



# Planning & Zoning Meeting

Thursday, May 1, 2025 @ 6:00 PM

Location: DALTON GARDENS CITY HALL,  
6360 N 4<sup>th</sup> St., Dalton Gardens, ID

The meeting will be conducted in person and with online access using ZOOM:

<https://us02web.zoom.us/j/86470176610?pwd=aighKQ7qcOhx41dKbLYD9K0zN1nPRt.1>

Number: 1-669-900-6833 or 1-346-248-7799 or 1-253-215-8782

Webinar ID 864 7017 6610; Passcode: 930017

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MARCH 6, 2025 & APRIL 3, 2025, COMMISSION MEETING MINUTES-  
**ACTION ITEM**
4. PUBLIC COMMENT(S)-Each speaker will be allowed a maximum of three (3) minutes to address the Planning & Zoning Commission on matters relating to City of Dalton Garden government business. Comments related to public hearings should be held for that public hearing. Please address comments to the Commission only and not the audience. Be advised that the Planning & Zoning Commission can only take official action this evening for those items already listed on the agenda.
5. COMMISSION COMMENTS
6. CITY PLANNER REPORT
7. DISCUSSION OF AREA OF IMPACT
8. AGENDA ITEMS FOR NEXT COMMISSION MEETING
9. ADJOURN- **ACTION ITEM**

Amended:4/29/2025; Original Posting: April 24, 2025

The purpose of the Agenda is to assist the Commission and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Commission on any other subject should plan to speak when Item: Public Comments is identified by the Chairman. The Chairman and Commission will not normally allow audience participation at any other time. Please no repetitive or abusive comments. Workshops are for Commission Members discussion only on a topic, no action or decisions occur at this time. No Public Comment is taken during Workshops. Assistance for persons with disabilities will be provided upon 24-hour notice prior to the meeting by calling, City Clerk at (208) 772-3698 x102.

**DALTON GARDENS P&Z REGULAR MEETING MINUTES**  
**Thursday, March 6, 2025**

1. **Call to Order:** The Chairman called the meeting to order at 6:00 p.m.

2. **Roll Call**

*Present:* Chairman Mike Becker, Commissioner Chad Haunschild, Melissa Cleveland, Ron Sampert, and Caitlin O'Brien

*Absent:* None

*Staff Present:* City Clerk Sandy McFarland and City Planner Jill Ainsworth

3. **Approval of Minutes (Action Item)**

Moved by Haunschild and seconded by Sampert to approve the consent calendar as presented.

**Result: Passed**

**AYES:** Haunschild, Cleveland, Sampert, O'Brien

**NAYS:** None

**ABSTAIN:** None

**RECUSE:** None

4. **City Planner**

The City Planner presented her report to the Commission, covering topics such as short-term rentals, subdivisions, permits, code enforcement, and business licenses. She then asked if the Commission had any questions. Discussion ensued.

5. **Public Comment**

None.

6. **New Business**

a. Discussion Item: Discussion of Area of City Impact.

Chairman Becker introduced the item to the Commission and sought input from the City Planner. A thorough discussion followed, during which the Planner assisted the Commission in making revisions to the ACI Ordinance. It was decided that the Commission wanted to have a Joint Workshop with the City Council on April 2025 at the P&Z meeting. The Discussion ensued.

b. Discussion Item: Agenda items for future meetings

- ACI Workshop with the City Council during the April 2025 P&Z Meeting.

**7. Adjournment**

Moved by Cleveland and seconded by O'Brien to adjourn.

**Result: Passed**

**AYES:** Haunschild, Cleveland, Sampert, O'Brien

**NAYS:** None

**ABSTAIN:** None

**RECUSE:** None

The Chairman adjourned the meeting at 7:17 p.m.

Passed this \_\_\_\_ day of May.

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Mike Beck, Chairman

ATTEST:

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Sandy McFarland, City Clerk

**DALTON GARDENS P&Z JOINT WORKSHOP WITH CITY COUNCIL MEETING  
MINUTES**

**Thursday, April 3, 2025**

**1. Call to Order:** The Chairman called the meeting to order at 6:00 p.m.

**2. Roll Call**

*Present:* Chairman Mike Becker, Commissioner Melissa Cleveland, Caitlin O'Brien, and Ron Sampert joined via zoom, Mayor Curt Jernigan, Councilperson Sue Supp, and Gary Sonnen

*Absent:* Commissioner Chad Haunschild, Councilperson Scott Jordan and Tyler Drechsel

*Staff Present:* City Clerk Sandy McFarland

**3. Public Comment**

George Lucker- expressed concerns about Erickson Drive, describing it as a logging road that presents a fire hazard. He also questioned the permit approval process and why the County continues to issue permits, noting that the Temporary Occupancy Permit has expired.

Sharon Haunschild – requested that the Commission refrain from implementing new access rules for the Area of Impact.

**4. Discussion of ACI Agreement**

The Planning and Zoning Commission, along with the City Council, reviewed the information presented in the P&Z packet. Each Commissioner and Councilmember provided their input on the ACI Agreement. Following their comments, they proceeded to discuss the Dalton Gardens Area of Impact Negotiation Points. Together, they carefully reviewed all 27 points, removing any duplicates or items they deemed to have minimal impact on the overall Agreement.

**5. Adjournment**

Moved by O'Brien and seconded by Cleveland to adjourn.

**Result: Passed**

**AYES:** Cleveland, Sampert, O'Brien

**NAYS:** None

**ABSTAIN:** None

**RECUSE:** None

The Chairman adjourned the meeting at 8:45 p.m.

Passed this \_\_\_\_ day of May.

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Mike Beck, Chairman

ATTEST:

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Sandy McFarland, City Clerk



# City of Dalton Gardens

6360 N Fourth Street, Dalton Gardens,  
 ID 83815 Phone: (208) 772-3698 Fax:  
 (208) 772-3698

## Monthly Planning/Code Compliance Report March & April 2025

**April 21, 2025**

### Code amendments

Still pending is the Short-Term Rental code that the City Council sent back down to the Planning Commission for consideration in March.

### Variances / Special Use Permits (SUP)

None.

### Subdivisions

None

### Lot Line Adjustments

A pending lot line adjustment to address a fence line placement. The two parcels are 6824 N 15<sup>th</sup> Street and 6872 N 15<sup>th</sup> Street. The adjustment to the lot lines would not reduce the parcels below the minimum lot size nor the minimum lot width.

### Predevelopment Conferences

A new Pre-Development Conference has been requested in April by Eric Armstrong for Walkers Furniture, 7224 N Government Way. They are looking at adding on a new covered porch and a patio sales area. This is to be scheduled, as the request just came in, and calendars are being coordinated for a date and time.

### Public Record Requests

The public record requests for Canfield Mountain continue for different information.

### Permits

According to OpenGov, from March there were a total of forty-two new permits, twenty permits issued, twenty-seven inspections completed, and a total of \$9,852.33 of fees collected. Below is a snapshot of the permits.

#### March 2025

Permit Type	New	Issued	Inspections	Revenue Collected
Commercial Business License	5	4	1	\$250
Roof	3	4	4	\$800
Right of Way	0	4	2	0
Building Permit	8	3	11	\$7,044.33
Mechanical	2	2	6	\$258
Home Business License	0	0	0	0
Alcohol	2	1	2	\$900
Commercial Predevelopment	0	0	0	0

Application				
Sign	2	2	0	\$400
Site Disturbance	1	0	0	0
Facility Requests	11			\$200

According to OpenGov, between April 1 and April 21, 2025, twenty-seven new permits have been created, fourteen inspections completed, and thirteen permits have been issued. A total of \$7,712.83 in fees have been collected. A snapshot of those permits is below.

#### April 1-21, 2025

Permit Type	New	Issued	Inspections	Revenue Collected
Commercial Business License	3	2	2	\$150
Home Business License	0	0	0	0
Alcohol License	0	0	0	0
Building Permit	4	3	8	\$6,304.83
Mechanical	3	2	2	\$258
Roof	4	3	1	\$600
Right of Way	4	2	0	0
Predevelopment App	1		0	\$300
Sign Permit	0	0	1	0
Site Disturbance	1	0	0	0
Facility Requests	3	n/a	n/a	\$50

In March I worked on thirty-five different permits in OpenGov, often some records are touched more than one time as follow-up is required when items are missing in their application submission, clarification is necessary, or when investigation is ongoing. Up to April 21, 2025, I worked on twenty-six permits within OpenGov, again touching many of them multiple times for assorted reasons.

#### Noteworthy:

- BP-25-6 at 7551 N 15<sup>th</sup> Street, is seeking to build a new dwelling on a property with an existing single-family dwelling which will be demolished. At the last City Council meeting the council directed legal to prepare a demolition agreement for the mayor to sign containing the details as directed. That document has been prepared and pending signature of all parties.
- A division of land has occurred on a through-lot between 17<sup>th</sup> Street and 18<sup>th</sup> Street. The parcel of property owned by David Thompson located at 5960 N 17<sup>th</sup> Street (AIN 188760) has parceled off the rear 1.03 acres of the original 2.48-acre parcel by deed and sold to a neighboring parcel owned by the Dittman Family Living Trust. This is not a division of land in compliance with the City of Dalton Gardens. They will need to go through a formal subdivision process to rectify this issue.
- A concern surfaced with an issued permit BP-24-56 (6928 N 4<sup>th</sup> Street, McCorkle). Upon the foundation inspection of the adjoining parcel for a dwelling addition, at 6904 N 4<sup>th</sup> St, BP-25-2, (Kiefer) the inspector requested a measurement to the property line as it looked to be too close to the fence line. The builders came into city hall with concerns, we reached out to the drafting team. Next day they found one pin, the southwest pin, and measured out from there. The fence is not the property line. It is indeed another twelve feet or so beyond the fence. BP-25-2 had no issues with their setback. However, BP-24-56 believed the fence was the property line and constructed an accessory structure which they showed to be ten feet from "their" property line; but is encroaching on the neighboring property. Solutions include removal of the accessory structure and rebuilding on the property within the correct

setbacks; a lot line adjustment between the two properties that would allow for an appropriate setback for both structures on each property, an encroachment agreement between the two neighbors along with city action allowing/recognizing the setback encroachment. The Kiefer's have expressed they are willing to grant McCorkle's a perpetual encroachment easement for the structure.

### **Planning Commission**

The Planning Commission met on April 3rd at 6 pm at City Hall for a workshop with the City Council to discuss the Area of Impact. They reviewed a list of proposed sections of Kootenai County Code and items of concern they would like the County to address within the Area of Impact. Notes will be forwarded to the Mayor and Council; next steps will be to sit down with the County to see how some of the lots were created and how they evolved, speak to KCFR, research roads, and proceed with caution and urgency.

### **Code Enforcement**

The City's backlog of code compliance cases logged in to OpenGov are being reduced as new ones are added. The following were resolved this month. Review and investigation and site inspections of current and backlogged violations continue. There are several first round letters out to code violations waiting for response. Drafted a newsletter article for the city newsletter on fencing, so folks have an idea of what the code requires.

Resolved Case Numbers	
CE-25-14	U-Haul trucks at Dalton Market
CE-25-12	Sign Vio and Bldg code Vio @ Planet Terra
	Signs removed on public property @ Baillie

Respectfully submitted,

*Gill Ainsworth*

City Planner/Code Enforcement

The Ask	City Code/Ordinance Section (if applicable)	County Code Section (if applicable)	CODG Request from KC with Justification
1. Access is granted on a per lot basis. And is only granted to the ORIGINAL parcel. One application is needed for each lot upon application for any permit on the property.	City Ordinance 165 (2012) City Ordinance 19 (1966)		Can KC change zoning in AOI from Suburban Ranch to 2Ac per DU.? New development should have their own access and should not be permitted to use a old logging road that does not meet
2. Notification: Automatic notice from Kootenai County to the City of Dalton Gardens upon request for any development permit, including but not limited to building permits, site disturbance, lot line adjustments, subdivisions, and pre- development/preapplication			Can CODG be included as "Other Agency" when an application is entered into KC system? Can CODG be invited to comment on any preliminary or predevelopment meetings? Ask to remove LLA exemptions?
3. Dark Skies provisions. Dalton Gardens standards apply	Ordinance Number 272 5-1-4 Light Pollution Definitions <a href="#">Code Section 5-5-10. A - C</a>		Ask KC to consider adopting a Dark Skies Ordinance or model around CODG. This will reduce the pollution for rural and less dense urban
4. Road Standards. Feeder roads must comply with county road standards OR Meet road standards Kootenai; Lakes Highway District; Dalton; road standards compatibility		<a href="#">Kootenai Code 8.4-201 A 1 (b?) Private Roads.</a> Newly constructed major subdivision/minor subdivision or condominiums or which connect to nearest public road must comply with 8.6-707 of the same title	Does KC Code limit 4 ERUs per common driveway? Since impacting CODG roads, shouldnt highway district standards apply. Do they match CODG road standards. Can CODG have say in Traffic Impact Studies?
5. Identify Confirmed Water Supply – water source for both potable water and fire fighting purposes		<a href="#">8.6.704 Utility &amp; Service Standards</a>	Public Water supply and distribution vs. private well not CODG issue. Fire fighting water falls under the Fire Department Authority.
6. Fire Suppression		<a href="#">8.6.704 Utility &amp; Service Standards</a>	Not CODG Issue
7. Verify of Lot creation/legality			
8. No Multiple Open Applications for the Same Property			Can 1 application per parcel only be allowed?
9. Define Sensitive Areas, requirements			Does AOI have sensitive Areas defined?
10. All developments in sensitive areas, restrictions always applied; <del>so all cuts must be visually mitigated.</del>		<a href="#">Cuts: 8.7.103 grading</a>	
11. Adopt Soil District soil map, mitigate mud slides			
12. Cultural review conducted by and sign off by the CDA tribe			
13. Risk Assessment study (independent) re development of Canfield.		<a href="#">Geotechnical Analysis 8.7.109</a> <a href="#">Risk Assessment 8-7-117</a>	
14. Limited amount of clearing, identify impact on hydrology; carrying capacity of Canfield in ACI before more development.		<a href="#">Risk Assessment 8-7-117</a>	Define limits on disturbance areas. Can Building Envelopes be shown and regulated on Site Plans?
15. Stormwater detention and storage capacity		<a href="#">Section 8.7.105 Stormwater Detention and Conveyance</a> <a href="#">Section 8.7.106 Stormwater Treatment</a> <a href="#">Section 8.7.108 Down-Gradient Analysis</a>	Can BMPs be enforced?
16. Noxious weed control plan during construction & maintenance thereafter.	Idaho Code requirement <a href="#">7-8A-3 Nuisances on real properties</a>		
17. Panhandle Health review the sufficiency of septic systems, pump every 5 years as per Dalton Gardens SMA with Panhandle Health.	<a href="#">7-4-1 Operation &amp; Maintenance requirements for all properties</a>		Can new developments complete an N-P Analysis of the impact down gradeint of each proposed DU. No community LSAS should be permitted. How does this impact the SMA?
18. Site assessment for all development (not just subdivisions)			
19. Endangered Species Survey (Bunnies & Bugs)			N/A
20. Identify building envelopes for clearing limitations for development on Canfield Mountain			See #14
21. Nuisance –create ordinance to address blasting construction noise			
22. Identify how Wildfire protection/fire protection will be adequately addressed. Firefighting abilities			
23. Easements not only along the roadways but through properties to address the changes in drainage that will occur due to development			
26. Address environmentally sensitive > Light > Noise > Landslides/landslide risk			
27. Maintain temporary and permanent erosion and sediment control measures and soil stabilization		<a href="#">8.7.115</a>	