

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

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|--------------------------------|---|--------------------|
| In the Matter of: |) | ZONFY2026-0001 |
| |) | |
| Rezone |) | FINDINGS OF FACT, |
| |) | CONCLUSIONS OF LAW |
| Garden City, Ada County, Idaho |) | AND RECOMMENDATION |
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THIS MATTER came before the Garden City Planning and Zoning Commission or consideration on 2/18/2026. 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 applicant is the City of Garden City.
2. The location of the project is multiple properties west of Glenwood Street.
 - a. Proposed Rezone from R-3 to R-2/ DA address: 6265 N. Strawberry Glenn Road, Garden City, Idaho.
 - b. Proposed Rezone from R-3 to R-M addresses: 6023 N GARRETT ST; 6030, 6031, 6042, 6043, 6054, 6055, 6066, 6067, 6088 N FRANCIS PL; R7608900120 (Bare Land), 6170, 6171, 6178, 6187, 6192, 6195, 6202, 6208, 6211, 6218, 6219, 6226, 6227, N ETHAN PL; 9346, 9368, 9390, 9412, 9434, 9456, 9478, 9500, 9522, 9544, 9545, 9566, 9567, 9589, 9602 W MARIGOLD ST; 9624, 9633, 9634, 9638, 9641, 9642, 9648, 9649, 9657, 9658, 9665, 9666, 9671 W HOFF DR., 6023 N GARRETT ST; 6030, 6031, 6042, 6043, 6054, 6055, 6066, 6067, 6088 N FRANCIS PL; R7608900120 (Bare Land), 6170, 6171, 6178, 6187, 6192, 6195, 6202, 6208, 6211, 6218, 6219, 6226, 6227, N ETHAN PL; 9346, 9368, 9390, 9412, 9434, 9456, 9478, 9500, 9522, 9544, 9545, 9566, 9567, 9589, 9602 W MARIGOLD ST; 9624, 9633, 9634, 9638, 9641, 9642, 9648, 9649, 9657, 9658, 9665, 9666, 9671 W HOFF DR.
 - c. Proposed Rezone from R-3 to R-M/ DA address: 8695 W. Marigold Street, Garden City, Idaho.
3. There are numerous property owners of record.

4. The properties are currently located in the R-3 Mixed-use Residential zoning district.
5. The project is in the Garden City Comprehensive Plan Future Land Use Designations:
 - a. Low Density Residential
 - b. Medium Density Residential
6. The following standards apply to this proposal:
 - a. Garden City Code 8-1A-4 Applicability
 - b. Garden City Code 8-2B-1 Purpose
 - c. Garden City Code 8-2B-2 Allowed Uses
 - d. Garden City Code 8-2B-3 Form Standards
 - e. Garden City Code 8-6A-3 General Application Process
 - f. Garden City Code 8-6A-4 Required Application Information
 - g. Garden City Code 8-6A-7 Public Hearing Process
 - h. Garden City Code 8-6B-10 Annexation and Zoning Map Amendment
 - i. Idaho Code 67-6511
 - j. Idaho Code 67-6511A
 - k. Idaho Code 67-6519
7. As this is a city-initiated application a waiver of application materials is requested, as they are duplicative to the staff reports, exhibits that will be in the ordinance, or otherwise unnecessary for the review of this application.
8. The following noticing was completed in accordance with GCC 8-6A-7¹:

| Noticing Requirement | Required Date | Completion Date |
|-----------------------------|---------------|--------------------------|
| Neighborhood Meeting | | 12/15/2025 and 1/28/2026 |
| Radius Notice | 2/3/2026 | 11/20/2025 and 1/6/2026 |
| Legal Notice | 2/3/2026 | 11/25/2025 and 1/10/2026 |
| Agency Notice | 2/3/2026 | 11/20/2025 and 1/6/2026 |
| Public Service Announcement | 2/3/2026 | 11/20/2025 and 1/6/2026 |

- a. As part of the alternative posting allowance, notice was posted at the Garden City Hall, Garden City Police Department, Garden City Library,

¹ The noticing was conducted for all hearings and the dates correspond to the first hearing date.

Quality Art at 200 E. 50th Street, and Fred Meyer at 5425 W Chinden Blvd, Garden City, ID 83714

- b. As part of the alternative posting allowance, a legal notice of 2"X4" was provided.
9. Additional noticing was provided:
 - a. On the Garden City Next Door site
 - b. On the Garden City website
10. The agendas were posted in the Garden City lobby and on the Garden City website in accordance with Idaho Code 74-204.
11. Agency Comments were received from:
 - a. Department of Environmental Quality on January 12, 2026.
12. No written public comments were received.
13. On February 18, 2026, a public hearing before the Planning and Zoning Commission was held:
 - a. Prior to the hearing, Chairman Montoya asked whether the applicant was present. Staff, Jenah Thornborrow confirmed that she was in attendance and agreed with all draft conditions of approval on the City's behalf.
 - b. No members of the public were present to testify either for or against the application.
 - c. No member of the Planning and Zoning Commission indicated that there were any aspects of the application requiring formal discussion.
 - d. The application was placed on the consent agenda and approved.
14. The record contains:
 - a. Application form
 - b. Noticing Documents
 - c. Agency Comments
 - d. Public Comments
 - e. Staff Report
 - f. Planning and Zoning Commission Recommendation
 - g. February 18, 2026, Planning and Zoning Commission Minutes and audio
15. To approve a rezone application, the Decision Maker shall make the findings found in Garden City Code 8-6B-10 Zoning Map Amendment and Annexation Findings in the affirmative.
16. The record was reviewed by the Planning and Zoning Commission in its entirety to render a recommendation to the City Council.

CONCLUSIONS OF LAW

The Planning and Zoning Commission reviewed the application with regard to Garden City Code, Title 8, and based on the conditions required herein, concludes the application meets the standards of approval under **GCC 8-6B-10 Zoning Map Amendment and Annexation**. Below are the reasoned statements for this conclusion.

GCC 8-6B-10 Zoning Map Amendment and Annexation: Required Findings

Standard 1: The zoning map amendment complies with the applicable provisions of the comprehensive plan.

Finding: The application is complaint with this standard.

Explanation of Finding (Reasoned Statement): This proposal was initiated to better align the zoning with the Comprehensive Plan and is specifically tailored to best be in conformance with the Comprehensive Plan Future Land Use Map designations while also addressing potential non-conformities.

This application contains properties that are in Comprehensive Plan's Future Land Use designations of:

- Low Density Residential
- Medium Density Residential

The proposed zoning changes are designed to bring zoning into alignment with the Comprehensive Plan's Future Land Uses. They include the designations:

- Low Density Residential Comprehensive Plan designation → R-2 zoning district
- Medium Density Residential Comprehensive Plan designation → R-M zoning district

Where appropriate Development Agreements have been suggested to address non-conformities for the life of the use, or a zoning district that maintains the legality of existing structures and moves the area toward the Comprehensive Plan's goals.

The proposed rezone that will not only bring zoning districts into better alignment with the Comprehensive Plan future land use designations, but also is supported by:

Goal 1. Nurture the City

- a.) Objective 1.4: Create a premier destination place to live, work, and recreate.

Goal 10: Plan for the Future: This goal emphasizes proactive planning and adaptation to changing conditions.

- a.) 10.4.3 Objective: Provide a transition in the height and scale of development that is compatible with the existing surrounding neighborhoods.

Standard 2: The zoning map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement.

Finding: The application is compliant with this standard.

Explanation of Finding (Reasoned Statement): The staff report dated February 18, 2026, includes a detailed analysis of how each proposed zoning district aligns with its purpose statement as defined in **Garden City Code 8-2B-1**.

As described in the staff report, each proposed district is explicitly intended to implement the corresponding Comprehensive Plan land use designation Low Density Residential for R-2 and Medium Density Residential for R-M and the subject properties are located within these designations.

The purpose of the residential zoning districts, as identified in Garden City Code 8-2B-1, is to “provide a full range of housing products...in accordance with the comprehensive plan,” and to differentiate districts primarily by density. The proposed amendments advance these purposes by reducing the maximum density and intensity of uses currently allowed under the R-3 Mixed Use Residential district, and by ensuring that the permitted uses, form standards, and development types correspond to the intended residential character of the area.

For properties proposed for rezoning to R-2, the maximum density will decrease from 35 du/acre to 6 du/acre, and nonresidential uses and building heights will be more limited, directly supporting the R-2 district’s purpose of implementing the Low Density Residential designation and maintaining traditional residential patterns. For properties proposed for the R-M district, the reduction in maximum density to 15 du/acre and the transition to a more restrictive residential-focused use matrix aligns with the intent of the Medium Density Residential designation. The R-M district also provides an appropriate transitional buffer between existing R-3 and R-1/A areas, furthering the district’s purpose of creating compatible residential development patterns.

Where needed to preserve existing lawful development while avoiding the creation of nonconforming uses, the application includes Development Agreements tailored to maintain current structures or uses as conforming for the life of those uses. These agreements are expressly permitted under Idaho Code § 67-6511A and ensure that the zoning amendments remain consistent with both the purpose statements and the regulatory framework governing zoning districts without undermining the comprehensive planning goals of the R-2 and R-M districts.

Based on the analysis contained within the staff report, the proposed zoning map amendments are consistent with the applicable zoning district purpose statements, comply with the regulatory framework outlined in Garden City Code Title 8, and further the implementation of the Comprehensive Plan as intended

Standard 3: The zoning map amendment shall not be materially detrimental to, or impacts can be mitigated that affect public health, safety, and welfare or impacts.

Finding: The application is complaint with this standard.

Explanation of Finding (Reasoned Statement): The proposed zoning map amendment will not be materially detrimental to public health, safety, or welfare.

The rezones included in this application constitute down-zones, reducing the maximum allowable development intensity and density across the affected properties. As documented in the staff report, existing development within the amendment area is predominantly built out, significantly limiting the potential for additional density or intensification regardless of zoning.

Because the properties are largely developed under existing entitlements, the rezones do not introduce new health or safety risks associated with additional traffic, infrastructure strain, incompatible land uses, or emergency service demands. Instead, the proposed zoning changes decrease the range of higher-intensity residential and nonresidential uses that would otherwise be permitted under the current R-3 designation, reducing the potential for land use conflicts and preserving the established neighborhood character consistent with the Comprehensive Plan.

Where existing uses or development patterns might otherwise become nonconforming due to the down-zone, the application proposes Development Agreements to maintain those uses as conforming for their useful life. This approach is consistent with Idaho Code § 67-6511A and prevents the creation of unnecessary nonconformities that could otherwise create safety, maintenance, or redevelopment challenges, thereby protecting the welfare of both property owners and the broader community.

Agency review found no concerns indicating that the proposed changes would negatively impact environmental health, infrastructure capacity, or other public safety systems. The Idaho Department of Environmental Quality submitted only standard comments, and no public testimony identified any unmitigable safety- or welfare-related concerns.

Overall, the proposed zoning map amendment reduces development intensity, better aligns zoning with the adopted Comprehensive Plan while avoiding the creation of nonconformities, and retains existing development rights where appropriate through the use of Development Agreements. As a result, no material detriment to public health, safety, or general welfare is anticipated, and any potential impacts are adequately mitigated through the structure of the amendment itself.

Standard 4: The zoning map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts.

Finding: The application is complaint with this standard.

Explanation of Finding (Reasoned Statement): The proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the city, including school districts. Although the

amendment constitutes a down-zone, the subject properties are already predominantly built out, limiting the potential for additional density or more intensive uses. While a down-zone reduces the future ability to add to the tax base, by reducing intensity of allowable uses and density, the will maintain current demand on public services such as water, sewer, transportation, and educational facilities. Because the proposal decreases, rather than increases, service loading, it will not negatively affect the capacity or delivery of services by public agencies.

Standard 5: The annexation of land, if proposed, is in the best of interest of the city and complies with the procedures as set forth in Idaho Code section [50-222](#).

Finding: This standard is not applicable.

Explanation of Finding (Reasoned Statement): The application is not for an annexation of land.

RECOMMENDATION

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

1. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.
2. Every final decision is subject to a regulatory taking analysis pursuant to section 67-8003, Idaho Code. An applicant denied an application or aggrieved by a final decision concerning matters identified in section 67-6521(1)(a), Idaho Code, may within twenty-eight (28) days after all remedies have been exhausted under local ordinance seek judicial review under the procedures provided by chapter 52, title 67, Idaho Code.
3. Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed, or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day timeframe for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.



Chair, Ryan Montoya

2/18/2026

Date