

For: Idaho Legislative District 16 · Ada County Highway District staff · City of Garden City

From: Ken Pyle, 3598 N. Prospect Way, Garden City

Re: Title 40 concept for the ACHD property described in Garden City's Draft 6 ORD 1071 26 SAPD 02 09282026¹ — ACHD keeps the as-is value; a minority of the city-created increment may fund nearby paths

Use after Garden City adopts the Heron Commons Specific Area Plan, when an appraisal can show a real premium. This page does not ask anyone to delay that ordinance.

The idea

When a city upzones highway-district surplus land, the sale price rises. The district should keep every dollar the land was worth as a maintenance yard. Of the extra created by the city's plan, a minority share may be parked—by written agreement—in a restricted account for the Greenbelt and other bicycle and pedestrian connections within one mile, including a river crossing that load-balances an existing path and keeps people off arterial streets. That is work already within the district's authority. It is not a substitute for the countywide road program, and it is not city operating money.

Where it would sit in Title 40

Idaho Code § 40-1309 (corporate powers; how a district sells surplus property over \$10,000) is the section to amend or to follow with a new § 40-1309A. Idaho Code § 40-1310 and § 40-1313 (commissioners' powers; title to district property) need a cross-reference so proceeds can be split after as-is value is secured. For Ada County's single county-wide district, Idaho Code § 40-1406 should cite the new section so Chapter 14 districts are clearly covered. No change to the contiguous-owner option in § 40-1309 is required.

Operative rule

Two appraisals: as-is under prior zoning, and as-entitled under the adopted city plan. At closing, the district retains the as-is appraised value in full. Of the amount by which the sale price exceeds that as-is value, thirty-five percent is deposited in a restricted near-site active-transportation account; the other sixty-five percent of the increment stays with the district. Spend only by intergovernmental agreement, only on paths or a relieving crossing within one mile. Unused funds revert in five years.

How the numbers work (illustrative)

If as-is is \$12M and sale is...	Increment	District keeps (as-is + 65%)	Greenbelt/path account (35%)
\$14 million	\$2.0 million	\$13.3 million	\$0.7 million
\$18 million	\$6.0 million	\$15.9 million	\$2.1 million
\$20 million	\$8.0 million	\$17.2 million	\$2.8 million

Figures are examples only, not an appraisal of the Adams Street yard. In every row the district is better off than the \$12 million as-is case—the world in which the city never adopted a plan.

Start with a voluntary agreement. A mandate can wait until sponsors have the votes. Annual report to the city and the Legislative Services Office.

¹ See

<https://storage.googleapis.com/juniper-media-library/464/2026/09/Draft%206%20ORD%201071%2026%20SAPD%2002%202009282026.pdf>