

BY THE COUNCIL: JACOBS, JORGENSEN, PAGE, RASMUSSEN

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING TITLE 8 ("DEVELOPMENT CODE"), CHAPTER 2 ("BASE ZONING DISTRICT REGULATIONS"), HEREBY CREATING A NEW ZONE BASE DISTRICT DESIGNATION; (R-M) FOR MEDIUM RESIDENTIAL DENSITY; REPEALING ALL ORDINANCES OR PARTS THEREOF TO THE EXTENT THEY CONFLICT WITH THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; 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 City of Garden City has identified a need for additional medium-density residential development within the City to accommodate the growing population and housing demands; and

WHEREAS, the City of Garden City Zoning Ordinance currently does not provide a zoning district specifically tailored to medium-density residential uses; and

WHEREAS, the City Council for the City of Garden City finds it to be in the public interest to create a new zoning district designation to allow for the development of medium-density residential communities in appropriate locations throughout the City;

WHEREAS, the City of Garden City has identified a new zone base district designation (medium density residential (R-M) to be in alignment with the Comprehensive Plan Land Use Designation of Residential Medium Density.

WHEREAS, the City of Garden City wishes to create a new zone base district designation.

NOW, THEREFORE, the City Council for the City of Garden City intends to adopt the changes herein.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN CITY, ADA COUNTY, IDAHO:

SECTION 1. That the foregoing recitals are hereby incorporated into this ordinance as if fully set forth herein.

SECTION 2. That all other ordinances or parts of ordinances in conflict herewith, to the extent of such conflict, are hereby repealed.

SECTION 3. That all other ordinances shall continue in full force and effect unless specifically repealed or amended.

SECTION 4. That Title 8 Chapter 2, Article A, Section 1 ("Base Zoning Districts Established"), Garden City Code, be, and the same is hereby amended to read as follows:

For the purposes of this title, the city may be divided into the following base zoning districts designations:

Base Districts	Map Symbol
Rural density residential	R-1
Low density residential	R-2
<u>Medium density residential</u>	<u>R-M</u>
Medium density residential	R-3
Medium-high density residential	R-20
Mixed use	M
Highway commercial	C-1
General-commercial	C-2
Light industrial	LI
Specific area plan	SAPD

SECTION 5. That Title 8 Chapter 2, Article B, Section 1 (“Purpose”), A (Residential Districts) Garden City Code, be, and the same is hereby amended to read as follows:

A. Residential Districts: The purpose of the ~~four (4)~~ residential districts is to provide a full range of housing products within the city in areas that are exclusively for residential uses. The ~~four (4)~~ residential districts are contrasted by the density and housing products that are allowed within each district:

District	Maximum Density	Minimum Density	Typical Housing Types
<u>Medium density residential (R-M)</u>	<u>15 du/acre except for in an Activity Node where the maximum density is 25 du/acre</u>	<u>14 du/acre in an Activity Node unless a mixed-use development or a successful obtainment of a conditional use permit</u>	<u>This zoning district is intended to implement the Comprehensive Plan's designation of medium density residential.</u>

SECTION 6. That Title 8 Chapter 2, Article B, Section 2 (“Allowed Uses”), Table 8-2B-1 Allowed Uses in All Base Zoning Districts Garden City Code, be, and the same is hereby amended to read as follows:

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

*Indicates uses that are subject to specific land use provisions as set forth in article C of this chapter.

	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI
P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district									
Accessory use*	P	P	<u>P</u>	P	P	P	P	P	P
Agriculture*	P	P	<u>P</u>	P	P	P	P		P
Amusement center*						C	C	P	C
Animal care facility*	C					C	C	C	P
Artist studio*	C	C	<u>P</u>	P	P	P	P	P	P
Bed and breakfast*	C	C	<u>C</u>	C	<u>C</u>	P	P	P	
Bicycle sales, service, storage, rental						P	P	P	P
Building material, garden and equipment*						C	C	C	C
Church or place of religious worship*	C	C	<u>C</u>	C	C	C	C	C	C

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P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district									
	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI
Club*						C	C	C	
Commercial entertainment facility*						C		C	
Daycare, center*						C	C	C	C
Daycare, neighborhood*	C	C	P	P	P		P		
Daycare, personal*	P	P	P	P	P		P		
Drinking establishment, full service*						C		C	C
Drinking establishment, limited service*						P	P	P	C
Drive-through establishment*						C		C	C
Dwelling unit, accessory*	P	P	P	P	P	P	P	P	P

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	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI	
Dwelling unit, group			<u>C</u>	P	C	P	C			
Dwelling unit, multiple-family*		C	<u>P</u>	P	P	P	P	C		
Dwelling unit, single-family attached		P	<u>P</u>	P	P	P	P	C		
Dwelling unit, single-family detached	P	P	<u>P</u>	P	P	P	P	C		
Dwelling unit, two-family		P	<u>P</u>	P	P	P	P	C		
Eating establishment, full service		C	<u>C</u>	C	C	P	P	P	C	
Eating establishment, limited service		C	<u>C</u>	P	C	P	P	P	P	
Equipment rental, sale and service*						C		C	P	

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	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI	
Financial institution*				C		P	P	P	P	
Food products, processing*								C	P	
Food products, small scale processing*	C	C	<u>C</u>	C	C	P	P	P	P	
Food store*			<u>C</u>	C	C	P	P	P	P	
Fuel sales*						C		C	C	
Fuel yard								C	C	
Health club*			<u>C</u>	C	C	P	P	P		
Healthcare and social service			<u>C</u>	C	C	P	P	P	C	
Home occupation*	P	P	<u>P</u>	P	P	P	P	C		

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P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district									
Hospital*						C	C	C	
Industry, flex*						C		C	C
Industry, information*						P	P	P	P
Industry, light*								C	P
Kennel, hobby*	P	P	P	P	P	P	P		C
Laboratory - medical, dental, optical						P	P	P	P
Laundromat, self-service cleaner*				C		P	P	P	P
Laundry and dry cleaning, commercial plant						C		P	P
Laundry and dry cleaning establishment				C		C	C	P	P

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	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI
Lending institution								C	
Lodging*				C		C	C	C	
Manufactured/mobile home park	C	<u>C</u>	C	C	C	C			
Mortuary*						C	C	C	
Nursery*	P					P	P	P	C
Nursing and residential care*	C	<u>C</u>	C	C	C		C		
Parking facility			<u>C</u>	C	C	C	C	C	C
Personal service*			C	C		P	P	P	P
Professional service*			C	C		P	P	P	P

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	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI
Public service facility	C	C	<u>C</u>	C	C	C	C	P	P
Public uses	C	C	<u>C</u>	C	C	P	C	P	C
Recreational vehicle park*						C		C	
Research and development				C		P	P	P	P
Retail production*	C	C	<u>C</u>	P	C	P	P	P	C
Retail store				C		P	P	P	C
School*		C	<u>C</u>	C	C	C	C	C	C
Service provider*						C		P	P
Sexually oriented businesses*								C	
Small cell facility*	P	P	<u>P</u>	P	P	P	P	P	P

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	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI
Storage facility or yard*								C	C
Storage facility, self-service								C	P
Storage yard, commercial recreational vehicle*								C	C
Temporary use*	P	P	P	P	P	P	P	P	
Tobacco entertainment facility*						C	C	C	C
Tobacco retail store				C	P	P	P	P	C
Vehicle rental*						C		C	C
Vehicle sales*						C		C	C
Vehicle service*						C	C	C	P

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P = permitted use; C = conditional use; and a blank denotes the use is not allowed in that district									
	R-1	R-2	R-M	R-20	R-3	C-2	M	C-1	LI
Vehicle washing facility*							C	P	C
Vehicle wrecking yard									C
Warehouse and storage, wholesale*						C		C	P
Wireless communication facility*								C	C

SECTION 7. That Title 8 Chapter 2, Article B, Section 3 ("Form Standards"), Garden City Code, be, and the same is hereby amended to read as follows:

- A. Table 8-2B-2, "Form Standards In All Base Zoning Districts", of this section shall be used for determining maximum building height, required setbacks, maximum lot coverage and minimum lot size standards for development in each of the respective base zoning districts.
- B. Subsections E through H of this section set forth certain exceptions and additional clarification for the form standards.
- C. Exceptions from the form standards are allowed as set forth in chapter 3, "Overlay Zoning District Regulations", of this title, and-through a planned unit development (PUD) as set forth in chapter 6, article B, "Specific Provisions", of this title.
- D. Additional provisions as set forth in chapter 4, "Design And Development Regulations", of this title may also affect the form standards.

TABLE 8-2B-2
FORM STANDARDS IN ALL BASE ZONING DISTRICTS

District	Height*	Setbacks				Maximum	Minimum
		Front	Rear	Interior Side	Street Side	Lot Coverage	Lot Area/DU*
R-1	35'	20'	15'	5'	20'	30%	1 acre
R-2	35'	15'/20'*	15'	0/5'*	20'	70%	6,000* sq. ft.
<u>R-M</u>	<u>45'</u>	<u>15'</u>		<u>15'</u>	<u>0' interior to the development and 5' exterior to the development</u>	<u>20'</u>	<u>70%</u>
R-3		5'/20'*	15'	0/5'*	5'	70%	n/a
R-20		5'	5'	0'	5'	80%	n/a
C-1		5'	5'*	5'*	5'	n/a	3,000 sq. ft.
C-2		5'	5'	5'	5'	n/a	n/a
M	72'	10' max	5'	0/3'	0'	n/a	n/a
LI	55'	15'	5'*	5'*	20'	n/a	n/a

* Indicates an exception that follows.

SECTION 8: The Ordinance is hereby declared to be severable. Should any portion of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the Ordinance before the declaration of partial invalidity.

SECTION 9. 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 10. 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 or sections of this Ordinance, which shall remain in full force and effect.

SECTION 11: This Ordinance shall be in full force and effect upon passage, approval, and publication.

PASSED by the City Council and **APPROVED** by the Mayor of the City of Garden City, Idaho, this _____ th day of _____, 2025.

ATTEST:

Lisa Leiby
CITY CLERK

APPROVED:

John G. Evans
MAYOR

EXHIBIT "A"

**STATEMENT OF GARDEN CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 1050-24**

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. 1050-24 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 _____, 2025.

Charles I. Wadams
City Attorney

**SUMMARY OF ORDINANCE NO. 1050-24
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 _____, 2025, that Ordinance No. 1050-24 entitled:

AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, Amending Title 8 (“Development Code”), Chapter 2 (“Base Zoning District Regulations”), HEREBY CREATING A NEW ZONE BASE DISTRICT Designation (R-M) FOR MEDIUM RESIDENTIAL DENSITY; REPEALING ALL ORDINANCES OR PARTS THEREOF TO THE EXTENT THEY CONFLICT WITH THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

This ordinance adds a new zone base district designation (medium density residential (R-M)) and associated requirements.

The effective date of the ordinance is from and after the date of its 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 Section 50-901A(4), Idaho Code.

DATED this _____ day of _____, 2025.

ATTEST:

CITY OF GARDEN CITY, IDAHO:

Lisa M. Leiby, City Clerk

John G. Evans, Mayor