



Agenda for Regular Planning & Zoning Meeting Thursday, October 26, 2023 @ 6:00 PM

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

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

<https://us02web.zoom.us/j/83494170464?pwd=UG9YVEppMGp6cFA2T09xYmtkWkpXZz09>

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

Webinar ID; 834 9417 0464; Password: 385461

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES FOR THE SEPTEMBER 28, 2023 MEETING- **ACTION ITEM**
4. CITY PLANNER REPORT
5. **PUBLIC COMMENT:** Each speaker will be allowed a maximum of three (3) minutes to address the Planning & Zoning Commission on matters relating to City government business. Comments related to future public hearings should be held for that public hearing. Please be advised that the Planning & Zoning Commission can only take official action this evening for those items already listed on the agenda.
6. DISCUSSION OF COMMERCIAL CORRIDOR COMMUNITY ENGAGEMENT SURVEY
7. DISCUSSION OF LLA JOINT MEETING REVIEW
8. DISCUSSION OF DALTON MARKET
9. DISCUSS AGENDA MEETING ITEMS FOR OCTOBER 26, 2023
10. **ADJOURN- ACTION ITEM**

Original Posting: 10/24/2023

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.

City of Dalton Gardens

Planning & Zoning Meeting Minutes

Thursday, September 28, 2023 @ 6:00 PM

Meeting was conducted in person and via Zoom.

1. **CALL TO ORDER:** Chairman Becker called the meeting to order at 6:08 PM
2. **ROLL CALL:** Present were Commissioners Chad Haunschild, Melissa Cleveland, Ron Sampert and Chairman Mike Becker. Also present, Ryan Hughes- City Planner and Candi Baker- Deputy Clerk. Commissioner Caitlin O'Brien attended via Zoom.
3. **APPROVAL OF MINUTES:** MCleveland made a motion to approve the regular meeting minutes from August 24, 2023. Caitlin O'Brien seconded.
CHAunschild: yes CO'Brien: yes MCleveland: yes RSampert: yes MBecker: yes
Motion Carries.
4. **CITY PLANNER REPORT:** The City Planner reported Lot Line Adjustments were presented to the City Council and decided that the proposed amendment needed clarifying the definition. The City Planner has been consulting with the City Attorney. Suggestions were made to meet with the council to discuss next steps. The commission directed staff to request a study session with the council. The City Planner also reviewed the priority list that was provided to the commission.
5. **PUBLIC COMMENT:**
Opened 6:22 PM Closed 6:29 PM

Sue Supp- 7024 N 16th Street: Addressed the commission with concerns of the Dalton Arena being used for archery practice. Communicated that the current City Code is silent regarding the use of bow and arrow use on public facilities. Would like to have the issue addressed with the council to begin discussion of prohibiting archery in public spaces.

Chairman Becker reminded the commission that code change of this scope is outside of the P&Z's nature of business.
6. **DISCUSSION OF COMMERCIAL CORRIDOR COMMUNITY ENGAGEMENT:**
Chairman Becker updated the commission on the commercial district engagement opportunity at the city picnic and reviewed feedback. The Commission discussed deploying an informational letter to the commercial district for engagement opportunities. The City Planner reviewed the suggestions of survey options and methods for commercial businesses to communicate feedback. Chairman Becker, CHaunschild, and CO'Brien graciously volunteered to visit each location in the commercial district to personally deliver the letter to tenants and mail letters to commercial landowners. The personal engagement will allow the commission to discuss the purpose of the survey.
7. **DISCUSSION OF DALTON MARKET:** The commission discussed presenting the business owner with solution options that would enable compliance for future uses. The commission discussed a "future use template" for a neighborhood zone application, as well

as an overlay as the best possible options. Chairman Becker mentioned the possibility of an amendment to the Coeur d'Alene Sewer agreement proposing an exception for the improvement to Dalton Market and it's future potential.

8. **DISCUSSION OF AGENDA ITEMS FOR OCTOBER 26, 2023 MEETING:**

- Commercial Corridor letter deployment review
- Dalton Market neighborhood zoning vs overlay
- Joint Study Session review for LLA

9. **ADJOURN:** CHaunschild made a motion to adjourn the meeting. MCleveland seconded. All in favor. Meeting adjourned at 7:08 PM.

Mike Becker, Chairman

ATTEST:

Candi Baker, Deputy Clerk



City of Dalton Gardens

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

Monthly Planner Activity Report

September 30, 2023

Code amendments

As their September meeting, Planning and Zoning (P&Z) Commission discussed next steps in preparation of a Lot Line Adjustment Code Amendment. The Commission agreed that a joint study session with City Council would be appropriate and helpful in working through legislative challenges and concerns. A joint study session has been scheduled for prior to City Council's October regular meeting. In addition, the Commission discussed next steps on eliciting further community input on Commercial District design. They discussed finalizing a letter and mailing to business property owners (and hand delivering to business operators), inviting them to take a survey, gauging interest in updates to the district's design requirements. No code amendments are currently under review by the P&Z Commission. However, the Commission would like to develop objectives for creating zoning provisions for the lot occupied by the Dalton Market.

Fee Schedule

Staff have been coordinating over development of an updated City Fee Schedule, to account for costs associated with development review and permitting.

Variances / Special Use Permits

No new special use permits requests have been submitted.

Subdivisions

No new subdivision requests have been submitted.

Building Permits

The City continues to receive and manage a variety permit request. Building permits are received weekly and are reviewed on a rolling basis. Other permit types include home based business permits, commercial business licenses and others. The City consistently receives permit applications for both accessory structures and new home construction.

Code enforcement

The City has an extensive backlog of code compliance cases logged in OpenGov. Without additional staffing resources, only priority cases (per the Code Compliance Policy Manual) are currently being reviewed. Staff recommends that a dedicated code compliance staff member is hired and trained to ensure timely processing.

Respectfully submitted,

Ryan Hughes,
City Planner

Dalton Gardens Commercial Corridor.

Survey Questions:

1. Do you own property in the Commercial Corridor (Government Way from E. Dalton Ave. to Prairie. Ave.)?
2. Do you operate a business in the Commercial Corridor (Government Way from E. Dalton Ave. to Prairie. Ave.)?
3. What do you currently love about the corridor and what would you want to see remain?
4. What do you think could be improved and potentially changed over time?
5. Rank in priority the following the elements that should be included in updates to the Commercial Corridor's vision.
 - Aesthetics
 - Safety
 - Pedestrian access
 - Driveways
 - Parking
 - Landscaping
 - Lighting
 - Signage
6. Are there any other important needs that the Planning and Zoning Commission should consider in updating the vision of the Commercial Corridor?



City of Dalton Gardens
6360 N. 4th Street
Dalton Gardens, ID
83815



YOUR FEEDBACK IS NEEDED!

In 2019, the City Adopted its 2019 – 2030 Comprehensive Plan. The Plan includes Goals for the future of the Commercial Corridor.

Dalton Gardens Comprehensive Plan

- ✓ **Goal:** *Create a lively, active and dynamic place along the Government Way corridor that encourages social interaction.*
- ✓ **Goal:** *Develop an identity for the Dalton Gardens Commercial District.*



Dear Commercial Corridor Property Owner or Business:

Your input is requested and highly valued!

The City of Dalton Gardens' Planning and Zoning Commission is inviting all property owners and businesses in the City's Commercial Corridor to speak up. The City would like to know your thoughts on the future of the Commercial Corridor along Government Way from E. Dalton Ave. to Prairie. Ave.

Over the next few months, the City's Planning & Zoning Commission will be considering a vision for the Commercial Corridor. The vision will guide City leadership and staff in the policies to realize the community's desired change.

These policies may include:

- Beautification
- Safety
- Access
- Design Standards
- Landscaping
- Lighting
- Signage

Three ways to get involved:

1. Submit your comments to your Planning & Zoning Commission. The P&Z meets every 4th Thursday of the Month at City Hall.
2. Send us a note to through the City's web-site: <https://daltongardens.govoffice.com> providing comments through the 'Contact' form. Or, drop your comments off at City Hall (6360 North 4th Street).
3. Take a short survey here (we promise it's a short one!)



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participation. they aren't providing feedback on anything yet since we haven't developed anything.



participation

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Dear Commercial Corridor Property Owner or Business:

Your input is requested and highly valued!

The City of Dalton Gardens' Planning and Zoning Commission is inviting all property owners and **business owners** in the City's Commercial Corridor to speak up. The City would like to know your **ideas** on the future of the Commercial Corridor along Government Way from E. Dalton Ave. to Prairie. Ave.

Over the next few months, the City's Planning & Zoning Commission **is following up on the plan adopted in 2019** for the Commercial Corridor. The vision will guide City leadership and staff in **developing** policies to realize the community's desired change.

These policies may include:

- Beautification
- Safety
- Access
- Design Standards
- Landscaping
- Lighting
- Signage

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Dalton Gardens Comprehensive Plan

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✓ **Goal:** Develop an identity for the Dalton Gardens Commercial District.



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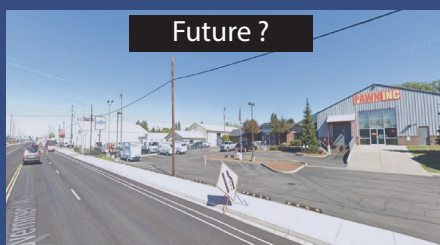
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Dalton Gardens Comprehensive Plan

- ✓ **Goal:** Create a lively, active and dynamic place along the Government Way corridor that encourages social interaction.
- ✓ **Goal:** Develop an identity for the Dalton Gardens Commercial District.



Commercial Corridor: Government Way from E. Dalton Ave. to Prairie. Ave.

YOUR PARTICIPATION IS NEEDED!

Dear Commercial Corridor Property Owner or Business:

Your participation is requested and highly valued!

Dalton Gardens' Planning and Zoning Commission is just getting started on developing a vision for the Commercial Corridor in-line with a goal in the Comprehensive Plan. Rather than start off in a vacuum, we'd like input from you, the property owners and business owners, along the corridor.

1. What do you currently love about the corridor and what would you want to see remain?
2. What do you think could be improved and potentially change over time?

Over the next few months, the Commission will be considering a vision for the Commercial Corridor. The vision will guide policies to realize the community's desired change, which may include:

- Aesthetics
- Safety
- Pedestrian access
- Driveways
- Parking
- Landscaping
- Lighting
- Signage

Three ways to get involved:

1. Submit your comments to your Planning & Zoning Commission. The P&Z meets every 4th Thursday of the month at City Hall.
2. Send us a note through the City's web-site: <https://daltongardens.govoffice.com> providing comments through the 'Contact' form. Or, drop your comments off at City Hall (6360 North 4th Street).

3. Take a short survey here: (we promise it's a short one!)



SCAN ME

We want to hear from you. Take the survey!

CITY OF DALTON GARDENS, IDAHO

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF DALTON GARDENS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 6, CHAPTER 3, SECTION 6 TO REMOVE LOT LINE ADJUSTMENTS; AMENDING TITLE 6 CHAPTER 3 TO ADD SECTION 8 LOT LINE ADJUSTMENTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALTON GARDENS, IDAHO:

SECTION 1: AMENDMENT TO TITLE 6, CHAPTER 3, SECTION 6.

6-3-6: LOTS:

~~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.~~

SECTION 2: AMENDMENT TO TITLE 6, CHAPTER 3

6-3-8: LOT LINE ADJUSTMENTS

- A. **Purpose And Intent:** It is the purpose and intent of this section to establish the requirements for adjustment of lot lines of platted lots. Lot line adjustments will not be approved for lots that were not legally created. An application for a lot line adjustment may be submitted to adjust a single common boundary between two (2) or more adjoining legal lots if the proposed lot line adjustment does not:
1. Result in the creation of any additional lots;
 2. Include any lots or parcels which are not legal lots, as defined by City Code;
 3. Impair existing access or easements, or create the need for new easements or access to any adjacent lots; and
 4. Create any lot which does not conform with this Code.
- B. **Application:** An application for a lot line adjustment must be filed with the Planning Administrator for administrative review along with such other information as may be required. The application must include:
1. Written consent for such adjustment by all record owners of the properties,
 2. A current title report for the affected properties,
 3. Draft deeds of conveyance. 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. New legal descriptions must be created for each new lot.
 4. A scaled drawing or site plan prepared by an Idaho Professional Land Surveyor (PLS) of the proposed adjustment showing the following:
 - i. All existing and proposed lot lines and lot areas of the affected lots;
 - ii. All existing structures with dimensions and distances to existing and proposed boundaries;
 - iii. Existing septic system and drain field, sewer (if applicable) and water services to the affected lots;
 - iv. Existing and proposed easements;
 - v. Existing street frontages and accesses of each lot.
- C. **Approval:** The Planning Administrator will approve the lot line adjustment only after determining that all of the following conditions have been met:

1. Only one common lot line between two (2) lots or parcels is being adjusted;
2. Both lots were legally created;
3. No additional lots have been created;
4. The resultant parcels meet the minimum requirements for area, frontage and width for the existing zone;
5. The accompanying deeds accurately describe the properties by metes and bounds descriptions;
6. No existing easements or access have been impaired nor has the need for new easements or access to the subject lots or adjacent lots been created;
7. Lots shall not be adjusted so that they do not, or cannot, have on-site septic, sewer (if applicable) and water services that conform to applicable City policies and standards;
8. The scaled drawing or site plan prepared by an Idaho PLS has been prepared by an Idaho licensed surveyor in conformance with the requirements of Idaho state statutes and this chapter;
9. All new property corners have been monumented as generally required by this title and Idaho Code;

Upon determining that all of the above requirements have been met, the City will affix its certificate of approval to the scaled drawing or site plan prepared by an Idaho PLS.

D. Issuance Of Building Permits: No building permits will be issued on lots or parcels whose boundaries have been adjusted without the approval of the City, nor will they be issued on lots or parcels whose boundaries are being adjusted until all the requirements of this section have been met and the scaled drawing or site plan prepared by an Idaho PLS and deeds have been recorded. A copy of the scaled drawing or site plan prepared by an Idaho PLS and deeds shall be provided to the City.

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

1. 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.
2. Any adjustments between a platted lot and an unplatted lot.
3. An increase or reduction in the number of lots within a subdivision.

SECTION 3. SEVERABILITY.

If any provision of this chapter, or its application to any person or circumstances, be declared unconstitutional or invalid for any reason by a Court of competent jurisdiction, such decision

shall not affect the validity of the remaining portions of this chapter or the application of the provisions to other persons or circumstances.

Nothing in this chapter shall be construed as preventing the adoption of more restrictive provisions set forth in other sections of the Dalton Gardens Municipal Code. The more restrictive provisions of the code shall control.

SECTION 4. REPEAL OF CONFLICTING PROVISIONS.

All provisions of the ordinances of the City of Dalton Gardens which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE.

Upon passage and approval and publication in one (1) issue of the Coeur d'Alene Press, the official newspaper of the City of Dalton Gardens, Idaho, this Ordinance shall be in full force and effect.

PASSED under suspension of the rules at which a roll call vote was taken at regular meeting of the city council of the City of Dalton Gardens, Kootenai County, Idaho, this _____ day of _____, 2023.

ATTEST:

DAN EDWARDS, Mayor

TERESA JANZEN, Clerk

SUMMARY OF DALTON GARDENS ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF DALTON GARDENS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 6, CHAPTER 3, SECTION 6 TO REMOVE LOT LINE ADJUSTMENTS; AMENDING TITLE 6, CHAPTER 3 TO ADD SECTION 8 LOT LINE ADJUSTMENTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. ____ IS AVAILABLE AT DALTON GARDENS CITY HALL, 6360 N. 4th STREET, DALTON GARDENS, ID 83815 IN THE OFFICE OF THE CITY CLERK.

Teresa Janzen, City Clerk

DRAFT

STATEMENT OF LEGAL ADVISOR

I, Christopher Gabbert, am the City Attorney for the City of Dalton Gardens, Idaho. I have examined the attached summary of the City of Dalton Gardens Ordinance No. _____ and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this _____ day of _____, 2023.

DRAFT

6-3-8: LOT LINE ADJUSTMENTS

A. **Purpose And Intent:** It is the purpose and intent of this section to establish the requirements for adjustment of lot lines of platted lots. Lot line adjustments will not be approved for lots that were not legally created. An application for a lot line adjustment may be submitted to adjust a single common boundary between two (2) or more adjoining legal lots if the proposed lot line adjustment does not:

1. Result in the creation of any additional lots;
2. Include any lots or parcels which are not legal lots, as defined by City Code;
3. Impair existing access or easements, or create the need for new easements or access to any adjacent lots; and
4. Create any lot which does not conform with this Code.

B. **Application:** An application for a lot line adjustment must be filed with the Planning Administrator for administrative review along with such other information as may be required. The application must include:

1. Written consent for such adjustment by all record owners of the properties,
2. A current title report for the affected properties,
3. Draft deeds of conveyance. 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. New legal descriptions must be created for each new lot.
4. A scaled drawing or site plan prepared by an Idaho Professional Land Surveyor (PLS) of the proposed adjustment showing the following:
 - i. All existing and proposed lot lines and lot areas of the affected lots;
 - ii. All existing structures with dimensions and distances to existing and proposed boundaries;
 - iii. Existing septic system and drain field, sewer (if applicable) and water services to the affected lots;
 - iv. Existing and proposed easements;
 - v. Existing street frontages and accesses of each lot.

C. **Approval:** The Planning Administrator will approve the lot line adjustment only after determining that all of the following conditions have been met:

1. Only one common lot line between two (2) lots or parcels is being adjusted;

2. Both lots were legally created;
3. No additional lots have been created;
4. The resultant parcels meet the minimum requirements for area, frontage and width for the existing zone;
5. The accompanying deeds accurately describe the properties by metes and bounds descriptions;
6. No existing easements or access have been impaired nor has the need for new easements or access to the subject lots or adjacent lots been created;
7. Lots shall not be adjusted so that they do not, or cannot, have on-site septic, sewer (if applicable) and water services that conform to applicable City policies and standards;
8. The scaled drawing or site plan prepared by an Idaho PLS has been prepared by an Idaho licensed surveyor in conformance with the requirements of Idaho state statutes and this chapter;
9. All new property corners have been monumented as generally required by this title and Idaho Code;

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