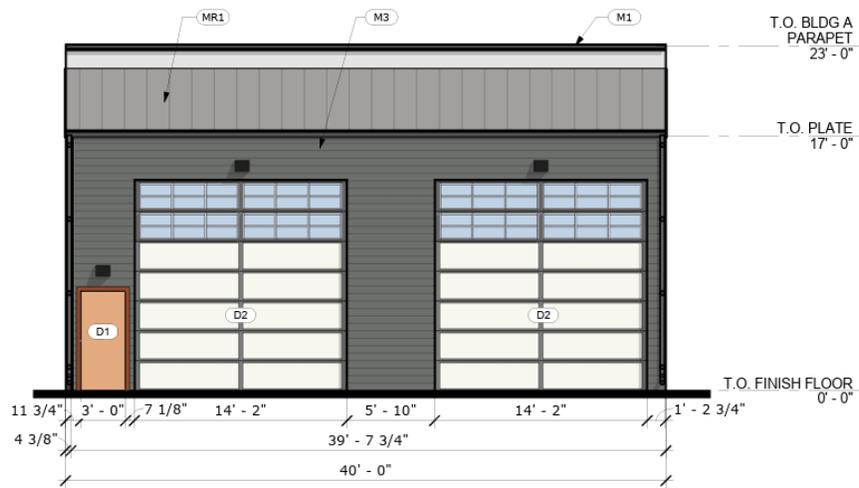


CITY OF GARDEN CITY

6015 Glenwood Street □ Garden City, Idaho 83714
 Phone (208)472-2921 □ Fax (208)472-2926

File Number: CUPFY2026 - 0004
Requested Use: 2 Car Garage
Use as Defined By GCC Title 8: Accessory structure over 1,000sqft that exceeds the principal dwelling unit square footage
Location: 4708 N. Fenton St.
Applicant: Hatch Design Architecture
Planning and Zoning Commission Hearing Date: March 18, 2026 6:30 p.m.



BLDG A SE ELEVATION
 SCALE: 3/16" = 1'-0"

STAFF REPORT

Prepared by Mariia Antonova
 (208) 472-2921; planning@gardencityidaho.org

Table of Contents

Record Documents.....	3
Recommendation Summary	3
Project Information.....	5
Decision Process.....	7
Agency Comments	8
Public Comment	9
Code/Policy Review.....	9

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

Individual links:

1. Application Materials
 - a. CUPFY2026 – 0004 [application and materials](#)
 - b. CUPFY2026 – 0004 [additional submittals](#)
 - c. CUPFY2026 – 0004 [combined resubmittals 03092026](#)
3. Agency Comments: [link](#)
4. Public Comments: [link](#)
5. Noticing Documents
 - a. [City Noticing](#)
6. [Recommendations](#)

Recommendation Summary

Upon review of this application, staff recommends approval of the Conditional Use Permit for the Accessory structure over 1,000sqft that exceeds the principal dwelling unit square footage, subject to conditions. Conditions have been drafted to ensure compatibility with city codes and policy.

Should the Commission approve the application, staff recommends that approval be conditioned to include requirements for enhanced streetscape and landscaping improvements. These conditions are essential to support pedestrian accessibility and usability and contribute to economic vitality through increased property values and reduced infrastructure and healthcare costs. ongoing compliance with city code and policy.

Discussion

The applicant, Jeff Hatch, is requesting approval for the construction of a new detached two-car garage on the property located at 4708 N. Fenton Street. The proposal includes adding a large accessory structure exceeding 1,000 square feet on a site currently developed with a single-family home, along with associated site modifications including fencing and landscaping.

Land Use Classification and Primary Use Concerns

The Garden City Code defines Accessory Use as one that is incidental, auxiliary, and subordinate to the principal use and conducted on the same property, including storage that is solely for the primary use of the residence. However, current site conditions show that more than twenty percent of the lot is being used for the storage of materials, equipment, and vehicles, which aligns with the definition of a Storage Facility or Yard, a non-residential use characterized by the storage of equipment, inventory, supplies, or vehicles of a non-residential nature. While the applicant asserts future personal use of the property for RV storage, existing conditions suggest the site is presently functioning in a commercial storage capacity. Screening the property with fencing would not alter the underlying land-use classification, as the determination is based on the nature and extent of the activity occurring onsite, not its visibility. Based on the code definitions and current site utilization, the proposed structure and ongoing use appear inconsistent with the standards for residential accessory uses and instead align with commercial Storage Facility or Yard use.

In the additional resubmittals, the applicant stated that the site will be cleaned of all existing storage uses and the shed, and that there will not be any equipment stored outside the building. The applicant also stated that the site will function as residential. **If the City later observes commercial use of the site, a code enforcement case will be opened, and the owner will be required to obtain all required permits.**

Sidewalk

There is an existing attached 5-foot sidewalk along 47th Street on the subject property. The applicant is proposing an attached sidewalk along Fenton Street; however, this is a corner lot, and an attached sidewalk does not exist along the full length of 47th Street, nor is there any sidewalk on the adjacent property along Fenton Street from 47th Street to the west. Under City code and the Sidewalk Policy, an attached sidewalk is required only when attached sidewalks exist on both adjacent properties. Because no sidewalk currently exists to the west, the subject property is required to install a detached sidewalk along Fenton Street with a 6-foot buffer if a root barrier is provided, or an 8-foot buffer without a root barrier, consistent with ACHD standards for Class II or Class III trees. In the 03/06/2026 resubmittals, the applicant stated that the property to the west will install an attached sidewalk at the same time; however, that parcel is not part of this application, and its future improvements do not change the requirements for the subject property. Sidewalk requirements cannot be shifted based on what an adjacent owner may build later. Since no sidewalk exists today, this application must provide a continuous detached sidewalk, and the property to the west will also be required to provide a detached sidewalk when they submit their own application.

Additionally, for another application along Fenton Street involving the construction of a private garage over 1,000 square feet exceeding the principal dwelling unit's square footage at 4855 N Fenton Street, a condition of approval required the installation of a detached sidewalk with a landscape buffer and street trees.

A condition of approval has been drafted requiring installation of the sidewalk prior to Certificate of Occupancy.

Comprehensive plan and Davis Drain

The Garden City Comprehensive Plan emphasizes the importance of strengthening pedestrian and bicycle connectivity and improving the city's relationship with its waterways, including irrigation laterals and canals. These goals appear throughout the Plan's focus areas, such as Connect the City and Focus on the River, which encourage development patterns that support safe multimodal travel, create continuous non-motorized circulation networks, and protect water corridors as valued community features.

In addition to the Comprehensive Plan, the City is currently in the process of preparing its Transportation Master Plan. As part of that planning effort, the area along the Davis Drain is being discussed and evaluated as a potential future pedestrian and bicycle connection.

The Davis Drain, located immediately north of the subject property, is part of the broader system of canals and drainageways. Conceptually, the corridor is being considered for possible future pathway opportunities and ecological enhancements as planning discussions continue.

Because of this planning direction, it is essential that the corridor remain unobstructed. All nonconforming structures and stored materials currently encroaching onto the Davis Drain property must be removed to comply with Title 8 and to support the City's long-range goals for public access, safety, environmental stewardship, and connectivity.

Project Information

Proposed Scope of Work:

Request	Review Process
Conditional Use Permit	GCC 8-6B-2

A conditional use may be found to be appropriate or inappropriate at a given property. In some situations, conditions of approval may be required to assist the proposed use in being appropriate to a location and in conformance with code. In other situations where the use cannot be conditioned to be appropriate to the location or code, it should not be permitted.

Project Details:

- 1) Applicant: Hatch Design Architecture
- 2) Owner: KIWI ENTERPRISES LLC
- 3) Title 8 Use: It has been determined that the Garden City defined use that best describes the use is:
Private Garage: An enclosed accessory building or an accessory portion of a principal building designed for shelter or storage of vehicles, owned or operated by the occupants of the principal building.¹
- 4) Proposed Development: 2,000 SF two-car garage and 6' privacy fence

Site Conditions:

- 1) Existing Use: Dwelling unit, single family detached
- 2) Street Address: 4708 N. Fenton St.
- 3) Parcel Number(s): R7334150751
- 4) Property Description: LOTS 06/07 BLK 04 RANDALL ACRES SUB NO 04
- 5) Legal Lot of Record: Yes
- 6) Property Size: 0.538 acres or 23,435 SF
- 7) Zoning District: C-2 Mixed-Use Commercial
- 8) Zoning Overlay(s): None
- 9) Comprehensive Plan Land Use Map Designation:
 - a) Light Industrial Bradley Technology District
- 10) The project is in the:
 - a) Partially in 500 Year of the Special Flood Hazard Area according to the 2020 adopted FIRM (the FIRM has adopted seclusion and utilizes the 2003 Flood Insurance Study).
 - b) outside of the Special Flood Hazard Area according to FEMA's most recent model as adopted by resolution 1083-20.
- 11) Surrounding Uses:
 - a) Dwelling unit, single family detached
 - b) Commercial Storage Building
- 12) Adjacent Zoning: C-1 and R-2
- 13) Adjacent Comprehensive Plan Designations:
 - a) Light Industrial Bradley Technology District
 - b) Mixed Use Commercial

¹ Private Garage is not technically an identified use under Garden City Code 8-7A-1, however, it is a defined term under Garden City Code 8-7A-2.

14) Easements on site: There are no records on file with Garden City of existing easements

15) Site Access:

a) Front: Pedestrian access to the main entrance from Fenton St

b) Side: 47th

16) Sidewalks: No sidewalk

17) Wetlands on site: None identified

Decision Process

After the public hearing and review of the evidence in (and only in) the record, the decision maker shall make their decision. The decision needs to include the facts upon which the decision 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.

Authority

Pursuant to [GCC § Table 8-6A-1 Authorities and Processes](#), the Planning and Zoning Commission is a final decision maker for a Conditional Use Permit unless the City Council opts to review the application due to significant impact on the city or the decision is appealed.

Required Findings

Conditional Use Permit (CUP)

To approve a CUP, the decision maker must find the application meets the following findings found in [GCC § 8-6B-2](#):

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district.
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts.
3. The use will not unreasonably diminish either the health, safety or welfare of the community.
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

Action

The Planning and Zoning Commission may make one of the following actions:

1. Grant the application,
2. Grant the application with conditions,
3. Deny the application; or
2. Request the applicant return with revised materials for additional review.

Motion

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

To Approve or Deny:

“I move to approve/deny File No. [insert file number], including the staff-recommended findings of fact, conclusions of law, and decision as drafted by staff.”

— or —

“I move to approve/deny of File No. [insert file number], 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, to meet statutory requirements, it is important to identify how the application is not compliant and what could be done to obtain approval. Therefore, in the case of denial, the final part of the motion needs to provide this information. An example statement might be “the application is not compliant with sections of code [state code section(s)] for approval the proposal will need to achieve compliance with 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. [insert file number] to a date certain: [insert date].”

Staff have drafted a suggested decision document, based on staff’s review and analysis of the application. This is not intended to be a predetermined decision. All evidence will be considered, and the document may be updated based on the Planning and Zoning Commission’s review of the application.

Appeal of Decision

Pursuant to [GCC §8-6A-9 Appeals](#), those with standing may appeal a decision within fifteen days from the date of **action**. Action is the date the Planning and Zoning Commission formalizes their decision. The Planning and Zoning Commission may formalize their decision by approving a draft decision or a draft decision with noted changes at the hearing. If additional time is needed to review the decision document for accuracy, they may continue the formalization of the decision to a subsequent meeting. The date of action may be a different date than the applicant is provided with a signed copy of the decision in accordance with [Idaho Code §67-6535](#).

An appeal fee must be paid, and the appeal must be filed on the city supplied appeal application form provided by the City. Appeals received after the 15-day appeal period will not be considered timely and will not be accepted.

Agency Comments

The following agency comments were provided:

Agency	Comment Date	Summary
Garden Engineer Link to Comment	City 2/14/2026	<ul style="list-style-type: none"> • An approval from the Ada County Highway District is required. • Approval of the project by the North Ada County Fire and Rescue District will be required. Should fire flow requirements exceed those available, the land use, improvement of off-site city water lines or other efforts may be necessary to obtain approval of plans. The review by the District will need to include review of access and location of fire hydrants. • Any modifications to gravity irrigation facilities require an approval of the project from the irrigation entity. The applicant must review the project and determine if an Army Corps of Engineers 404 permit will be necessary to obtain. • Should water/sewer connections be needed, the applicant is responsible to verify that adequate water system supply is available to

		<p>provide any fire suppression water needs. The applicant is responsible to confirm/verify that adequate sewer capacity is available and that the existing system depth is adequate to serve the site. Any new water or sewer services must be reviewed and approved by Public Works.</p> <ul style="list-style-type: none"> • Prior to performing any new grading on the site, the applicant must prepare and have approved by the city an erosion and sediment control plan. • A site geotechnical report, storm water design report prepared by an Idaho licensed design professional that is sealed, dated and signed is required. Compliance with the storm water ordinance and policies of the city will be required. Drainage must be maintained on-site. The grading plan must assure that proposed elevations match the perimeter ground and storm water capture remains on the site including run-off from all hard surfaces and landscaping. The storm water report needs to include a section on depth to seasonal high groundwater and what its expected elevation is. Vertical separation must be at least three feet. • The landowner must enter into an agreement with the city that will be recorded addressing mandatory maintenance of the site's storm water system. The agreement must be fully executed, have approved plans attached and be recorded by the city with final plan approval. • The design professional must provide a storm water operation and maintenance manual that is sealed, signed and dated by the design professional. Said manual must be approved by the city. • The applicant must review the original FEMA work maps (not the current adopted maps) on the city's website as the city has been placed in seclusion. The current maps (June 2020) do not display the possible future risk of the flooding potential of the Boise River. If the lowest floor building elevation is below the draft map BFE, a Flood Risk Acknowledgement form will be required from the landowner/developer. Information provided indicates that the project will be elevated (the lowest floor) to two feet above the work maps BFE.
Idaho Department of Environmental Quality Link to Comments	02/17/2026	DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083 .

Public Comment

The following public comments were provided: None provided.

Code/Policy Review

The below serves as an analysis of applicable provisions Garden City Code, Title 8, Development Code and identified applicable policies, plans, and previous approvals.

Garden City Title 8 Code Sections: link to City Code			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
Title 7 Building Regulations			
7-2-1 Building Code	N/A	No compliance issues as conditioned.	A building permit will be required to be completed prior to occupancy of the structure.

Title 8, Chapter 1: General Regulations		
8-1A-4 Applicability		The regulations of Garden City Code, Title 8 Development Code of the City, shall apply and govern development and use of all properties within the corporate limits of the city.
8-1B-1 Nonconforming Properties		<p>Compliant as Conditioned</p> <p>Legal parcel of record as describe.</p> <p>It appears that a lot line consolidation has not occurred. However, the applicant is not proposing any construction along the lot lines at this time. Should future development be proposed on or across the lot lines, a lot line consolidation would likely be required at that time.</p>
8-1B-2 Nonconforming Structures		<p>Compliant as Conditioned</p> <p>According to data from the Assessor's website, a portion of the building, as well as certain structures and stored materials, appear to encroach onto the adjacent parcel identified as Davis Drain. These encroachments constitute an existing nonconforming condition. All buildings, structures, and stored materials located on the adjacent parcel shall be removed prior to issuance of a certificate of occupancy/completion. A draft condition has been provided.</p> 
8-1B-3 Nonconforming Uses	Choose an item.	<p>Compliant as Conditioned</p> <p>Dwelling unit, single-family detached, is a permitted use.</p> <p>An accessory structure over 1,000 sq. ft. that exceeds the principal dwelling unit's square footage is conditionally allowed use.</p> <p>Storage facility or yard is prohibited use.</p>
8-1C-3 Property Maintenance Standards		<p>Compliant as Conditioned</p> <p>Per 8-1C-2, this article applies to all existing residential and non-residential buildings, structures, and lands.</p> <p>Although there is no open code enforcement case on file, the submitted photos show various materials, vehicles, and other items stored on the site. The applicant stated that all existing storage on the lot will be removed. The existing shed and shop that encroach</p>

over the property line will be removed. No equipment will be stored outside the building, so no screening will be required.

Outdoor Storage: Where allowed the outdoor storage of vehicles, equipment, materials, or merchandise shall be in compliance with the following standards:

1. No outdoor storage items shall block sidewalks, driveways to the site, or impede vehicular and pedestrian traffic and parking.
2. For nonresidential uses, outdoor storage areas shall be screened from the view of adjacent property by a solid masonry wall or privacy fence or approved landscape buffer. The height of the wall or fence shall be the maximum of eight feet (8').
3. For residential uses, outside storage of materials shall be screened with a six-foot (6') privacy fence.
4. No junk materials, goods, merchandise, or wares shall be stored outside in any residential zoning district or visible from an arterial street.
5. Outdoor storage areas shall not exceed fifty percent (50%) of the total area of the site except where landscaping is provided in addition to the required setbacks as follows:
 - a. The additional landscaping shall be equal to at least ten percent (10%) of the area of storage that is over the fifty percent (50%) of total site area; and
 - b. The additional landscaping shall be located on the outside of the required solid masonry wall or privacy fence.
 - c. Notwithstanding the provisions of this subsection, outdoor storage shall be allowed without landscaping in conjunction with the following land uses: agriculture; building material, garden and equipment; equipment rental, sales and services; nursery; vehicle sales and services.
6. Building materials to be used in the construction of any building may be temporarily stored on the premises where the structure is to be built or renovated for not to exceed sixty (60) days in advance of the commencement date of construction or sixty (60) days after the termination date of construction.
7. Outside storage for commercial or industrial uses shall be limited to those items owned or used by the business.
8. Outside storage for a residential development or recreational vehicle park shall be limited to recreational vehicles or personal recreation items of the owners and/or tenants.

In all districts, no garage, tent, trailer, fifth wheel, motor coach, recreational vehicle, travel trailer or other accessory structure shall be erected or used for living quarters or sleeping quarters outside of an approved recreational vehicle park for more than fourteen (14) consecutive days. **A condition has been made for the duration of the use.**

Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose		No compliance issues noted	This zoning district is intended to implement the Comprehensive Plan's vision for mixed-use commercial and activity nodes. The designation may be appropriate to implement the Comprehensive Plan's designations of Mixed-Use Commercial and Main Street Corridor.
8-2B-2 Allowed Uses	PZ	Compliant as Conditioned	Dwelling unit, single-family detached, is a permitted use. An accessory structure over 1,000 sq. ft. that exceeds the principal dwelling unit's square footage is conditionally allowed use. Storage facility or yard is prohibited use.
8-2B-3 Form Standards		Compliant as Conditioned	The required setbacks are: Front: 5' Interior Side:0' Rear: 5' Street side: 5' There is an encroachment onto the adjacent property. As noted above, a condition has been drafted to ensure that the existing structures, buildings, and materials are removed or relocated, with all required permits obtained prior to issuance of a building permit.
8-2C-2 Accessory Use	PZ	Compliant as Conditioned	An accessory structure shall not be used for sleeping quarters, unless specifically designed as an approved accessory dwelling unit or through approval of a conditional use permit.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	PZ	Compliant as Conditioned	The use of barbed wire, razor wire, boxes, sheet metal, old or decayed wood, broken masonry blocks, chain link, chain link with slats, or other unsightly materials for fencing is prohibited. Prohibited fencing and gates shall be removed or replaced with code-compliant materials. Any future fence and gate will be required to comply with the code at the time of occupancy. Fences along public street frontages or within front yard setbacks shall not exceed three and one-half feet in height. However, fences may be up to six feet in height if: a. They are set back to be flush or behind a permanent building; or b. In the absence of a building the fence shall be set back minimally 10 feet from the back of sidewalk, or in the absence of a sidewalk the fence shall be set back 10 feet from where a code compliant future sidewalk would be located, so as to allow for street trees and landscaping between the fence and the sidewalk system. The area between the fence and the sidewalk, or a future sidewalk, shall be maintained with Type A or Type B landscaping.

8-4A-4 Outdoor Lighting	PZ	Compliant as Conditioned	<p>Lighting shall be located to limit lighting that trespasses into adjacent residential properties or onto the Greenbelt and Nature Path. Ways to mitigate light trespass include, but are not limited to:</p> <ul style="list-style-type: none"> a. Lights may be on a timer or sensor activated lights. b. Lights should be minimum 85 degree full cutoff type luminaires. c. The maximum lumen output should be 260 lumens. d. The height of a freestanding light fixture in a residential district should not exceed nine feet in height. <p>Prohibitions:</p> <ul style="list-style-type: none"> 1. Mercury vapor lamp fixture and/or lamp. 2. Laser source light or any similar high intensity light when projected above the horizontal. 3. Strobe lights, except for emergency uses. 4. Searchlights, except where approved for temporary uses. 5. Lighting, including holiday lighting, on commercial or private tower structures that exceed the district height limit except as required by regulations of the Federal Aviation Administration (FAA). <p>The City recognizes areas along the Greenbelt and canal as existing or future natural pathways. The area on the north side of the site is the Davis Drain Canal. The proposed initial lighting plan shows very high lumens per fixture, and the photometric data indicate light trespass onto the Davis Drain. The mounting height and fixture type raise additional concerns. While the fixtures may be designed with cutoff optics, the submittal does not explicitly confirm that they meet the required 85-degree full cutoff standard.</p> <p>In resubmittals dated 03/06/2026, the applicant stated that lighting was adjusted to ensure it does not encroach over the property line and meets the 85-degree full cutoff standard.</p>
8-4A-5 Outdoor Service and Equipment Areas	PZ	Compliant as Conditioned	<p>All on-site service areas for waste, recycling, and trash, as well as equipment areas for transformers and utility vaults, must be either located out of public view or screened from adjacent properties and public streets using a privacy fence, in accordance with Garden City Code.</p> <p>Mechanical equipment, including HVAC units, trash dumpsters, recycling containers, and other service-related infrastructure must be integrated into the overall building and landscape design. These elements must be visually and acoustically contained to minimize impacts on surrounding properties and the public realm.</p> <p>This equipment must be screened or otherwise concealed from public view, consistent with code requirements.</p>
8-4A-7 Stormwater Systems	PZ	Compliant as Conditioned	<p>Stormwater integration standards apply to all site improvements and ACHD-managed facilities. A draft condition of approval has been included requiring that stormwater</p>

			<p>systems be designed and constructed in accordance with GCC §8-4A-7.</p> <p>Stormwater swales incorporated into required landscape areas must be vegetated with appropriate plant materials, such as grass or drought-tolerant species. These swales must also accommodate the required number of trees per GCC §8-4I-4A. All plant materials must be capable of withstanding anticipated variations in soil moisture and wetness.</p> <p>A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.</p>
8-4A-8 Utilities	PZ	Compliant as Conditioned	<p>All new utilities for the structure must be installed underground.</p> <p>For the purposes of this section, the term "utilities" shall include, but not be limited to, electric, natural gas, water, wastewater collection, storm drainage, telephone, and cable services.</p>
8-4A-9 Waterways	PZ	Compliant as Conditioned	<p>Fencing along all natural waterways shall not prevent access to the waterway. If fencing is required, open fencing only is allowed, and privacy fencing is prohibited. All fencing shall be approved by the irrigation or drainage district.</p> <p>There is a canal along the north boundary line that is not located on the subject property. However, there is a requirement that any fencing provided in this area be open fencing.</p>

8-4D Parking and Off Street Loading Provisions

8-4D-3 Parking Design and Improvement Standards	PZ	Compliant as Conditioned	<p>Vehicle parking:</p> <table border="1" data-bbox="781 1241 1458 1619"> <thead> <tr> <th colspan="5">Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS</th> </tr> <tr> <th>Parking Angle</th> <th>Stall Width</th> <th>Stall Depth</th> <th>Length Per Car</th> <th>Driveway Width* Must also meet fire requirements</th> </tr> </thead> <tbody> <tr> <td colspan="5" style="text-align: center;">Standard</td> </tr> <tr> <td>90°</td> <td>9'0"</td> <td>20'0"</td> <td>9'0"</td> <td>22'0"</td> </tr> <tr> <td>0°</td> <td>9'0"</td> <td>9'0"</td> <td>23'0"</td> <td>12'0"</td> </tr> <tr> <td>30°</td> <td>9'0"</td> <td>17'8"</td> <td>18'0"</td> <td>12'0"</td> </tr> <tr> <td>45°</td> <td>9'0"</td> <td>20'6"</td> <td>12'9"</td> <td>13'0"</td> </tr> <tr> <td>60°</td> <td>9'0"</td> <td>21'10"</td> <td>10'6"</td> <td>16'0"</td> </tr> </tbody> </table> <p>Parking shall be located within the development site, unless approved through section 8-4D-6 of this chapter, Standards For Equivalent Parking Adjustments;</p> <p>The location of garages and carports shall comply with the provisions set forth in chapter 8-4, article B of this title, Design Provisions For Residential Structures.</p>	Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS					Parking Angle	Stall Width	Stall Depth	Length Per Car	Driveway Width* Must also meet fire requirements	Standard					90°	9'0"	20'0"	9'0"	22'0"	0°	9'0"	9'0"	23'0"	12'0"	30°	9'0"	17'8"	18'0"	12'0"	45°	9'0"	20'6"	12'9"	13'0"	60°	9'0"	21'10"	10'6"	16'0"
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8-4D-4 Parking Use Standards	PZ	No compliance issues noted	Upon any change of use, the number of vehicle parking spaces to be provided shall be calculated according to the requirements for the new use									
8-4D-5 Required Number of Off-Street Parking Spaces	PZ	Compliant	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3" style="text-align: center;">Dwelling Parking</th> </tr> <tr> <th style="text-align: center;">Dwelling Type</th> <th style="text-align: center;">Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)</th> <th style="text-align: center;">Required Covered Parking Per Each Dwelling Unit</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">More than 1 bedroom</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> </tr> </tbody> </table> <p>Vehicle parking: Parking Required: 2 with 1 being covered.</p> <p>The site contains an existing enclosed car garage, although its configuration is unknown. In addition, the current proposal includes a large garage with two RV bays, which would provide additional vehicle parking capacity.</p>	Dwelling Parking			Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit	More than 1 bedroom	2	1
Dwelling Parking												
Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit										
More than 1 bedroom	2	1										
8-4D-6 Standards for Equivalent Parking Adjustments	PZ	Not Applicable										
8-4D-7 Off Street Loading Standards	PZ	No compliance issues noted	Off Street Loading was not proposed.									
8-4E Transportation and Connectivity Provisions												
8-4E-2 Applicability			Provisions apply to any new construction, addition, expansion, grading, alteration, or any new or <u>more intense use of property.</u>									
8-4E-3 Public Street Connections	PZ	Compliant as Conditioned	<p>All streets and driveways shall adhere to the standards of a clear vision triangle.</p> <p>All developments shall have approved access to a public street, in conformance with the provisions of the transportation authority.</p>									
8-4E-4 Internal Circulation Standards	PZ	Compliant as Conditioned	<p>Driveways, aisles and turnaround areas, when required for fire and refuse access, shall meet the following standards:</p> <ol style="list-style-type: none"> 1. Have a minimum vertical clearance of thirteen feet six inches (13'6") for their entire length and width. 2. Have a minimum width of twenty feet (20'). 3. The design of internal circulation should be integrated with the overall site design and adjacent properties, including the location of structures, pedestrian walkways and landscaping. <p>A direct and convenient internal pathway shall be provided between the proposed two-car garage and the single-family home.</p>									
8-4E-6 Sidewalk Standards	PZ	Compliant as Conditioned	There is an existing attached 5-foot sidewalk on the subject property along 47th Street.									

			<p>The applicant is proposing an attached sidewalk along Fenton Street. This is a corner lot, and an attached sidewalk does not exist along the full length of 47th Street. Additionally, there is no sidewalk on the adjacent property along Fenton Street.</p> <p>Pursuant to the code and the Sidewalk Policy, installation of an attached sidewalk is required only when this type of sidewalk exists on the adjacent properties on both sides.</p> <p>In this case, the code requires installation of a detached sidewalk along Fenton Street with a 6-foot buffer if a root barrier is provided, or an 8-foot buffer if no root barrier is installed, as prescribed by ACHD policy for Class II or Class III trees. (see also Discussion)</p> <p>There is a condition of approval drafted that this is installed prior to Certificate of Occupancy. The applicant will be required to install the sidewalk per the ACHD's requirements. The application will also be required to submit a Public Works and Utility application to the City for review and approval.</p>												
8-4E-7 Pedestrian and Bicycle Accessibility Standards	PZ	Compliant as Conditioned	<p>There is no direct pedestrian connection between the building entrance and the proposed sidewalk along Fenton Street.</p> <p>A condition has been drafted requiring installation of a direct connection from the Fenton Street sidewalk to the main entrance of the single-family home.</p>												
8-4E-8 Transit Facilities	PZ	No compliance issues noted	No comment												
8-4I Landscaping and Tree Protection Provisions															
8-4I-2 Applicability			Due to the new garage/shop being larger than the existing dwelling unit, and increasing the gross site area by more than 25%, the applications shall comply with all provisions of this section of code.												
8-4I-3 General Landscaping Standards and Irrigation Provisions	PZ	Compliant as Conditioned	<p>The following minimum plant sizes shall be used for all required landscape areas:</p> <table border="1"> <tr> <td>Shade trees</td> <td>2 inch caliper minimum</td> </tr> <tr> <td>Ornamental trees</td> <td>2 inch caliper minimum</td> </tr> <tr> <td>Evergreen trees</td> <td>6 foot height minimum</td> </tr> <tr> <td>Woody shrubs</td> <td>2 gallon pot minimum</td> </tr> </table> <p>Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, with mulch used under and around the plants. Use of mulch, organic or rock, as the only ground cover in required planting areas is prohibited.</p> <table border="1"> <thead> <tr> <th>Required Number Of Class II Or Class III Trees</th> <th>Minimum Number Of Species</th> </tr> </thead> <tbody> <tr> <td>11 to 30</td> <td>3</td> </tr> </tbody> </table> <p>The applicant has provided two tree species.</p>	Shade trees	2 inch caliper minimum	Ornamental trees	2 inch caliper minimum	Evergreen trees	6 foot height minimum	Woody shrubs	2 gallon pot minimum	Required Number Of Class II Or Class III Trees	Minimum Number Of Species	11 to 30	3
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8-4I-4 Landscaping Provisions for Specific Uses	PZ	Compliant as Conditioned	<p>Except for single-family and two-family residential uses, additions or site modifications greater than fifty percent (50%) of the gross floor area of the existing structure or developed area, shall comply with all provisions of this article.</p> <p>The site addition and modification exceed 50% of the gross floor area of the existing structure. Initially, the applicant stated that the gravel portion of the site will be used for private storage and private parking for recreational vehicles. Photos of the site, as well as Google Street View, clearly show the commercial nature of the site. However, there is no Certificate of Occupancy for commercial use on file.</p> <p>Resubmittals dated 03/06/2026 stated that the lot will remain residential.</p> <p>If the lot will be operated as a residence, then no additional landscaping is required.</p> <p>The applicant will also be required to install a detached sidewalk with a landscaped buffer along Fenton, as well as Type A or Type B screening for the proposed 6-foot fence along the streets. The provided landscaping must comply with all applicable code standards.</p> <p>A minimum of one class III or class II tree shall be planted in the frontage and every adjacent streetside.</p> <p>An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.</p> <p>47th street (~107 LF): 1 Street tree + 2 Frontage trees = 3 trees</p> <p>Fenton Street (~202 LF): 1 Street tree + 4 Frontage trees = 5 trees</p> <p>Note: Staff recommends requiring Class II street trees (or larger where planting strip width allows) along public frontages to maximize cooling, public health, habitat, stormwater, and long-term canopy outcomes; Class I trees should only be permitted where overhead utilities or substandard planter widths preclude larger forms. This is consistent with regional practices and local streetscape precedents of new developments in Garden City. Conditions have been drafted to require Class I trees in lieu of Class II or III if utility constraints prevent the installation of Class II or Class III trees.</p>
8-4I-5 Perimeter Landscaping Provisions	PZ	Not Applicable	
8-4I-6 Parking Lot	PZ	Not Applicable	

Landscaping Provisions			
8-4I-7 Tree Preservation Provisions	PZ	Compliant as Conditioned	If existing trees are proposed for removal, an arborist's report shall be provided. If trees are removed without submission of an arborist's report, the trees will be presumed healthy, and mitigation shall be required for up to one hundred percent (100%) of the total caliper inches lost on the site.
Title 8, Chapter 6, Article A: Administration			
8-6A-3 General Application Process		No compliance issues noted	The application was reviewed and considered complete within 30 days of submittal, a notice of application acceptance was issued to the applicant, and staff started processing the application.
8-6A-4 Required Application Information			Application waivers requested pursuant to 8-6A-4A <ul style="list-style-type: none"> • Structural Documentation • Topographic Survey • Grading Plan
8-6A-7 Public Hearing Process		No compliance issues noted	The applicant provided a neighborhood meeting more than one month and less than three months prior to application submittal. The City provided a radius notice, notifications to agencies with jurisdiction, and ran a legal notice in the Idaho Press, at least 15 days prior to the first hearing. The applicant provided an affidavit of property posting more than 7 days in advance of the hearing validating that the property was posted more than 10 days prior to the hearing.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Idaho Code 67-6512 Local Land Use Planning Special Use Permits, Conditions, and Procedures	<p>Garden City Code noticing requirements are compliant with this Statute.</p> <p>The statute notes that upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those:</p> <ol style="list-style-type: none"> (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development; (6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. <p>Prior to granting a special use permit, studies may be required of the social, economic, fiscal, and environmental effects and any aviation hazard as defined in section <u>21-501(2)</u>, Idaho Code, of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A</p>

	<p>special use permit is not transferable from one (1) parcel of land to another.</p>
<p>Garden City Comprehensive Plan</p>	<p>Idaho Code § 67-6512(a), requires that special or conditional use permits shall be issued only when “not in conflict with the [comprehensive] plan.” The reason for the special treatment of conditional use permits, presumably, is that by their nature, they allow uses not in accordance with the normal zoning for an area. Thus, conditional use permits are, in essence, mini-zones. Conditional use permits are not required to be “in accordance with” the comprehensive plan. Instead, it is sufficient that they not be “in conflict” with the comprehensive plan.²</p> <p>This application is in future land use designations of the Comprehensive Plan:</p> <p>The land use map shows generalized designations for future land uses. The map also identifies unique possibilities for land use and areas for future studies. The following is an explanation for the designations shown in the legend on the land use map.</p> <p>1. LIGHT INDUSTRIAL BRADLEY TECHNOLOGY DISTRICT: The light industrial designation reflects an intent to maintain the area of existing industrial uses, around Bradley Street and north of Chinden. Industrial development includes: materials processing and assembly, product manufacturing, storage of finished products, and truck terminals. Manufacturing support facilities such as offices and research-related activities should also be allowed in this area, but other non-industrial uses should be limited. Major consideration in regulating industrial uses should be setbacks, buffering and landscaping from adjacent residential uses. Standards should also be directed toward control of light, glare, noise, vibration, water and air pollution; use and storage of toxic, hazardous or explosive materials; and outdoor storage and waste disposal.</p> <p><u>The application may be supported by:</u> list goals or objectives e.g.</p> <p>Goal 4. Emphasize the “Garden” in Garden City</p> <ul style="list-style-type: none"> • 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> • 7.1 Objective: Create pedestrian and bicycle friendly connections. • 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters. <p><u>The application may not be supported by:</u> list goals or objectives E.g.</p> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> • 2.3 Objective: Promote quality design and architecturally interesting buildings.
<p>Garden City Sidewalk Policy</p>	<p>The proposed sidewalk does not meet the applicable code requirements.</p>

² [2022 Givens Pursley Land Use Handbook](#)

[Garden City Street Light Policy](#)

A streetlight is installed at the corner of 47th St. and Fenton St. in accordance with the policy.