

JONES ♦ GLEDHILL ♦ FUHRMAN ♦ GOURLEY, P.A.  
A T T O R N E Y S A T L A W

*Kimbell D. Gourley*

September 26, 2018

**Via Hand Delivery**

Garden City Development Services  
Jenah E. Thornborrow, AICP, Director  
6015 Glenwood St.  
Garden City, ID 83714

Re: Proposed Open Land Ordinance

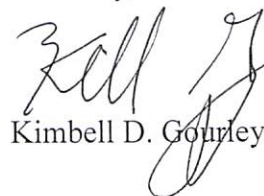
Dear Ms. Thornborrow:

We are submitting to you, for formal consideration by the Planning & Zoning Commission, and the Garden City Council, a proposed redlined amendment to Garden City Code Title 8 (Development Code), Chapter 2, Section 1, Subsection A, to add an "Open Land (A) District." This amendment will eliminate an existing deficiency in the Garden City Code that fails to define or identify "Open Land Districts" even though reference to "Open Land Districts" is made in the Garden City Comprehensive Plan. The amendment will be applicable globally to all properties within the boundaries of Garden City that are subject to such "Open Land District" designation.

We respectfully request that this proposed amendment be included on the next agenda for the Planning & Zoning Commission, and, if approved, on the following agenda for the Garden City Council.

Thank you for your assistance. Please feel free to contact me if you have any questions.

Sincerely,

  
Kimbell D. Gourley

KDG/mi  
Enclosures

RECEIVED  
SEP 27 2018  
GARDEN CITY  
DEVELOPMENT SERVICES



CODE TEXT AMENDMENT	
Permit info: _____	
Application Date: _____	Rec'd by: _____
FOR OFFICE USE ONLY	

6015 Glenwood Street ▪ Garden City, ID 83714 ▪ 208.472.2921  
 ▪ [www.gardencityidaho.org](http://www.gardencityidaho.org) ▪ [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org)

**APPLICANT**

**Full Name:** Kimbell D. Gourley

**Email:** Kgourley@idalaw.com

**Mailing Address:** P.O. Box 1097, Boise, ID 83701

**Phone:** (208) 331-1170

**Title, Chapter and section to be amended?**

Title 8, Chapter 2A and 2B

**What is the purpose of the proposed text amendment?**

To establish in code a new base zoning district entitled "Open Land".

**How is proposed amendment consistent with the City's Comprehensive Plan?**

The Comp Plan identifies certain spaces as "Green Space/Park" but the Garden City code lacks a corresponding land use designation. Additional, numerous references within the Comp Plan refer to goals of preserving parks and green spaces, and emphasizing the "Garden" in "Garden City", and encouraging a sense of place in the city "Nestled by the River".

**State all Titles, Chapters and Sections of the Garden City Code affected?**

8-2A and 8-B

**Is the proposal consistent with State Code?**

Yes

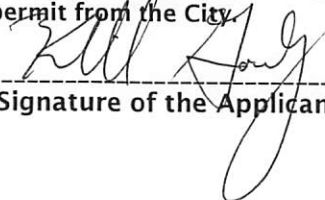
**What is the fiscal impact?**

No fiscal impact is anticipated.

**What is the public need and benefit from this amendment?**

Public Need/Benefit: Garden City lacks a land use designation to protect and preserve the very limited green and open spaces remaining in the City. Preservation of these remaining spaces serve the City's interest and those of its citizenry.

**I consent to this application and hereby certify that information contained on this application and in the accompanying materials is correct to the best of my knowledge. I agree to be responsible for all application materials, fees and application correspondence with the City. I will hold harmless and indemnify the City of Garden City from any and all claims and/or causes of action from or an outcome of the issuance of a permit from the City.**

  
 \_\_\_\_\_ 9-26-18  
 Signature of the Applicant (date)

**APPLICATION INFORMATION REQUIRED**

**NOTE:**

**AN ELECTRONIC COPY OF THE ENTIRE APPLICATION SUBMITTAL REQUIRED**  
**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED UNDER ANY CIRCUMSTANCES**

**ONE (1) HARD COPY OF EACH CHECKLIST ITEM REQUIRED:**

- Compliance Statement and Statement of Intent
- Exact Amendment in an Underline and Strike-Out Form (if text)
- Any Other Data to Support the Proposed Amendment

**PLEASE CHECK THE FOLLOWING:**

**INFORMATION REQUIRED ON COMPLIANCE STATEMENT AND STATEMENT OF INTENT:**

- Statement explaining how the proposed use(s) is compliant with the standards of review for the proposed application. Cite the ordinances the proposed use(s) is compliant with
- Should include purpose, scope, and intent of project
- Information concerning noxious uses, noise, vibration, and any other aspects of the use or structure that may impact adjacent properties or the surrounding community

**INFORMATION REQUIRED FOR WAIVER REQUEST OF APPLICATION MATERIALS:**

- Statement must include a list of the application materials to be waived and an explanation for the request