

STAFF SUGGESTED DECISION

BEFORE THE GARDEN PLANNING AND ZONING COMMISSION
GARDEN CITY, ADA COUNTY, IDAHO

**THIS IS NOT A PREDETERMINED DECISION. ALL EVIDENCE WILL BE
CONSIDERED. A DIFFERENT DECISION MAY RESULT IN AN UPDATE OF THE
FINDINGS OF FACT, CONCLUSIONS OF LAW, OR CONDITIONS**

In the Matter of:)	ANNFY2025-0001
)	
De-Annexation) FINDINGS OF FACT,)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND RECOMMENDATION
)	

THIS MATTER came before the Garden City Planning and Zoning Commission or consideration on 11/19/2025 and for a formal decision on 11/19/2025. The Garden City Planning and Zoning Commission reviewed the application and materials submitted and considered public testimony. Based on the evidence presented, the Garden City Planning and Zoning Commission makes the following Findings of Fact, Conclusions of Law and Recommendation:

FINDINGS OF FACT

1. The application is for a territory exclusion, or a de-annexation.
2. The applicant is Garden City Police Department.
3. The owners of record are Ada County and Idaho Parks Foundation Inc.
4. The property locations are:
 - a. **Address:** 5121 N ALWORTH ST GARDEN CITY, ID 837140000, and adjacent right-of-way
Assessor ID: PAR #0261 OF LOTS 17-24 BLK 02 RANDALL ACRES SUB NO 05 #0260-B
 - b. **Address:** N ALWORTH ST GARDEN CITY, ID 837140000, and adjacent right-of-way
Assessor ID: PAR#0280 OF LOTS 23-26 BLK 2 & VAC ALWORTH ST ADJ N OF LOTS RANDALL ACRES SUB NO 05
 - c. **Address:** N PLANTATION RIVER DR GARDEN CITY, ID 837140000, and entire area of "Plantation Island", including the un-platted portions,

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

5. The property is currently located in the Garden City R-2 Low density residential and C-2 General commercial zoning districts.
6. The following standards apply to this proposal:
 - a. Idaho Code § 50-22
 - b. Idaho Code § 63-215
7. On October 20, 2025:
 - a. Notice was posted at the Garden City Hall, Garden City Police Department, Garden City Library, and Garden City Post Office.
 - b. A Public Service Announcement was provided to media.
 - c. A legal notice of 2"X4" was provided.
 - d. Agency notice was sent to stakeholders.
8. Agency Comments were received from:
 - a. Garden City Engineer.
 - b. Idaho Transportation Department.
9. Written Public Comments were received from:
 - a. Charles Leffler.
 - b. Ronald Wilper.
10. On November 19, 2025, a public hearing before the Planning and Zoning Commission was held:
 - a. This section will be completed after the hearing.
11. The record materials for this application contain:
 - a. Application and application materials
 - b. Noticing Documents
 - c. Agency Comments
 - d. Public Comments
 - e. Staff Report
 - f. Planning and Zoning Commission Recommendation
 - g. City Council Decision
 - h. Minutes and transcribable record of the hearings.
 - i. Ordinance
12. The record was reviewed by the Planning and Zoning Commission in its entirety to make a recommendation to the City Council.

CONCLUSIONS OF LAW

The Planning and Zoning Commission reviewed the application with regard to **Idaho Code § 50-225**, and concludes the application **meets/does not meet** the standards of approval for the city to de-annex the proposed properties for the following reasons:

1. Under Idaho Code § 50-225, the City Council has the legal authority to alter city boundaries and exclude territory through the adoption of an ordinance.
2. A draft ordinance has been drafted that will be filed in accordance with Idaho Code § 63-215.
1. The staff report confirms there are no known outstanding debts associated with the subject properties. Additionally, the draft ordinance is conditioned to acknowledge that the excluded territory remains liable for any outstanding bonded or other indebtedness of the city or any improvement district it was part of at the time of exclusion, as required by § 50-225.
3. Although § 50-225 does not mandate public hearings, the city has followed best practices by allowing public comment and conducting hearings in accordance with Idaho Code § 67-6519, which requires findings of fact, conclusions of law, and reasoned statements in decision-making. The application process has been conducted transparently, with public hearings and opportunities for comment, even though not legally required, demonstrating the city's commitment to inclusive governance.
4. The proposed de-annexation aligns with the Garden City Comprehensive Plan, particularly goals related to public safety, efficient service delivery, and interagency coordination because:
 - a) The proposed de-annexation supports public safety and policing consistency by aligning jurisdictional boundaries with operational responsibilities. The properties in question are adjacent to the new Ada County Park and are already under county ownership and management.
 - b) The application is consistent with Goal 8 of the Garden City Comprehensive Plan, which promotes collaboration with other jurisdictions to ensure seamless emergency response and law enforcement coverage.
 - c) The exclusion of territory will reduce jurisdictional confusion and improve service delivery, consistent with Goal 11 of the Comprehensive Plan, which emphasizes efficient municipal services.
 - d) The area surrounding Expo Idaho is undergoing transformation into a regional destination, and jurisdictional clarity will support long-term planning and development goals, as outlined in Goal 12 of the Comprehensive Plan.

RECOMMENDATION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Planning and Zoning Commission hereby does **RECOMMEND APPROVAL/ DENIAL** of the application, subject to the following conditions:

2. Per Idaho Code §63-215 affected parties may appeal the decision within 28 days.
3. Within 30 days of the effective date of the boundary change the city must file the certified ordinance, which includes the current contact information for a responsible party, with:

- The county recorder
- The county assessor
- The Idaho State Tax Commission

4. The ordinance must state that the excluded territory remains liable for any outstanding bonded or other indebtedness of the city or any improvement district it was part of at the time of exclusion, as required by § 50-225.

11/19/2025

Chairman, Ryan Montoya

Date

