PLANNING AND ZONING COMMISSION RECOMMENDATION
BEFORE THE GARDEN CITY COUNCIL
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:	)	SAPFY2026-0001
	)	
	)	
Specific Area Plan:	)	
Heron Commons SAP	)	FINDINGS OF FACT
	)	CONCLUSIONS OF LAW,
Garden City, Ada County, Idaho	)	AND DECISION
	)	

THIS MATTER came before the Garden City City Council for consideration on 10/26/2026. The Garden City City Council reviewed the application and materials submitted and considered public testimony. Based on the evidence presented, the Garden City City Council makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT

1. The application is for a Specific Area Plan.

2. The applicant is the City of Garden City.

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

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

    b. Ada County Tax Parcel Number(s) are: R2734502585; R3459000061; R3459000035; R2734502610; R2734502623; R3459000049; R2734502637; R3459000012; R2734502575; R3459000022; R2734502617; R2734502627; R3459000051; R2734502631; R2734502590; R2734502617; R2734502575; R2734520441; S1005141700; R2734520174; S1005141650; R2734520190; R2734520390; S1005141695; S1005120600; R2734520200; R2734520430.

    c. The properties are legally described by the Ada County Assessor's Office as:
        i. NW 195' LOT 14 & NW 195' OF NE 25' LOT 13 BLK 8 FAIRVIEW ACRES SUB #1
        ii. LOT 6 BLK 1 EXC R/W DEE HARDIN SUB #0060B
        iii. LOT 3 EXC NWLY 84' BLK 1 DEE HARDIN SUB #0030-B
        iv. LOT 15 BLK 8 FAIRVIEW ACRES SUB NO 1
        v. PAR #2623 POR LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB 1 #2621B
        vi. PAR #0049 POR LTS 3 & 4 BLK 1 DEE HARDIN SUB #0048-B
        vii. PAR #2637 POR LTS 16 & 17 BL 8 FAIRVIEW ACRES SUB #1 #2635-B
        viii. PAR #0012 POR LOT 01 BLK 01 DEE HARDIN SUB #0011-B
        ix. LOT 12 & SW 75' LOT 13 BLK 8 FAIRVIEW ACRES SUB NO 1 #2580-S
        x. PAR #0022 POR LOT 02 BLK 01 DEE HARDIN SUB #0021-B
        xi. PAR #2617 OF LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2615B
        xii. PAR #2627 POR LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2625B
        xiii. LOT 5 BLK 1 EXC R/W DEE HARDIN SUB #0050B
        xiv. PAR #2631 OF LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2630B
        xv. SE 105' LOT 14 & SE 105' NE 25' LOT 13 BLK 8 FAIRVIEW ACRES SUB #1
        xvi. PAR #2617 OF LOTS 16-17 BLK 8 FAIRVIEW ACRES SUB #1 #2615B
        xvii. LOT 12 & SW 75' LOT 13 BLK 8 FAIRVIEW ACRES SUB NO 1 #2580-S
        xviii. LOTS 22 & 23 BLK 12 FAIRVIEW ACRES SUB NO 3

xix. PAR #1700 @ CTR NE4 SEC 5 3N 2E #141690-B
xx. LOTS 20 & 21 BLK 11 FAIRVIEW ACRES SUB NO 3 #0172 0178 C
xxi. PAR #1650 OF S2NE4 SEC 5 3N 2E #9115156
xxii. LOT 22 BLK 11 FAIRVIEW ACRES SUB NO 3 #8827750
xxiii. LOT 12 BLK 12 FAIRVIEW ACRES SUB NO 3 #9213674
xxiv. PAR #1695 IN CTR POR NE4 SEC 5 3N 2E & OF BLK 12 FAIRVIEW ACRES #3 R/S 9143
xxv. PAR #0600 OF W2NE4 SEC 05 3N 2E
xxvi. LOT 23 BLK 11 FAIRVIEW ACRES SUB NO 3
xxvii. PAR #0430 NW POR LOTS 20 & 21 BLK 12 FAIRVIEW ACRES SUB NO 3.

5. The proposal includes 33.96 acres.

6. The properties have not been reviewed for determined to be legal lots of record.

7. The current zoning districts include Zoning District: R-3 Medium Density Residential & C-2 General Commercial.

8. The subject property is in the Future Planning Area (ACHD site), Main Street Corridor, Mixed Use Commercial, Mixed Use Residential, Future Park/ Open Space designations of the Comprehensive Plan Future Land Use Map.

9. There has been no denial of any application in the same form for the same use on this property within one year.

10. The following sections of the Garden City Development Code apply to this proposal:
    a. Garden City Code 8-1A-4: General Regulations, Applicability
    b. Garden City Code 8-2A-2: Official Zoning Map
    c. Garden City Code 8-6A: Administration
    d. Garden City Code 8-6B-6: Specific Area Plan

11. The following sections of the Garden City Development Code are added or amended by this proposal:
    a. 8-8 Specific Area Plans
    b. 8-8B Heron Commons District

12. The applicant provided the following application information:

Materials Provided Per GCC Table 8-6A-2 Required Application Information			
Provided			
Yes	No	Waived	
X			Compliance Statement (via staff report)
		X	Preliminary Title Report
X			Neighborhood Map (via staff report)

X			Master Plan (within draft ordinance)
		X	Site Plan
		X	Topographic Survey
		X	Natural Hazards and Resource Analysis
		X	Dedications and Easements
X			Verification that address is an Ada County Approved Address

13. The application includes additional documentation to that which is required by the Garden City Code. All submitted application documents are a part of the record.

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

Noticing Requirement	Required Date	Completion Date
Neighborhood Meeting		4/22/2026
Radius Notice	5/5/2026	4/3/2026
Legal Notice	5/5/2026	4/7/2026
Agency Notice	5/5/2026	4/3/2026
On site	5/10/2026	4/6/2026
PSA	5/5/2026	4/3/2026

   a. While not required, public notice was posted at Garden City Hall, the Garden City Library, and Garden City Fred Meyer on 4/3/2026.
   b. Email updates to interested parties.

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

16. Design Review Consultations were held:
   a. May 4, 2026
   b. May 18, 2026

17. Agency Comments were received from:
   a. DEQ 4/6/2026

18. Written Public Comments received on or before October 17, 2026, were received from:
   a. Joe Jaszewsk 04/10/2026
   b. Dave and Gwen Twyver 05/ 07 &08/2026
   c. Michelle Burkes 05/07/2026
   d. Rick Kotze 05/08/2026
   e. Julie Jenkens 05/22/2026
   f. Curt Fransen 05/15/2026, 07/14/2026, 09/03/2026, 09/04/2026, 09/28/2026, 09/30/2026, 10/16/2026
   g. Curt Fransen, Rod Linja 08/10/2026, 10/06/2026

[1] The noticing was conducted for all hearings, and the dates correspond to the first hearing date.

h. Curt Fransen, Rod Linja, Nancy Baskin 08/07/2026
i. Rod Linja 09/6/2026, 09/07/2026, 09/30/2026, 10/06/2026
j. Thomas Baskin 08/10/2026, 09/03/2026, 09/23/2026, 09/28/2026, 10/18/2026
k. Nancy Baskin 09/07/2026, 09/24/2026, 09/28/2026, 10/19/2026
l. Jon Wardle 06/14/2026
m. Thomas and Nancy Baskin 09/06/2026
n. Bob Taunton 08/11/2026
o. Emily Dawson 08/17/2026
p. Nick Jezierny 08/18/2026
q. Theresa Fox 09/04/2026
r. Annabeth Elliot 09/03/2026, 09/04/2026
s. Bill Mullane 09/08/2026
t. Chris Honcik 09/04/2026
u. Dave and Gwen Tyver 05/07/2026, 05/08/2026
v. Julie Compton 09/06/2026
w. Ken Pyle 09/08/2026, 9/24/2026
x. Leah Kelsey 09/04/2026
y. Mary Stallings 09/04/2026
z. Michael Heckler and Sandra Shaw 09/06/2026
aa. Al and Anna Schnieder 09/09/2026
bb. Norma Schafer 09092026, 10/15/2026
cc. Hannah Ball 09/28/2026
dd. Hawk Stone 10/02/2026

19. On May 20, 2026, a public hearing before the Garden City Planning and Zoning Commission was held:
    a. Chairman Montoya introduced the application.
    b. Jenah Thornborrow provided a staff report.
    c. Public Testimony was provided by:
        i. Ken Pyle
            1. Noted that the project timeline is fast.
            2. Emphasized that technology is rapidly advancing, and future parking needs may change.
            3. Requested that visuals be provided to aid understanding.
        ii. David Twyver
            1. Stated that Option A is preferable due to height considerations, expressed a preference for two-story development.
            2. Opposed introducing cars on Adams Street.
            3. Commented that a five-year review period is too long.
        iii. Norma Schaffer
            1. Requested that the project be made compatible with adjacent residential uses, noting that her home is a one-story structure directly next to the site.
        iv. Nancy Baskin

1. Expressed concern about the speed of the process, recommending a slower approach.
2. Urged attention to the river and greenbelt, describing the project as a legacy opportunity.
3. Noted that the Waterfront District height limit is forty feet.
4. Opposed vehicle access on Adams Street.

v. Louis Landry
1. Described the project as a legacy project.
2. Emphasized the need to protect the river.
3. Opposed excessive building height.
4. Requested a setback from the greenbelt.
5. Stated that visuals would be helpful.

d. Jenah Thornborrow provided rebuttal.
e. Commissioner Smith moved to continue the hearing to a date certain of July 15, 2026, with an intermediary joint work session with the City Council.
f. Commissioner Brown seconded the motion.
g. The motion passed unanimously.

20. On June 17, 2026, there was a joint work session with the Garden City Planning and Zoning Commission and City Council.

21. On July 15, 2026, a public hearing before the Garden City Planning and Zoning Commission was held:
a. Chairman Montoya introduced the application.
b. Jenah Thornborrow provided a staff report.
c. Public Testimony was provided by:
i. Louis Landry
1. Urged emphasis on shade trees and reliable irrigation access along the Greenbelt.
2. Suggested a funding mechanism to ensure long-term tree maintenance and irrigation.

ii. Rod Linja
1. Requested a traffic impact study.
2. Concerned with height, setbacks, and density.

iii. Alan Schneider
1. Described declining bird populations along the Greenbelt tied to development and increased e-vehicle and pedestrian activity along the Greenbelt.

iv. Anna Schneider
1. Opposed extending Adams Street into the Waterfront District.

v. David Swankey
1. Opposed full vehicular access on Adams Street, preferring pedestrian/emergency-only access.

vi. Lauren Kotze

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1. Generally supportive of increased density but requested greater setbacks between tall buildings and existing residences to preserve privacy.
2. Requested that the Adams connection remain limited to bicycles, pedestrians, and emergency vehicles.

vii. Rick Kotze
1. Raised concern that the "residential edge" provision could allow five to six-story buildings roughly 30 feet from existing homes.
2. Requested clarity on which standards are mandatory versus flexible.

viii. Curt Franson
1. Requested a continuance, noting untimely posting of the draft report and ordinance.
2. Stated that the proposed height-compatibility standard would apply to only a small fraction of nearby properties, leaving most homeowners without practical height protection.

ix. Nancy Baskin
1. Requested to slow the process, citing due process and notice concerns.
2. Questioned the need for the proposed density/height compared to other Treasure Valley developments.
3. Raised concern that resulting traffic could pressure ACHD to open Adams Street to through traffic.

x. Written comments without oral testimony were also entered into the record from:
1. Theresa Fox
a. Questioned whether the plan depends on property owners agreeing to sell.
2. Jason McFarland
a. Opposed the application.

d. Jenah Thornborrow provided rebuttal.
e. Commissioner Bickerton moved to reopen and continue the hearing to a date certain of September 16, 2026.
f. Commissioner Brown seconded the motion.
g. The motion passed unanimously.

22. On September 16, 2026, a public hearing before the Garden City Planning and Zoning Commission was held:
a. Chairman Montoya introduced the application.
b. Jenah Thornborrow provided a staff report.
c. Public Testimony was provided orally by:
i. Tom Baskin
1. Open space calculation
2. Ordinance ambiguity
3. Riverfront parkland

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4. Greenbelt corridor

ii. Nancy Baskin
    1. Height compatibility
    2. Emergency access
    3. Bike connections
    4. Housing affordability
    5. Public oversight

iii. Michael Heckler
    1. Traffic study needed
    2. There will be constraints on the commercial components

iv. Brian Tomczak
    1. Adams connection is concerning
    2. Traffic circulation within the Waterfront District should be reviewed to allow for multiple exits

v. Rod Linja
    1. Traffic study needed
    2. Upzoning concerns
    3. Inaccuracies in record
    4. Staff report is misleading

vi. Ken Pyle
    1. Increased land value & ACHD partnership
    2. Community benefit potential
    3. Future mobility

vii. Curt Fransen
    1. Setback transition
    2. Height limits
    3. Neighborhood compatibility
    4. Regulatory process

d. Public Testimony was provided orally by:

i. Andrew Barbee
    1. Reed Street parking & sidewalk concerns

ii. Larry Thackery
    1. Building height
    2. Density
    3. Adams street

iii. Mary Stallings
    1. Height and setbacks

iv. Theresa Fox
    1. Concerns noted in written documentation from Waterfront District Subdivision.

v. Helen Carnie
    1. Adams connection should be limited to bicycle and pedestrian
    2. Limit height adjacent to existing residential.

vi. Sylvia Hampel
    1. Housing design is undesirable
    2. Riverfront appearance

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3. Boardwalk design criticism

e. Jenah Thornborrow provided rebuttal.
f. The Public Hearing was closed.
g. The Planning and Zoning Commission discussion themes included:
    i. The 25% open-space calculation needed clarification.
    ii. Neighborhood compatibility.
        1. Commissioners wanted clearer expectations for height near existing homes.
        2. Support for a residential transition area adjacent to existing neighborhoods.
    iii. Traffic concerns were acknowledged but generally deferred to later stages and City Council.
    iv. The commission sought to balance:
        1. Growth,
        2. Tax-base expansion,
        3. Redevelopment flexibility,
        4. Neighborhood protection.
h. Commissioner Smith moved to approve the application with the following changes to the SAP ordinance:
    i. Residential transition/buffer area adjacent to the Waterfront District.
        1. 15-foot setback / 45-foot maximum height, or
        2. 30-foot setback / 72-foot maximum height.
    ii. Clarification on calculating the 25% open-space requirement.
    iii. Removal of "destination node" references from SAP findings/reason statements in the draft recommendation.
    iv. Traffic-study concerns noted for Council consideration but not made a condition of approval.
    i. Commissioner Bickerton seconded the motion.
    j. The motion passed unanimously.

23. On September 28, 2026, a public hearing before the Garden City Council was held:
    a. Mayor Jacobs introduced the application.
    b. Jenah Thornborrow provided a staff report.
    c. Public Testimony was provided orally by:
        i. Curt Fransen representing
            1. Curt and Gwen Fransen
            2. Alan, Anna, and Norma Schnieder
            3. David Haskell
        ii. His testimony included
            1. Lack of Greenbelt enhancements
            2. Height
            3. Setbacks
        iii. Michael Heckler
            1. Vehicular access
            2. Vision does not equate to actionable
        iv. Rod Linja

1. Adams extension
2. Bridge access
3. Density

v. Nancy Baskin
1. Provided Tom Baskin's written testimony
2. Greenbelt traffic should be analyzed
3. Concerns with 15 DUPA requirement

vi. Louis Landry
1. Tree ordinance needed for irrigation, etc.
2. Height
3. ACHD timeline requested

vii. Hannah Ball
1. There is no development driving the code

d. Council President Page moved to keep the hearing open and continue to October 26, 2026.
e. Councilmember Jorgenson seconded the motion.
f. The motion passed unanimously.

24. On October 26, 2026, a public hearing before the Garden City Council was held:
a. (To be updated to reflect the proceedings)

25. (to be updated to reflect actual proceedings) On DATE, the first reading of ordinances 1071-26 and 1072-26 were read.

26. The record contains:
a. Application and application materials
b. Noticing Documents
c. Agency Comments
d. Design Review Consultant Recommendations
e. Public Comments
f. Staff Report
g. Planning and Zoning Commission minutes and audio.
h. City Council minutes and audio.

27. In consideration of a Specific Area Plan the decision maker shall make the following findings:

Below are the recommended reasoned statements. The City Council 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-6: SPECIFIC AREA PLAN: REQUIRED FINDINGS			
Conclusion			
Compliant	Not	Not Applicable	Standard

	Compliant	to this Application	
X			**Finding 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.
			Reasoned Statement: This application is consistent with the future land use map designations: a) Future Planning Area b) Main Street Corridor c) Mixed Use Residential d) Mixed Use Commercial e) Future Park/ Open Space The application is providing for the Future Planning Area through the SAP designation. The ordinance will provide for mixed use, requires open space, and addresses Adams Street which is designated as a Main Street Corridor. This application is supported by the 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.

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			• 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. • 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. • Provide a transition in the height and scale of development that is compatible with the existing surrounding neighborhoods.

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			• 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.
X			**Finding 2.** The SAP application, as conditioned, meets the minimum requirements of chapter 6 of the Garden City Development Code. **Reasoned Statement:** The SAP application meets the minimum requirements of Chapter 6, Article A. of the Garden City Development Code. • The application contains the required information and has been deemed complete. • No fees were required as it is a city-initiated application. • All public notice requirements have been met. • The required design review consultation has been completed. • All required public hearings have been conducted. The SAP application meets the minimum requirements of Chapter 6, Article B: • An SAP may be used on any property in the City, including the application property, which would benefit from a master plan and phasing approach to ensure orderly planning and development. • The application includes the required set of nontransferable zoning regulations.

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			• All required pre-application meetings and neighborhood meetings have been held.
X			**Finding 3.** The SAP application promotes the orderly planning and development of land, as set forth in the purpose for this process.
			Reasoned Statement: The SAP purpose is to establish a specific area plan district with distinct nontransferable zoning regulations and a master plan with the goal of ensuring orderly planning and development of land. As discussed by the Council in its adoption of the Specific Area Plan ordinance (ORD. 1018-20): A Specific Area Plan, with its master plan and tailored zoning regulations, will promote orderly and efficient development patterns that avoid the conflicts and financial loss that occur with piecemeal development decisions. The SAP application, as conditioned promotes the orderly planning and development of the application property by: • Implementing the goals and objectives of the City's Comprehensive Plan, as amended, including the Future Land Use Map. • Contributing to the social, economic, and environmental sustainability of the city. • Contributing amenities. • Designating and protecting open space withing the application boundaries. • Providing a mix uses, including a mix of house types and sizes. • Planning and coordinating the phased construction of infrastructure, including public

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			facilities and transportation system components. • Establishing a regulatory framework through which transportation impacts can be evaluated and mitigated as specific development proposals are submitted. Future development within the SAP District will be subject to ongoing review and approval processes established by the SAP ordinance and Garden City Code. Adoption of the SAP District establishes a regulatory framework and implementation strategy rather than approving specific development plans. The ordinance requires future development proposals to demonstrate compliance with district standards related to infrastructure, circulation, open space, public access, building placement, compatibility, and other development requirements. Regulatory Master Plans are processed through the Administrative with Notice procedures of the Garden City Code, which require public notice and neighborhood meetings and provide opportunities for public participation. In addition to being processed as an Administrative with Notice procedures, there is a mandatory public hearing required. These implementation requirements ensure continued public participation and City oversight as development occurs and support the orderly and phased development of the SAP District over time. Comments requested the preparation of a Traffic Impact Study (TIS) prior to adoption of the Heron Commons SAP District. This application establishes a zoning district and regulatory framework rather than approving a specific development plan, site design, subdivision, or building project. At this stage, the location, intensity, mix of uses,

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			phasing, access configuration, and transportation demand associated with future development are not yet known with sufficient specificity to support a meaningful traffic analysis. As a result, any transportation impact study prepared at this stage would necessarily rely on assumptions regarding future land uses, development intensity, phasing, timing, and site design that may never occur. Consequently, the predictive value of such an analysis would be limited, and its conclusions would rely on assumptions regarding future development patterns and therefore may not accurately reflect future transportation conditions. The purpose of the SAP District is to establish development standards and implementation procedures that will guide future development proposals. Traffic impacts associated with specific development projects will be evaluated through subsequent application processes when detailed site plans, access locations, circulation patterns, building sizes, and land use intensities have been identified. Therefore, it is concluded that a district-wide TIS is not necessary to support adoption of the zoning ordinance and that transportation impacts can be more accurately assessed and appropriately mitigated during future development review processes, consistent with applicable City requirements and agency review procedures. There was extensive public testimony regarding the potential extension of Adams Street and its effects on the adjacent Waterfront District neighborhood. This proposal does not require a general-purpose motor vehicle connection between the Heron Commons SAP District and the

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			local section of Adams Street within the Waterfront District Subdivision. Rather, the ordinance requires pedestrian and bicycle connectivity and emergency access connectivity while expressly discouraging a vehicular connection. The ordinance does not prescribe the specific design, or alignment in which bicycle connectivity or emergency access must be provided, allowing flexibility to achieve required connectivity objectives while minimizing neighborhood impacts. Further, the ordinance contains provisions requiring any future connection that may be required by the Ada County Highway District (ACHD) to minimize impacts to the Waterfront District neighborhood. These provisions are intended to address concerns related to cut-through traffic, neighborhood character, safety, parking, noise, and other potential impacts identified during the public comment process. The City does not have sole authority over public roadway decisions and cannot unilaterally prohibit future roadway connections that may be required by the governmental agency with jurisdiction over transportation facilities. However, the SAP District standards are structured to discourage a general vehicular connection and to require mitigation of neighborhood impacts should such a connection ultimately be determined necessary through future review processes. The ordinance does not compel construction of an Adams Street connection. Any required emergency access shall remain subject to review by the fire authority having jurisdiction, and the Garden City Code provides mechanisms through which redundant emergency access requirements may be modified or waived when determined appropriate by the fire department. Accordingly, adoption

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			of the SAP District does not predetermine that Adams Street will be extended for motor vehicle access but instead establishes a framework for evaluating future connectivity, emergency access, and transportation needs while protecting surrounding neighborhoods to the greatest extent practicable. Public testimony raised concerns regarding building height, massing, and compatibility with adjacent residential neighborhoods. In evaluating these concerns, it is recognized that the current zoning districts applicable to the subject properties do not contain a maximum building height and therefore allow significantly greater development intensity than would be permitted under the proposed SAP District regulations. The proposed district introduces defined height limitations, including lower height allowances adjacent to the Boise River that are more restrictive than those applied to neighboring zoning districts along the river corridor and throughout the eastern portion of the city. The ordinance also requires building stepbacks and other design measures intended to reduce perceived mass and scale along the riverfront. The height adjacent to existing residential properties is a maximum of 45' which, based on public testimony, is of similar height found in the adjacent Waterfront District Subdivision structures of 40' in height. For much of the remainder of the district, the base height allowance is generally consistent with the most restrictive adjacent zoning district, mixed-use zoning district, with limited exceptions that permit modest architectural projections and additional height through a transfer of development rights mechanism that allows development intensity to be concentrated in appropriate locations in exchange for reduced height elsewhere within the

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			district. In areas adjacent to existing neighborhoods, the ordinance requires compatibility with the neighborhood and recognizes that additional setbacks, reduced building heights, or other site-specific design modifications may be necessary to mitigate impacts and achieve an appropriate transition. These standards implement Comprehensive Plan policies that support compatible transitions between redevelopment areas and established neighborhoods. Consequently, the proposed regulations establish more objective and comprehensive height, transition, and compatibility standards than currently exist. The standards provide a predictable framework for future development while retaining flexibility to ensure that development responds to the context of adjoining residential neighborhoods, the Boise River corridor, and site-specific conditions identified through future development review processes. Public comments raised concerns regarding the location, amount, and character of public open space, as well as public access to the Boise River and Greenbelt corridor. The proposed SAP District establishes development standards that are more protective of the river corridor than many existing zoning districts by requiring that at least sixty percent (60%) of the area within twenty-five feet (25') of the Greenbelt travelway be publicly accessible. In addition, the seventy-foot (70') setback from the ordinary high-water mark of the Boise River, and fifteen-foot (15') setback from the Boise River Greenbelt which apply throughout the city, remains in effect and continues to protect the river corridor from encroachment.

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			The ordinance provides flexibility in the location and configuration of open space to allow a broader range of publicly accessible amenities, including plazas, gathering spaces, neighborhood greens, recreation areas, and other civic spaces that may better serve users of the space. This flexibility is balanced by enhanced public accessibility requirements adjacent to the Greenbelt and the continued application of Boise River setback standards. While some comments advocated that a greater proportion of open space be concentrated immediately adjacent to the Greenbelt or Boise River, the ordinance recognizes that a variety of usable public spaces distributed throughout the district may provide greater functionality, accessibility, and community benefit while still preserving meaningful public access to the river corridor. The concern that excluding streets, drive aisles, parking areas, and similar vehicular facilities from qualifying as public open space would reduce the amount of available open space is not supported by the requirements of the ordinance. By prohibiting such areas from being counted toward open space requirements, the SAP District ensures that required open space consists of dedicated, usable, and publicly accessible recreational, civic, and gathering spaces rather than transportation infrastructure. As a result, the ordinance increases the amount of functional open space available to the public and establishes clearer standards for the creation of meaningful public amenities. Public comments also expressed concern regarding protection of the Boise River corridor, wildlife habitat, vegetation, and the character of the Greenbelt experience. The SAP District does not reduce existing river setback requirements, environmental

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			protections, or landscaping standards applicable to development along the Boise River corridor. By retaining the required setback from the ordinary high-water mark, requiring substantial publicly accessible areas adjacent to the Greenbelt, and emphasizing pedestrian-oriented design, the ordinance preserves the function of the river corridor as a recreational, environmental, and visual amenity. The SAP District further provides opportunities for enhanced landscaping, tree canopy, river-oriented open space, and Greenbelt integration as redevelopment occurs. Future development proposals will be reviewed for compliance with applicable city standards and district-specific requirements intended to protect the character of the Greenbelt, maintain public access, and support long-term stewardship of the Boise River corridor. The SAP District is also intended to maintain and enhance public enjoyment of the Boise River corridor through the integration of publicly accessible open spaces, Greenbelt connections, pedestrian pathways, and bicycle facilities. Future development will remain subject to applicable river setback requirements, landscaping standards, environmental regulations, and district-specific design standards intended to protect the character, accessibility, and function of the Boise River and Greenbelt corridor. Collectively, these standards support public access, environmental stewardship, and the creation of a high-quality open space network integrated with the surrounding community. Collectively, the standards and procedures established by the SAP District create a framework for coordinated redevelopment of the site that balances redevelopment

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			objectives, public access, transportation planning, neighborhood compatibility, environmental considerations, and public participation. The district establishes greater specificity and predictability than the existing zoning regulations while retaining flexibility to address site-specific conditions through future review processes.
X			**Finding 4.** The SAP application will create a district that is identifiable as a distinct area of the city with a distinguishing character.
			Reasoned Statement: The Specific Area Plan application will create a district that is identifiable as a distinct area of the city with a distinguishing character because it establishes a unified and comprehensive regulatory framework that governs all properties within the Heron Commons SAP District and replaces underlying zoning with a cohesive set of standards, uses, and design requirements. Upon adoption, the ordinance becomes the governing zoning for the district, ensuring that development occurs in a coordinated and intentional manner rather than as a series of unrelated projects. The ordinance establishes a clear purpose and intent for the district to function as a “regionally attractive destination” and a “high-amenity, integrated neighborhood” with direct engagement of the Boise River and Greenbelt, a walkable mixed-use environment, and a cohesive urban form. These provisions define both the functional role and the identity of the area within the broader city context. Additionally, the ordinance requires defining infrastructure and public realm elements, including a primary pedestrian spine, continuous Greenbelt access, a canal pathway, and a network of public

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			streets and connections. These elements are required to be publicly accessible, interconnected, and designed to prioritize pedestrian and bicycle movement, thereby creating a consistent physical framework and shared experience throughout the district. The staff report further supports that the proposal is intended to function as a cohesive, mixed-use destination with integrated open space, river access, and multimodal connectivity, distinguishing it from surrounding conventional zoning districts. The combination of unified zoning coordinated infrastructure requirements, and consistent design standards will result in a district with a clearly identifiable character that is distinct within the City of Garden City. For these reasons, the application satisfies the finding that it will create a district that is identifiable as a distinct area of the city with a distinguishing character.
X			**Finding 5.** The SAP application has been noticed and public hearing held in accordance with Title 8 of Garden City Code.
			Reasoned Statement: This application has been duly noticed with notices of neighborhood meetings; radius notice; agency notice; and on-site posting. In addition, notice was published at: the Garden City Hall; the Garden City Police Department; the Garden City Fred Meyer; the Garden City Next Door site; and the Garden City website. Interested parties were emailed notices and updates. Public meeting agendas were posted in the Garden City Hall lobby and the Garden City website. Public hearings before Planning and Zoning and the City Council were held in

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			accordance with Title 8 of the Garden City Code.
X			**Finding 6.** The SAP application complies with all city zoning regulations and codes in effect at the time of the SAP application.
			Reasoned Statement: The SAP application includes its own nontransferable zoning regulations applicable in the SAP district (that is the "Heron Commons SAP District code"). As provided for Finding #2 in required Findings for GCC 8-6B-6 (above), The SAP application complies with all city zoning regulations and codes in effect at the time of the application.

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GCC 8-6B-10 Zoning Map Amendment and Annexation: REQUIRED FINDINGS			
Conclusion			
Compliant	Not Applicable to this Application	Not Compliant	Standard
X			**Finding 1:** The zoning map amendment complies with the applicable provisions of the comprehensive plan.
			Reasoned Statement: See Finding #1 in required Findings for 8-6B-6.
X			**Finding 2:** The zoning map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement.
			Reasoned Statement: The proposed zoning map amendment complies with the regulations outlined for the Heron Commons Specific Area Plan District, including the purpose and intent of the district, because it establishes a regulatory framework that directly implements the stated objectives of the ordinance. The purpose of the Heron Commons SAP District is to facilitate the transformation of the subject properties into a high-quality, integrated, mixed-use neighborhood that aligns with the Comprehensive Plan designations and functions as a regionally attractive destination. The proposed zoning map amendment is necessary to apply the SAP ordinance to the property, and upon adoption, will ensure that all future development is governed by the standards specifically crafted to achieve this vision. The regulations established through the SAP District are directly structured to implement this purpose. The ordinance requires development that engages the Boise River and Greenbelt, provides publicly accessible open space, supports a walkable and multimodal environment, and

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			incorporates a cohesive mix of residential, commercial, and civic uses. These requirements are not incidental, but are embedded throughout the regulatory framework, including the required public improvements, and design standards. The zoning map amendment applies these regulations across the subject properties, ensuring that redevelopment occurs in a coordinated and consistent manner that advances the district's stated purpose. As described in the staff report, the proposal is intended to create a vibrant mixed-use area with integrated open space, strong connections to the Greenbelt, and a pedestrian-oriented circulation system, all of which reflect and reinforce the purpose and intent of the SAP District. Because the zoning map amendment is the mechanism by which the purpose-driven standards of the Heron Commons SAP District are applied to the subject properties, and because those standards are specifically designed to achieve the stated purpose of the district, the amendment complies with the regulations outlined for the proposed district, including its purpose statement.
X			**Finding 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.
			Reasoned Statement: The proposed zoning map amendment is not materially detrimental to the public health, safety, or welfare, and any potential impacts can be mitigated through the standards and requirements contained within the Heron Commons Specific Area Plan District ordinance.

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			The amendment replaces existing zoning with a comprehensive, site-specific regulatory framework that provides greater clarity and control over development outcomes. The current zoning districts do not impose maximum height limits on portions of the property and allow a broader range of uses, including uses that may generate higher traffic volumes or greater impacts. In contrast, the proposed SAP District narrows permitted uses, establishes building height limits and setbacks, and incorporates design standards intended to ensure compatibility with surrounding development and the Boise River corridor. These provisions reduce the potential for adverse impacts associated with uncoordinated or higher-intensity development under existing zones. The ordinance further includes requirements that directly address public safety and welfare considerations. Flood protection improvements are required to ensure that floodwaters associated with a FEMA-designated one-hundred-year flood event are contained within the district and do not adversely impact adjacent properties. Required public infrastructure, including streets, pathways, and accessways, must be constructed in coordination with development, ensuring safe and functional circulation for pedestrians, bicyclists, and vehicles. The circulation network is specifically designed to reduce the potential for cut-through traffic by prioritizing pedestrian and bicycle travel, limiting vehicular access, and incorporating traffic calming design strategies that discourage through movement while supporting local access needs. In developing the proposed ordinance, staff considered public input and incorporated

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			measures to address identified concerns, particularly related to traffic and neighborhood compatibility. The ordinance includes a requirement for adjacent neighborhood compatibility which expressly notes that height reductions, greater setbacks than what is permitted by this SAP zoning district may be required as well as design standards require building orientation, placement of windows and outdoor spaces, and the use of substantial landscape buffering, including large tree plantings, to mitigate privacy impacts and livability of adjacent homes. The ordinance provides for safety considerations of the adjacent Waterfront District Subdivision, by requiring secondary emergency access, unless waived by North Ada County Fire and Rescue District, to be established to the Waterfront District Subdivision as required in the approval of that subdivision. Additionally, the proposal requires publicly accessible connections to the Boise River and Greenbelt, adherence to established setbacks, and integration with existing and planned infrastructure systems, all of which support safe access, environmental protection, and orderly development. Future subdivision, design review, and permitting processes will provide additional opportunities to evaluate and condition site-specific impacts such as traffic, drainage, utilities, and building design. As noted in the staff report, the proposed ordinance does not increase overall development intensity relative to existing zoning when evaluated across the district, and instead introduces additional constraints, standards, and phased infrastructure requirements that ensure development occurs in a controlled and coordinated manner.

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			Public comments raised concerns regarding the level of public participation, transparency, and oversight associated with future development approvals within the SAP District, particularly through the Regulatory Master Plan process. The SAP District establishes a framework in which future development proposals remain subject to review by the City to ensure compliance with the adopted district regulations and to facilitate the orderly and phased construction of infrastructure and public facilities, including transportation, sewer, water, irrigation, and other necessary improvements. Adoption of the SAP District does not constitute approval of a specific development proposal, and future development applications will be required to demonstrate compliance with the standards and requirements established by the ordinance. The Regulatory Master Plan process is subject to the Administrative with Notice procedures of the Garden City Code and also requires a public hearing. The process is intended to ensure that surrounding property owners, residents, and interested parties have an opportunity to review and comment on future development proposals before a decision is made. Accordingly, future development proposals within the SAP District remain subject to public notice, opportunities for community input, administrative review, potential public hearing requirements, and appeal rights. These procedures provide meaningful opportunities for public participation while also allowing flexibility necessary for phased implementation of the district over time. Because the zoning map amendment applies a more refined and protective

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			regulatory framework, incorporates infrastructure and safety requirements, and includes targeted measures to reduce transportation and compatibility impacts, it will not be materially detrimental to the public health, safety, or welfare.
X			**Finding 4:** T**he 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.**
			Reasoned Statement: The proposed zoning map amendment will 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. The proposed amendment establishes a Specific Area Plan (SAP) District that provides a comprehensive framework for future redevelopment while requiring coordinated infrastructure delivery. The ordinance includes provisions for phased infrastructure improvements, including streets, pathways, utilities, and flood protection facilities, to ensure that necessary public improvements are constructed or financially secured in conjunction with redevelopment. This approach helps ensure that future growth occurs in a manner that is proportional to available services and infrastructure capacity. Questions have been raised regarding the potential development intensity that could result from the proposed SAP District and the corresponding demand on public services and transportation infrastructure. However, the proposed district introduces height limitations that do not currently exist under portions of the existing zoning

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			designation. Additionally, the existing C-2 General Commercial zone does not impose a residential density cap. While the SAP District allows for a mixed-use pattern of development and the redistribution of development potential within the district, the overall regulatory framework represents a down-zoning in certain respects, or at minimum does not increase development intensity beyond what could otherwise occur under the existing zoning regulations. As such, the amendment is not anticipated to increase demand for public services beyond the level that could already be generated under current zoning entitlements. Furthermore, this application does not approve or propose a specific development project. Rather, it establishes a regulatory framework and land use plan for future mixed-use redevelopment within the district. Any future development proposal will be required to submit site-specific plans, studies, and supporting documentation as part of applicable subdivision, design review, building permit, and other development review processes. At that time, public service providers, utility agencies, transportation agencies, school districts, and other reviewing entities will have the opportunity to evaluate the specific impacts of a proposed development and identify any necessary improvements or mitigation measures. Because the proposed amendment incorporates infrastructure planning requirements, establishes development limitations not currently applicable under portions of the existing zoning, does not increase development potential beyond existing entitlements, and requires future site-specific review prior to development, the amendment will not adversely affect the

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			ability of the City or other public service providers to deliver services.
	X		**Finding 5: The annexation of land, if proposed, is in the best of interest of the city and complies with the procedures as set forth in Idaho Code section 50-222.**
			Reasoned Statement: This application is not proposing annexation into Garden City; the property has been annexed into Garden City.

GCC 8-6B-5 DEVELOPMENT CODE AMENDMENT: REQUIRED FINDINGS			
Conclusion			
Compliant	Not Compliant	Not Applicable to this Application	Standard
X			**Finding 1: The text amendment complies with the applicable provisions of the comprehensive plan.**
			See Finding #1 in required Findings for 8-6B-6. (above)
X			**Finding 2**: **The text amendment shall not be materially detrimental to the public health, safety, and welfare**.
			See Finding #3 in required Findings for 8-6B-10. (above)
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.**
			See Finding #4 in required Findings for 8-6B-10. (above)

28. The record was reviewed in its entirety by the City Council to render the recommendation.

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CONCLUSIONS OF LAW

The Garden City Council reviewed the application with regard to Garden City Code, Title 8, and based on the conditions required herein, concludes the application **satisfies/ does not satisfy** the required findings under GCC 8-5B-6.

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the City Council hereby does **APPROVE/DENY** the application, subject to the following conditions:

1. Approval of this application is for:
    a. Approval of the Zoning Code Amendment, Ordinance 1071-26.
    b. Approval of rezoning the subject properties to Heron Commons Specific Area Plan (SAP) District, designated as SAPD-02, 1072-26.
    c. The approval of the conceptual Master Plan for the Heron Commons Specific Area Plan (SAP) District.

2. The suggested Garden City Attorney's revisions to the summaries of ordinances 1071-26 and 1072-26 shall be incorporated.

3. The lot(s) must be verified by the city as a legal lot of record or made into a legal lot of record prior to development.

General Conditions:

1. This approval is for a Specific Area Plan.
2. The approval is specific to the application provided and reviewed.
3. This rezone decision document does not grant the approval of any specific use.
4. If this rezone is a result of a request by a property owner based upon a valid, existing comprehensive plan and zoning ordinance, the governing board shall not subsequently reverse its action or otherwise change the zoning classification of said property without the consent in writing of the current property owner for a period of four (4) years from the date the governing board adopted said individual property owner's request for a zoning classification change. If the governing body does reverse its action or otherwise change the zoning classification of said property during the above four (4) year period without the current property owner's consent in writing, the current property owner shall have standing in a court of competent jurisdiction to enforce the provisions of this section.
5. The applicant shall comply with all requirements of the reviewing entities.
6. All improvements and operations shall comply with applicable local, state, and federal requirements and procedures whether specifically addressed in the analysis of this application or not.
7. This approval is for this application only, and does not permit land work, vegetation removal, construction of any structure or infrastructure, or allow for any use.

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Additional permits, licenses, and approvals may be necessary. All other applicable permits must be obtained prior to any work or commencement of any use.

8. The applicant shall submit payment to the City for all outstanding fees incurred by the City in obtaining a review of this project prior to the City issuing additional permits.
9. The date of decision and action is the date that the decision maker approves the written decision.
10. Materials submitted after the decision shall not be considered part of the record for this decision.
11. Final decisions are subject to judicial review pursuant to The Local Land Use Planning Act, Chapter 65 Title 67 Idaho Code.
12. Pursuant to Idaho Code, a request for reconsideration must be submitted within 14 days of the final decision and prior to judicial review. The written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed, or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day timeframe for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.
13. A takings analysis pursuant to Idaho Code may be requested on final decisions.
14. 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.

October 26, 2026

William L. Jacobs, Mayor — Date

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