



## CITY OF GARDEN CITY

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**File Number:** ANNFY2025-0001

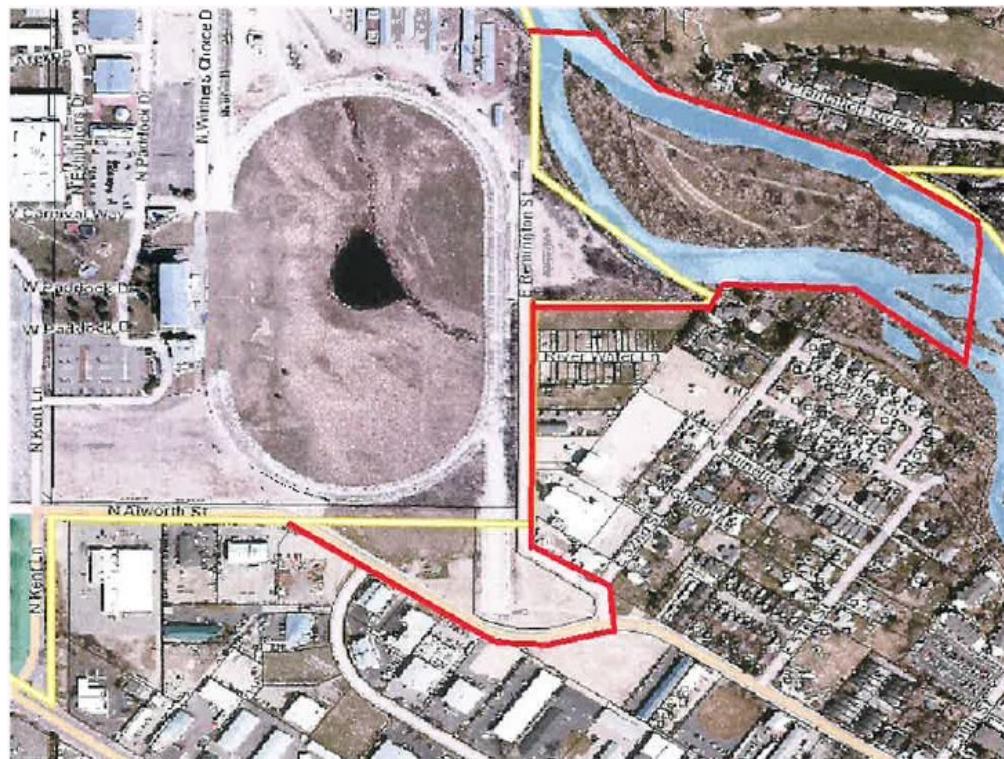
**For:** De-Annexation

**Location:** 5121 N. Alworth St. Garden City (PAR #0261 OF LOTS 17-24 BLK 02 RANDALL ACRES SUB NO 05 #0260-B) adjacent parcel (PAR#0280 OF LOTS 23-26 BLK 2 & VAC ALWORTH ST ADJ N OF LOTS RANDALL ACRES SUB NO 05) and "Plantation Island (PAR #5200 OF E2SW4 SEC 30 4N 2E #8949561& surrounding un-platted property)

**Applicant:** Garden City Police Department

**Report Date:** November 19, 2025

**Report Version:** 1



Staff Report  
Report prepared by Jenah Thornborrow

## Executive Summary

The Garden City Police Department requests a territory exclusion (de-annexation) of three parcels and adjacent un-platted property adjoining the new Ada County Park at Expo Idaho to align jurisdictional boundaries with operational responsibilities.

The application proposes removing the following properties from Garden City's boundaries:

- Two parcels owned by Ada County adjacent to Alworth/ Remington Streets and the adjacent right-of-way.
- One parcel known as Plantation Island, owned by the Idaho Parks Foundation.

Garden City Code does not address territory exclusion. Therefore, the application follows Idaho Statute § 50-225, which authorizes cities to alter boundaries by ordinance.

The report outlines a suggested decision-making process, including public hearings, required findings, and motions for recommendation and final decision. The Planning and Zoning Commission serves as the recommending body, and the City Council is the final decision-maker.

The staff recommends approval of the application, citing alignment with the Garden City Comprehensive Plan, particularly goals related to public safety, efficient service delivery, and regional coordination.

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## Record Documents ([link to all file documents](#))

Individual links:

1. Application Materials
  - a) ANNFY2025-0001 application materials
2. Staff Reports
  - a) Planning and Zoning Staff Report November 19, 2025
3. Agency Comments: linked in [Agency Comments section](#)
4. Public Comments: linked in [Public Comments section](#)
5. Noticing Documents \*not linked but available by request
6. Recommendation
  - a) Staff Recommendation
7. Draft Ordinance

## Recommendation Summary

Staff recommends approval of this application.

## Project Information

### **Proposed Scope of Work**

This application is for exclusion of territory, or a de-annexation, of three properties from the Garden City limits.

Garden City Code does not have provisions adopted for exclusion of territory applications. Therefore, Idaho Statute § 50-225 is utilized. This statute provides City Council with the authority to alter city boundaries and exclude territory by enacting an ordinance for that purpose.

Once the ordinance is passed, approved, and published a certified copy must be filed in accordance with Idaho Code § 63-215. This includes:

- A legal description and map of the altered boundaries.
- Filing with the county recorder, county assessor, and the Idaho State Tax Commission within 30 days of the effective date (or by January 10 of the following year).
- Contact information for a responsible individual associated with the city.

After filing, the city boundaries are officially altered as described in the ordinance.

### **Background**

Ada County is redeveloping approximately 50 acres of the Expo Idaho property into a public park, replacing the former Les Bois racetrack. In 2025, Ada County entered a 30-year lease with

Boise Pro Soccer to renovate the grandstands and Turf Club. The new team, Athletic Club Boise, will begin play in March 2026. Ada County retains ownership of the property.

The adjacent "Plantation Island" offers a gateway into the park via the greenbelt.

Ada County owns two parcels adjacent to Alworth/ Remington Streets and Idaho Parks Foundation owns Plantation Island. A territory exclusion application, or a de-annexation reverts the property back to the County. As the park is within Ada County's jurisdiction and owned and operated by Ada County, consistency in services, particularly policing services is desirable. This is the reason that the police department has requested that there be the de-annexation. This way there would be a cohesive policing effort for the properties surrounding the new park that the County is currently constructing.

### **Site Conditions**

The details of the three properties proposed to be excluded from Garden City's territory are below:

**Primary Owner:** ADA COUNTY

**Address:** 5121 N ALWORTH ST GARDEN CITY, ID 837140000

**Assessor ID:** PAR #0261 OF LOTS 17-24 BLK 02 RANDALL ACRES SUB NO 05 #0260-B

**Zone Code:** C-2

**Total Acres:** 4.306

Note, this area includes the de-annexation of the adjacent right-of-way.

**Primary Owner:** ADA COUNTY

**Address:** N ALWORTH ST GARDEN CITY, ID 837140000

**Assessor ID:** PAR#0280 OF LOTS 23-26 BLK 2 & VAC ALWORTH ST ADJ N OF LOTS RANDALL ACRES SUB NO 05

**Zone Code:** C-2

**Total Acres:** 2.882

Note, this area includes the de-annexation of the adjacent right-of-way.



**Primary Owner:** IDAHO PARK FOUNDATION INC

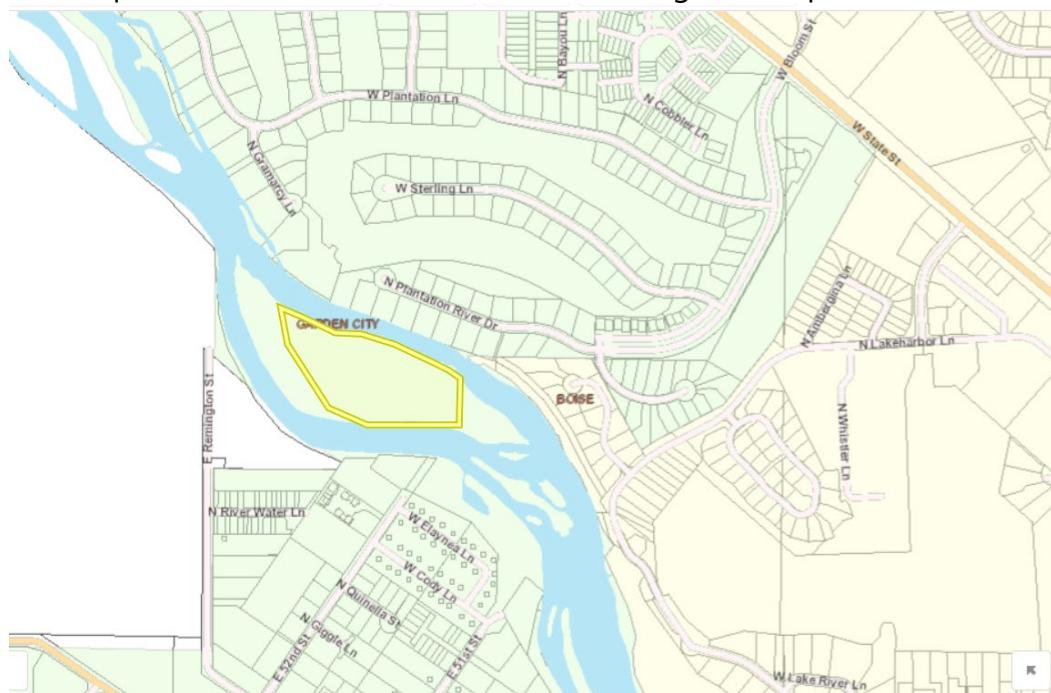
**Address:** N PLANTATION RIVER DR GARDEN CITY, ID 837140000

**Assessor ID:** PAR #5200 OF E2SW4 SEC 30 4N 2E #8949561

**Zone Code:** R-2

**Total Acres:** 5.930 + un-platted portions of the island

Note the entire area of "Plantation Island", including the un-platted portions, is included in this de-annexation request. The ordinance will include a full legal description.



## Decision Process

### **General Provisions**

Idaho Statute § 50-225 does not explicitly require public notice or hearings for exclusion of territory. However, best practices and transparency should allow for a public hearing, and the public and affected property owners to comment.

For this reason, this application has been processed allowing for a public hearing, with the Planning and Zoning Commission providing a recommendation to City Council.

The Planning and Zoning Commission hearing is scheduled for November 19, 2025 and the City Council hearing scheduled for December 8, 2025.

### **Required Findings**

While § 50-225 does not specify detailed findings, the ordinance must:

- Clearly identify the territory to be excluded.
- Acknowledge that excluded territory remains liable for any outstanding bond or other indebtedness of the city or any improvement district it was part of at the time of exclusion.
- State that for the purpose of collecting such indebtedness, the excluded territory remains under the jurisdiction of the city.

### **Decision:**

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision also needs to include the facts upon which it is based, the ordinance and standards used in evaluating the application, reasoned statements that specifically address all required findings and all disputed facts, and a conclusion of law. It is important that the decision maker carefully reviews the reasoned statements to ensure that the disputed facts brought up during the hearing are addressed. Finally, if there is a decision or recommendation to deny the application, the decision needs to include the actions, if any, that the applicant could take to obtain approval.

The Planning Official recommends that the Planning and Zoning Commission is a recommending authority to the City Council, the final decision maker for a de-annexation application.

### **Recommendation**

The Planning and Zoning Commission is the recommending body for this application. Therefore, their decision includes a recommendation to the City Council.

The Recommending Authority may take one of the following actions:

1. Recommend the City Council grant/ approve the application as applied;

2. Recommend the City Council grant/ approve the application with conditions as drafted or as amended to the City Council;
3. Recommend the City Council deny the application; or
4. Request the applicant return with revised materials for additional review.

#### Recommendation Motion

When making a motion, clearly state the action being recommended. You may use one of the following formats:

##### *To Recommend Approval or Denial:*

"I move to recommend approval/denial of File No. ANNFY2025-0001, including the staff-recommended findings of fact, conclusions of law, and decision as drafted by staff."

— or —

"I move to recommend approval/denial of File No. ANNFY2025-0001, including the staff-recommended findings of fact, conclusions of law, and decision, as amended to [remove/add/modify] [specify changes]."

If there is a denial, state code requires that the decision maker identify what could be done to obtain approval. Therefore, the final part of the motion in case of a recommendation for denial should provide this information. An example statement might be "for approval the proposal will need to meet all applicable code requirements" or "for approval, the discussed safety concerns shall be adequately addressed."

##### *To Continue the Application:*

"I move to continue File No. ANNFY2025-0001 to a date certain: [insert date]."

The Planning and Zoning Commission may wait to formalize the written recommendation at the next meeting to ensure that written decision correctly reflects the proceedings and Commission's findings regarding the disputed facts. However, the Planning and Zoning Commission is required to formalize its decision no later than by the next regular scheduled meeting after the conclusion of the hearing.

The recommendation of the Planning and Zoning Commission does not constitute a final decision on the application. Their recommendations cannot be appealed, as they will be heard by the City Council for a final decision.

The City Council is the final decision maker for this application.

#### Decision

The City Council may take one of the following actions:

1. Sustain the recommendation as presented to the City Council;

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2. Modify the recommendation with conditions;
3. Reject the recommendations; or
4. Remand the application to a recommending body for additional proceedings and findings.

### Decision Motion

The decision motion follows the same method as a motion for a recommendation. You may use one of the following formats:

*To sustain the recommendation:*

"I move to sustain the recommendation of the Planning and Zoning Commission for File No. ANNFY2025-0001, including the findings of fact, conclusions of law, and decision, therefore **[approving/denying]** this application request

-or-

"I move to sustain the recommendation of the Planning and Zoning Commission for File No. ANNFY2025-0001, including the findings of fact, conclusions of law, and decision, therefore **[approving/denying]** this application request as amended to **[remove/add/modify]** **[specify changes]**."

*To reject the recommendation:*

"I move to reject the recommendation of the Planning and Zoning Commission for File No. ANNFY2025-0001, **[approving/denying]** this application request. The Commission erred in the conclusions of law **[specify changes to each finding, that the Commission erred and what the finding should be]**. (if there are additional amendments) furthermore **[specify changes]**."

Note: If the decision will result in a denial of the application motion must also include what could be done to obtain approval.

*To Continue the Application:*

"I move to continue File No. ANNFY2025-0001 to a date certain: [insert date]."

*To Remand the Application:*

"I move to continue File No. ANNFY2025-0001 to the Planning and Zoning Commission **[provide reasons]**, e.g. to review the revised evidence that has been submitted]."

## Agency Comments

The following is a summary of the agency comments that were provided at the time of the drafting of this report. All comments are included in the record in their entirety.

| Agency                          | Comment Date/ Linked Comment | Summary    |
|---------------------------------|------------------------------|------------|
| Garden City Engineer            | <a href="#">10-20-2025</a>   | No Comment |
| Idaho Transportation Department | <a href="#">10-21-2025</a>   | No Comment |

## Public Comment

The following is a summary of the public comments and testimony that were provided by November 12, 2025 in accordance with [Resolution 1053-18](#). All comments are included in their entirety as a part of the record.

| Commenter       | Comment<br>Linked Comment  | Date/ Summary                               |
|-----------------|----------------------------|---|
| Charles Leffler | <a href="#">10-20-2025</a> | Neutral: Requesting additional information. |
| Ron Wilper      | <a href="#">10-20-2025</a> | Neutral: Requesting additional information. |

## Code/Policy Review

The below serves as an analysis of applicable statutes, policies, plans, and previous approvals. Garden City Code does not expressly address exclusion of territory applications.

| <b>Governing Statute</b>              |  |
|---------------------------------------|--|
| Plan/Policy                           | Discussion/ Analysis   |
| <a href="#">Idaho Statute §50-225</a> | <p>A draft ordinance has been prepared to be adopted by the Council and published thereafter in compliance with the provisions of <a href="#">section 63-215, Idaho Code</a>.</p> <p>There are no known outstanding bonds on the subject properties.</p>   |
| <a href="#">Idaho Code § 63-215</a>   | <p>When a taxing district changes its boundaries the following steps are required:</p> <ol style="list-style-type: none"><li>1. Preparation of Legal Description and Map<br/>A legal description and a clearly drafted map of the new or altered boundaries must be prepared in a professional manner.</li><li>2. Filing Requirements<br/>Within 30 days of the effective date of the boundary change (or by January 10 of the following year), the city must file the certified ordinance, which includes the current contact information for a responsible party, with:<ul style="list-style-type: none"><li>○ The county recorder</li><li>○ The county assessor</li><li>○ The Idaho State Tax Commission</li></ul></li><li>3. Responsibility for Delivery<br/>The board of county commissioners (or in this case, interpreted to be the City Council) is responsible for delivering the legal description and map to the appropriate offices.<br/>In the case of fire protection districts, this responsibility also applies.</li><li>4. Recognition of Boundary Changes<br/>The Idaho State Tax Commission reviews filings to ensure compliance with Idaho law. If filings are incomplete or incorrect (for example, missing legal description or map), the Commission may refuse to recognize the boundary change. Affected parties may appeal the decision within 28 days.</li><li>5. Jurisdiction for Debt Collection<br/>Even if territory is excluded from a city, it remains under the city's jurisdiction for the purpose of collecting any outstanding bonded or other indebtedness.</li></ol> |

|   |   |
|---|---|
|   | <p>The ordinance and procedures will adhere to these requirements.</p>  |
| <a href="#">Idaho Statute § 67-6519 &amp; 8-6A-7 Public Hearing Process</a> | <p>While Idaho Statute § 50-225 does not specifically require a public hearing or noticing, best practices provide for noticing (transparency) and the opportunity for public comment. To inform noticing, staff referenced <a href="#">Idaho Code § 67-6509 &amp; 8-6A-7 Public Hearing Process</a> for noticing and hearing procedures.</p> <p>Moreover, per Idaho Statute § 67-6519, whenever a governing board or zoning or planning and zoning commission grants or denies an application, it shall specify:</p> <ul style="list-style-type: none"> <li>(a) The ordinance and standards used in evaluating the application;</li> <li>(b) The reasons for approval or denial; and</li> <li>(c) The actions, if any, that the applicant could take to obtain approval.</li> </ul> <p>This has been taken into consideration in the drafting of the recommended decision.</p>   |
| <a href="#">Garden City Comprehensive Plan</a>                              | <p>Three goals of the Garden City Comprehensive Plan support the exclusion of territory adjacent to the Ada County-owned and operated park for the purpose of ensuring consistency in policing services. They include:</p> <p><b>Goal 8: Maintain a Safe City</b><br/> This goal directly supports efforts to ensure consistent and effective public safety services, including policing. Relevant objectives and action steps include:</p> <ul style="list-style-type: none"> <li>Objective 8.1: Collaborate with other jurisdictions to provide coordinated public safety services. <ul style="list-style-type: none"> <li>○ Action Step 8.1.1: Work with Ada County and neighboring jurisdictions to ensure seamless emergency response and law enforcement coverage.</li> <li>○ Action Step 8.1.2: Evaluate jurisdictional boundaries to improve service delivery and reduce confusion in emergency response.</li> </ul> </li> <li>Objective 8.2: Ensure that all areas of the city are adequately served by public safety services. <ul style="list-style-type: none"> <li>○ Action Step 8.2.1: Identify gaps in service coverage and explore boundary adjustments or interagency agreements to address them.</li> </ul> </li> </ul> <p>These provisions support the idea that adjusting city boundaries, such as excluding territory adjacent to the Ada County Park, may be appropriate if it improves policing consistency and public safety coordination.</p> <p><b>Goal 11: Serve the City</b><br/> This goal emphasizes efficient and effective service delivery across all city functions.</p> <ul style="list-style-type: none"> <li>• Objective 11.1: Provide high-quality municipal services. <ul style="list-style-type: none"> <li>○ Action Step 11.1.3: Coordinate with other agencies to avoid duplication and improve efficiency.</li> </ul> </li> </ul> <p>This supports the rationale for aligning jurisdictional boundaries with operational realities, such as Ada County's existing responsibility for the park.</p> |

Goal 12: Evolve as a Destination

This goal includes references to the Expo Idaho site and the desire to reimagine it as a community core. This supports the idea that the area is undergoing transformation and may benefit from jurisdictional clarity.