

RESOLUTION NO. 24-049

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADOPTING A TEMPORARY MORATORIUM ON DEMOLITION AND MOVING PERMITS, AND BUILDING PERMITS FOR SIGNIFICANT EXTERIOR ALTERATIONS, FOR BUILDINGS, EXCLUDING RESIDENTIAL BUILDINGS, LOCATED IN THE DOWNTOWN CORE ZONING DISTRICT, AND THE DOWNTOWN OVERLAY, NORTHSIDE, AND DOWNTOWN OVERLAY, EASTSIDE, DISTRICTS, AND BUILDINGS LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES.

WHEREAS, the Planning Director of the City of Coeur d'Alene (the "Director") and the City's Historic Preservation Commission (the "Commission") have recommended that the City of Coeur d'Alene (the "City") adopt a Resolution imposing a temporary moratorium on the issuance of demolition and moving permits, , and building permits for significant exterior alterations, for buildings, excluding residential buildings, located in the Downtown Core ("DC") Zoning District, and the Downtown Overlay, Northside ("DO-N") and Downtown Overlay, Eastside ("DO-E") Districts, and buildings listed on the National Register of Historic Places, more specifically as depicted on Exhibits "A" and "B," attached hereto and, by reference, made a part hereof, to protect historic resources and allow time to conduct planning activities allowed by Idaho Code; and

WHEREAS, Idaho Code §§ 67-6523 and 67-6524 authorize the City to impose a moratorium on the issuance of selected classes of permits when Council finds that an imminent peril to the public health, safety, or welfare exists which requires the imposition of such a moratorium; and

WHEREAS, Chapter 33 of the International Building Code (the "IBC"), adopted by the City by M.C. § 15.08.005, requires a permit for the demolition of any structure; and

WHEREAS, demolition permits are a special class of permits issued by the City's Building Department over-the-counter and does not require any formal review or input from the Planning Department or the Commission with regard to the condition of the building and the reason(s) for the demolition, an assessment of the structure that is proposed to replace the demolished building (if any) by the Planning Department or Commission, the collection of photographs, history, and potentially salvageable materials, or an opportunity to inform the owner about historic preservation and potential tax credit opportunities; and

WHEREAS, Idaho Code § 67-4601 states, in part: "the legislature of this state has determined that the historic, archaeological, architectural and cultural heritage of the state is among the most important environmental assets of the state and furthermore that the rapid social and economic development of contemporary society threatens to destroy the remaining vestiges of this heritage, it is hereby declared to be the public policy and in the public interest of this state to engage in a comprehensive program of historic preservation, undertaken at all levels of the government of this state and its political subdivisions, to promote the use and conservation of such property for the education, inspiration, pleasure and enrichment of the citizens of this state"; and

WHEREAS, Idaho Code § 67-4607 allows the City to create local historic districts and § 67-4608 provides that no exterior portion of any building or other structure shall be erected, altered, restored, moved or demolished within such district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the Commission; and

WHEREAS, the City adopted a Historic Preservation Code and formed the Commission in 2019, *see* M.C. Chapter 2.85, received Certified Local Government (CLG) status also in 2019, and adopted a Historic Preservation Plan (the “HPP”) in 2021 following extensive community engagement regarding the preservation of significant historic and cultural assets for the benefit, enjoyment, and general welfare of the citizens of the City. The HPP included priority action items; and

WHEREAS, the Commission is tasked with advising the Mayor and City Council on matters of historic preservation, making recommendations in the planning processes undertaken by the City, and recommending ordinances or other actions for the purposes of historic preservation in the City, *see* M.C. § 2.85.050(A); and

WHEREAS, the 2021 HPP includes the goal to “identify and document Coeur d’Alene’s historic and cultural resources” (Goal 1), and the recommendation to conduct a reconnaissance level survey of the downtown core and downtown north (3.31-b). The HPP identified downtown development pressure as a “Threat” in its SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis due to diminished integrity of commercial buildings through inappropriate additions and alterations along Sherman Avenue. The HPP states: “The oldest standing buildings and structures in Coeur d’Alene are connected to this development period.” The HPP also includes a Main Street Recommendation (3.6-6a) to work with the Downtown Association as a prominent stakeholder for historic preservation advocacy; and

WHEREAS, downtown Coeur d’Alene contains a number of historically, culturally, and architecturally significant buildings, which represent some of the earliest structures built in the City. These structures are expected to contribute to a future local historic district and include three buildings that are on the National Register of Historic Places (“NRHP”). Others structures also may be eligible for such designation. Many of the existing buildings in the downtown area date back to the late 1800's and early 1900's, and represent significant historic architecture and important dates in the community’s history. Buildings and sites from this period include the last remaining buildings from Fort Sherman, established in 1880. The street grid for the downtown core and the role of Sherman Avenue as the City’s “main street” were established during this time period; and

WHEREAS, the City has been informed that it will receive a CLG grant in the amount of \$11,000.00 to conduct a reconnaissance survey of the downtown area to identify and evaluate historic resources and buildings for the potential of creating a local historic district. The survey work will begin later in 2024, once the City receives a notice to proceed and a consultant has been selected; and

WHEREAS, City Council tasked City Staff to work with the Commission to review and update the development standards and design guidelines for the DC Zoning District, the DO-N and DO-E Districts, and a working group has formed and commenced its work in earnest. This work will include public engagement; and

WHEREAS, the Roosevelt Inn (the former Roosevelt School built in 1905 and on the NRHP), located at 105 E. Wallace Avenue, has a potential buyer and developer, and the original intent was to demolish this historic structure. The risk of loss of this structure prompted public outcry and an online petition with over 5,300 signatures to save the Roosevelt Inn; and

WHEREAS, other anticipated developments on Sherman Avenue and Front Avenue, with two buildings over 200 feet tall and another that is 75 feet tall, have also prompted concern from the public about the historic integrity of the City's downtown area; and

WHEREAS, the demolition of the Roosevelt Inn or other buildings within the areas and as depicted on Exhibits "A" and "B" would result in the permanent loss of significant historic and cultural assets, and would negatively impact the historical and cultural integrity of the community, thereby harming the general welfare of the citizens of Coeur d'Alene and the state of Idaho; and

WHEREAS, the integrity of the areas identified in this moratorium are very important to the historical continuity and feel of the historic downtown core and downtown neighborhoods, and the associated view corridors; and

WHEREAS, currently the City's Historic Preservation Code does not offer any protections for historic properties, even those on the NRHP, and thus any of the historic and culturally significant buildings within the identified boundaries shown on Exhibit "A" or the historic properties shown on Exhibit "B" could be demolished or removed at any time without discussion or notice to the public; and

WHEREAS, the public, through a petition with over 5,300 signatures to preserve the historic Roosevelt Inn, public comments at City Council meetings, and letters to the editor, has expressed concern over losing historical buildings within the City; and

WHEREAS, demolition within the identified districts and on the identified historic properties could occur before the City can begin to survey the downtown, bring forward recommended changes to the Zoning Code, and evaluate the feasibility of a potential City-recognized historic district; and

WHEREAS, an imminent threat to the public health, safety, and welfare has been identified and data have been submitted by community members citing studies from the National Institutes of Health which show the mental and social health impacts resulting from the loss of historic properties and community character. The medical term is "root shock" and refers to the traumatic stress reaction to the destruction of all or part of one's emotional ecosystem. Another term used by health professionals is "solastalgia" and refers to the place-based pain or distress caused by the loss of a comforting place; and

WHEREAS, mental health professionals in the community have cited mental health impacts related to the loss of a historic buildings. The research on grief and loss has been significant. The loss of historic buildings does not merely constitute an architectural change, but a loss of belonging, a loss of identity, and a loss of rootedness. For many, these buildings hold sentimental value, evoking cherished memories, and their demolition can trigger feelings of grief and displacement. The act of demolishing historic buildings can exacerbate existing mental health issues within the community. It fosters a sense of powerlessness and disenfranchisement among residents who feel unheard and undervalued regarding decisions affecting their surroundings. The loss of familiar landmarks can disrupt an individual's sense of place and belonging, leading to feelings of isolation and alienation; and

WHEREAS, the imminent threat to the public health, safety, and welfare arising from the loss of important historic and cultural assets necessitates the immediate imposition of a moratorium on the demolition, removal, or significant alteration of buildings within the area identified on Exhibit "A" and the properties identified in Exhibit "B"; and

WHEREAS, by statute, the moratorium is temporary in nature, would only apply to historic buildings within the boundaries identified in Exhibit "A" and individual properties on the NRHP as set forth in Exhibit "B," and would not apply to outbuildings (*e.g.*, garages), dangerous buildings, buildings that are less than 50-years-old, residential structures, or interior demolitions, and shall expire one hundred eighty-two (182) days after the adoption of this Resolution; and

WHEREAS, the moratorium will allow the City to consider amendments to the Zoning Code and the creation of a new historic district. Other protections will require planning activities authorized under the Idaho Local Land Use Planning Act, including potential rezoning and a Comprehensive Plan amendment, and a new demolition review process with a certificate of appropriateness as authorized by Idaho Code; and

WHEREAS, it is deemed to be in the best interests of the City of Coeur d'Alene and the citizens thereof to impose said temporary moratorium.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Coeur d'Alene that the City should, and hereby does, declare a moratorium on the issuance of certain permits as follows:

1. The moratorium shall prohibit the issuance of permits for the demolition or moving of buildings under the Building Code for structures located in the Downtown Core Zoning District, and the Downtown Overlay, Northside, and Downtown Overlay, Eastside, Districts, and buildings listed on the national register of historic places, more specifically within the area depicted in Exhibit "A" and the buildings described in Exhibit "B."


2. The moratorium shall also prohibit the issuance of permits that would result in the significant alteration of the exterior of a building under the Building Code for the structures within the area depicted by Exhibit "A" and described in Exhibit "B."
3. This moratorium shall not apply to the abatement of dangerous buildings, pursuant to Chapter 15.09, Municipal Code, for conditions that would imperil the health or safety of the public, to residential buildings, or for interior remodels or the demolition of outbuildings, or buildings under 50 years of age.

BE IT FURTHER RESOLVED that there is an imminent peril to the public health, safety, and welfare posed by the potential demolition of historic properties located in the area described in Exhibit "A" and of the historic properties identified in Exhibit "B," which can be averted only by imposition of this moratorium.


BE IT FURTHER RESOLVED that the facts recited above are true and correct, and are adopted as findings and incorporated into this Resolution.

BE IT FURTHER RESOLVED that this moratorium shall be in full force and effect from and after its approval, and shall remain in effect for a period not to exceed one hundred eighty-two (182) days from its effective date, pursuant to Idaho Code §§ 67-6523 and 67-6524.

DATED this 18<sup>th</sup> day of June, 2024.

  
James Hammond, Mayor

ATTEST:

  
~~Renata McLeod, City Clerk~~

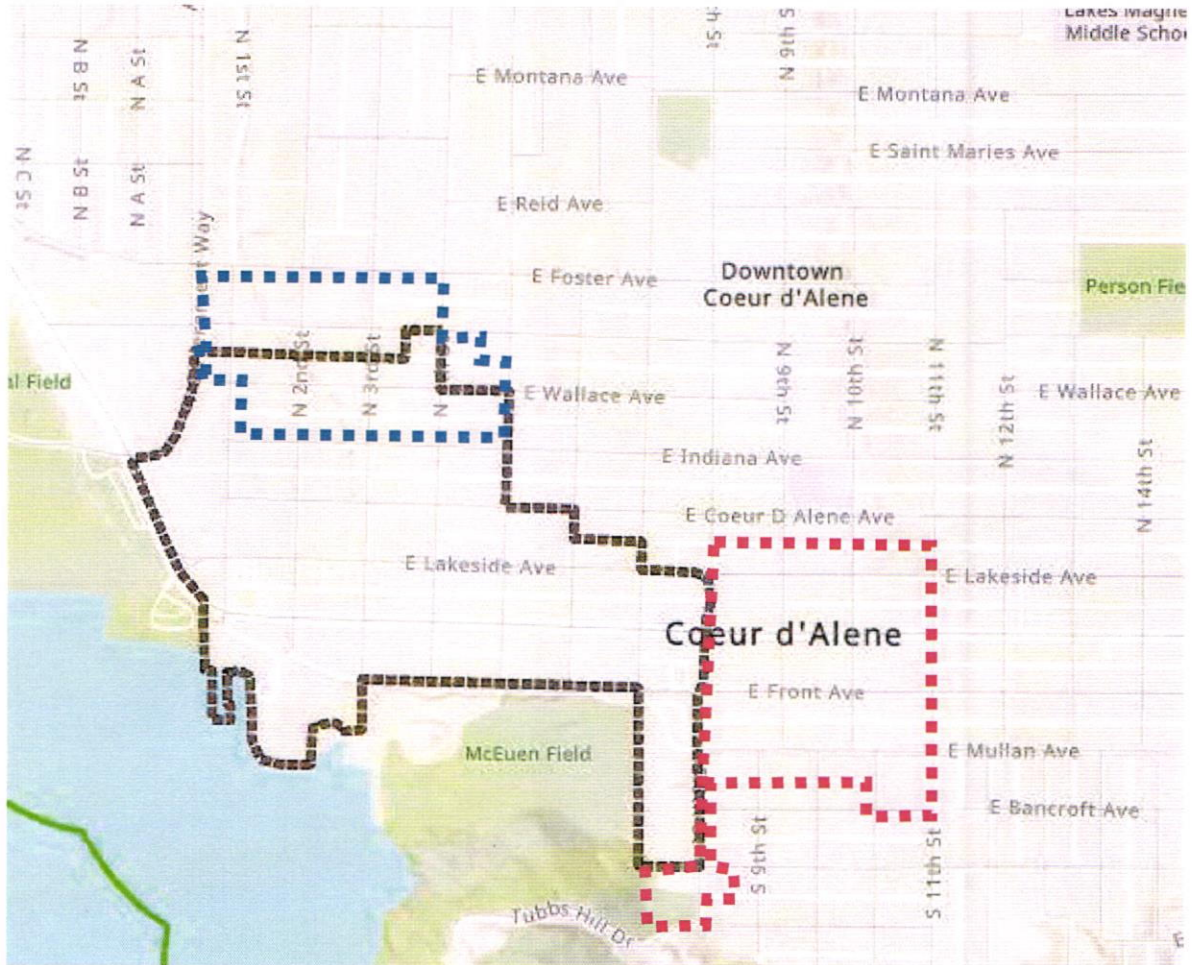
Motion by Miller, Seconded by Evans, to adopt the foregoing Resolution.

ROLL CALL:

COUNCIL MEMBER MILLER	Voted	Aye
COUNCIL MEMBER MCEVERS	Voted	No
COUNCIL MEMBER EVANS	Voted	Aye
COUNCIL MEMBER WOOD	Voted	Aye
COUNCIL MEMBER GOOKIN	Voted	Aye
COUNCIL MEMBER ENGLISH	Voted	Aye

Motion carried.

**EXHIBIT A:  
DOWNTOWN CORE, DOWNTOWN NORTH OVERLAY & DOWNTOWN EAST OVERLAY BOUNDARIES**



**LEGEND**

- ■ ■ Downtown Core
- ■ ■ Downtown North Overlay
- ■ ■ Downtown East Overlay

**EXHIBIT B:  
NATIONAL REGISTER-LISTED PROPERTIES SUBJECT TO MORATORIUM**

<b>NPS REF #</b>	<b>Property Name</b>	<b>Listed Date</b>	<b>Notes</b>	<b>Location</b>	<b>Level of Significance</b>
79222792	Coeur d'Alene City Hall	8/3/1979		Fifth & Sherman	Local
77000461	Coeur d'Alene Federal Building	28475		Fourth & Lakeside	State
78001071	Coeur d'Alene Masonic Temple	5/22/1978		525 Sherman	State
85001126	Davey, Harvey M., House	5/23/1985	<i>Greenbriar Inn</i>	315 Wallace Ave	Local
79000793	First United Methodist Church	6/18/1979		619 Wallace Ave	State
79000794	Fort Sherman Buildings	10/25/1979	<i>Five buildings listed as individual parcels and not as a historic district. The McCormick House has been demolished.</i>	North Idaho Junior College Campus	State
75000633	Inland Empire Electric Railway Substation	6/27/1975	<i>Human Rights Education Institute (HREI) building</i>	414 W Fort Grounds Dr	State
77000462	Kootenai County Courthouse	12/23/1977		501 Government Way	State
76000676	Roosevelt School	7/30/1976	<i>Roosevelt Inn</i>	First Street & Wallace Ave	State
77000463	St. Thomas Catholic Church	10/5/1975		919 Indiana Avenue	State
100007118	Hamilton House	10/28/2021	<i>Music Conservatory - Hamilton, Boyd and Alta House</i>	627 Government Way	