

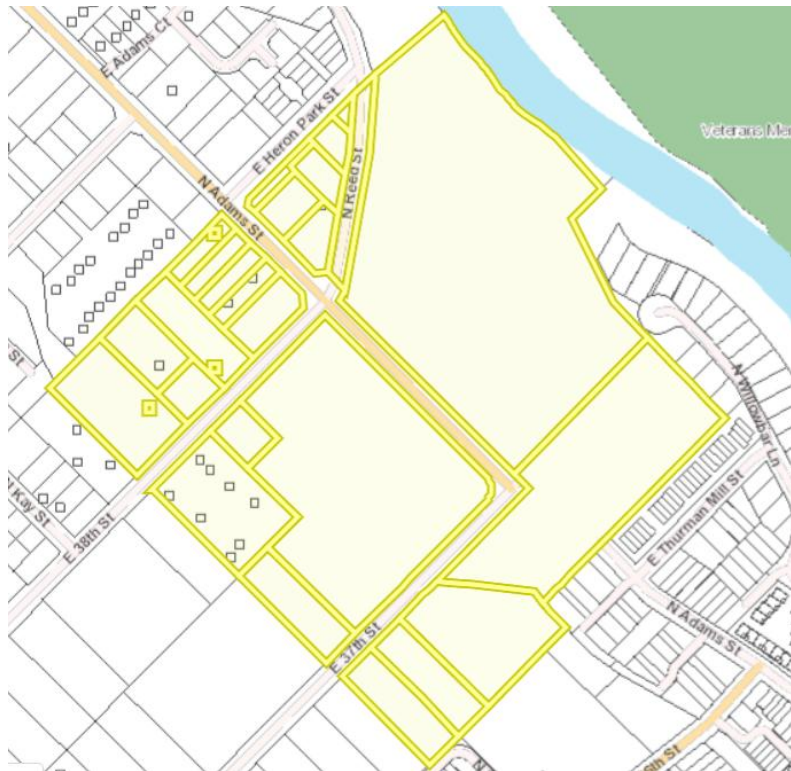


DEVELOPMENT SERVICES DEPARTMENT

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Phone (208)472-2921 □ Fax (208)472-2926

SPECIFIC AREA PLAN (SAP) STAFF REPORT

File Number: SAPFY2026 - 0001



Applicant: City of Garden City

Planning and Zoning Commission Hearing Date: 5/20/2026, 6:30 p.m.

Prepared by Jenah Thornborrow

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EXECUTIVE SUMMARY

The proposed Heron Commons Specific Area Plan establishes a new zoning district and conceptual framework to guide the redevelopment of approximately 34 acres along the Boise River. The plan is intended to facilitate a vibrant, mixed-use district that prioritizes public access to the river and Greenbelt, integrates open space, and enhances multimodal connectivity while supporting coordinated, phased infrastructure improvements.

Two ordinance drafts are provided for consideration. **Draft A** includes detailed, prescriptive development standards, offering greater certainty in project outcomes and design consistency. **Draft B** emphasizes intent-based guidelines, allowing greater flexibility for development to respond to changing conditions while still achieving the plan's overarching goals.

The proposal incorporates subdistricts, building height transitions, and design considerations to ensure compatibility with surrounding neighborhoods while supporting economic feasibility. It also requires phased delivery of key public improvements, including streets, pathways, flood protection, and publicly accessible open space.

Key features include enhanced Greenbelt access, a primary pedestrian spine, and a circulation system designed to improve connectivity while minimizing cut-through traffic. The plan balances flexibility and predictability to enable long-term, adaptive redevelopment aligned with community objectives.

Staff finds the proposal consistent with the Garden City Comprehensive Plan and adopted transportation policies, and recommends approval of the ordinance as drafted.

RECORD DOCUMENTS ([link to all file documents](#)): File SAPFY2026-0001

Individual links:

1. Application Materials
 - a. [Application](#)
 - b. [DRAFT 2 Zoning Ordinance Option A \(prescriptive\)](#)
 - c. [DRAFT 2 Zoning Ordinance Option B \(flexible\)](#)
 - d. [Map Revision Ordinance](#)
2. Staff Report
3. Agency Comments: linked in [Agency Comments](#)
4. Public Comments: linked in [Public Comments](#)
5. DRAFT [Planning and Zoning Commission Recommendation](#)

RECOMMENDATION SUMMARY

Staff Suggested Recommendation Document

Staff have provided a recommended Recommendation Document.

Design Consultation

On May 4, 2026, there was a brief Design Consultation where the following matters were discussed, and incorporated into the second version of the proposed ordinance, Option A:

- Added strategies to achieve low design speeds in pedestrian spine.
- Clarified building height in relation to number of stories.
- Specified that only fully above-grade stories are counted as a story.
- Added adaptive reuse considerations.
- Added parking reduction allowances.
- Refined design requirements to maintain intent while reducing costs.
- Clarified that required HCPI open space must be usable and publicly accessible, and cannot include parking or vehicular circulation areas.
- Strengthened standards for the pedestrian spine, canal pathway, and Greenbelt connections, including maintaining the canal as an open water feature.
- Refined active frontage requirements with measurable standards emphasizing observable human activity.
- Improved structured parking standards to better integrate with the public realm.
- Added privacy and compatibility standards for adjacent residential areas, including building orientation and landscape buffering.
- Clarified the Development Allocation Plan (DAP), including the relationship between open space, development intensity, and height bonuses.
- General code cleanup for improved organization, consistency, and clarity throughout.

The consultation was continued to May 18, 2026, due to time constraints.

PROJECT PROPOSAL INFORMATION

Proposed Scope of Work

This application is for a Specific Area Plan per Garden City Code 8-7A-2 Definition of Terms:

Specific Area Plan: The concept plan for a property, including a narrative and illustrations meeting the application requirements of Garden City Code 8-7B-1. I (Master Plan), plus the proposed unique permitted, conditional, and prohibited land uses, and the form standards for land within the SAP.

Specific Area Plan District (SAPD): Following the adoption of a SAPPO, the zoning map identification of the particular property on the zoning map as a specific area plan district such as, e.g., SAPD-1.

Specific Area Plan Project Ordinance (SAPPO): Any city-approved specific area plan that is adopted by ordinance as a separate chapter in Garden City Development Code.

Purpose of a Specific Area Plan

Establishing a specific area plan district (SAPD) for a property provides a means to create zoning regulations and a master plan for unique areas and developments where a different zoning district may not achieve desired results.

Each SAPD includes its own nontransferable set of zoning regulations. The regulations may include design guidelines, site plans, infrastructure plans, phasing plans, and other elements. The type of uses, form standards, location and amount of development, and design criteria for a particular property shall be established by adopting the SAPD into the Development Code by specific area plan project ordinance (SAPPO).

The goal of the Specific Area Plan tool is to ensure the orderly planning and development of land, by requiring new development to:

1. Implement the goals and objectives of the city's comprehensive plan, as amended, including the future land use map, the land use designations, and the land use goals and policies, if applicable.
2. Contribute to the social, economic, and environmental sustainability of the city.
3. Develop in a manner that is highly respectful of the natural setting, that is at a human scale and ensures neighborhood compatibility.
4. Provide for a safe and comfortable integrated transportation system that prioritizes a pedestrian-bicyclist environment and mass transit and reduces vehicular trips.
5. Result in a contribution of amenities to the community including maintaining public access to the Boise River and recreational facilities.
6. Designate and protect open site areas in perpetuity.
7. Provide for a mix of uses, including housing types.
8. If necessary, plan for the coordinated and phased construction of infrastructure, including public facilities and transportation system components.
9. Remain consistent with the intent of the Garden City Development Code.

Site Information

1) Property Owners:

- a) Lowe Damion
- b) East Thirty Seventh Street Llc
- c) Garden City Willow Reed Llc
- d) Hernandez Richard J
- e) Anderson Family Trust 4-17-2020
- f) Bobp Mary Ellen & William David Revocable Trust 2-18-09
- g) Hernandez Wendy
- h) Hernandez Fabie
- i) Anderson Stephen J
- j) Erickson Patricia
- k) Wheeler Loren R & Dana C Trust 09/20/2024
- l) S4 Enterprises Llc
- m) Ada County Highway District
- n) Hyslop Dakota Bryan
- o) Milanez Javier
- p) Ada Distributing Co Inc

2) Property Description:

- a) Street Addresses: 220; 221; 301; 305; 317 **E. 37th Street**; 215; 300 ; 304; 308 ; 300; 306; 310; 311 **E. 38th Street**; 3700; 3775; 3799; 3800; 3807; 3824; 3825; 3832; 3833; 3845, S1005120600 (Bare Land) **N. Adams Street**; 3825; 3831; 3845 **N Reed Street**.

- b) Ada County Tax Parcel Number(s):

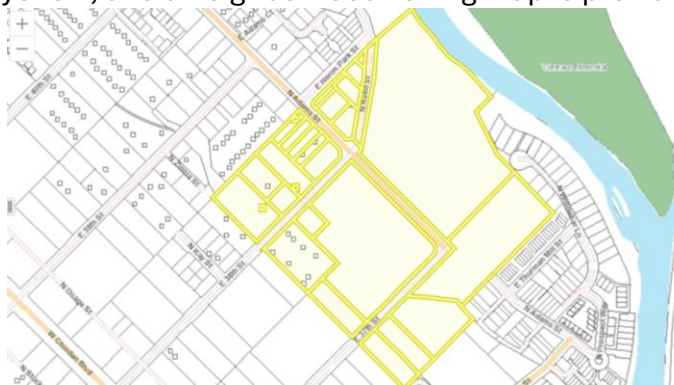
- | | | |
|-------------------|--------------------|--------------------|
| i) R2734502585 | x) R3459000022 | xix) S1005141700 |
| ii) R3459000061 | xi) R2734502617 | xx) R2734520174 |
| iii) R3459000035 | xii) R2734502627 | xxi) S1005141650 |
| iv) R2734502610 | xiii) R3459000051 | xxii) R2734520190 |
| v) R2734502623 | xiv) R2734502631 | xxiii) R2734520390 |
| vi) R3459000049 | xv) R2734502590 | xxiv) S1005141695 |
| vii) R2734502637 | xvi) R2734502617 | xxv) S1005120600 |
| viii) R3459000012 | xvii) R2734502575 | xxvi) R2734520200 |
| ix) R2734502575 | xviii) R2734520441 | xxvii) R2734520430 |

- a. Described by the Ada County Assessor's Office as:

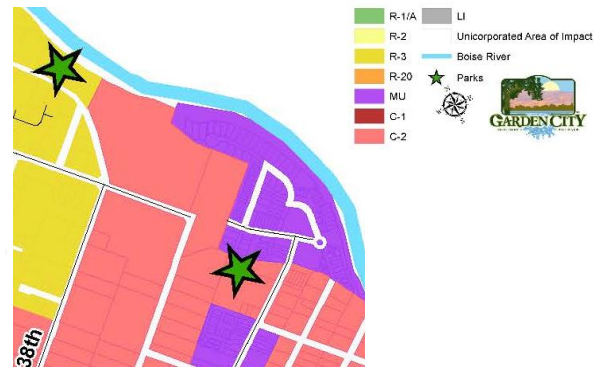
- i) NW 195' LOT 14 & NW 195' OF NE 25' LOT 13 BLK 8 FAIRVIEW ACRES SUB #1
- ii) LOT 6 BLK 1 EXC R/W DEE HARDIN SUB #0060B
- iii) LOT 3 EXC NWLY 84' BLK 1 DEE HARDIN SUB #0030-B
- iv) LOT 15 BLK 8 FAIRVIEW ACRES SUB NO 1
- v) PAR #2623 POR LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB 1 #2621B
- vi) PAR #0049 POR LTS 3 & 4 BLK 1 DEE HARDIN SUB #0048-B
- vii) PAR #2637 POR LTS 16 & 17 BL 8 FAIRVIEW ACRES SUB #1 #2635-B
- viii) PAR #0012 POR LOT 01 BLK 01 DEE HARDIN SUB #0011-B
- ix) LOT 12 & SW 75' LOT 13 BLK 8 FAIRVIEW ACRES SUB NO 1 #2580-S
- x) PAR #0022 POR LOT 02 BLK 01 DEE HARDIN SUB #0021-B

- xi) PAR #2617 OF LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2615B
- xii) PAR #2627 POR LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2625B
- xiii) LOT 5 BLK 1 EXC R/W DEE HARDIN SUB #0050B
- xiv) PAR #2631 OF LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2630B
- xv) SE 105' LOT 14 & SE 105' NE 25' LOT 13 BLK 8 FAIRVIEW ACRES SUB #1
- xvi) PAR #2617 OF LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2615B
- xvii) LOT 12 & SW 75' LOT 13 BLK 8 FAIRVIEW ACRES SUB NO 1 #2580-S
- xviii) LOTS 22 & 23 BLK 12 FAIRVIEW ACRES SUB NO 3
- xix) PAR #1700 @ CTR NE4 SEC 5 3N 2E #141690-B
- xx) LOTS 20 & 21 BLK 11 FAIRVIEW ACRES SUB NO 3 #0172 0178 C
- xxi) PAR #1650 OF S2NE4 SEC 5 3N 2E #9115156
- xxii) LOT 22 BLK 11 FAIRVIEW ACRES SUB NO 3 #8827750
- xxiii) LOT 12 BLK 12 FAIRVIEW ACRES SUB NO 3 #9213674
- xxiv) PAR #1695 IN CTR POR NE4 SEC 5 3N 2E & OF BLK 12 FAIRVIEW ACRES #3 R/S 9143
- xxv) PAR #0600 OF W2NE4 SEC 05 3N 2E
- xxvi) LOT 23 BLK 11 FAIRVIEW ACRES SUB NO 3
- xxvii) PAR #0430 NW POR LOTS 20 & 21 BLK 12 FAIRVIEW ACRES SUB NO 3

- 2) Property Size: 33.96 acres
- 3) Legal Lot of Record: To be determined
- 4) Zoning District: R-3 Medium Density Residential & C-2 General Commercial
- 5) Comprehensive Plan Land Use Map Designations:
 - a. Future Planning Area
 - b. Mixed Use Commercial
 - c. Main Street Corridor
 - d. Mixed Use Residential
 - e. Future Park/ Open Space
- 6) Neighborhood: The property is bound to by the Boise River, generally to the north, and adjacent to properties zoned R-3, C-2, and MU. A map of the subject properties are highlighted below in yellow, and a neighborhood zoning map is provided:



Subject Properties



Zoning Map

What Is Proposed

The draft ordinance would establish a new Specific Area Plan zoning district identified as SAP 02. Adoption of this district would also include a conceptual Master Plan that provides a general framework to guide future redevelopment. Once adopted, the Specific Area Plan becomes the governing zoning for the subject properties, via a secondary ordinance. The working name Heron Commons has been provided as a more recognizable reference than SAP-02.

The draft ordinance would establish a new Specific Area Plan zoning district identified as SAP 02. Adoption of this district would also include an illustrative Master Plan that provides a general framework to guide future redevelopment. Once adopted, the Specific Area Plan becomes the governing zoning for the subject properties via a secondary ordinance. The working name *Heron Commons* has been provided as a more recognizable reference than SAP-02.

Two draft approaches are presented Both drafts are intended to support the creation of a walkable, mixed-use neighborhood that can adapt over time. The primary difference between the drafts is the degree of specificity in how that outcome is implemented.

- **DRAFT A (Prescriptive Approach):** Includes more prescriptive standards, defined subdistricts, and detailed regulatory requirements that specify how desired outcomes are achieved.
- **DRAFT B (Flexible Approach):** Focuses on purpose and intent, using a Regulatory Master Plan framework to guide development while allowing more flexibility in how outcomes are achieved. DRAFT B does not include subdistricts.

In both drafts, the district provides for future opportunities for neighborhood serving shops, services, gathering places, and a more walkable mixed-use environment. This approach is further supported by provisions that allow for reductions in parking requirements where appropriate, helping to improve project feasibility and encourage walkability.

Neither draft proposes a fixed development plan. Instead, both establish a framework to guide incremental redevelopment over time while ensuring:

- Public access to the Boise River and Greenbelt
- A connected street and pathway system (It is noteworthy that any streets intended for public motor vehicle use remain subject to review and approval by the Ada County Highway District.)
- Delivery of public open space
- A walkable, mixed-use neighborhood that can function as a community destination

Required Public Improvements

Both drafts of the ordinance require public improvements to be delivered in phases as development occurs within the district. These improvements include flood protection measures, circulation system components, and other infrastructure necessary to support the long-term buildout of the area.

Flood protection improvements are required to address existing flood risks and to ensure that floodwaters associated with a FEMA designated one-hundred-year flood event are contained within the district boundaries. These improvements must connect to existing or planned flood protection systems and must be designed, constructed, and certified in accordance with FEMA requirements.

Development within the district must also contribute to a connected public circulation system. Public streets and pathways are required to link areas within the district and provide connections to the Boise River, the Greenbelt, and surrounding neighborhoods. The circulation system prioritizes walking and bicycling, with limited vehicle access designed to support development without encouraging cut through traffic.

Required public improvements will be constructed incrementally as individual development projects move forward.

Boise River Greenbelt and Public Access

Both drafts of the ordinance include standards that protect and enhance the Greenbelt. The width of the Greenbelt corridor may not be reduced, and any reconstructed pathway must provide a minimum paved width of twelve feet. Public access along the Greenbelt is expected to be maintained during construction activities, whenever it can be achieved. Lighting near the Greenbelt must be designed to minimize impacts to the river environment and must comply with applicable dark sky standards.

The ordinance also requires frequent and direct public access to the Greenbelt. Public pedestrian and bicycle accessways must be provided at intervals of no more than three hundred feet. These accessways must meet ADA requirements and provide frequent, visible connections between the Greenbelt, public streets, and adjacent development.

Adams Street Pedestrian and Bicycle Connection

Within the Heron Commons SAP District, Adams Street currently ends in a dead end. Long standing planning documents adopted by both the Ada County Highway District and the City of Garden City identify the completion of this connection as a planned improvement. The adjacent Waterfront District subdivision was constructed with a street stub to Adams Street in clear anticipation, and as a condition, that the connection would be completed when the adjoining property redevelops. At present, only a single parcel within the Heron Commons SAP District separates the two existing street segments.

Although the Adams Street connection has been anticipated for many years, the surrounding neighborhood has expressed concerns regarding potential traffic impacts, particularly the possibility of vehicular cut through traffic. At the same time, the City regularly receives public comments regarding congestion and user conflicts on the Boise River Greenbelt near this location. Adopted City planning policies call for the identification of secondary bicycle routes to relieve Greenbelt congestion and reduce user conflicts during peak periods. A connection at Adams Street would allow bicyclists to reach the 36th Street bridge without relying on the Greenbelt.

In both drafts, the proposed Adams Street connection balances long planned connectivity, Greenbelt congestion, and neighborhood context. It provides a direct pedestrian and bicycle route

between surrounding neighborhoods, the Heron Commons district, and the Greenbelt, while also serving as an alternative to the Greenbelt for bicycle travel. Vehicular access is limited and subordinate, with design strategies that discourage cut through traffic.

The City has also heard concerns regarding bicycle traffic if Adams Street connects. In response, the ordinance includes a defined post implementation evaluation period. This period allows time for development and travel patterns to stabilize and provides a structured, performance-based process to evaluate the connection’s operation. If documented safety or operational issues arise and cannot be adequately mitigated, the ordinance provides a clear pathway, including public hearings, to modify, restrict, or, if necessary, close the connection.

Because Adams Street is owned and operated by the Ada County Highway District, the proposed connection is contingent upon ACHD approval.

Key Public Spaces and Connections

Public comment received throughout the process has overwhelmingly expressed support for creating a mixed-use destination that strengthens the connection to the Boise River. To support this vision, both drafts of the ordinance require a primary public “pedestrian spine” connecting Adams Street to the Greenbelt. This spine must remain permanently open to the public and serves as a central organizing element for the district. It supports walking, gathering, and active building frontages. Depending on final design approvals, it may function as a pedestrian corridor or as a low-speed shared street.

Buildings located along the primary pedestrian spine are intended to be designed to allow future transition to commercial or mixed-use activity, particularly at the ground floor. Rather than requiring immediate commercial occupancy, the ordinance focuses on design features that allow spaces to evolve over time as demand increases. This approach helps reduce initial vacancies while preserving long term flexibility by reducing future impediments to repurposing the structures.

The ordinance also requires a continuous public multi-use pathway along the Thurman Mill Canal. This pathway supports long term pedestrian and bicycle connectivity and allows for future extensions to adjacent properties as redevelopment occurs.

Subdistricts

(DRAFT A only) Development within the district is organized into three subdistricts, each with standards tailored to its location and transition needs.

The **Heron Commons Public Interface (HCPI) Subdistrict** is located closest to the Boise River and Greenbelt and is primarily focused on publicly accessible open space. This subdistrict responds to the Comprehensive Plan designation for parks and open space while preserving the public use and enjoyment of the Greenbelt. Development coverage is limited to forty percent, and building heights are generally limited to two stories. Limited height increases may be allowed in exchange for additional publicly accessible open space. Permitted uses are to be public or semipublic in nature.

Development within the floodplain must be carefully managed to reduce risk and ensure that floodwaters from a FEMA designated one-hundred-year flood event are contained. By prioritizing

publicly accessible open space, particularly adjacent to the Greenbelt, the code reinforces the river corridor as a shared community asset, enhances opportunities for gathering and recreation, and creates a resilient and adaptable landscape that can respond to future flood conditions while remaining open and welcoming to the public.

The **Heron Commons Residential Edge (HCRE) Subdistrict** provides a transition to existing neighborhoods and limits development intensity to maintain compatibility. Building height is limited to three-stories, and design expectations are calibrated to maintain neighborhood scale while helping manage development cost.

The **Heron Commons Mixed Use (HCMU) Subdistrict** forms the central portion of Heron Commons and allows a mix of residential, commercial, cultural, and civic uses. Buildings are generally allowed up to six stories. To maintain appropriate scale and transitions to adjacent areas, including Heron Park Street, the Public Interface Subdistrict, and the Residential Edge Subdistrict, buildings located directly next to these areas are limited to a maximum height of four stories. This subdistrict is expected to evolve over time as demand increases, supported by building designs that can accommodate a broader mix of uses.

Phasing, Implementation, and Public Benefit Delivery

Both drafts include phasing and implementation provisions to ensure that public benefits are delivered in a coordinated and timely manner.

Required streets, pathways, flood protection improvements, and public access facilities must be constructed or financially secured in conjunction with development. Larger scale development is linked to completion of key public infrastructure.

Permanent public access easements are required to ensure ongoing public use of streets, pathways, and open spaces. Long term maintenance responsibilities must be established through recorded agreements to ensure continued safety, functionality, and public access.

What Is Not Proposed

Public comment raised some requests that are not incorporated into the proposed ordinance.

One recurring concern relates to the potential for three-story development adjacent to existing three-story townhomes in the Waterfront District. Commenters expressed concern regarding loss of privacy and views with one comment suggesting limiting new development in these areas to two stories. Staff carefully considered this request. Under the existing zoning, there are no height limitations, and the range of permitted uses is broader. By comparison, the Waterfront District allows building heights up to seventy-two feet, although the existing townhomes are built at a lower scale.

Staff has evaluated how best to address the important aspects of residential livability for adjacent homes. Limiting height adjacent to these properties would not fully address privacy or view concerns, as development elsewhere in the district could still introduce similar impacts. Expanding a two-story limitation across the district would conflict with the intent to support a vibrant mixed-use development pattern.

Rather than relying solely on height limitations, the proposed ordinance DRAFT A addresses privacy through site design measures. These include building orientation to avoid direct alignment of windows into adjacent residences, thoughtful placement of windows and outdoor spaces, and the use of large tree plantings to provide visual screening between developments. These approaches will reduce direct visual impacts and improve privacy while still allowing development at a scale that supports a functional mixed-use district.

DRAFT B requires that a Regulatory Master Plan be approved, which addresses the adjacent residential uses.

Public comment also included requests to require specific environmental sustainability design standards within the ordinance. While the proposed SAP District does not establish additional prescriptive sustainability requirements in either draft, development within the district remains subject to Garden City Code section 8-4G, Sustainability Development Provisions, which apply to qualifying projects.

Draft Ordinance Option A and Option B Comparison

Overview

Two approaches are proposed to implement the Heron Commons district:

- **Option A:** Structured, code-based framework with defined subdistricts
- **Option B:** Flexible, master plan-based framework

Key Differences

Approach

- **Option A:** Pre-defined subdistricts (riverfront, residential edge, mixed-use core) with fixed rules
- **Option B:** Relies on a Regulatory Master Plan to organize development.

Regulatory Style

- **Option A:** Detailed, prescriptive standards (form, frontage, pedestrian spine)
- **Option B:** Outcome-based standards; details resolved through design review

Open Space

- **Option A:** Defined minimums and structured allocation system
- **Option B:** Required but flexible; guided by targets rather than fixed minimums

Intensity & Form

- **Option A:** Fixed height and scale by subdistrict
- **Option B:** Target-based (e.g., density), finalized through Master Plan

Calibration (Buildability Risk)

- **Option A:** Greater risk of unintended constraint due to over-prescriptive standards, which may: limit design flexibility Increase development costs create conflicts between standards.
- **Option B:** Lower risk of over-constraining development due to its flexible, outcome-based approach, but may:
 - Require stronger oversight to ensure consistent quality
 - Create uncertainty if expectations are not clearly applied

Implementation

- **Option A:** Development Allocation Plan (DAP) manages development rights and open space
- **Option B:** Regulatory Master Plan (RMP) sets overall framework for future development

Key Policy Choice

- **Option A:** Greater certainty, structure, and coordinated outcomes
- **Option B:** Greater flexibility, adaptability, and design evolution

Staff Takeaway

Both options support a walkable mixed-use district.

The choice is between **predictability (Option A)** and **flexibility (Option B)**.

AGENCY COMMENTS

The following agency comments were provided:

Agency	Comment Date	Comment Link	Summary
Idaho Department of Environmental Quality	04/27/2026	Link	No Comments

PUBLIC COMMENT

Written Comment

The below links provide the written comments in their entirety.

- [Michelle Burkes May 7, 2026](#)
- [Joe Jaszewski 04102026](#)
- [Rick Kotze 05082026](#)
- [Dave and Gwen Twyver 05072026](#)
- [Dave and Gwen Twyver 05082026](#)

Written comments reflect both support for redevelopment of the site and targeted concerns regarding how the ordinance would be implemented.

A primary area of concern relates to the proposed Adams Street connection. Multiple commenters expressed opposition to allowing vehicular traffic, citing concerns about safety, cut through traffic, and the preservation of a quiet neighborhood environment. Commenters consistently supported limiting the connection to pedestrian and bicycle use or otherwise significantly restricting vehicle access.

Neighborhood compatibility is another central theme. Several commenters raised concerns about three story development located near existing three-story townhomes, noting potential impacts to privacy, views, and overall livability. These comments emphasize the importance of building placement, scale, and transitions to ensure compatibility with adjacent residential development.

In addition to these concerns, comments also reflect support for the overall vision and opportunity presented by redevelopment. Some respondents expressed enthusiasm for a bold approach that could create a vibrant mixed-use district with new housing and an activated destination environment.

Additional requests focused on specific policy direction. These include a preference to avoid required parking minimums, a desire to prohibit large-scale retail uses, and support for incorporating environmentally sustainable design practices into the development framework. Overall, written comments indicate support for redevelopment, with focused concerns related to traffic, building scale and placement, and long-term neighborhood compatibility.

Survey

A survey was conducted beginning April 1, 2026, and responses were reviewed on May 12, 2026. A total of 65 responses were received. The survey responses are linked here: [Survey responses as of May 12, 2026.](#)

Survey input emphasized a desire for a publicly accessible, river-oriented place with strong open space, environmental stewardship, and community gathering opportunities. Respondents expressed interest in a setting that balances a calm, nature-focused experience with an active mix of uses, including small scale retail, recreational amenities, and community serving spaces. Public access to the Boise River and Greenbelt, trails and connections, and open space near the river were repeatedly identified as top priorities, along with amenities such as walking and biking paths, seating areas, and passive recreation.

Participants supported a mix of housing and neighborhood serving commercial uses, particularly smaller scale retail and services that contribute to daily activity without overwhelming the area. There was also interest in civic, cultural, and recreational uses that reinforce the site as a community destination rather than a purely residential or commercial area.

Several areas of concern and potential controversy emerged. Building height and development intensity, particularly near existing neighborhoods and the river, were identified as sensitive issues. Respondents emphasized the importance of maintaining compatibility through height limits, buffering, and careful design. Traffic and parking impacts were also noted as concerns.

There was clear opposition to more intensive or incompatible uses, such as large-scale retail, industrial uses, warehouses, and large parking facilities. Nighttime uses produced mixed responses, suggesting they may be appropriate in limited or carefully managed contexts.

Overall, survey responses indicate support for a balanced approach that prioritizes public access, open space, and environmental quality while allowing a thoughtful mix of uses. The primary tension is between creating an active, economically viable mixed-use district and preserving the river corridor, neighborhood compatibility, and a sense of openness and accessibility.

Neighborhood Meeting

A neighborhood meeting was held on April 22, 2026, as required by code to inform and gather input prior to application submittal. A more detailed link to the discussion is linked: [Neighborhood Meeting Summary.](#)

Discussion focused on the scope of the Specific Area Plan, redevelopment expectations, and potential impacts. Participants asked why the plan includes properties beyond the ACHD site. Staff explained that including adjacent properties allows for coordinated planning, cohesive zoning, and the creation of a unified destination over time. It was clarified that the SAP does not compel redevelopment of existing uses but would apply when properties redevelop.

Traffic and circulation were key topics. Participants requested that a traffic analysis be required. The adoption of the ordinance itself does not trigger a traffic study, as it does not increase overall development potential compared to existing zoning, nor does it propose specific development or uses. Notwithstanding, traffic studies may be required at the time of future development applications based on specific proposals.

Comments regarding the Adams Street connection focused primarily on concerns with cut-through traffic and neighborhood impacts. Most commenters supported limiting or prohibiting vehicle access, with one comment expressing opposition to any connection, including bicycles and pedestrians. In response, the draft ordinance prioritizes pedestrian and bicycle use and limits vehicular access to support local circulation rather than through traffic. The connection also functions as an alternative route to help relieve congestion on the Greenbelt. The ordinance includes design approaches to discourage cut through traffic, as well as a post implementation evaluation period that would allow for modification or closure of the connection if bicycle traffic or other operational issues become problematic.

Participants also raised concerns about building heights and transitions, particularly along the western edge adjacent to existing residences. While this has been incorporated into the draft ordinance, it is a component not supported by the Design Consultants.

Additional discussion topics included Greenbelt setbacks, congestion, tree preservation, irrigation requirements, property values, and the potential for public open space. Staff clarified that Greenbelt setbacks follow existing code, that tree mitigation is required but tree removal is allowed, and that the City cannot purchase the property for park use but can require publicly accessible open space through zoning and development processes.

Overall, the neighborhood meeting identified key issues related to traffic, connectivity, building scale, and neighborhood compatibility, many of which informed the development of the draft ordinance.

PROCESS AND DECISION

General Provisions

This application is processed by GCC 8-6A-7 Public Hearing.

Decision Process

The following decision processes are required for the project as governed by GCC Table 8-6A-1.

Decision		Design Review Consultants Consultation	Recommendation Authority	Decision Authority
Specific Plan	Area	Required	Planning and Zoning Commission	City Council

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision maker shall report the facts upon which it based its conclusion, the ordinance and standards used in evaluating the application, the actions, if any, that the applicant could take to obtain a permit, and whether a permit is granted, granted with conditions, or denied. The decision maker shall make its findings and decision no later than by the next regular scheduled meeting.

Required Findings

The decision maker must decide that the following findings are compliant with written reasoned statements to approve a Specific Area Plan:

1. The SAP application, as conditioned, is consistent with the city comprehensive plan, as amended, including the future land use map and the land use planning area guidelines and land use designations, if applicable.
2. The SAP application, as conditioned, meets the minimum requirements of this chapter [GCC Title 8 chapter 6].
3. The SAP application promotes the orderly planning and development of land, as set forth in the purpose of this process.
4. The SAP application will create a district that is identifiable as a distinct area of the city with a distinguishing character.
5. The SAP application has been noticed and a public hearing held in accordance with this code [GCC Title 8].
6. The SAP application complies with all city zoning regulations and codes in effect at the time of the SAP application.

If an application does not meet one or more of the criteria above, the application shall be denied, and the reason the application does not meet the finding or findings shall be in writing.

Inherent in the application is the rezoning of a property and a development code amendment. While the following findings may not be required, staff suggest that the decision also include a review of the findings for a rezone and development code amendment. These findings are below:

Development Code Amendment Findings 8-6B-5 D.

1. The text amendment complies with the applicable provisions of the comprehensive plan;
2. The text amendment shall not be materially detrimental to the public health, safety, and welfare; and
3. The text amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.

Rezone Required Findings 8-6B-10 F.

1. The zoning map amendment complies with the applicable provisions of the comprehensive plan;
2. The zoning map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
3. The zoning map amendment shall not be materially detrimental to, or impacts can be mitigated that affect, the public health, safety, and welfare or impacts;
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; and
5. The annexation of land, if proposed, is in the best interest of the city and complies with the procedures as set forth in Idaho Code section [50-222](#).

Authorities and Actions

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), the Design Consultant and Planning and Zoning Commission are recommending authorities and the City Council is the final decision maker for the requested application.

Design Review Consultation

This application is required to be reviewed by the Design Review Consultant(s). Their recommendations are provided to the Planning and Zoning Commission for the Planning and Zoning Commission review.

Recommendation

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

1. Recommend that the City Council grant the application as applied;
2. Recommend that the City Council grant the application with conditions as drafted or as amended;
3. Recommend that the City Council deny the application; or
4. Continue the decision.

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

City Council Decision

The City Council may take one of the following actions:

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

Reconsideration and Judicial Review

A reconsideration request may be made within 14 days of the formal decision being rendered by the City Council. This will be considered the day that the City Council formally acts on the decision document. This date may differ from the date that the written decision document is provided to the applicant.

If a reconsideration is not requested within 14 days, the decision will be final. If a reconsideration is requested, and granted, the final decision will be that of the reconsideration request.

Final decisions are subject to a 28-day right to judicial review pursuant to The Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code. A takings analysis pursuant to Idaho Code may be requested on final decisions.

Conflict of Interest and *Ex Parte* Communication

Decision makers are requested to provide full disclosure conflict of interest, or *ex parte* communications.

Conflict of interest means any decision or formal recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated, with some exceptions as outlined starting on page 5 of the [2024, Office of the attorney General Idaho Ethics in Government Manual](#). A conflict of interest would result in the decision maker recusing themselves from deciding or making a formal recommendation on the application. Similarly, staff with a conflict of interest will not administer an application with which they have a conflict of interest.

An *ex parte* communication is a written or oral communication made without proper notice and not on the public record regarding a substantive issue in a pending matter between an interested party and a decision maker on a quasi-judicial matter. *Ex parte* contact in a quasi-judicial matter can be cured if meaningful disclosure is made. The timeframe, matter, and with whom the contact was made should be disclosed. It is requested that any decision maker provide an accounting of discussions or viewings of the property that have occurred since the filing of the application. The limitations on *ex parte* contacts are directed at decision-makers. Communications with agency staff are not considered improper. Pages 551-559 of the linked [November 23, 2024, Givens Pursley Land Use Handbook](#) discusses *ex parte*.

APPLICATION REVIEW

Spot Zoning

Anytime there is a zoning map change, the city must evaluate the rezone for spot zoning. Illegal spot zoning is a change in zoning of a property to provide benefits to that particular property that is not allotted to surrounding properties and is also not in compliance and accord with the comprehensive plan. Pages 53-57 of the linked [November 16, 2022, Givens Pursley Land Use Handbook](#) describes the legal parameters of spot zoning in more detail.

The Heron Common SAP District has been drafted intending to directly correspond to the Comprehensive Plan.

Garden City Code, Title 8, and Idaho State Statute Review

The below is an analysis of applicable provisions Garden City Development Code, Title 8, and Idaho Code.

Garden City Title 8 Applicable Code Sections		
Code Section	Compliance	Analysis/ Discussion
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.
Title 8, Chapter 2: Base Zoning District Regulations		
8-2A-1 Base Zoning Districts Established	No Compliance Concerns Identified	Specific Area Plan is a base zoning district established.
8-2A-2 Official Zoning Map	No Compliance Concerns Identified	The official zoning map will be updated if this application is approved.
8-2A-3 Zoning of Annexed Land	Not Applicable	This application is not in conjunction with an application for the annexation of lands into Garden City.
Title 8, Chapter 6, Article A: Administration		
8-6A-3 General Application Process	No Compliance Concerns Identified	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	No Compliance Concerns Identified	A compliance statement, neighborhood map, master plan, and address verification were included or addressed through the staff report and analysis. Application waivers requested pursuant to 8-6A-4A: <ul style="list-style-type: none"> • A preliminary title report • Site plan • Topographic survey • Natural hazards and resource analysis, • Documentation of dedications and easements A full review of the proposal is possible without these documents. They can be reviewed in conjunction with future applications.
8-6A-7 Public Hearing Process	No Compliance Concerns Identified	This application is following the public hearing process as identified for the Specific Area Plan.
8-6B-6 Specific Area Plan Applicability	No Compliance Concerns Identified	An SAP may be utilized anywhere within the city on properties that would benefit from a master plan and phasing approach. An SAP application is encouraged for the development or redevelopment of properties defined in the comprehensive plan as TOD activity nodes, or as neighborhood destination activity nodes, or as future planning areas. An SAP application shall be required prior to the development or redevelopment of properties defined in the comprehensive plan as future planning areas that are not incorporated into the city on or before February 8, 2021. The subject area is an Activity Node: Neighborhood Destination designation in the Comprehensive Plan. Code encourages but does not require an SAP to be utilized for the development of the subject property.
8-6B-6 Specific Area Plan General Provisions	Complaint as Conditioned Conditions regarding recommend ed code changes and master site plan consideratio	1. Approval of an SAP application will constitute approval of a master plan meeting the elements of section 8-7B-1.I, which establishes a framework to guide all future development within the area defined by the SAP application. 2. Development applications may be filed in conjunction with an SAP application; however, no construction shall commence on any component of an approved SAP application except upon receipt of design review, conditional use, variance, or subdivision approval consistent with the adopted SAPPO.

	<p>ns have been incorporated into the draft decision document.</p>	<p>3. All development within an approved SAP application site shall be regulated by applicable provisions of this title and other code provisions in effect at the time the SAP application is submitted and certified as complete by the city, except as modified by the adopted SAPPO. Development applications may be processed concurrently and include, but are not limited to, design review, conditional use, variance, and/or subdivision. Omission of criteria from the SAPPO that are found elsewhere in the development code are not considered a conflict between the SAPPO and the development code.</p> <p>4. Specific Area Plan Application Components:</p> <ul style="list-style-type: none"> a. The SAP application shall be comprehensive enough to adequately guide the development or redevelopment of a property to achieve the vision of the proposed SAP district. b. The SAP application shall identify street cross section design (excluding ACHD and ITD adopted street sections), road alignments, setbacks, interface with the adjacent neighborhood, allowed, conditionally allowed, and prohibited uses, and general mix of uses and provide a general utility plan. c. The SAP application shall identify: <ul style="list-style-type: none"> (1) Setbacks, setback exceptions, lot coverage, and height. (2) Density. (3) Uses that are permitted, conditionally permitted, and prohibited. If any uses are different than section <u>8-7A-1</u> defined uses, the definition of such uses shall be provided. d. The SAP application should adhere to the general design standards concepts in Garden City Code specifically related to the development interface with street and public realms and street trees. e. The seventy-foot (70') minimum setback to the ordinary high-water mark of the Boise River cannot be amended. f. The provisions of the development code of Garden City such as, but not limited to, relating to drainage and floodplain, shall govern all standards and/or processes that are not specifically identified, set forth, or modified by the SAP application. g. If there is a conflict between other provisions of the development code of Garden City and the adopted SAPPO regulations, the SAPPO regulations shall govern. <p>5. Design criteria shall repeat the standards of chapter 8-4 of this title in the SAP application unless there are proposed SAP</p>
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		<p>application standards that would contradict existing city standards. The following SAP application components may be different than what is contained in existing city code, but shall be included in the SAP application:</p> <ul style="list-style-type: none"> a. Parking and off-street loading provisions required number and allowable sizes; and b. Design criteria including but not limited to: <ul style="list-style-type: none"> (1) Architectural guidelines. (2) Transportation and connectivity. (3) Sign provisions. (4) Landscaping and tree protection; and (5) Open space.
<p>8-6B-6 Specific Area Plan Procedures</p>	<p>No Compliance Concerns Identified</p>	<p>1. The required Neighborhood Meeting was held on April 22, 2026.</p> <p>A preapplication conference with the planning official is required in order for the applicant to become acquainted with the SAP application procedures (this was not done as this is a city initiated project).</p> <p>2. Application: The SAP application shall be submitted in accordance with article A, "General Provisions," of this chapter.</p> <p>3. Public Hearings: Public hearings shall be held on the SAP application as set forth in article A, "General Provisions," of this chapter.</p> <p>4. Official Zoning Map: Upon approval of the SAP application, the official zoning map of Garden City shall be amended showing the affected property zoned as an SAPD zone.</p> <p>5. Development Code: Upon approval of the SAP application, this title shall be updated to include the SAPPO.</p> <p>6. Development applications shall be administered as required by section 8-6A-2, Table 8-6A-1, Authorities and Processes.</p> <p>7. Amendments: A previously adopted SAPD zone may be amended at any time and may be amended simultaneously with the processing of a development application. Amendments that include the following will follow the procedures for a development code amendment:</p> <ul style="list-style-type: none"> a. Changes that would modify or reallocate the allowable building height, allowed uses, mix of uses, or density of a development; or

		<p>b. Changes that would substantially alter the function, use and enjoyment or amount of land dedicated to open space, amenities, trails, natural areas, or public facilities; or</p> <p>c. Modify any other aspect of the SAPD zone that would significantly change the overall character of the SAPD zone; or</p> <p>d. A series of minor amendments that cumulatively change the overall character of the SAPD zone; or</p> <p>e. A change or series of changes that would change the character of the interface of the SAPD zone with the surrounding neighborhood; or</p> <p>f. Any change that the planning official deems a major change to the intended nature of the SAPD zone.</p> <p>8. Design Review Amendments: Amendments that include the following will be reviewed by the design review consultant(s):</p> <p>a. Modifications to the layout and design elements, such as design guidelines, landscaping, and amenities, which do not modify SAPD zone regulations or the phasing plan; or</p> <p>b. Modifications to the infrastructure plan are not tied to the phasing plan.</p>
Idaho Code 67-6511	No Compliance Concerns Identified	<p>The Local Land Use Planning Act requires that zoning ordinance including zoning districts:</p> <p>Establish procedures that regulate development.</p> <p>Provide clear and objective standards.</p> <p>Be evaluated by the Planning and Zoning Commission. The Commission must consider the delivery of services and provide for a regulatory takings analysis.</p> <p>Be compliant with the Comprehensive Plan.</p>
Idaho Code 67-6519	No Compliance Concerns Identified	<p>Garden City Code and procedures for the application granting process are consistent with The Local Land Use Planning Act Application Granting Process.</p> <p>Whenever a governing board or zoning or planning and zoning commission grants or denies an application, it shall specify:</p> <p>(a) The ordinance and standards used in evaluating the application;</p> <p>(b) The reasons for approval or denial; and</p> <p>(c) The actions, if any, that the applicant could take to obtain approval.</p> <p>Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant’s right to request a regulatory taking analysis pursuant to section 67-</p>

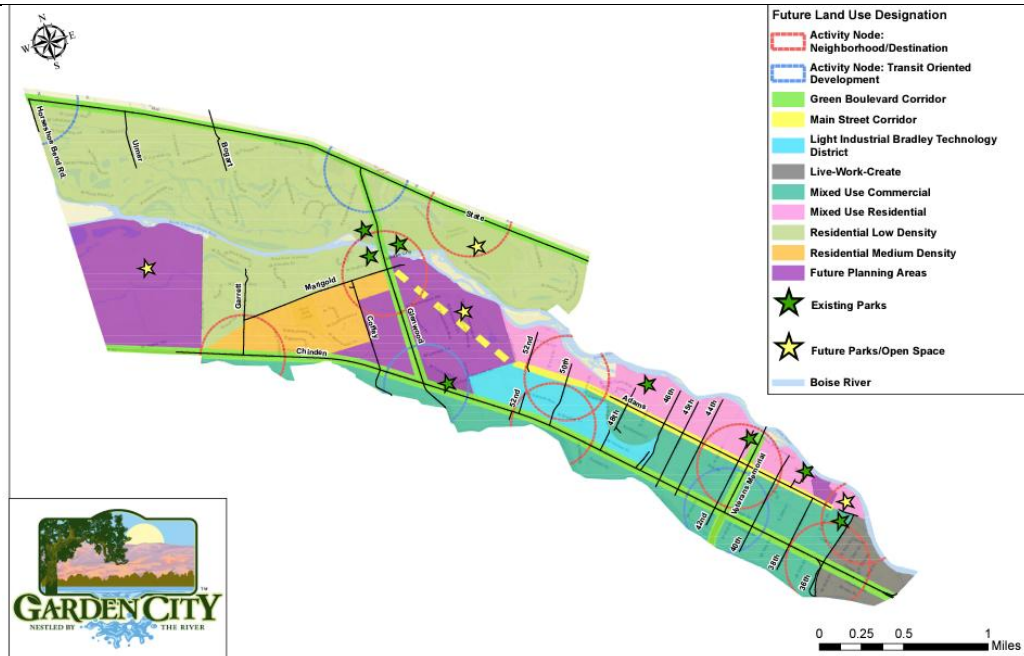
		<p>8003, Idaho Code. An applicant denied an application or aggrieved by a final decision concerning matters identified in section 67-6521(1)(a), Idaho Code, may within twenty-eight (28) days after all remedies have been exhausted under local ordinance seek judicial review under the procedures provided by chapter 52, title 67, Idaho Code.</p>
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Plans and Policy Review

The below is an analysis of applicable policies and plans.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
<p>Garden City Comprehensive Plan</p>	<p>Idaho Code 67-6511 notes that after considering the comprehensive plan and other evidence gathered through the public hearing process, ordinance amendments may be adopted or rejected, so as not in conflict with the Comprehensive Plan. Subsequently, an application need not satisfy every aspirational goal of the comprehensive plan, so long as it is not in direct conflict with specific provisions of the comprehensive plan.¹</p> <p>LAND USE</p> <p>This application contains five future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> a) Future Planning Area b) Activity Node: Neighborhood Destination c) Mixed Use Residential d) Mixed Use Commercial e) Future Park/ Open Space

¹ See [2023 Givens Pursley Land Use Handbook; page 41, with specifics beginning on page 46](#) for further discussion.



These designations are defined as:

MIXED USE RESIDENTIAL: The mixed-use residential area is north of Adams/ Alworth Street. This designation allows for residential and commercial uses in a form and scale that is residential in character and design. A mix of residential; small scale office and retail; and public and semi-public uses are appropriate in this district. Regulations for this area should focus on form more than use, with a maximum height of two stories.

MIXED USE COMMERCIAL: The mixed-use commercial designation is for the area south of Adams Street. The intent of this designation is to create an area for mixed uses, including residential, office, retail, and small scale industrial, that are more urban in character than in the mixed-use residential area. Three-story buildings and 40%- 60% lot coverage, with aggregated open spaces for pocket parks should guide the development pattern in this area.

MAIN STREET CORRIDOR: Create a “Main Street” corridor as a principal street with a mix and concentration of uses along Adams/ Alworth Street with an alignment through a redeveloped Idaho Expo site connecting with the Activity Node at Glenwood and Marigold Streets. The corridor should have additional activity nodes along the street that connect the main street to the arterial roadways and/or the Boise River. The activity nodes should be limited to not dilute their function as a center. The focus of development should be on minimum front yard setbacks, parking on the street and behind buildings, and pedestrian amenities. The center of the activity nodes on the Main Street corridor should be integrated vertically with more height at the principle main street intersection of the node.

ACTIVITY NODE: Activity nodes are identified on the Land Use Map for neighborhood centers, local and regional destinations, and locations in proximity to existing and future transit stations and stops. Activity centers range in size depending on their function and location. Some nodes are centered around the intersection of major streets or extend down a street to connect major community facilities. The common characteristics of the activity nodes are a mix of uses, public spaces, compatible transition to the uses surrounding the nodes and non-motorized connections to within a quarter mile walkable area of the node center. Nodes, especially around transit stations, will have higher density (at least 14-20 units per acre) and multi-story development (three or more stories). It is not intended that all nodes could be developed within the twenty-year period of the plan.

Neighborhood and Destination Centers: The centers should be focused on uses that facilitate making the location a destination. Uses may include small scale retail, art, office, and higher density residential.

FUTURE PLANNING AREA: Future Planning Areas have been identified for large parcels of vacant or under-developed land including the area west of the city within the Area of City Impact; the area around the Idaho Expo Center, including the Idaho Department of Transportation (ITD) District 3 Headquarters; and the Ada County Highway District (ACHD) property at 37th and Adams. This designation is intended to identify these areas for further master plan or site-specific planning efforts. The large size of these areas provides a unique opportunity for master planning with consideration for a mix of uses and residential housing types; street, sidewalk and bicycle networks and connectivity; spaces for public uses including parks, open spaces, plazas; and infrastructure improvements including water and sewer. Each of the designated Future Planning Areas presents unique opportunities and challenges that should be considered in the area's master planning.

This application **is compatible with** the following Goals, Objectives, and Action Steps identified in the Garden City Comprehensive Plan:

ACHD Site: * Opportunity to open additional access and river frontage to the public. * Regeneration of the existing operations and maintenance yard along the river to the highest and best use. * Challenge in creating higher intensity use of the site that transitions and is compatible with the surrounding neighborhood.

EXISTING PARKS AND PROPOSED GREEN SPACE AND/OR PARKS: Areas that are devoted to green spaces including golf courses, open spaces, and park uses, or are proposed for green spaces are shown on the Land Use Map. Green spaces contribute to the health and well-being of the community. Existing parks should be preserved. The location shown on the map of future green

spaces is just an approximation, and the design of future spaces should be well integrated into the development plan for the property, surrounding context, with maximum opportunity for pedestrian and bicycle access.

GOALS AND OBJECTIVES

This application is supported by the following Goals and Objectives:

Goals

- 1 Nurture the City
- 2 Improve the City Image
- 6 Diversity in Housing
- 10 Plan for the Future
- 11 Serve the City
- 12 Evolve as a Destination

Objectives and Action Steps

- Amend the Land Use Code to improve the quality of development design through new land-use districts; zoning standards; and design regulations and review process.
- Create a premier destination place to live, work, and recreate.
- Encourage new and distinctive neighborhoods.
- Encourage high quality design and landscaping, including the use of water features, in new development.
- Explore the opportunities to create distinctive neighborhoods by defining the unique attributes of the individual neighborhood, the incentives needed to encourage those characteristics, and the design, architecture, and development standards to guide future development.
- Create a vision for the design of all streets and highways consistent with the city's urban setting.
- Include the pedestrian zone in the highway right-of-way to satisfy the City's Development Code requirements for open space.
- Create public gathering places at multiple locations throughout the city.
- Beautiful and landscape.
- Encourage the use of non-potable water sources that are available to new development, including the installation of pressurized irrigation systems where appropriate.
- Beautify streets, sidewalks and gateways with landscaping, trees, and public art.
- Continue to require sidewalks and landscaping in all new development, and in major alterations and re-use of existing commercial sites.

	<ul style="list-style-type: none"> • Allow relocation of canals and drains where appropriate. Require mitigation of the impacts that closing water systems have on the groundwater and habitat. • Create pedestrian and bicycle friendly connections. • Amend the Development Code to facilitate destination and neighborhood centers that draw people to the location and are supported by transit as designated on the Land Use Map and described in the Land Use Designation for activity nodes • Provide a transition in the height and scale of development that is compatible with the existing surrounding neighborhoods. • Support a positive business environment. • Create a premier destination for work, recreation, entertainment, culture, and commerce. • Market the city to smaller businesses and support a positive environment for entrepreneurial businesses.
Garden City Sidewalk Policy	<p>This will be reviewed with the reviews of the development as it is proposed.</p>
Garden City Street Light Policy	<p>This will be reviewed with the reviews of the development as it is proposed.</p>
Garden City Transportation Needs List	<p>The proposed Heron Commons SAP District is consistent with adopted planning and transportation policies. The Transportation Needs List identifies key connectivity improvements in this area, including the extension of Reed Street, the connection of Adams Street, recognition of the Thurman Mill Canal as a pedestrian corridor, and the role of 38th Street as a primary route for connecting pedestrians and bicyclists to the Greenbelt.</p>