

SUMMARY OF ORDINANCE NO. 89

CITY OF DALTON GARDENS

The following is a summary of Ordinance No. 89 of the City of Dalton Gardens, entitled:

AN ORDINANCE RELATING TO PLANNING AND ZONING FOR LAND USE AND DEVELOPMENT IN THE CITY OF DALTON GARDENS, TO BE KNOWN AS THE "CITY OF DALTON GARDENS ZONING ORDINANCE"; CREATING UNIFORM DISTRICTS IN WHICH COMPATIBLE USES ARE ALLOWED; PRESCRIBING STANDARDS FOR EACH DISTRICT; PRESCRIBING DENSITY CONTROLS; PRESCRIBING PROCEDURES AND STANDARDS FOR GRANTING SPECIAL USE PERMITS; PRESCRIBING PROCEDURES AND CONDITIONS FOR GRANTING VARIANCES; PROVIDING PROCEDURES FOR ADMINISTRATION, APPEAL, AMENDMENTS, ENFORCEMENT; AND FIXING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

SECTION I: This ordinance and amendments thereto shall be known as the "Zoning Ordinance" of the City of Dalton Gardens.

SECTION II: This ordinance was adopted pursuant to authority granted by Title 67, Chapter 65, of the Idaho Code and Article 12, Section 2 of the Idaho Constitution.

SECTION III: Interpretation and application.

SECTION IV: Classification of land.

SECTION V: District Boundaries.

1. Commercial District. All land within Six Hundred Thirty (630) feet East of the West boundary of the City of Dalton Gardens between Dalton Avenue and Hanley Avenue, within the area Three Hundred Fifteen (315) feet East of the West boundary of the City of Dalton Gardens between Hanley Avenue and Wilbur Avenue, and within the area Six Hundred Thirty-five (635) feet East of the West boundary of the City of Dalton Gardens between Wilbur Avenue and Prairie Avenue.

2. Utility District. All land within the following described property:

Those portions of Section 19, Township 51 North, Range 3 West, Boise Meridian, and Section 24, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Commencing at the Southwest corner of said Section 19; thence

North $00^{\circ}12'42''$ West, 1,139.26 feet along the West line of Section 19, Township 51 North, Range 3 West, Boise Meridian, to the Southwest corner of the Dalton Water Association Tract and the true point of beginning; thence

Along the Southerly line of said tract as follows:

North $69^{\circ}20'$ East, 187.0 feet; thence

North $20^{\circ}40'$ West, 50.0 feet; thence

North $69^{\circ}20'$ East, 197 feet, more or less, to the North line of the Southwest Quarter of the Southwest Quarter of said Section 19; thence

West, 342 feet, more or less, along said North line to the Northwest corner of said Southwest Quarter of the Southwest Quarter; thence

South $00^{\circ}12'42''$ East, 115.12 feet (South 115.12, Record) along the West line of said Section 19 and the East line of Section 24, Township 51 North, Range 4 West, Boise Meridian, to the Northeast corner of Tax Number 10,001 (Book 82, page 933); thence

Southwesterly along the Northwesterly line of Tax Number 10,001 as follows:

South $00^{\circ}47'08''$ East, 823.2 feet along the West line of Section 30 to the Northwest corner of Tract 41; thence

East along the North line of Tract 41 to the Northeast corner thereof; thence

South along the East line of Tract 41 to a point where the East line of Tract 41 extended South, intersects the North line of Tract 80; thence

East along the North line of Tract 80, a distance of 54.8 feet, more or less, to the Northeast corner thereof; thence

South along the East line of Tract 80 to the Southeast corner thereof; thence

South $89^{\circ}37'56''$ East, 696.50 feet along the North line of Tract 42 to the Northeast corner thereof and the point of beginning.

3. Residential District. All other land in the City of Dalton Gardens.

SECTION VI: Definitions.

SECTION VII: Use of land in commercial districts, minimum site dimensions, front, rear and side yard, parapet walls, fire lane, parking.

SECTION VIII: Use of land in utility district, limited to maintenance of wells, pumps, pump houses, water tanks, pipes, fencing and accessory structures or buildings.

SECTION IX: Use of land in residential district, special uses, minimum site dimensions, front, rear and side yards.

SECTION X: General provisions.

SECTION XI: Non-conforming uses.

SECTION XII: Special use permits, applications required, action of Council, validity of permit, general standards, home occupation permits, hearings required, notice, action by affected persons.

SECTION XIII: Variances, general provisions, application, supplemental conditions and safeguards, public hearing, action by governing body.

SECTION XIV: Amendments in general, initiation of zoning amendments, application; transmittal to commission; public hearing, recommendation of commission; action by Council; resubmission of application; zoning upon annexation.

SECTION XV: Enforcement.

SECTION XVI: Schedule of fees, charges and expenses.

SECTION XVII: The penalty for violation of this ordinance is by fine not exceeding \$100.00 or imprisonment not exceeding

thirty (30) days, or both such fine and imprisonment. Each and every day during which illegal erection, construction, enlargement or maintenance or use continues may be deemed a separate offense.

SECTION XVIII: Severability.

SECTION XIX: Repealer.

SECTION XX: Effective date - publication.

This summary approved this 6 day of ~~November~~^{January}, 1983, by the Mayor and City Council of the City of Dalton Gardens, Idaho. A full text of Ordinance No. 89 is available for examination of the public at the City Hall of the City of Dalton Gardens, 6360 N. Fourth Street, Coeur d'Alene, Idaho.

Ward B. Newcomb
Mayor

ATTEST:

Betty J. Rohrschke
Clerk

This Summary is true and complete and provides adequate notice to the public.

James H. Lynch
Attorney, City of Dalton Gardens