

HISTORIC PRESERVATION COMMISSION AGENDA

City Hall – Conference Room #6

April 27, 2023

4:00 P.M. CALL TO ORDER:

ROLL CALL: Burns, Emerson, Straza, Lowe, Marienau, Miller, Anderson, Sardell

MINUTES: ****ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM****

March 23, 2023

PUBLIC COMMENTS:

STAFF COMMENTS:

OTHER BUSINESS: ****ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS****

- **Draft Amendments to Historic Preservation Code and Bylaws** – Hilary Patterson
- **2023 Work Plan Considerations, Updates, and Assignments**
 - o Historic Building Materials – book/brochure concepts - Shannon Sardell and Walter Burns
 - o Hamilton House 2nd Celebration – Sandy Emerson
 - o Demolition Process on designated and significant historic buildings
 - o Commission feedback on existing Infill Guidelines
 - o Historic Overlay Zoning District
 - o Creation of Local District Option
- **Other Subcommittee Reports** (as applicable)

TRACKING TIME:

COMMISSION COMMENTS:

FUTURE AGENDA ITEMS: ****ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM****

ADJOURNMENT/CONTINUATION:

Motion by _____, seconded by _____,
to continue meeting to _____, ___, at ___ p.m.; motion carried unanimously.
Motion by _____, seconded by _____, to adjourn meeting; motion carried unanimously.

Coeur d'Alene Tribe Land Acknowledgement

We respectfully acknowledge that we are on the traditional land of the first people, the Coeur d'Alene, who have occupied the lands that include the City of Coeur d'Alene, Coeur d'Alene Lake and the Spokane River for time immemorial. The Schitsu'umsh are "Those who are found here" or "The discovered people" and they have been telling their story in song and dance for thousands of years in celebration and in hardship. We are fortunate that the Coeur d'Alenes have blessed the land and formed strong relationships to continue as stewards to protect and preserve the land, lake, and other resources. We acknowledge the Tribe's 5 Core Values for decisions related to the land and the future of the Coeur d'Alene people. We are honored to learn, grow, play and live upon the traditional territory of the Coeur d'Alene Tribe and to have the opportunity to work together to improve our land and strengthen our communities for future generations. Time Immemorial. Present. Future.

**HISTORIC PRESERVATION COMMISSION
MINUTES
MARCH 23, 2023
City Hall – Conference Room #6**

COMMISSIONERS PRESENT:

Walter Burns, Chair
Anneliese Miller, Vice Chair
Lisa Straza, Secretary
Ann Anderson
Alexandria Marienau
Sandy Emerson
Shannon Sardell

STAFF MEMBERS PRESENT:

Hilary Patterson, Community Planning Director
Shana Stuhmiller, Admin. Assistant

CITY COUNCIL ABSENT:

Kiki Miller, City Council

COMMISSIONERS ABSENT:

Tyler Douglas Lowe

4:00 p.m. CALL TO ORDER:

ROLL CALL: Burns, Miller, Straza, Lowe, Anderson, Emerson, Marienau, Sardell

MINUTES: ****ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM****
February 9, 2023

Motion by Anderson, seconded by Emerson, to approve the minutes for February 9, 2023.
Motion approved.

Commissioner Emerson announced that Debra Mitchell is attending our meeting tonight. He stated that she was one of the people that worked on the nomination of the Hamilton House that was placed on the National Historic Register.

STAFF COMMENTS:

Hilary Patterson, Community Planning Director, provided the following statements.

- Ms. Patterson thanked the commission for a great job at the City Council Meeting on March 7th for the Hamilton House award.

OTHER BUSINESS: ****ITEMS BELOW ARE CONSIDERED TO BE ACTION ITEMS****

- **Garden District Nomination RFP** – (Burns)
 - o Summary of Proposals
 - o Ad Hoc Committee Recommendation
 - o Award of Contract

Chairman Burns announced at a meeting earlier today the RFP selection committee, Commissioner Sardell, Commissioner Straza, myself and staff discussed the proposals.

Commissioner Sardell provided a recap of the selection process for the two candidates: Diana Painter and Kirk Huffaker.

- Ms. Sardell stated the scoring for the candidate's was based on a points system.
- She commented that that Diana Painter, Preservation Services lives between Spokane and Sonoma California and has worked at a number of places.
- Kirk Huffaker, Preservation Strategies is from Salt Lake City.
- She added that both proposals lacked sections we would have liked to see more development but continued ranking them accordingly.
- She explained that both candidates worked with Idaho SHPO and met all qualifications for the RFP.
- Staff did call references on both which were discussed among the selection committee.

Chairman Burns announced that the selection committee selected Kirk Huffaker was the winner and that staff will contact Mr. Huffaker to get further clarification on his budget.

Ms. Patterson explained the Mr. Huffaker's budget was lower, but needed clarification from him since some of his budget will be used for travel and the subcommittee wanted clarification from him to make sure he would be able to accomplish all the work required since the city doesn't have additional funds which was stated in the RFP. She added the goal today was get a recommendation and suggested adding to the motion " If Mr. Huffaker can't meet our expectations, the award would go to Ms. Painter" so we don't have to come back for another vote if Mr. Huffaker can't meet our qualifications

Motion by Sardell, seconded by Straza , to recommend the RFP be awarded to Kirk Huffaker, Preservation Strategies based on clarification as discussed and if those questions aren't answered to the satisfaction of the subcommittee the award would go to Diana Painter, Painter Preservations. Motion approved.

- **Subcommittee Reports** (as applicable)

Chairman Burns stated that we did have a subcommittee meeting at the end of the month.

Commissioner Miller commented that the subcommittee met on March 23rd and she provided a recap of what was discussed which was: The Garden District Registration of Historic Places Nomination, Infill/Local Historic Districts/Historic Overlays and a Historic Theatre Grant Program. Below are the minutes from the Subcommittee Meeting held on February 23rd.

- RFP is out and responses are due 3/15/23 with selection of the consultant by 4/1/23. SHPO modified the survey related to contributing/non-contributing properties, so this delayed the process. The consultants work will need to be completed by the end of this year.
- There was discussion regarding what is required beyond the survey for a district nomination. The area needs to be categorized with another survey to check forms along with a context statement.
- Also discussed the extent of the work and whether it would be strictly the "streetscape" or if the consultant will include out buildings/shops located adjacent the alleys. This work will be consultant driven and will include meetings/field work.
- 1895-1940 Timeframe of significance, however structures from 1976 back are considered historic.
- Should the Infill be a focus for the commission?
- East Mullan and Government Way has been discussed. Commissioner Emerson had made a contact with people living in the Government Way neighborhood, but there is no liaison yet.
- Establishing a voluntary program for the building permit process was discussed. An effort to share/educate vs. penalizing property owners. The HPC could set up loose historic districts, so when a property in these districts is purchased, the new buyer would receive an educational

pamphlet for remodeling. Disclosure information would be shared with the new buyer. Realtor's Association could assist with this.

- Some of the books that Commissioner Sardell shared with the HPC are great reference material regarding historical American houses. Discussed whether portions of the material could be legally reproduced and/or republished.
- Commissioner Sardell announced that Idaho Heritage Trust has a grant program for historic Idaho theatres. Additional information will be shared at a meeting on March 15th.

Chairman Burning commented at the presentation for the Hamilton House he met a lady who was going door to door in the Government Way area to see if there was any interest for that community to be on the National Register of Historic Places. He stated that she would like to work with this commission and he invited her to our next Historical Preservation Meeting on Thursday, April 27th.

Deb Mitchell, citizen, inquired if the commission would have any interest on a building located at 201 Indiana that used to be the Oswald Maternity Home. Chairman Burns commented that he drove by this site and said the building was in disrepair with many of the surrounding houses in worse shape. The discussion ensued with the houses and history of the area surrounding this property at 201 Indiana. Commissioner Emerson explained that his friend Ray Johnson knows the history of this area and a great resource if this is something the commission wants to pursue.

Commissioner Sardell stated that it would be helpful to have an oral history from the people who lived in this area to "earmark" and this might be the one we start with in the future. Commissioner Marienau commented that there was a lady at the museum who does oral recording work and she will contact the Director of the Museum to get the name of that person if the commission is interested in pursuing this project. Chairman Burning explained the Kootenai County Historic Preservation Commission arranged a workshop on how to do Oral histories. Ms. Mitchell mentioned that she had applied for a grant on behalf of the Museum to buy recording equipment and that the museum has four dozen oral audio histories that were done back in the 80's/90's that was sent to the State Achieves.

Commissioner Anderson stated that the Realtor Association has a podcast room and she would ask if we could use this room. Chairman Burns stated that he could ask Courtney Beebe who is the chair of the County Historic Preservation Commission if we could use their recording equipment that was purchased from their budget.

Chairman Burns mentioned doing a volunteer program working with the Building Department to hand out information on Historic Preservation especially when getting a Demo Permit. Ms. Patterson explained that if the commission wants demolition review authority that we would have to amend our ordinance which would involve a public hearing, but said informational handouts would be helpful. Chairman Burns commented if we can take "baby steps" in getting information out, that would be great. Ms. Patterson commented that this information would also be helpful when passing out information to the Garden District about historic preservation especially to a new homeowner that isn't aware that they might have bought something of historic value that in the future may want to preserve.

Chairman Burns commented that he discussed this with Commissioner Sardell and will try and get something put together before the "kick off" meeting for the Garden District for people to understand what they have. Commissioner Marineau explained when she bought her home was presented a packet of information containing helpful items such as who does what in the community that was helpful and would be nice to have something like this for people who live in these historic districts a list of someone to call if they need something replaced keeping with the historic style of their home. Commissioner Anderson stated that the Association of Realtors would help. Ms. Patterson asked if there might be a National Association of Realtors (NAR) grant that could fund something like this. Commissioner Anderson mentioned a Smart Grant that we might want to apply for that could help with printing costs. She will look into this and bring back the information at the next meeting. Commissioner Sardell added that she could

compile a list of contractors that she uses to the next meeting and work on a handout to be ready at our next subcommittee meeting in April.

Ms. Mitchell inquired if the Garden District boundary could be extended. Chairman Burns explained that we can't and if wanted to might extend the process longer.

ADJOURNMENT:

Motion by Miller , seconded by Sardell. to adjourn the meeting. Motion approved.

The meeting was adjourned at 5:00 p.m.

Submitted by Shana Stuhmiller, Administrative Assistant

DRAFT

CHAPTER 2.85
HISTORIC PRESERVATION CODE

SECTION:

2.85.010: Purpose

2.85.020: Definitions

2.85.030: Historic Preservation Commission

2.85.040: Organization, Officers, Rules, Meetings

2.85.050: Powers, Duties, And Responsibilities

2.85.060: Reserved (Special Restrictions)

2.85.070: Reserved (Appeals)

2.85.080: Reserved (Violations; Penalty)

2.85.010: PURPOSE:

The purpose of this Chapter is to promote the educational, cultural, economic, and general welfare of the public of the City of Coeur d'Alene through the identification, evaluation, and designation of those buildings, sites, districts, areas, structures, and objects that constitute or contain significant elements of historic, architectural, archaeological, and cultural interest reflecting the heritage of the City, the State, and/or the Nation. (Ord. 3643 §2, 2019)

2.85.020: DEFINITIONS:

The following words and phrases when used in this Chapter shall have the following meanings, unless the context clearly indicates otherwise:

CITY:	The City of Coeur d'Alene.
COMMISSION:	The Historic Preservation Commission of the City of Coeur d'Alene.
DESIGNATED HISTORIC PROPERTY:	Property designated under this Chapter, as well as the National Register of Historic Places, as Historic Property.
HISTORIC PRESERVATION:	The identification, evaluation, recordation, documentation, curation, acquisition, management, protection, restoration, rehabilitation, stabilization, maintenance, interpretation, conservation, and education of buildings, structures, objects,

districts, areas, and sites significant in the history, architecture, archaeology or culture of this community, the City, the State, or the Nation.

**HISTORIC
PROPERTY:**

Any building, structure, district, area, or site that is significant in the history, architecture, archaeology or culture of this community, the City, the State, or the Nation. (Ord. 3643 §2, 2019)

2.85.030: HISTORIC PRESERVATION COMMISSION:

A. There is hereby established a Historic Preservation Commission which shall consist of nine (9) members who shall be appointed by the Mayor with the advice and consent of the Council.

B. Commissioners shall reside in Kootenai County during their term in office; PROVIDED, members representing an organization that has a vested interest in Coeur d'Alene's historic preservation, such as the Museum of North Idaho, the Coeur d'Alene Tribe, and local higher educational institutions, may reside outside of Kootenai County. Additionally, if no qualified persons residing within Kootenai County are willing to serve, the Mayor may appoint members who reside outside of Kootenai County.

BC. All members of the Commission shall have a demonstrated interest, competence, or knowledge in history or Historic Preservation. The Commission shall have at least ~~two (2)~~ one (1) members who also serves on the historic preservation commission of Kootenai County and at least two (2) members who meet the Secretary of the Interior's Historic Preservation Professional Qualification Standards as set out in the Federal Register, Vol. 62, No. 11, dated Friday, June 20, 1997. The Commission should include a member or members who have professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, conservation, landscape architecture, law, or other historic preservation-related disciplines. Additional Commission members may include representatives of partner organizations such as the Museum of North Idaho and the Coeur d'Alene Tribe, or other organizations with a vested interest in Coeur d'Alene's historic preservation.

CD. The terms of the members shall be staggered so that the terms of no more than three (3) members expire in any one year. Initial appointments to the Commission shall be made as follows: Three (3) members shall hold office for a term of one (1) year; three (3) members shall hold office for a term of two (2) years; and three (3) members shall hold office for a term of three (3) years. All subsequent appointments shall be made for three-year terms. Commission members may be reappointed. Vacancies in the Commission shall be filled in the same manner as original appointments and the appointee shall serve for the remainder of the unexpired term of the vacating member.

DE. A member may be removed by the Mayor with the consent of a majority of the City Council.

EE. A member of the City Council shall be a non-voting member of the Commission and act as liaison between the Council and the Commission. (Ord. 3643 §2, 2019)

2.85.040: ORGANIZATION, OFFICERS, RULES, MEETINGS:

A. The Commission shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this Chapter. Rules of procedure and bylaws adopted by the Commission shall be available for public inspection.

B. The Commission shall elect a chairperson and vice-chairperson, and such other officers as it deems expedient, from among the Commission members. The chairperson shall preside at meetings of the Commission. The vice-chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.

C. The Commission shall hold meetings as necessary, at such time and place as may be determined by the majority of the Commission, or when called by chairperson or Mayor of the City. At a minimum, the Commission shall meet quarterly. The Commission shall post agendas in accordance with the requirements of public meetings.

D. A majority of the sitting members of the Commission shall constitute a quorum to conduct business at any meeting.

E. All meetings of the Commission shall be open to the public and comply with the requirements of the Idaho Open Meetings law. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions.

F. The Commission may recommend to the City Council, within the limits of its funding, the employment of or the contracting for the services of technical experts or other persons as it deems necessary to carry out its functions. (Ord. 3643 §2, 2019)

2.85.050: POWERS, DUTIES, AND RESPONSIBILITIES:

A. The Commission shall advise the Mayor and City Council on matters of historic preservation and shall be authorized to:

1. Conduct surveys of local historic properties.
2. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequest, or donation.
3. Recommend methods and procedures necessary to preserve, restore, maintain, and operate historic properties under the ownership or control of the City.
4. Recommend the lease, sale, or other transfer or disposition of historic properties subject to rights of public access and other covenants, and in a manner that will preserve the property.

5. Recommend designation of properties as historic and recommend the establishment of historic districts.

6. Contract, with the approval of the Council, with the state or federal governments, or any agency of either, or with any other organization on matters of historic preservation.

7. Cooperate with the federal, state, and local governments in the pursuance of the objectives of historic preservation.

8. Make recommendations in the planning processes undertaken by the City.

9. Recommend ordinances or other actions for the purposes of historic preservation in the City.

10. Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City as funding allows.

11. Commission members, employees, or agents of the Commission may enter private property, buildings, or structures in the performance of their official duties only with the express consent of the owner or occupant thereof.

12. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction and make recommendations to the appropriate agency.

13. Take public comment and testimony on issues of historic preservation.

B. The Commission shall comply with all City policies, procedures, and regulations, and any applicable state and federal statutes and regulations. (Ord. 3643 §2, 2019)

2.85.060: RESERVED (SPECIAL RESTRICTIONS):

(Ord. 3643 §2, 2019)

2.85.070: RESERVED (APPEALS):

(Ord. 3643 §2, 2019)

2.85.080: RESERVED (VIOLATIONS; PENALTY):

(Ord. 3643 §2, 2019)

AMENDED BYLAWS
of the
HISTORIC PRESERVATION COMMISSION OF THE CITY OF COEUR D'ALENE

ARTICLE I
Name

The name of this commission shall be the Historic Preservation Commission of the City of Coeur d'Alene (hereinafter referred to as the "Commission").

ARTICLE II
Purpose

The purpose of the Commission is to promote the educational, cultural, economic, and general welfare of the public of the City of Coeur d'Alene (hereinafter referred to as the "City") through the identification, evaluation, and designation of those buildings, sites, districts, areas, structures, and objects that constitute, or contain significant elements of, historic, architectural, archaeological, and cultural interest reflecting the heritage of the City, the State, and/or the Nation.

ARTICLE III
Authority

The Commission shall function under the authority of the following laws, including any subsequent amendments thereof, which are incorporated into these Bylaws by reference:

- A. Chapter 2.85, Coeur d'Alene Municipal Code;
- B. Title 67, Chapter 46, Idaho Code;
- C. National Historic Preservation Act of 1966, as recodified, 54 U.S.C. § 300101 *et seq.* (NHPA), and regulations promulgated thereunder; and
- D. Other relevant city ordinances and federal or state statutes or regulations.

ARTICLE IV
Membership

Section 1. The Commission shall consist of nine (9) members who shall be appointed by the Mayor with the approval of the Coeur d'Alene City Council (hereinafter referred to as the "Council"), for three-year terms, as provided by Municipal Code § 2.85.030. A sitting member of the Council, appointed by the Mayor with the approval of Council, shall serve as a non-voting member of the Commission and act as liaison between the Council and the Commission.

Section 2. No commissioner, with the exception of the Council member, may serve more than three (3) consecutive terms or portions thereof.

~~Section 3. All eCommissioners shall reside in Kootenai County during their term in office unless they are representing an organization that has a vested interest in Coeur d'Alene's historic preservation, such as the Museum of North Idaho, Coeur d'Alene Tribe, and higher educational institutions. Additionally, if there is not sufficient interest or it is difficult to find qualified members, it is acceptable to select commissioners from outside of Kootenai County.~~

Section 34. If a commissioner fails to attend three (3) consecutive regularly scheduled Commission meetings without good cause and without having provided prior notice to the Chair and/or Secretary, or if a commissioner is absent from more than one-half (1/2) of the scheduled meetings in a six (6) month period, the Commission shall request Mayor and Council to remove that commissioner from the Commission and appoint a new commissioner to fill the unexpired term.

ARTICLE V Officers

Section 1. Upon approval of these Bylaws, and at each regular January meeting thereafter, a Chairperson, Vice-Chairperson, and Secretary shall be elected from among the commissioners by majority vote to serve for the calendar year. Any voting member of the Commission may serve as an officer.

Section 2. The powers and duties of the Chairperson shall be:

- a. To preside at all meetings of the Commission.
- b. To vote on any item in order to break a tie vote.
- c. To call special meetings of the Commission.
- d. To ensure that all responsibilities of the Commission are properly discharged.
- e. To oversee the preparation and transmission of an annual summary of Commission business to Council no later than thirty (30) days after the end of the calendar year.
- f. To establish subcommittees and appoint commissioners to those subcommittees, with the advice and consent of a majority of the Commission.

Section 3. The powers and duties of the Vice-Chairperson shall be:

- a. To exercise the powers and duties of the Chairperson in his/her absence.

Section 4. The powers and duties of the Secretary shall be:

- a. To keep detailed notes for all subcommittee meetings of the Commission.
- b. To assist City staff in maintaining the records of the Commission.
- c. To work with City staff to provide the Commission with any correspondence or documents related to the business of the Commission.
- d. To coordinate with City staff and the Chairperson to identify agenda items for each meeting and subcommittee meeting.
- e. To prepare a monthly report of volunteer hours for the purpose of in-kind grant matches and subcommittees.

ARTICLE VI

Powers, Duties, and Responsibilities of the Commission

Section 1. The powers and duties of the Commission are as set out in Coeur d'Alene Municipal Code § 2.85.050 or as otherwise directed by the Mayor or Council.

ARTICLE VII

Meetings

Section 1. All meetings of the Commission shall comply with the Idaho Open Meetings Law, Title 74, Chapter 2, Idaho Code. In the event of any conflict between these Bylaws and the Idaho Open Meetings Law, the applicable provisions of the Open Meetings Law shall govern.

Section 2. The agenda for each meeting comply with, and shall be posted and/or advertised as required by, the Idaho Open Meetings Law and/or any other applicable laws.

Section 3. The Commission may hold executive sessions pursuant to the requirements and procedures of Idaho Code § 74-206.

Section 4. A majority of the sitting members of the Commission, not including the Council member, shall constitute a quorum to conduct business at any meeting.

Section 5. The Commission shall hold meetings as necessary, at such time and place as may be determined by the majority of the Commission, or when called by Chairperson or Mayor of the City. At a minimum, the Commission shall meet quarterly. If there is no business pending, a meeting may be canceled by the Chairperson with twenty-four (24) hours' notice to the other commissioners.

Section 6. Special meetings may be called by the Chairperson on his/her own initiative or upon the request of another commissioner.

Section 7. The Commission shall keep minutes of its proceedings and shall keep records of its examinations, findings, recommendations and all other official actions. The records of the Commission are “public records” as defined by Idaho Code § 74-101(13). Disclosure of Commission records shall be governed under the applicable provisions of the Idaho Public Records Act, Idaho Code § 74-101 *et seq.*

Section 8. The Commission shall make findings of fact stating the reasons for any recommendation made in any particular case. These findings shall be in writing, approved by the Commission, and submitted to the Council. The findings need not follow a specific format, but they must provide a simple statement of the reasoning behind the recommendation.

ARTICLE VIII Voting

Section 1. Each member of the Commission, except the Council member, shall be entitled to one vote with the exception of the Chairperson, who shall only vote to break a tie.

Section 2. A Commission member shall neither participate in discussions nor vote in any action or proceeding when he or she has a conflict of interest as defined by Idaho Code § 74-403(4).

ARTICLE IX Conduct of Meetings

Section 1. The following procedures will normally be observed on any action item coming before the Commission:

- a. The proponent of the item, or representative(s) of the proponent, will be allowed to make an initial presentation.
- b. The Commission may ask questions regarding the proponent’s initial presentation.
- c. Public comment in favor of or neutral to the item will be taken.
- d. Public comment in opposition to the item will be taken.
- e. The proponent will be allowed to provide a response or rebuttal to any public comment.
- f. The Commission may ask questions of the proponent, opponents, or staff.

- g. A motion may be made by a sitting member of the Commission, but not the Chairperson or Council member, and, if there is a second to the motion, the Commission shall vote on the motion. A roll call vote is not necessary.

Section 2. The Chairperson may modify the above procedures as he/she may deem necessary for the expeditious conduct of the Commission's business.

ADOPTED by the Coeur d'Alene Historic Preservation Commission this _____ day of _____, 20230.

Chairperson