BEFORE THE GARDEN PLANNING AND ZONING COMMISSION
GARDEN CITY, ADA COUNTY, IDAHO
THIS IS NOT A PREDETERMINED DECISION. ALL EVIDENCE WILL BE CONSIDERED. A DIFFERENT DECISION MAY RESULT IN AN UPDATE OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, OR CONDITIONS

In the Matter of:	)	CPAFY2026-0001
	)	
Development Code Text Amendment	)	FINDINGS OF FACT,
Urban Storage	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND RECOMMENDATION
	)	

THIS MATTER came before the Garden City Planning and Zoning Commission for consideration on July 15, 2026. The Garden City Planning and Zoning Commission reviewed the application and materials submitted and considered public testimony. Based on the evidence presented, the Garden City Planning and Zoning Commission makes the following Findings of Fact, Conclusions of Law and Recommendation:

FINDINGS OF FACT

1. The applicant is Jeff Hatch, represented by Abigail R. Germaine of Elam & Burke, Attorneys at Law.

2. The application is to amend the Garden City Code, Title 8, Development Code, Chapter 2B, Section 1, Table of Allowed Uses in All Base Zoning Districts, to add Urban Storage as a conditional use in the Mixed Use Commercial (C-2), Highway Commercial (C-1), and Light Industrial (LI) zoning districts; to add a new Chapter 2C, Section 50 establishing specific land use provisions applicable to an Urban Storage facility; to add a definition of Urban Storage to Chapter 7A, Section 1, Definitions of Uses; to add Urban Storage as a conditional use within the Neighborhood Commercial Node (NCN), Transit-Oriented Development (TOD), and Green Boulevard Corridor (GBC) overlay districts in Table 8-3A-1; and to add Urban Storage to Chapter 4D, Section 5, Table 8-4D-3 (off-street vehicle parking) and Table 8-4D-4 (bicycle parking).

3. The following sections of the Garden City Development Code are amended by this proposal:
    a. 8-2A-1: Table of Allowed Uses in All Base Zoning Districts
    b. 8-2B-1: Purpose
    c. 8-2B-2: Allowed Uses
    d. 8-2C: Land Use Provisions
    e. 8-3A-1: Allowed Uses

f. 8-7A-1: Definitions of Uses
g. 8-6A-4: Table 8-6A-2 Required Application Information
h. 8-6A-7: Table 8-6A-3 Public Noticing Requirements
i. 8-7A-2: Definition of Terms

4. The applicant provided the following application information:

Materials Provided Per GCC Table 8-6A-2 Required Application Information			
Provided			
Yes	No	NA	
X			Compliance Statement

5. The following application information was provided in addition to the materials required by GCC Table 8-6A-2:
   a. Application
   b. Proposed changes to current ordinance
   c. Neighborhood meeting documents

6. The application was considered complete, the letter of acceptance was issued to the applicant, and hearing dates were set on March 2, 2026, in accordance with GCC 8-6A-3.

7. The following noticing was completed in accordance with GCC 8-6A-7[1]:

Noticing Requirement	Required Date	Completion Date
Neighborhood Meeting	3/9/2026	3/11/2026[2]
Legal Notice	3/31/2026	3/18/2026
Agency Notice	3/31/2026	3/13/2026
Public Service Announcement	3/31/2026	3/17/2026

   a. As part of the alternative posting allowance, notice was posted at the Garden City Hall, Garden City Police Department, Garden City Library, Quality Art Supply, and Fred Meyer at Glenwood and Chinden on March 17, 2026.
   b. The applicant provided an on-site property posting notice for the Planning and Zoning Hearing.

[1] The noticing was conducted for all hearings and the dates correspond to the first hearing date.
[2] The neighborhood meeting was held in conjunction with associated applications CUPFY2026-0005 & DSRFY2026-0008, following the procedures of the design review application. Staff had noted in the acceptance letter that the neighborhood meeting information was not submitted at the time of application acceptance, giving the applicant until March 23, 2026, to complete the task.

8. The agendas were posted in the Garden City lobby and on the Garden City website in accordance with Idaho Code 74-204.

9. Agency Comments were received from:
    a. Department of Environmental Quality; dated March 24, 2026
    b. Idaho Transportation Department; dated March 18, 2026

10. Written Public Comments were received from:
    a. James Herbert, dated March 13, 2026

11. On April 6, 2026, the Garden City Design Consultants recommended:
    a. No approval or recommendation was made. The consultation was exploratory and advisory in nature.
    b. Ground floor activation should be defined as actual non-storage uses on street-facing frontage, not pedestrian amenities such as bike racks or landscaping. Though those standards should be added too if additional requirements are put in place beyond existing code.
    c. Storage units should be prohibited on the ground floor of any street-facing frontage.
    d. The proposed code should require that buildings be structurally designed to allow for future adaptive reuse, with interior storage partitions that are non-load-bearing.
    e. The amendment should address compatibility with Comprehensive Plan Future Land Use designations and consider whether the use is more appropriate in the Light Industrial zoning district than in C-2.
    f. All subjective standards shall be replaced with objective, enforceable criteria consistent with existing code provisions.
    g. The amendment should cross-reference applicable existing code sections rather than duplicating or conflicting with standards already established in 8-4C, 8-4A-6, 8-4A-4, and 8-2B-4.

12. On April 15, 2026, a public hearing before the Planning and Zoning Commission was held, a summary of the discussion is below:
    a. Chairman, Ryan Montoya, introduced the application.
    b. Abbey Germaine, on behalf of the applicant, presented the application.
    c. Hanna Veal presented the staff report.
    d. Public testimony was heard from:
        i. Brad McGirr, in opposition of the proposed use within Garden City.
    e. Jeff Hatch and Abbey Germaine provided rebuttal:
        i. In preparing this application he analyzed three different site types; a corner lot, an infill slot lot, and a single-access road lot to assess the broader citywide implications of the proposed code.
        ii. Expressed a desire to return to the Design Review Consultants to confirm their April 8th responses were adequate before the Commission acted.

iii. Noted that the applicant had previously been directed by the public and City Council to reduce commercial elements from an earlier project iteration to limit traffic, and was now being directed by staff and Design Review to add them back

f. Public testimony was closed.
g. The public hearing was closed for Commission deliberation.
h. Deliberation included:
    i. The one-mile exclusion should be removed.
    ii. Activation should be required along some portion of the street-facing ground floor, whether measured as a frontage standard or a percentage, but that prohibiting storage on the entire first floor is too restrictive for buildings with large footprints.
    iii. Activation requirement could be folded directly into the definition of the use, rather than as a standalone code standard.
    iv. Suggested building the distinguishing characteristics directly into the use definition rather than relying solely on standalone standards.
    v. The use should be considered in LI and C-1 zoning districts.
    vi. Remove or significantly relax the structural flexibility for future conversion to other uses requirement.
i. The public hearing was opened.
j. Commissioner Brown moved to continue the application for two months, to the date of June 17th, to allow the applicant to address outstanding staff concerns and return to the Design Review Consultants for review of the revised proposal.
k. Commissioner Shepard seconded the motion.
l. The motion carried unanimously.

13. On June 17, 2026, a public hearing before the Planning and Zoning Commission was held and continued to the date certain of July 15, 2026.

14. On July 6, 2026, the Garden City Design Consultants recommended:
    a. The definition of "Urban Storage" in 8-7A-1 shall be revised to remove design and operational standards, which are more appropriately addressed in 8-2C-50. The definition should identify the use by its distinguishing characteristics only.
    b. Section 8-2C-50(B)(1) shall be removed as redundant with Table 8-2B-1.
    c. The restated language in 8-2C-50 drawn from 8-2C-37(C) and (F) shall be replaced with a direct cross-reference to both subsections in full. Staff and the applicant disagree on whether 8-2C-37(F) applies to Urban Storage; the Commission is asked to weigh in on this question.
    d. The Design Review requirement in 8-2C-50 shall either be removed or rewritten as a mandatory, use-specific requirement modeled on 8-2C-13(B)(11), depending on the applicant's intent.
    e. Urban Storage shall be removed from the NCN and TOD overlay districts in Table 8-3A-1. Staff does not find the use compatible with the stated purpose

of either overlay. The GBC overlay addition may be retained for Council consideration.

15. On July 15, 2026, a public hearing before the Planning and Zoning Commission was held:
    a. This section will be completed after the hearing.

16. The record contains:
    a. Application and application materials
    b. Noticing Documents
    c. Agency Comments
    d. Public Comments
    e. Staff Report
    f. Planning and Zoning Commission Recommendation
    g. April 6, 2026, Design Review Consultants Minutes and Audio
    h. July 6, 2026, Design Review Consultants Minutes and Audio
    i. April 15, 2026, Planning and Zoning Commission Minutes and Audio
    j. June 17, 2026, Planning and Zoning Commission Minutes and Audio
    k. July 15, 2026, Planning and Zoning Commission Minutes and Audio

17. In consideration of a development code amendment the following findings are required:

The draft findings are written both in approval and in denial. The Planning and Zoning Commission may select the explanations that correspond to their conclusions or amend the explanations based on the record that they have reviewed. Potential explanations have been provided.

GCC 8-6B-5 DEVELOPMENT CODE AMENDMENT: REQUIRED FINDINGS			
Conclusion			
Compliant	Not Applicable to this Application	Not Compliant	Standard
X		X	**Finding 1:** The text amendment complies with the applicable provisions of the comprehensive plan.
			Reasoned Statement Explanation: **In Approval:** The text amendment is in compliance with the Garden City Comprehensive Plan, provided that the revisions recommended by staff are incorporated into the final ordinance language prior to adoption.

			Specifically, the following goals and objectives of the Comprehensive Plan support the addition of Urban Storage as a conditional use in the C-2, C-1, and LI zoning districts: Goal 1, Objective 1.3, Consider the needs of all citizens, businesses, and the environment; Goal 1, Objective 1.4, Create a premier destination place to live, work, and recreate; Goal 2, Objective 2.1, Encourage new and distinctive neighborhoods; Goal 2, Objective 2.1.2, Encourage high quality design and landscaping; Goal 2, Objective 2.3, Promote quality design and architecturally interesting buildings; Goal 4, Objective 4.3, Beautify streets, sidewalks and gateways with landscaping, trees, and public art; Goal 7, Objective 7.1, Create pedestrian and bicycle friendly connections; Goal 12, Objective 12.1, Support a positive business environment; and Goal 12, Objective 12.2, Continue to support commercial and industrial land use. The conditional use permit process, as required by the proposed amendment, provides a sufficient mechanism to ensure that individual proposals are evaluated against the applicable Future Land Use designation objectives of the Comprehensive Plan on a case-by-case basis. For the Neighborhood Commercial Node (NCN), Transit-Oriented Development (TOD), and Green Boulevard Corridor (GBC) overlay districts specifically, the applicant has agreed to work with Staff to draft overlay-specific standards that would apply only when Urban Storage is proposed within one of these designations, giving the Commission an objective, designation-specific basis for evaluating compatibility

DRAFT

			beyond the general zoning code standards. **In Denial:** The text amendment, as currently drafted, does not comply with the applicable provisions of the Garden City Comprehensive Plan. The Comprehensive Plan's Future Land Use Map designates portions of the C-1, C-2, and LI zoning districts as Activity Nodes, Transit-Oriented Development Nodes, the Main Street Corridor, the Green Boulevard Corridor, the Live-Work-Create District, Mixed Use Commercial and Mixed Use Residential, each carrying distinct land use objectives that emphasize active, pedestrian-oriented, destination-generating uses. While the applicant has narrowed several deficiencies since April 15, 2026, the amendment as drafted would add Urban Storage as a conditional use within the NCN, TOD, and GBC overlay districts in Table 8-3A-1 without any corresponding overlay-specific standard yet incorporated into the code. The NCN overlay's stated purpose of creating a "focal point of vibrancy and activity" and the TOD designation's inherently vehicle-dependent conflict with Urban Storage remain unaddressed by any adopted code language, notwithstanding the applicant's stated intent to draft such standards. Urban Storage does not advance the land use objectives established for these designations and presents significant compatibility concerns, particularly within Activity Node and Transit-Oriented Development Node areas where the Comprehensive Plan calls for a mix of uses including higher density residential, retail, office, research, and public uses.

DRAFT

			The amendment conflicts with Goals and Objectives 1.4 Create a premier destination place to live, work, and recreate, 3.2 Create public gathering places at multiple locations throughout the city, 10.4 Designate locations in proximity to existing and future transit stops throughout the city that serve as activity centers, 10.5 Create a Main Street corridor with commercial nodes as designated on the Land Use Map, and 12.3 Create a premier destination for work, recreation, entertainment, culture, and commerce, of the Comprehensive Plan.
X		X	**Finding 2**: The text amendment shall not be materially detrimental to the public health, safety, and welfare; **Reasoned Statement Explanation:** **In Approval:** The text amendment, as revised per staff recommendations, will not unreasonably diminish the health, safety, or welfare of the community as defined in the purpose of the Local Land Use Planning Act, Idaho Code § 67-6502. The addition of Urban Storage as a conditional use in the C-1, C-2, and LI zoning districts does not introduce a use that is inherently hazardous, incompatible with surrounding uses at a citywide level, or detrimental to the public welfare. The use generates low traffic, places minimal demand on city services including schools, police, and fire, and is proposed to be subject to elevated design standards and the conditional use permit process, which provides the Commission and City Council with the opportunity to evaluate each proposal individually for site-specific health, safety, and welfare considerations. **In Denial**

DRAFT

			The text amendment, as currently drafted, is materially detrimental to the public health, safety, and welfare. The proposed code language fails to provide the objective, measurable, and enforceable standards necessary to ensure that Urban Storage is developed and administered in a manner that protects adjacent property owners, the surrounding community, and the orderly administration of the Development Code. The ground floor activation, Design Review requirement, and facility (use) separation standards in the proposed 8-2C-50 have each been the subject of ongoing discussion between Staff, the applicant, and the Design Review Consultants, but none of that discussion has yet been reduced to submitted code language, and the definition in 8-7A-1 continues to mix use-defining characteristics with design standards that have not yet been relocated to 8-2C-50. Until the applicant submits, and the record reflects, revised code language resolving these items, the amendment does not provide the clear, objective, and consistently enforceable standards necessary to support a finding that Urban Storage, as currently drafted, will not be materially detrimental to the public health, safety, and welfare of the community.
X			**Finding 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; **Reasoned Statement Explanation:** There is no identified adverse effect upon the delivery of public services within the city as a result of this amendment.

DRAFT

18. The record was reviewed by the Planning and Zoning Commission in its entirety to make a recommendation to the City Council.

CONCLUSIONS OF LAW

The Planning and Zoning Commission reviewed the application with regard to Garden City Code, Title 8, and based on the conditions required herein, concludes the application **meets/does not meet** the standards of approval under GCC 8-6B-5 Development Code Amendment.

RECOMMENDATION

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

POTENTIAL CONDITIONS FOR APPROVAL

1. Section 8-2C-50(A) shall be removed as redundant with Table 8-2B-1 because of the asterisks.

2. The three-acre maximum lot size shall be removed. In its place, a three-story minimum height requirement shall be added as a design standard within 8-2C-50.

3. Section 8-2C-50(B)(1) shall be removed as redundant with Table 8-2B-1.

4. The 1,000-foot separation requirement in 8-2C-50(B)(2) shall be removed. Proximity and compatibility between Urban Storage facilities shall be evaluated through the conditional use permit process on a case-by-case basis.

5. Section 8-2C-50 shall be revised to either cross-reference 8-2C-37(C) and (F) in their entirety, or restate all applicable standards from those subsections, including the prohibition on selling goods from a storage unit under 8-2C-37(F)(1), rather than a partial restatement.

6. The ground floor activation standard in 8-2C-50(C)(1) shall establish a minimum usable depth of fifteen (15) feet for ground floor commercial space along the required street-facing frontage, and the word "traffic" shall be removed from "pedestrian and traffic activation."

7. The Design Review requirement in 8-2C-50 shall be revised to establish Design Review consultation as a mandatory, use-specific requirement applicable to Urban Storage regardless of the scope of the application.

DRAFT

8. The applicant shall provide specific standards applicable to Urban Storage within the Neighborhood Commercial Node (NCN), Transit Oriented Development Node (TOD), and Green Boulevard Corridors (GBC) of the Future Land Use Designations of the Comprehensive Plan, in lieu of removing Urban Storage from Table 8-3A-1. The code can include examples such as:

   a. a higher ground floor activation percentage-of-frontage threshold in the NCN;
   b. a defined menu of complementary, non-storage tenant uses;
   c. a building-wide mixed-use square footage requirement in the TOD overlay (which may be satisfied in part by rooftop amenity space in addition to required ground floor activation); and
   d. additional landscaping along the corridor-facing frontage in the GBC overlay beyond the base 8-4I standard.

STANDARD CONDITIONS FOR APPROVAL AND DENIAL

1. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

7/15/2026

Chairman, Ryan Montoya Date

DRAFT