Regulations that will supersede the provisions of this article.

2. Public Administration: If there is any public parking management solution proposed within a Parking District, by resolution, the city shall adopt administrative measures for that parking district.

a. Required elements:

(1) Any public parking management solutions established, which may include one or more, 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 public parking management solutions allowed within the parking district.

(3) Fees for each of the public parking management solutions provided in the parking district.

(4) Permit Restrictions:

(A) If permit parking is permitted for the use of public parking spaces, the maximum number of permits available within the Parking district.

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

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 district, each public parking space subject to the parking 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 use of public parking within a parking 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 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 a parking 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 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

DRAFT