

**TITLE 6, CHAPTER 3 DESIGN STANDARDS**

**ORDINANCE NUMBER 228**

ORDINANCE NUMBER AN ORDINANCE OF DALTON GARDENS, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING TITLE 6 CHAPTER 3, AMENDING DESIGN STANDARDS FOR STREETS, ALLEYS, EASEMENTS, BLOCKS, LOTS AND PUBLIC SITES AND OPEN SPACES, AND ADMINISTRATIVE PROCESS, AND PROVIDING FOR PENALTIES, SEVERABILITY AND AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of Dalton Gardens, Idaho:

**SECTION 1:** Title 6, Chapter 3 of the Dalton Gardens Municipal Code is hereby amended:

Chapter 3  
DESIGN STANDARDS

6-3-1: CONFORMITY WITH COMPREHENSIVE PLAN AND OFFICIAL MAP:

6-3-2: STREETS:

6-3-3: ALLEYS:

6-3-4: EASEMENTS:

6-3-5: BLOCKS:

6-3-6: LOTS:

6-3-7: PUBLIC SITES AND OPEN SPACES:

6-3-1: CONFORMITY WITH COMPREHENSIVE PLAN AND OFFICIAL MAP:

The proposed subdivision shall conform to the Comprehensive Plan and Official Map.

6-3-2: STREETS:

A. Conformity: The arrangement, character, extent, width, grade and location of all streets shall conform to the Official Map and Comprehensive Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and in their appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Official Map or Comprehensive Plan, the arrangement and other design standards of streets shall conform to the provisions found herein. All new streets should conform to a north-south or east-west directional grid.

B. Relation To Adjoining Street System: The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas, unless delineated as a cul-de-sac in the Commercial or Light Industrial Districts.

C. Projection Of Streets: Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets.

D. Streets Carried To Property Lines: When a new subdivision adjoins un-subdivided land susceptible of being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.

E. Street Jogs: Street jogs with center line offsets of less than one hundred twenty five feet (125') shall be avoided.

F. Dead-End Streets Or Cul-De-Sacs: Dead-end streets or cul-de-sacs, designed to be so permanently, except the extension of Dalton Avenue, Hanley Avenue, 18th Street and Woodland Drive, shall not be allowed in the Residential District.

G. Marginal Access Streets: Where a subdivision abuts or contains an existing arterial street, the City Council may require marginal access streets or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

H. Minor Streets: Minor streets shall be so laid out that their use by through traffic will be discouraged.

I. Street Widths: Street widths for new publicly dedicated streets shall be sixty feet (60') wide and shall meet the requirements of Lakes Highway District for paved roadways and shall comply with the requirements of the City's Storm Water Ordinance in Title 4, Chapter 3 of this Code.

J. Reverse Curves: A tangent at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets.

K. Subdivision Into Large Tracts: Where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future streets and logical further resubdivision.

L. Reserve Strips: Reserve strips controlling access to streets shall be prohibited except under conditions approved by the City Council.

M. Street Grades: No street grade shall be less than one percent (1%) and shall not exceed the following, with due allowance for reasonable vertical curves:

<u>Street Type</u>	<u>Percent Grade</u>
Arterial	6
Collector	8
Minor	10
Marginal access	6

N. Railroad On Or Abutting Subdivision: Where a subdivision borders on or contains a railroad right of way or limited access highway right of way, the City Council may require a street approximately parallel to and on each side of such right of way, at a distance for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

O. Half-Streets: Half-streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the City Council finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half-street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

P. Street Names And Numbers: Names of new streets shall not duplicate existing or platted street names, unless a new street is a continuation of or in alignment with the existing or platted street. House numbers shall be assigned in accordance with the house numbering system now in effect in the City. All new streets shall be named by the subdivider subject to the approval of the City.

Q. Access To Streets Across Ditches: The subdivider shall provide access to all proposed streets across all ditches in a standard method approved by the City Engineer, and such access shall be in full compliance with the City's Storm Water Ordinance in Title 4, Chapter 3 of this Code.

R. Vacation Of Streets: The City Council shall not authorize the vacation of any street or part of a street so dedicated for public use if such vacation interferes with the uniformity of the existing street pattern or any future street plans prepared for the area.

S. Private Streets: Private streets shall not be approved nor shall public improvements be approved for any private street in the Residential District.

T. Hardship To Owners Of Adjoining Property Avoided: The street arrangements shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.

#### 6-3-3: ALLEYS:

##### A. Alleys In Zoning Districts:

1. Residential Districts: Alleys shall not be permitted in residential areas.

2. Commercial And Industrial Districts: Alleys shall be provided in commercial and industrial districts; except, that the City Council may waive this requirement where other definite and assured provisions are made for service access, such as off-street parking, loading and unloading consistent with and adequate for the uses proposed.

B. Width: The right-of-way width of an alley shall meet International Fire Code as adopted by the City.

C. Dead-End Alleys: Dead-end alleys shall not be permitted; except, that the City Council may waive this requirement where such dead-end alley is unavoidable and where adequate turnaround facilities have been provided.

#### 6-3-4: EASEMENTS:

A. Required For Utilities: Easements with a minimum right-of-way width of ten feet (10') shall be provided adjacent to all road rights of way and if there will be utilities along the rear lot lines a minimum of ten feet on each side of all rear lot lines and along certain side lot lines where necessary for utilities.

B. Required For Drainage; Provide For Drainage: Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water easement or drainage right of way conforming substantially with the lines of such watercourse and such further width or construction or both as will be adequate for the purpose.

#### 6-3-5: BLOCKS:

A. Factors Governing Dimensions: Block length and width or acreage within bounding roads shall be such as to accommodate the size of lot required in the area by the zoning ordinance<sup>1</sup> and to provide for convenient access, circulation control and safety of street traffic.

B. Lengths: Block lengths shall not exceed one thousand four hundred feet (1,400') or be less than three hundred thirty feet (330').

C. Arrangement: A block shall be so designed as to provide two (2) tiers of lots.

D. Crosswalks: In blocks over six hundred feet (600') long, pedestrian crosswalks may be required by the commission in locations deemed necessary to public health, convenience and necessity. Such crosswalks shall be in conformation with the manual of "Uniform Control Devices", latest edition.

6-3-6: LOTS:

A. Dimensions: Lot dimensions and area shall not be less than the requirements of the zoning ordinance.

B. Size: All Residential lots shall have one hundred ten feet (110') frontage on a public street and shall contain not less than one acre. Commercial and Light Industrial Lots shall meet the size and dimensions of their respective zoning Districts.

C. Location: All Residential lots shall abut by their full frontage on a publicly dedicated street or a street that has received the legal status as such.

D. Side Lot Lines: Side lot lines shall be no more than 10 degrees from right angles to straight street lines or radial to curved street lines.

E. Corner Lots: Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets. Lots abutting on a pedestrian walkway shall be treated as a corner lot.

F. Uninhabitable Lots: Lots subject to flooding and lots deemed by the city council to be uninhabitable shall not be platted for residential occupancy nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

G. Lot Remnants: All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots rather than allowed to remain unusable parcels.

H. Lot Line Adjustment: A lot line adjustment is adjustment of an existing lot line.

1. Lot line adjustments are allowed only under the following conditions:

a. Does not result in the creation of any additional building sites.

b. A parcel of land that is not buildable because it does not conform to municipal code regulations, or was created improperly, cannot be converted to a buildable parcel through a lot line adjustment.

c. Lot line adjustments require review and approval by the city. Adjustments are accomplished by recording a deed of conveyance for the property that will be transferred, and then, for the receiving parcel, recording a second deed describing the new, exterior parcel boundaries (so that an additional parcel of land is not inadvertently created). Deeds shall be submitted to the city for review and approval prior to recordation.

2. The following shall require replatting or filing an amended plat and shall not be considered a lot line adjustment:

a. A change in a lot line that results in a change in the location of an approach, utilities, easements and/or septic tank or drain field.

b. An increase or decrease in any lot size of more than twenty percent (20%).

c. Any adjustments between a platted lot and an unplatted lot.

d. An increase or reduction in the number of lots within a subdivision. (Ord. 187, 7-6-2006)

#### 6-3-7: PUBLIC SITES AND OPEN SPACES:


A. Shown On Comprehensive Plan: Where a proposed park, playground, school or other public use shown on the comprehensive plan is located in whole or in part within a subdivision, the subdivision will dedicate or reserve adequate space for such purpose in such area within the subdivision when the city council finds the requirement to be reasonably necessary to the public health and welfare.

B. Dedication Of Public Spaces: The requiring of the dedication of public spaces as provided herein shall not constitute an acceptance of the dedication by the city, unless said dedication is accepted by the city council. (Ord. 145, 5-7-1998)

#### **EFFECTIVE DATE**

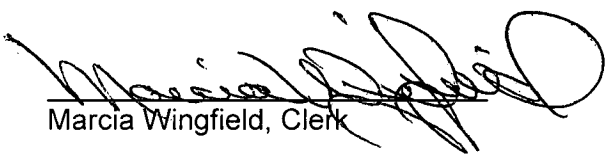
This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the Coeur d'Alene Press

Dated: November 1, 2012



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Dan Franklin, Mayor



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Marcia Wingfield, Clerk



# AFFIDAVIT OF PUBLICATION

SUMMARY OF  
CITY OF DALTON GARDENS,  
IDAHO  
ORDINANCE NO. 228

STATE OF IDAHO,  
County of Kootenai, } ss.

*Amber Tice*

being first duly sworn  
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

*Legal Notice*

3. The \_\_\_\_\_

of which the annexed is a printed copy, was published in the regular *Wed* issue of said newspaper for *1* consecutive *week* commencing on the *7th* day of *November* 20*12*, and ending on the *7th* day of *November* 20*12*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

*Amber Tice*

On this *7th* day of *November* in the year of *2012*, before me, a Notary Public, personally appeared *Amber Tice*, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

*Katrina George*

Notary Public for the State of Idaho,  
residing at Coeur d'Alene, Idaho.

In accordance with Idaho Code §50-901A, the following is a Summary of Ordinance 228 of the City of Dalton Gardens, Idaho:

1. This is an ordinance of Dalton Gardens, Idaho, a political subdivision of the State of Idaho, which amends Title 6 Chapter 3 of the Dalton Gardens municipal code known as the DESIGN STANDARDS ORDINANCE OF THE CITY OF DALTON GARDENS.

2. The ordinance amends the design standards for streets, alleys, easements, blocks, lots, public sites and open spaces, provides for an administrative process, and provides for severability and an effective date.

3. This Ordinance was passed on November 1, 2012.

4. The Ordinance takes effect upon publication of this Summary in the Coeur d'Alene Press.

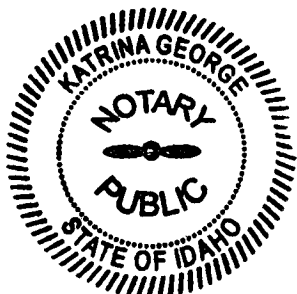
5. The full text of Ordinance 228 is available at the Dalton Gardens City Hall.

DATED this 1st day of November, 2012.

\_\_\_\_\_/s/  
Daniel Franklin, Mayor

ATTEST:

\_\_\_\_\_/s/  
Marcia Wingfield, Clerk



MY COMMISSION EXPIRES 8/29/17