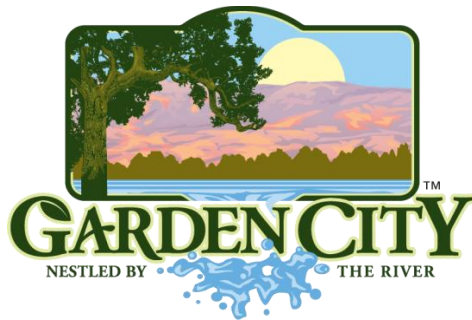


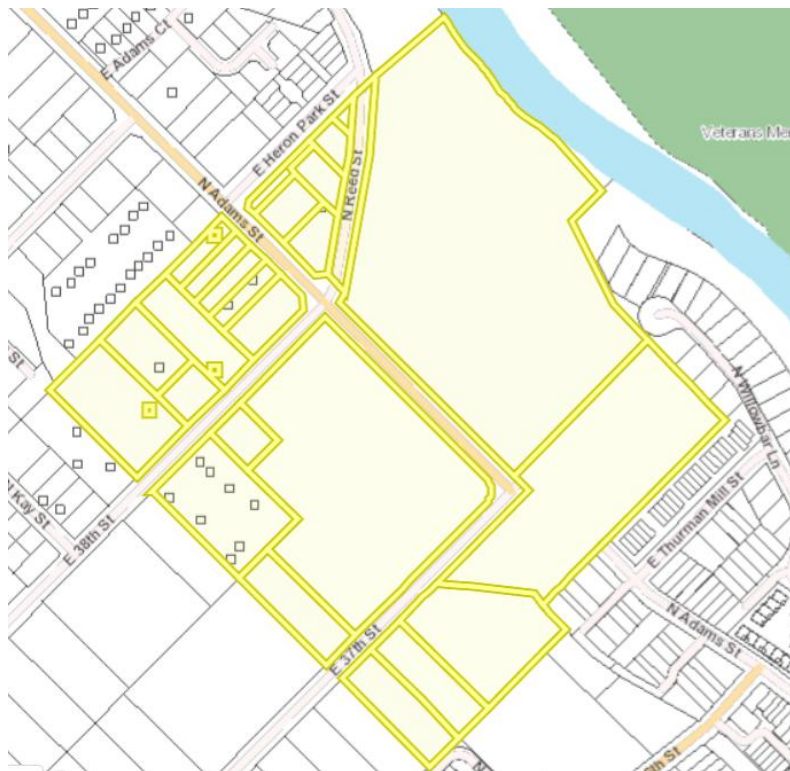


DEVELOPMENT SERVICES DEPARTMENT

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

SPECIFIC AREA PLAN (SAP) STAFF REPORT

File Number: SAPFY2026 - 0001



Applicant: City of Garden City

Joint City Council Planning and Zoning Commission Work Session June 17, 2026

Prepared by Jenah Thornborrow

(208) 472-2921; planning@gardencityidaho.org

REPORT CONTENT

RECORD DOCUMENTS	3
EXECUTIVE SUMMARY	4
REQUEST	5
POLICY QUESTIONS	5
NEXT STEPS	5
PROPOSED ORDINANCE FRAMEWORK	6
Ordinance (Draft C- hybrid approach)	6
Overview	6
How Draft C Responds	6
COMPONENTS OF THE PROPOSED ORDINANCE	7
What Is Proposed	7
A Vibrant Mixed Use Neighborhood Destination	7
River Corridor and Public Space Framework	3
Phasing, Implementation, and Public Benefit Delivery	9
What Is Not Proposed	9
Purpose of a Specific Area Plan	11
Proposed Scope of Work	11
Site Information	12
AGENCY COMMENTS	13
PUBLIC COMMENT	13
Written Comment	13
Survey	14
Neighborhood Meeting	15
RECOMMENDATIONS SUMMARY HISTORY	17
Planning and Zoning Commission	17
Design Consultation	17
PROCESS AND DECISION	19
General Provisions	19
Decision Process	19
Required Findings	19

Authorities and Actions.....	20
Ethics and Responsibilities	21
Conflict of Interest and <i>Ex Parte</i> Communication	21
TECHNICAL REVIEW.....	23
Legal Consideration	23
Spot Zoning.....	23
Garden City Code, Title 8, and Idaho State Statute Review	23
Garden City Title 8 Code	23
Idaho Code	27
Plans and Policy Review.....	28
Other Items Reviewed.....	28

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

Individual links:

1. Application Materials
 - a. [Application](#)
 - b. [DRAFT 3 Zoning Ordinance Option C \(prescriptive yet flexible\)](#)
2. Agency Comments: linked in report section [Agency Comments](#)
3. Public Comments: linked in report section [Public Comments](#)

EXECUTIVE SUMMARY

The work session is to review the **Draft C** ordinance of file SAPFY2026-0001 SAP (Heron Commons (SAP) District and provide policy direction.

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 supports coordinated, phased infrastructure improvements.

The proposed code advances this vision through enhanced Greenbelt access, publicly accessible open space, and a primary pedestrian spine designed to create an active, walkable environment. A circulation system is included to improve multimodal connectivity and emergency access while minimizing cut-through traffic. The ordinance incorporates design and use regulations and requires the phased delivery of key public improvements, including streets, pathways, flood protection, and open space. Overall, the framework is intended to balance flexibility and predictability to support long-term, adaptive redevelopment aligned with community objectives.

Two ordinance drafts were previously provided for consideration. Draft A included detailed, prescriptive development standards, offering greater certainty in project outcomes and design consistency. Draft B emphasized intent-based guidelines, allowing greater flexibility for development to respond to changing conditions, but lacked predictability. A third draft, Draft C, has since been developed and is the subject of the joint work session.

Draft C combines the predictability of Draft A, through defined standards, with the flexibility of Draft B by allowing deviations through an approved Master Plan. Such deviations must demonstrate equal or better adherence to the intent of the base code.

REQUEST

Review **Draft C** of SAPFY2026-0001 SAP Ordinance and provide policy direction.

POLICY QUESTIONS

The following policy questions are provided to focus discussion and assist decision-makers in providing direction on key components of the proposed ordinance.

- **Regulatory Approach:**
Is there support for the direction of Draft C intending to balance predictability with flexibility?
- **Vision:**
Given this district will shape surrounding development for generations, is this the right long-term vision and level of intensity?
- **Clarity and Feasibility:**
Is the ordinance clear, understandable, and implementable, or are there elements that are confusing or overly burdensome?

NEXT STEPS

Upon receiving direction staff will proceed with the following:

1. Incorporate policy direction into a revised draft ordinance.
2. Conduct a review of the ordinance for consistency and to eliminate redundancy.
3. Refine structure to optimize logical organization and readability.
4. Review for clarity, formatting, and typographical accuracy.
5. Request a legal review of the ordinance.
6. Coordinate targeted outreach to professionals who may utilize this code, including developers, architects, and planning staff, to gather input on feasibility and implementation considerations.
7. Conduct public hearings.

PROPOSED ORDINANCE FRAMEWORK

Ordinance (Draft C- hybrid approach)

Overview

Previous discussions evaluated two draft approaches for implementing the Heron Commons (SAP) District, each reflecting a different regulatory strategy.

- **Draft A (Prescriptive Approach)**
Established a structured, code-based framework with defined subdistricts and detailed standards. This approach provided predictability through a series of objectives standards but was identified as potentially overly rigid, limiting redevelopment feasibility, potentially increasing costs, and reducing the ability to respond to site-specific or market-specific conditions.
- **Draft B (Flexible Approach)**
Relied on a master plan–based framework to guide development, emphasizing adaptability over time. While this improved flexibility, it created uncertainty by lacking clear expectations, particularly for smaller parcels, and made it more difficult for the public and developers to understand what outcomes would be supported. It also precluded flexibility for smaller parcels which relied on the standards for the base zoning district M, mixed-use.

Draft C responds to these concerns by combining the approaches into a hybrid framework. It maintains clear baseline standards to ensure the district vision is consistently implemented while introducing flexibility through provisions of the Regulatory Master Plan.

How Draft C Responds

The Regulatory Master Plan serves as the primary tool to organize development and allows for adjustments where applicants can demonstrate equal or better outcomes. This creates a framework that is both structured and adaptable, but one that relies on a high degree of administrative oversight and consistent application over time.

Draft C is intended to fortify the district vision while accommodating real-world development conditions. It avoids the rigidity and feasibility challenges of Draft A while reducing the uncertainty associated with Draft B, resulting in a framework that seeks to balance predictability with flexibility. It:

- Provides clear baseline standards for form and uses (addresses uncertainty from Draft B).
- Introduces flexibility via deviations from the baseline standards through a Regulatory Master Plan (addresses rigidity from Draft A).
 - The base code does not establish subdistricts.
 - The administratively burdensome Development Allocation Plan from Draft A has been removed.
 - Requires a Regulatory Master Plan for properties one acre or greater.
 - Allows deviations only when proposals meet or exceed the intent of the code.

While this approach provides multiple pathways to accommodate site-specific and market conditions, it may also introduce a degree negotiation in its application. Implementation will require a high level of staff capacity and expertise, and overtime may result in variability in interpretation if not applied consistently.

COMPONENTS OF THE PROPOSED ORDINANCE

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 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.

The district provides for future opportunities for neighborhood serving shops, services, gathering places, and a more walkable mixed-use environment.

The ordinance establishes a framework to guide incremental redevelopment over time while ensuring:

- A walkable, mixed-use neighborhood that can function as a community destination.
- Public access to the Boise River and Greenbelt.
- Delivery of public open space.
- A connected street and pathway system.

A Vibrant Mixed Use Neighborhood Destination

Density

From a broad perspective, density is a critical component of achieving the City's long-term objectives and ensuring fiscal and functional sustainability. Garden City will need to strategically rely on concentrated areas of higher density to support efficient service delivery, particularly given that other areas of the city are anticipated to remain lower in intensity.

Specific to this location, this level of density is consistent with the Comprehensive Plan's vision for establishing identifiable activity nodes and creating a "heart," or series of destinations, for the community, addressing the city's current lack of a defined downtown or central gathering place. Public input of this proposal further reinforces this approach, with survey responses overwhelmingly expressing a desire for a vibrant, mixed-use environment with active spaces, services, and amenities. While non-residential uses exist nearby, they function within an emerging market context. Diluting the concentration of activity could increase their sensitivity to market viability and make it more difficult to sustain existing and future non-residential uses. Without a sufficient base of residents within a walkable area, these uses are more likely to rely on vehicle-oriented access patterns, which can undermine the creation of a cohesive, walkable mixed-use district and increase the risk of underutilized or vacant spaces.

For the reasons above, the code establishes a target density of a net 50 dwelling units per acre (DUA) for parcels greater than one acre. The proposed density balances these considerations by supporting a walkable, economically viable mixed-use district that aligns with both community expectations and long-term city sustainability. Achieving this density can be challenging due to constraints including trash access, fire access, and parking requirements.

What This Achieves

- Supports neighborhood-serving retail and commercial uses.
- Provides needed housing supply (market-rate, luxury, or affordable).
- Creates sufficient population density to sustain local activity and vibrancy.
- Reduces reliance on vehicle trips by supporting walkable daily needs.

What does this Density Look Like

A density of approximately 50 DUA typically results in development forms such as:

- 3–4 story buildings
 - Stacked townhomes
 - Garden apartments
 - Multifamily apartments or condominiums



Google Images

Garden City Examples



Copetstone: 408 E. 43rd Street: R-3 Zoning District: 4 stories: 90 units = 45 units per acre: 4,000 square feet of landscaping



Crosshatch: 4220 Adams Street: M Zoning District: 6 stories (72' height limit): 143 units = 103 units per acre + retail: 17,000 square feet of courtyard/open space



Boardwalk Apartments: 521 E 41st Street: C-2 Zoning District: 5 stories Over 1: 234 units + retail = 58 units/ acre: 16,000 square foot plaza

Feasibility

Context Summary: The site is constrained to the north, with limited access points. An AI assisted review of Constrained-Access, Vibrant Mixed-Use Districts was conducted of ten (10) vibrant mixed-use districts in the United States that operate successfully with limited vehicular access and moderate to limited transit availability. These locations were specifically selected as relevant precedents given that the subject site has strong walkability and bike potential but limited transit access.

Reviewed Locations

The following districts were evaluated:

- Ballard – Seattle, WA
- Capitol Hill (non-rail-reliant areas) – Seattle, WA
- Pearl District – Portland, OR
- Northwest District – Portland, OR
- Downtown Boulder (Pearl Street area) – Boulder, CO
- Old Town Alexandria – Alexandria, VA
- Reston Town Center – Reston, VA
- LoDo (Lower Downtown) – Denver, CO
- Hillcrest – San Diego, CA
- Downtown Davis – Davis, CA

Density Range

Across these locations, development densities generally fall within:
~30 to 100+ dwelling units per acre (DUA)

The majority of comparable areas cluster within the 40–80 DUA range, which is directly consistent with the subject site’s proposed density of approximately 50 DUA.

Common Condition: Vehicular Access Constraints

All reviewed locations share some form of constrained vehicular access, including:

- Limited ingress/egress points into the district
- Constrained arterial roadway capacity
- Geographic or physical barriers (waterways, rail lines, highways)
- Narrow or historic street grids
- Limited or managed parking supply

These constraints are long-standing conditions, not temporary limitations, and coexist with economic activity and residential demand.

Common Success Factors

Despite limited transit access in several of these locations, they consistently achieve strong vibrancy through a combination of the following design and operational characteristics:

1. Pedestrian-Oriented Design
 - Compact, walkable block structure
 - Active ground-floor uses throughout
 - Daily needs accessible within a short (5–10 minute) walk
2. Strong Bicycle Utilization
 - High bike mode share due to short trip distances
 - Connected street networks that support safe cycling
3. High Internal Trip Capture
 - Integrated mix of residential, retail, dining, and services
 - A significant share of trips occur entirely within the district
4. Robust Mix of Uses
 - Balanced combination of housing, retail, food and beverage, and services
 - In some cases, employment uses that further reduce external trips
5. Shared and Managed Parking
 - Parking is shared across uses with different peak demands
 - Parking supply is moderated rather than maximized
6. Reduced Vehicle Dependence
 - Residents and visitors make fewer and shorter car trips
 - Many trips shift to walking and biking due to proximity and convenience
7. Distributed Peak Activity
 - Mixed-use environments spread activity throughout the day
 - Reduced peak-hour congestion compared to single-use developments
8. “Stay Local” Behavior

-
- High-quality environments encourage people to remain within the district
 - Dining, services, and entertainment needs are met locally

Implementation and Constraints

Achieving this density can present challenges, including:

- Trash service access
- Fire and emergency access
- Parking requirements

The draft ordinance includes several provisions intended to help address these constraints:

- Residential parking may be located within 300 feet of the dwelling unit and is not required to be covered.
- The Regulatory Master Plan process allows for flexibility in parking supply, including additional reductions when supported by documentation demonstrating a sustainable approach.
- The code emphasizes pedestrian and bicycle connectivity, with pathways designed to also accommodate emergency/fire access where applicable.
- Additional common open space is not required beyond the required public open space, reducing competing land demands.

Pedestrian Spine

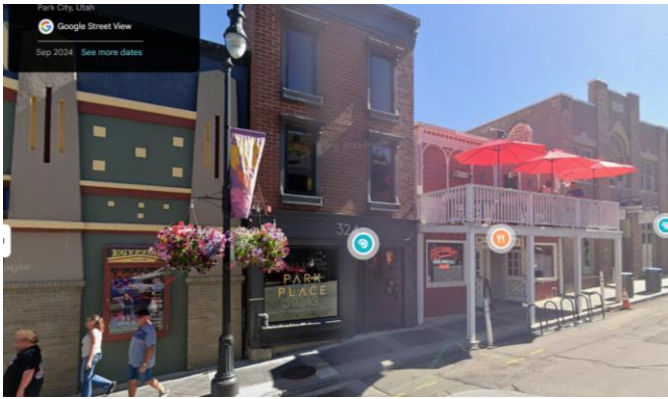
Public comment received throughout the process has overwhelmingly expressed support for creating a mixed-use destination that strengthens the connection to the Boise River. The ordinance supports a strong mix of uses through a central organizing feature, a “pedestrian spine” connecting Adams Street (or beyond) 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.

A successful mixed-use environment requires a sufficient customer base within close proximity, along with accessible parking. The adjacent Surel Mitchell District demonstrates that the east end of Garden City can function as a vibrant destination, with a range of active uses including dining, recreation, and cultural amenities.

This proposal builds on that momentum by extending activity into the site through a defined pedestrian spine designed to prioritize walking, gathering, and active frontages.

Buildings along the spine are designed to accommodate future transition to commercial or mixed-use activity, particularly at the ground floor. Rather than requiring immediate occupancy, the ordinance ensures spaces can evolve over time, reducing initial vacancies while preserving long-term flexibility.

Unlike traditional streets, the pedestrian spine prioritizes people first. While vehicular access is not precluded, the design emphasizes a comfortable, active, public realm.



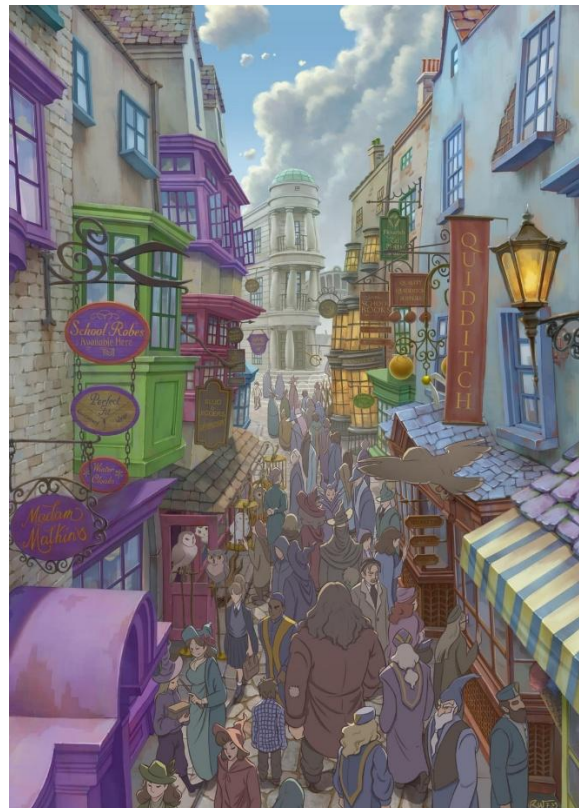
Main Street, Park City, UT
(vehicular access provided)



Soi Rambuttri, Bangkok Thailand



Wine Alley! Woodinville, WA



Diagon Alley- Harry Potter

River Corridor and Public Space Framework

The proposed ordinance provides a comprehensive framework addressing floodplain infrastructure, Greenbelt standards, public open space requirements, and public art provisions to support environmental performance, regulatory compliance, and high-quality public space integration.

Floodplain Infrastructure

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.

Greenbelt

The ordinance includes several standards intended to 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 whenever feasible. Lighting near the Greenbelt must be designed to minimize impacts on the river environment and comply with applicable dark sky standards.

The ordinance also requires frequent and direct public access to the Greenbelt. Pedestrian and bicycle accessways must be provided at intervals of no more than 300 feet. These accessways must meet ADA requirements and create clear, visible connections between the Greenbelt, public streets, and adjacent development.

The previous draft, Draft A included a requirement tied to the Comprehensive Plan's designation of Future Open Space/Public Park adjacent to the Greenbelt. This reflected the public's vision that the Greenbelt should be enhanced. However, this approach potentially created a burdensome requirement for the developer. Additionally, large, uniform open areas along the Greenbelt may be less functional and less comfortable for users than spaces that are intentionally designed and offer a variety of experiences.

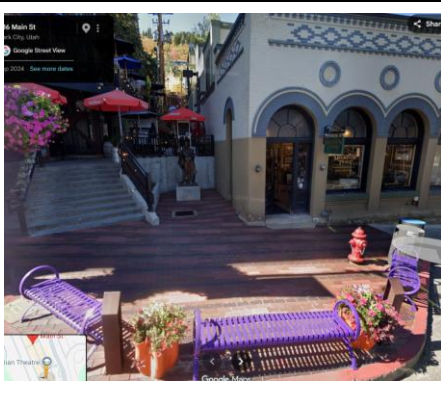
In response, the ordinance continues to emphasize public access along the Greenbelt while allowing greater flexibility in how open space is provided. Sixty percent of the area immediately adjacent to the Greenbelt (within 30 feet of the centerline) must remain publicly accessible during daylight hours. This is achieved by limiting non-public uses, reducing fencing, and building footprints, and restricting building heights in this area to a maximum of two stories.

Public Open Space

As identified in the Comprehensive Plan, there is an expectation that there be public open space/park provided. The ordinance requires twenty-five percent (25%) of the site be dedicated as public or publicly accessible open space. This represents a sizable portion of the developable area. The proposed ordinance recognizes this and allows for flexibility through the Master Plan process, permitting reductions where the provided open space is thoughtfully designed, highly functional, and accessible. Additionally, separate common open space requirements are not applied, reducing competing land demands and supporting overall site feasibility.

The required open space may be distributed throughout the district in one or more locations, rather than being concentrated solely along the Greenbelt. This approach allows for a more diverse network of mid-sized and smaller public spaces that can better respond to a variety of user needs, enhance accessibility, and create a more integrated and activated public realm across the district.

Examples of mid to small park areas.

		
Cherie Buckner Webb Park, Boise, ID	Parklet incorporated into Main Street, Park City, UT	Alchester Village Shopping Centre, Victoria, Australia
		
Franklin Street Park, Cambridge, Boston, Massachusetts	Space for interaction at the 7th & Jackson Street Resiliency Park, Credit: Arterial	Location unknown: Photo provided credit Daytona Beach News Journal

Art

The ordinance refines the required public art contribution by establishing both minimum applicability thresholds and a maximum cap. Public art is not required for projects with a total valuation under \$1,000,000. For qualifying projects, the contribution is capped at \$150,000 to ensure proportionality for larger developments. The requirement may be satisfied either through on-site installation of art or through a payment in lieu, providing flexibility in implementation while maintaining the City's objective of incorporating public art into development.

Connectivity and Circulation

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. It is noteworthy that any public streets intended for motor vehicle use remain subject to review and approval by the Ada County Highway District.

Adams Street Pedestrian and Bicycle Connection

Within the Heron Commons SAP District, Adams Street currently terminates in a dead end. Long-standing planning documents adopted by both the Ada County Highway District and the City of Garden City identify completion of this connection as a planned improvement. Both the Ada County Highway District (ACHD) and the North Ada County Fire and Rescue District (NACFR) conditioned the approval of the adjacent Waterfront District subdivision to street stub to Adams Street in clear anticipation of this future connection, and as a condition that it would be completed upon redevelopment of the adjoining property. The stub is required by the agencies for traffic circulation considerations, as well as providing secondary emergency access to the Waterfront District. 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.

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 to vehicular access. The connection should always remain for emergency access.

Because Adams Street is owned and operated by the Ada County Highway District, the proposed connection is contingent upon ACHD approval. ACHD has noted that they will determine whether Adams Street will be required to connect in connection with a development application.



Copilot's rendering of Adams Connection, with adequate width to accommodate Fire Access, but be designed to visually reduce cut-through traffic.



Google: Bannock Street (at 1st Street), Boise is a road which allows for vehicular access that is designed to minimize cut-through traffic.

Reed Street

During the Reed Street vacation hearing, Garden City provided public testimony expressing a preference to retain the corridor, in part to support future redevelopment opportunities and maintain the availability of public parking. ACHD vacated the road noting that the City could incorporate requirements for a future public road through future development approvals. The proposed ordinance reflects this approach by including the extension of Reed Street including on-street parking.

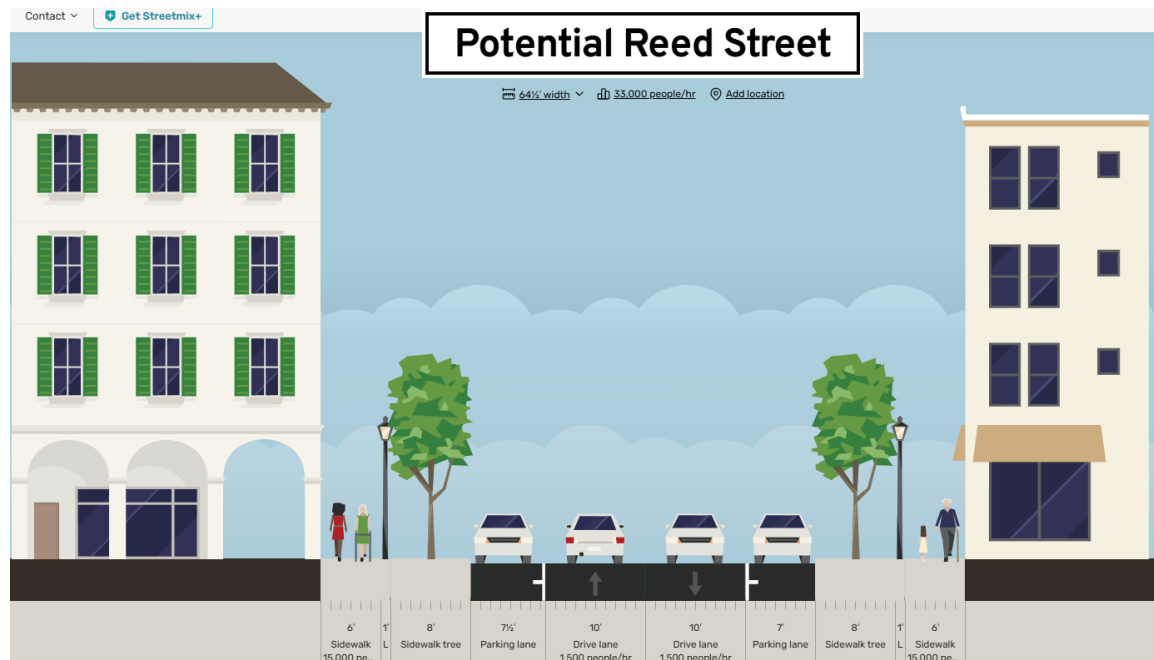
The ordinance requires the construction of a roadway to function as a public street serving the development, identified as the Reed Street extension. It also includes a requirement for approximately 50 on-street parking spaces along this corridor. This estimate is based on parallel parking along both sides of an approximately 530-foot segment (the length of the vacated Reed

Street section) at a width of 22 feet, resulting in approximately 48 spaces; however, the ultimate length of the extension could be greater and may accommodate additional parking.

Illustrative examples are provided to demonstrate how this requirement may be implemented.



54' Right of Way



64 1/2' Right of Way

Thurman Mill

The ordinance also requires a continuous public multi-use pathway along the Thurman Mill Canal. This pathway is intended to support long-term pedestrian and bicycle connectivity within the district and provide opportunities for future extensions to adjacent properties as redevelopment occurs.

The pathway is required to have a minimum paved width of ten feet (10') with an additional two-foot (2') shy distance on either side to ensure adequate clearance and usability.

An existing easement encumbers the Thurman Mill Canal corridor, which limits the placement of structures within this area. In addition, Garden City Code Section 8-8B-3.C.3.H requires that waterways remain open unless an undue hardship is demonstrated.

The ordinance acknowledges these constraints by allowing for flexibility where maintaining the canal in an open condition would create an undue burden. In such cases, the canal may be piped or altered; however, the requirement to provide pedestrian access along the corridor is maintained to ensure continued connectivity.

Phasing, Implementation, and Public Benefit Delivery

Public improvements are required to be delivered in phases as development occurs within the district, ensuring that infrastructure and public amenities are constructed incrementally as individual projects move forward. The ordinance includes phasing and implementation provisions designed to ensure that public benefits are delivered in a coordinated and timely manner.

Required public improvements, including streets, pathways, flood protection infrastructure, and public access facilities—must be constructed or financially secured in conjunction with development. Larger-scale development is tied to the completion of key infrastructure components to ensure that growth occurs in a logical and supportable sequence.

To ensure long-term public use and functionality, permanent public access easements are required for streets, pathways, and open spaces. Maintenance responsibilities must be clearly established through recorded agreements to ensure the continued safety, functionality, and accessibility of these improvements over time.

What Is Not Proposed

Public comment raised 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's zoning of M, mixed use 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 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.

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.

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.

Remain consistent with the intent of the Garden City Development Code.

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.

Site Information

- 1) 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**.
- 1) Property Size: 33.96 acres
- 2) Legal Lot of Record: To be determined
- 3) Zoning District: R-3 Medium Density Residential & C-2 General Commercial
- 4) 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
- 5) 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

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

Testimony During the May 20, 2026, Planning and Zoning Commission Hearing

There were five individuals who provided public testimony during the May 20, 2026, Planning and Zoning Commission Hearing.

Public testimony focused on concerns regarding project pacing, compatibility with adjacent residences, and the Adams Connection. Several commenters felt the timeline was expedited and recommended a slower process. Most emphasized protecting the river and Greenbelt, describing the project as a long-term, legacy, opportunity. Height and scale were key issues for three individuals, with a preference for lower, two-story development and compatibility with nearby one-story homes. One referenced the 40-foot limit in the Waterfront District.

Additional comments included requests for more visuals, reconsideration of the five-year review period of the Adams Street Connection, and recognition that evolving technology may impact future uses and future parking needs.

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](#)
- [Curt Fransen 05152026](#)

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.

RECOMMENDATIONS SUMMARY HISTORY

Planning and Zoning Commission

The Planning and Zoning Commission is scheduled for a public hearing on May 20, 2026, the matter was continued to a date certain of July 15, 2026. The Planning and Zoning Commission requested a joint work session with the City Council.

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.

During the May 18, 2026, Design Review consultation:

The consulting team reviewed both Option A and Option B and expressed concern that Option B, as currently drafted, is overly open-ended and may lack sufficient legal enforceability. To address this, the consultants recommend a hybrid approach that combines clear, objective standards with the flexibility to accommodate alternative proposals that meet or exceed the intent of the regulations.

They recommend incorporating a Regulatory Master Plan requirement to establish a structured framework for development while still allowing for adaptability over time. In addition, they suggest adding language that clearly allows for flexibility, ensuring that alternative approaches can be approved when they achieve equal or better outcomes.

The consultants also provided additional input related to design standards and allowable uses to strengthen the overall framework and support high quality development. Finally, they recommend deleting the HCRE subdistrict and instead using the approach outlined in Option B to address adjacency to residential uses in a more effective manner.

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.

Ethics and Responsibilities

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*.

TECHNICAL REVIEW

Legal Consideration

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 Code		
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: • 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	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

	changes and master site plan considerations have been incorporated into the draft decision document.	receipt of design review, conditional use, variance, or subdivision approval consistent with the adopted SAPPO. 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. 4. Specific Area Plan Application Components: 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: (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 <u>section 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.
--	---	---

		5. Design criteria shall repeat the standards of chapter 8-4 of this title in the SAP application unless there are proposed SAP 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: a. Parking and off-street loading provisions required number and allowable sizes; and b. Design criteria including but not limited to: (1) Architectural guidelines. (2) Transportation and connectivity. (3) Sign provisions. (4) Landscaping and tree protection; and (5) Open space.
8-6B-6 Specific Area Plan Procedures	No Compliance Concerns Identified	1. The required Neighborhood Meeting was held on April 22, 2026. A preapplication conference with the planning official is required for the applicant to become acquainted with the SAP application procedures (this was not done as this is a city initiated project). 2. Application: The SAP application shall be submitted in accordance with article A, "General Provisions," of this chapter. 3. Public Hearings: Public hearings shall be held on the SAP application as set forth in article A, "General Provisions," of this chapter. 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. 5. Development Code: Upon approval of the SAP application, this title shall be updated to include the SAPPO. 6. Development applications shall be administered as required by section 8-6A-2, Table 8-6A-1, Authorities and Processes. 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:

		a. Changes that would modify or reallocate the allowable building height, allowed uses, mix of uses, or density of a development; or 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 c. Modify any other aspect of the SAPD zone that would significantly change the overall character of the SAPD zone; or d. A series of minor amendments that cumulatively change the overall character of the SAPD zone; or e. A change or series of changes that would change the character of the interface of the SAPD zone with the surrounding neighborhood; or f. Any change that the planning official deems a major change to the intended nature of the SAPD zone. 8. Design Review Amendments: Amendments that include the following will be reviewed by the design review consultant(s): 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 b. Modifications to the infrastructure plan are not tied to the phasing plan.
--	--	---

Idaho Code

Idaho Code 67-6511	No Compliance Concerns Identified	The Local Land Use Planning Act requires that zoning ordinance including zoning districts: Establish procedures that regulate development. Provide clear and objective standards. Be evaluated by the Planning and Zoning Commission. The Commission must consider the delivery of services and provide for a regulatory takings analysis. Be compliant with the Comprehensive Plan.
Idaho Code 67-6519	No Compliance Concerns Identified	Garden City Code and procedures for the application granting process are consistent with The Local Land Use Planning Act Application Granting Process. Whenever a governing board or zoning or planning and zoning commission grants or denies an application, it shall specify: (a) The ordinance and standards used in evaluating the application; (b) The reasons for approval or denial; and

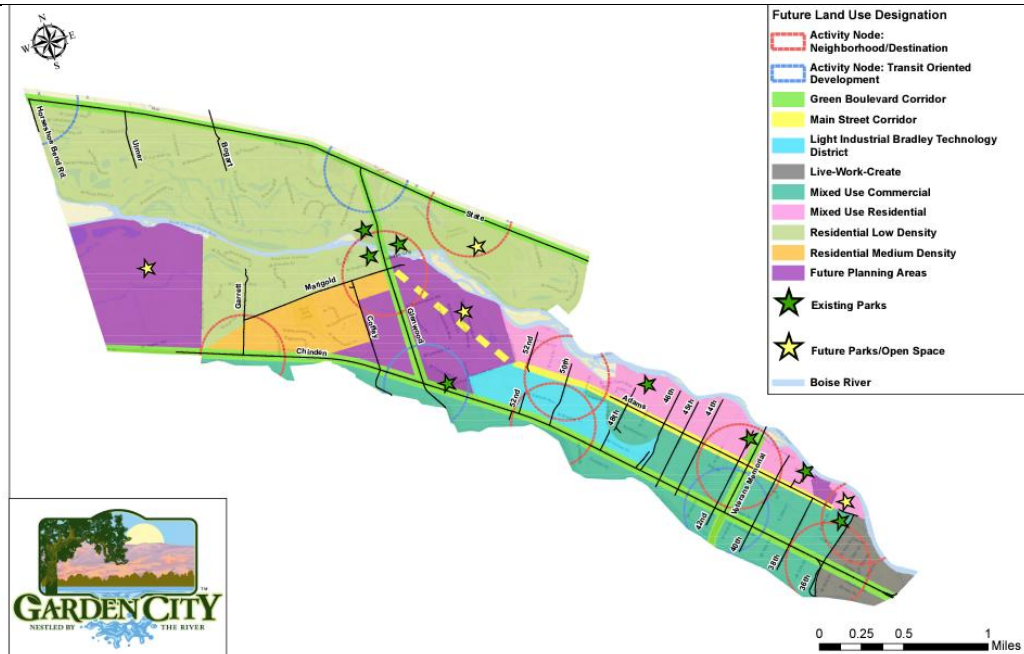
		(c) The actions, if any, that the applicant could take to obtain approval. Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code. An applicant denied an application 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.
--	--	---

Plans and Policy Review

The below is an analysis of applicable policies and plans.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Garden City Comprehensive Plan	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 LAND USE This application contains five future land use designations of the Comprehensive Plan: 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.

	• 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	This will be reviewed with the reviews of the development as it is proposed.
Garden City Street Light Policy	This will be reviewed with the reviews of the development as it is proposed.
Garden City Transportation Needs List	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.