GARDEN CITY COMPREHENSIVE PLAN

UPDATES

ADA COUNTY ORDINANCE 193 (1988)
ADA COUNTY ORDINANCE 194 (1988)
ADA COUNTY ORDINANCE 284 (1994)
ADA COUNTY ORDINANCE 679 (2007)
ADA COUNTY ORDINANCE 933 (2021)
AN ORDINANCE AMENDING THE ADA COUNTY CODE, TITLE 9, TO ADD CHAPTER 5, THE GARDEN CITY AREA OF CITY IMPACT AGREEMENT; CODIFYING THE GARDEN CITY AREA OF CITY IMPACT MAP BASED ON THE RESULTS OF THE MAY 24, 1983 SPECIAL ELECTION AND AS AMENDED BY BOISE CITY RESOLUTION 9471 ON OCTOBER 7, 1987, AND GARDEN CITY RESOLUTION NO. 557A ON OCTOBER 6, 1987; PROVIDING FOR GARDEN CITY ANNEXATION ONLY WITHIN THE GARDEN CITY AREA OF CITY IMPACT; STATING THAT THE GARDEN CITY COMPREHENSIVE PLAN OF FEBRUARY 9, 1988 APPLIES WITHIN SAID AREA OF CITY IMPACT; REQUIRING EVALUATION BY GARDEN CITY OF SUBDIVISION APPLICATIONS WITHIN SAID AREA OF CITY IMPACT FOR COMPLIANCE WITH THE GARDEN CITY PLANNING AND ZONING ORDINANCE AND REQUIRING GARDEN CITY APPROVAL OF ALL SUCH SUBDIVISION PLATS; STATING THAT THE ADA COUNTY ZONING ORDINANCE SHALL APPLY INSIDE SAID AREA OF CITY IMPACT OUTSIDE CITY LIMITS; REQUIRING ADOPTION OF A REFERRAL PROCESS AGREEMENT FOR PROCESSING OF AMENDMENTS TO ADA COUNTY AND GARDEN CITY COMPREHENSIVE PLANS AND IMPLEMENTING ORDINANCES AND ALSO FOR REFERRAL OF COUNTY DEVELOPMENT APPLICATIONS TO GARDEN CITY; PROVIDING FOR COUNTY ZONING DISTRICTS TO BE IN ACCORDANCE WITH ADOPTED PLAN POLICIES; ALLOWING FOR RENEGOTIATION OF THIS AGREEMENT BY GARDEN CITY OR ADA COUNTY UPON WRITTEN REQUEST OF EITHER PARTY AND THAT WHILE RENEGOTIATION IS OCCURRING THAT THIS CHAPTER SHALL REMAIN IN EFFECT UNLESS SUSPENDED IN A PARTICULAR AREA BY MUTUAL CONSENT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT THE FOLLOWING SECTION OF THE ADA COUNTY CODE BE REVISED TO READ AS FOLLOWS:

9-5-1: GARDEN CITY AREA OF IMPACT BOUNDARY:

A. Garden City Area of Impact Boundary Map.

1. The Garden City Area of City Impact is the area designated on the Garden City Impact Boundary Map, fully incorporated by reference, the boundaries of which were fixed by special election on May 24, 1983, and copies of which are available at the Ada County Development Services Department.

2. Amendments to the map are as follows:


   b. Ada County Ordinance No. 194.

B. If a property under single ownership is divided by the boundary line of the Garden City Area of City Impact, and if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.
9-5-2: ANNEXATION TO OCCUR ONLY IN AREA OF CITY IMPACT:

A. Annexation by Garden City shall be limited to those lands lying within the Area of City Impact and being contiguous to the boundaries of Garden City.

B. Upon annexation, the provisions of this Chapter shall no longer apply to the annexed area.

9-5-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Garden City Comprehensive Plan, as adopted and amended by Garden City on February 9, 1988, shall apply within the Garden City Area of City Impact.

B. Applications for subdivision development in the Garden City Area of City Impact shall be evaluated by Garden City for conformance to the design and improvement standards contained in the February 9, 1988, Garden City Planning and Zoning Ordinance 443, Title 9, Chapter 3, and in Chapter 4, Subsections 9-4-1 through 9-4-1-12.

C. All subdivision plats situated within the Area of City Impact shall be submitted to Garden City for approval, in addition to Ada County approval, as provided in Idaho Code 50-1306.

D. The Ada County Zoning Ordinance (Ada County Code, Title 8) shall be used to implement this Chapter.

9-5-4: AMENDMENT OF PLAN POLICIES AND ORDINANCES

A. All applications for County and City amendments to their respective Comprehensive Plans and implementing ordinances which apply within the Garden City Area of City Impact shall be sent by the entity considering such amendment to the other entity. A separate Referral Process shall be adopted by resolution by each entity, regarding procedures and time periods for, and the effect of, sending such amendments, and such resolution may be amended from time to time upon mutual agreement in writing by Ada County and Garden City.

B. All county applications for planned developments, subdivisions, rezones and conditional use permits within the Garden City Area of City Impact shall be sent to Garden City, in accordance with the Referral Process arrived at pursuant to subsection A, above.

9-5-5: ZONING WITHIN THE GARDEN CITY AREA OF CITY IMPACT:

County zoning districts shall be in accordance with the adopted plan policies identified in Section 9-5-3 above.
9-5-6: RENEGOTIATION OF PLAN POLICIES AND ORDINANCE APPLICATION PROVISIONS

A. In accordance with Idaho Code 67-6526(d), Garden City or the Board of Ada County Commissioners may request, in writing, the renegotiation of any provision of this Chapter at any time. Within thirty (30) days of receipt of such written request by either party, a meeting between the two (2) jurisdictions shall occur.

B. While renegotiation is occurring, all provisions of this Chapter shall remain in effect until this Chapter is amended or a substitute ordinance is adopted by Garden City and Ada County, in accordance with the notice and hearing procedures provided in Title 67, Chapter 65 of Idaho Code, or until a declaratory judgment from the District Court is final. Provided, however, that this Chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution.

APPROVED AND ADOPTED THIS ___ DAY OF ___ , 1988.

BOARD OF ADA COUNTY COMMISSIONERS

____________________
Michael L. Johnson, Chairman

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Judy M. Peavey, Commissioner

____________________
Vernon L. Bisterfeldt, Commissioner

ATTEST:

____________________
John Bastida, Ada County Clerk
ORDINANCE NO. 284

AN ORDINANCE AMENDING TITLE NINE, CHAPTER THREE, ADA COUNTY CODE, BOISE CITY AREA OF CITY IMPACT, BY PROVIDING FOR THE REMOVAL OF CERTAIN LAND FROM THE BOUNDARIES OF THE BOISE CITY AREA OF IMPACT AND THE ADDITION OF CERTAIN LAND WITHIN THE BOUNDARIES OF THE BOISE CITY AREA OF CITY IMPACT; AND AMENDING TITLE NINE, CHAPTER FIVE, ADA COUNTY CODE, GARDEN CITY AREA OF CITY IMPACT, BY PROVIDING FOR THE REMOVAL OF CERTAIN LAND FROM THE BOUNDARIES OF THE GARDEN CITY AREA OF CITY IMPACT, AND THE ADDITION OF CERTAIN LAND WITHIN THE BOUNDARIES OF THE GARDEN CITY AREA OF CITY IMPACT, TO WIT:

To be removed from the Boise City Area of City Impact and added to the Garden City Area of City Impact:

All that portion of Section 14, Section 23 and Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho described as follows:

All that land within the Boise City Area of Impact, lying southwesterly of State Street (State Highway 44), lying east of the west lines of said Sections 14 and 23, lying northerly of the northerly limits of the Garden City Area of Impact and lying westerly of the east line of Glenwood Street.

Excepting therefrom that portion of said Section 23 known as Eagle Island.

To be removed from the Garden City Area of City Impact and added to the Boise City Area of City Impact:

All that portion of Section 22 and Section 27, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho described as follows:

All that land within the Garden City Area of Impact, lying westerly of the east lines of said Section 22 and 27, lying northerly of Joplin street, lying easterly of the westerly limits of the Garden City Area of Impact and lying southerly of the Boise River’s South Channel.
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, THAT ADA COUNTY CODE, TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, AND ADA COUNTY CODE, TITLE NINE, CHAPTER FIVE, GARDEN CITY AREA OF CITY IMPACT, BE AMENDED AS FOLLOWS:

9-3-1:  

BOISE CITY AREA OF CITY IMPACT BOUNDARY:

A. Boise City Area of Impact Boundary Map.

1. The Boise City Area of City Impact is the area designated on the Boise City Area of City Impact Boundary Map, hereby fully incorporated by reference, copies of which are available for inspection at the Ada County Development Services Department.

2. Amendments to the map are as follows:

   a. Ordinance No. 158, 11-26-86
   b. Ordinance No. 187, 6-9-88
   c. Ordinance No. 245, 4-2-92
   d. Ordinance No. 257, 12-3-92
   e. Ordinance No. 284, 12-22-94
   f. Ordinance No. 284, 12-22-94

9-5-1:  

GARDEN CITY AREA OF CITY IMPACT BOUNDARY:

A. Garden City Area of Impact Boundary Map:

1. The Garden City Area of City Impact is the area designated on the Garden City Impact Boundary Map, fully incorporated by reference, the boundaries which were fixed by special election on May 24, 1983, and copies of which are available at the Ada County Development Services Department.

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2. Amendments to the map are as follows:


   b. Ada County Ordinance No. 194.

   c. Ada County Ordinance No. 284.

ADOPTED this 29 day of Dec., 1994.

Board of Ada County Commissioners

By: Vernon L. Bisterfeldt
   Vernon L. Bisterfeldt, Chairman

By: Gary Glenn
   Gary Glenn, Commissioner

By: Roger D. Simmons
   Roger D. Simmons, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk
ORDINANCE NO. 679

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 5, ARTICLE 3(A), TO ADOPT THE GARDEN CITY COMPREHENSIVE PLAN AS ADOPTED BY GARDEN CITY ON JULY 24, 2006.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THE ADA COUNTY CODE, TITLE 9, CHAPTER 5, SECTION 3(A), BE AMENDED AS FOLLOWS:

9-5-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Garden City comprehensive plan, as adopted and amended by Garden City Resolution No. 845-06 on February 9, 1998 July 24, 2006, shall apply within the Garden City area of city impact.

B. Applications for subdivision development in the Garden City area of city impact shall be evaluated by Garden City for conformance to the design and improvement standards contained in the February 9, 1988, Garden City planning and zoning ordinance 443, title 9, chapter 3, and in chapter 4, subsections 9-4-1 through 9-4-1-12.

C. All subdivision plats situated within the area of city impact shall be submitted to Garden City for approval, in addition to Ada County approval, as provided in Idaho Code section 50-1306.

D. The Ada County zoning ordinance (Ada County Code, title 8) shall be used to implement this chapter.

ADOPTED this 14 day of November, 2007.

Board of Ada County Commissioners

Board of Ada County Commissioners

By: ____________________________
Fred Tilman, Chairman

By: ____________________________
Paul R. Woods, Commissioner

By: ____________________________
Rick Yzaguirre, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk

PUBLISHED: ____________________________

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LEGAL NOTICE
ORDINANCE NO. 679

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 5, ARTICLE 3A, TO ADOPT THE GARDEN CITY COMPREHENSIVE PLAN AS ADOPTED BY GARDEN CITY ON JULY 24, 2006.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THE ADA COUNTY CODE, TITLE 9, CHAPTER 5, SECTION 3A, BE AMENDED AS FOLLOWS:

9-5-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The comprehensive plan, adopted by the City of Garden City, February 9, 2006, shall be applicable to all developments within the City boundary.

B. Development for subdivision development in the Garden City area of city impact shall be evaluated by Garden City for conformance to the design and improvement standards contained in the February 9, 1981, Garden City planning and zoning ordinance 449, Title 3, chapter 3, and in chapter 4, subsections 3-1.1 through 3-4.1.6.

C. All subdivision plat(s) submitted within the area of city impact shall be submitted to Garden City for approval, in addition to Ada County approval, as provided in Idaho Code section 50-1306.

D. The Ada County zoning ordinance (Ada County Code, title 5) shall be used to implement this chapter.

ADOPTED this 14th day of November, 2007.

November 2007
Ada County Commissioners

By: Eva Marlin, Chairman

By: K.L. Woods, Commissioner

By: J. Fitzgerald, Commissioner

ATTJEST: J. David Navarro,
Ada County Clerk

AN ORDINANCE AMENDING TITLE 9, CHAPTERS 3, 5, AND 6 OF THE ADA COUNTY CODE: TO PROVIDE FOR AMENDED AREA OF CITY IMPACT BOUNDARY AND NEW FUTURE LAND USE MAP FOR BOISE CITY; TO PROVIDE FOR AN AMENDED AREA OF CITY IMPACT BOUNDARY FOR GARDEN CITY AND ADOPTING THE GARDEN CITY COMPREHENSIVE PLAN WITH A NEW FUTURE LAND USE MAP, THE GARDEN CITY PARKS AND WATERWAYS PLAN, TITLE 8 OF THE GARDEN CITY CODE AS APPLICABLE TO PROPERTY WITHIN THE GARDEN CITY AREA OF CITY IMPACT BOUNDARIES AND TO ALLOW GARDEN CITY TO REVIEW AND COMMENT ON SUBDIVISION APPLICATIONS; TO PROVIDE FOR WHEN CERTAIN DEVELOPMENT APPLICATIONS MUST APPLY FOR ANNEXATION INTO GARDEN CITY; AND PROVIDE FOR READOPTING STAR COMPREHENSIVE PLAN BY COUNTY RESOLUTION AND FOR STAR TO REVIEW AND COMMENT ON SUBDIVISION APPLICATIONS IN THE AREA OF CITY IMPACT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTERS 3, 5 AND 6 BE AMENDED AS FOLLOWS:

Section 1: Ada County Code Section 9-3-1 is amended as follows:

9-3-1: BOISE AREA OF CITY IMPACT BOUNDARY:

A. Boise Area Of City Impact Boundary Map:

1. The Boise area of city impact is the area designated on the Boise City area of city impact boundary map, hereby fully incorporated by reference, copies of which are available for inspection at the Ada County development services department.

2. Amendments to the map are as follows:

h. Ordinance 327, April 9, 1997.


o. Ordinance 579, April 13, 2005.


r. Ordinance 845, August 12, 2015.

s. Ordinance 924, July 14, 2021.

t. Ordinance 933, December 9, 2021.

Section 2: Ada County Code Section 9-3-3 is amended as follows:

9-3-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Boise City comprehensive plan, adopted by Ada County resolution no. 2031, with the future land use map as adopted by Ada County resolution no. 2704, and including the Boise City comprehensive park and recreation system plan, as amended on October 5, 2004, by Boise City resolution 18344 and as further amended on November 15, 2005, by Boise City resolution 18866 shall apply within the unincorporated part of the Boise City area of city impact.

B. Title 8 of this code shall be used to implement this chapter. All land use applications shall also comply with the provisions of this chapter.

C. Title 4, chapter 12 of the Boise City code, known also as the Boise City impact fee ordinance 5685, dated November 28, 1995, and as amended by ordinance 6114 on December 11, 2001, and as amended by ordinance 6462 on April 11, 2006, shall be applicable within the Boise City area of city impact.
D. Ada County Code Title 10 along with Appendix E of the Ada County Comprehensive Plan initially adopted by Ada County Resolution No. 2487, or as they may be amended from time to time, shall apply to all unincorporated properties located within the Boise City area of city impact boundary to enable the collection of impact fees to support the cost-effective delivery of public services.

E. The Boise City uniform street and address number ordinance, title 9, chapter 6 of the Boise City code, as may be amended from time to time, shall apply to all property within the Boise City area of city impact. Street names and addresses shall be assigned by Boise City. Existing street names and addresses in the Boise City area of city impact, not in compliance with the Boise City uniform street and address number ordinance at the time this section goes into effect, shall not be changed until address changes are necessary for address continuity.

Section 3: Ada County Code Section 9-5-1 is amended as follows:

9-5-1: GARDEN CITY AREA OF CITY IMPACT BOUNDARY:

A. Garden City Area Of Impact Boundary Map:

1. The Garden City area of city impact is the area designated on the Garden City impact boundary map, fully incorporated by reference, the boundaries of which were fixed by special election on May 24, 1983, and copies of which are available at the Ada County development services department.

2. Amendments to the map are as follows:
   d. Ada County Ordinance 933, December 8, 2021.

B. Property Under Single Ownership Divided: If a property under single ownership is divided by the boundary line of the Garden City area of city impact, and if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

Section 4: Ada County Code Section 9-5-3 is amended as follows:

9-5-3: APPLICABLE PLAN POLICIES AND ORDINANCES:
A. The Garden City comprehensive plan, as adopted and amended by Garden City resolution 845-06 on July 24, 2006, by Ada County resolution no. 2705, shall apply within the Garden City area of city impact.

B. The Garden City Master Parks & Waterways Plan, as adopted by Ada County resolution no. 2705, shall apply within the Garden City area of city impact.

BC. Applications for subdivision development in the Garden City area of city impact shall be evaluated by Garden City for conformance to the design and improvement standards contained in the February 9, 1988, Garden City planning and zoning ordinance 443, title 9, chapter 3, and in chapter 4, subsections 9.4.1 through 9.4.1.12 Development Code, Title 8 as amended by Garden City Ordinance 1016-20, June 8, 2020.

CD. All subdivision plats situated within the area of city impact shall be submitted to Garden City for approval, review, and comment, in addition to Ada County approval, as provided in Idaho Code section 50-1306.

DE. The Ada County zoning ordinance (title 8 of this code) shall be used to implement this chapter.

EF. Ada County Code Title 10 along with Appendix E of the Ada County Comprehensive Plan initially adopted by Ada County Resolution No. 2487, or as they may be amended from time to time, shall apply to all unincorporated properties located within the Garden City area of city impact boundary to enable the collection of impact fees to support the cost-effective delivery of public services.

Section 4: Ada County Code Section 9-5-4 is amended as follows:

**9-5-4: AMENDMENT OF PLAN POLICIES AND ORDINANCES; COORDINATION OF PLAN AMENDMENTS, ORDNANCE AMENDMENTS AND ZONING APPLICATIONS.**

A. All applications for county and city amendments to their respective comprehensive plans and implementing ordinances which apply within the Garden City area of city impact shall be sent by the entity considering such amendment to the other entity. A separate referral process shall be adopted by resolution by each entity, regarding procedures and time periods for, and the effect of, sending such amendments, and such resolution may be amended from time to time upon mutual agreement in writing by Ada County and Garden City.

B. All county applications for planned unit developments, subdivisions, rezones—and conditional use permits, and master site plans within the Garden City area of city impact shall be sent to Garden City, in accordance with the referral process arrived at pursuant to subsection A of this section.

C. Applications for conditional use permits, master site plans, master site plan modifications, private roads, one time divisions, expansions or extensions of nonconforming uses, planned unit developments, subdivisions and rezones within the Garden City area of city impact shall
occur as a result of a request for annexation to Garden City, with the exception of properties owned by Ada County or associated with Expo Idaho; however, Ada County may consider such applications in those exceptions where annexation is not approved by Garden City or where the parcel on which such application is filed is not contiguous to Garden City, and therefore cannot be annexed.

Section 5: Ada County Code Section 9-6-3 is amended as follows:

9-6-3: APPLICABLE PLANS, POLICIES AND ORDINANCES:

A. Star Area Of City Impact:

1. The Star comprehensive plan, as adopted and amended by the city of Star as of October 5, 2004, by Ada County resolution no. Z 106-2004-6, with the amended land use designation map adopted by resolution 2005-9 dated August 19, 2005, shall apply within the Star area of city impact.

2. The Ada County zoning ordinance shall apply within the Star area of city impact.

3. Ada County Code Title 10 along with Appendix E of the Ada County Comprehensive Plan initially adopted by Ada County Resolution No. 2487, or as they may be amended from time to time, shall apply to all unincorporated properties located within the Star area of city impact boundary to enable the collection of impact fees to support the cost-effective delivery of public services.

4. All subdivision final plats situated within the Star area of city impact shall be submitted to the city of Star for approval, review and comment.

ADOPTED this 8th day of December, 2021.

Board of Ada County Commissioners

By: [Signature]
Rod Beck, Commissioner

By: [Signature]
Ryan Davidson, Commissioner

By: [Signature]
Kendra Kenyon, Commissioner

ATTEST:

[Signature]
Phil McGrane, Ada County Clerk
by Katie Reed, Assistant Deputy Clerk

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