



HISTORIC PRESERVATION COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho

Thursday, August 22, 2024 at 4:30 PM

MINUTES

ROLL-CALL ATTENDANCE

☒ Blaine Johnston, Chair

☒ Pam Jagosh ([virtual](#))

☐ Jack Keller

☒ Heather Giacomo

☒ Patrick Gittings, Vice Chair

☒ Ken Freeze

☐ Debra Pitts

City Employees Cassandra Schiffler, Paxton Hergenroeder, Bill Nary (Legal), and Bill Parsons (Current Planning Supervisor) Present.

B. Johnston called meeting to order at 4:30 PM.

ADOPTION OF AGENDA

P. Gittings motions to adopt the agenda, seconded by K. Freeze. All Ayes.

APPROVAL OF MINUTES [ACTION ITEM]

1. **Approve:** Minutes from the 7-25-24 Meeting of the Historic Preservation Commission

P. Gittings motions to approve minutes from 7-25-24 meeting, seconded by K. Freeze.

APPROVAL OF MONTHLY FINANCIAL STATEMENTS [ACTION ITEM]

2. **Approve:** Monthly Financial Statement

B. Johnston calls on C. Schiffler for updates on the Financial Statement. C. Schiffler states there is an anticipated invoice from Sheri Freemuth, Senior Planner J-U-B Engineers, for next month that has not been processed yet.

K. Freeze motions to approve the monthly financial statement, seconded by P. Gittings. All Ayes.

NEW BUSINESS [ACTION ITEMS]

3. **News:** Meridian Speedway to Receive the Ada County Treasure Award
B. Johnston states that this award is granted from Ada County Historic Preservation Council (ACHPC). They have elected the Speedway to receive that award this year. B. Johnston states he is unsure if October 26th is the correct date, and looks to C. Schiffler for confirmation. C. Schiffler elaborates that Barbara nominated the speedway, and that the ACHPC mentioned October 26th, but neither the Speedway or the Dairy Board have confirmed if that date works for them. The date is tentative.
4. **Approve:** Purchase of National Register of Historic Places Plaque for Meridian Speedway Recognition [ACTION ITEM]
B. Johnston calls on C. Schiffler for an update. C. Schiffler states that she is aiming to have the plaque finished in time for a ceremony. If a ceremony is approved, C. Schiffler received a quote for \$509.20, which would be received in time for the proposed October 26th ceremony. No location has been chosen, but funds from 2024 can be used for the plaque if ordered now. B. Johnston confirms that there is a 5-7 week delivery time and should be available for the ceremony if ordered now.
P. Gittings motions to approve the purchase of the plaque, seconded by K. Freeze. All Ayes.
5. **Presentation:** Old Town Zoning ~ *Bill Parsons, Current Planning Supervisor*
B. Johnston calls on B. Parsons to begin the Old Town Zoning Presentation.
B. Parsons introduces himself as the Current Planning Supervisor for the City of Meridian. He states his role is managing the planning team in charge of city development, including sign permits, commercial buildings, subdivisions, and open space. B. Parsons, referencing the attached presentation, talks about what Old Town Zoning is and how it came to be in.

B. Parsons states that 1984 is when the city first adopted its first subdivision and zoning ordinance in Oldtown. In state code there is the local planning act that requires the city to adopt a comprehensive plan and that is the framework that sets the policies using a future land use map (FLUM). B. Parsons references a graphic, saying the area outlined in pink that is what is designates as “Old Town”.

B. Parson states that the vision for the city is over time the properties within the Old Town boundary will either redevelop using an existing structure on the property or assemble a bunch of property like a large vertically integrated building. B. Parsons clarifies that the Old Town Zone and comprehensive plan are visionary, not law like zoning.

B. Parsons states that other documents are used, such as the “Destination Downtown Plan” which is referenced in the Comprehensive plan. B. Parsons states that the Urban Renewal District (adopted in 2008) sets the framework for various districts in our downtown. B. Parsons reiterates that the Old Town Zone does not relate to zoning, but is meant to guide the City’s vision in the event that someone comes in with a development proposal, to talk about what they can do to potentially

reuse an existing building or maybe scrap the building and build from new construction. B. Parsons states that Old Town envisions reusing the original buildings and converting them into commercial places that make people gather.

B. Parsons says if someone wanted to demo a property with an older home and it was not part of the HPC's purview, the applicant / property owner could propose to remove that structure and build something new on the site, provided they met the zoning regulations. B. Parsons clarifies that although the Old Town Zoning is meant to help preserve or reuse existing properties, it also allows property owners to improve upon and go vertical on a piece of property.

B. Parsons states that the city would also require design review for any new structures, not only for historical structures. There are a specific set of guidelines in the city's architectural standards manuals. B. Parsons says that at some point in time we want to address the topic of adopting new standards that would be codified in City code and be supported by the comprehensive plan.

B. Parsons states that Old Town zoning is the tool that we use to implement the city's vision. It's a set of expressed standards that would be required by law. Old Town district speaks to the intensification and the protection / preservation of properties within the zone. B. Parsons brings up examples of converted buildings on Washington Street. He says that Oldtown encourages a broad mix of commercial buildings, a mixed-use designation for a property owner.

B. Parsons states that in the Oldtown Zone there is a specific area defined as the Urban core, and in that area the Oldtown Zone would want even more vertical intensification. For example, the structure across the street from City Hall is part of the defined Urban core area. There is a minimum height of 35 ft, but a maximum height of 90 feet was granted in that particular project. B. Parsons says that the increase in the height of buildings would encourage more traffic to downtown, as they are easier to view from farther away. A minimum two-story building will be required on new construction. So, if someone were to have a vacant lot in Old Town and they want to build a new home, it would be required to be a two-story construction.

B. Parsons states that a lot of the parcels in downtown are smaller parcels, so to get anything of substantial size in in downtown, you're going to have to have some a public private partnership to assimilate or consolidate some of those parcels and go vertical and provide some of these additional Urban spaces. B. Parsons concludes the presentation with a summary of the previously mentions goals / vision of the Old Town Zone. B. Parsons opens for questions.

COMMISSIONER COMMENTS / QUESTIONS:

- K. Freeze asks if an Old Town building burns down on a parcel and the property owner wants to rebuild, is there anything to prevent them from creating a building with a modern design that contrasts with the historical designs of other properties in Old Town. B. Parsons says that there's nothing in the code that

preserves the original design of the building if the property owner were to make a new construction. B. Parsons says if the new structure were to meet height requirements and other standards it would be approved. K. Freeze brings up an example that he thinks is nice but completely out of place for Old Town, a building located on Main Street and East Broadway Avenue. K. Freeze says he thinks there should be something in place so a building like that could have been built with an exterior that was in keeping with the rest of Old Town Construction in some way. K Freeze says that at least in the Oldtown core if there's going to be new construction or even renovation he believes there should be something in place so that the buildings will be either constructed or renovated in such a way that they will be in keeping with the Oldtown look. K. Freeze wants to avoid a mixture of both old buildings and new buildings. He asks if it just a matter of policy to implement something like this or ingrain something in the city code.

- B. Parsons answers that it would relate to city code, and would be up to the will of the HPC and even city council. He asks the commission what other elements would they like to see, and what is within the realm of the Oldtown style.
- B. Parsons states that there's quite a few elements to the Old Town style that it's pretty subjective. K. Freeze agrees that Old Town contains a lot of different elements, but that aligning with those elements for future construction would be in keeping with the Old Town design style. K. Freeze reiterates that he would like to see some movement along the direction of a policy change now and potentially codify it. B. Parsons notes K. Freeze's concerns, and suggests to express these concerns to city council.
- H. Giacomo has some questions pertaining to demolition. She asks if there are any special steps right now where a home that is older is flagged during a demolition permit application so that somebody can look at the building for historical purposes. B. Parsons answers that there is nothing in our code that does that. He says if someone wants to demo a home, they would go through our building department and pull a demo permit. B. Parsons states a lot of times when people want to develop properties in downtown they have to go through the design review process. He says although it's not necessarily required by code, his team does encourage people to try to stay within theme and mimic the current architecture on the property. C. Schiffler adds that the demolition process is something that is addressed in the attached draft memo.
- B. Johnston asks for confirmation that the Old Town boundaries are from south of the railroad tracks all the way to Cherry, three or four blocks either side of those two roads. B. Parsons confirms, and brings up a map to provide B. Johnston with a visual. B. Johnston suggests that for certain parts of the Old Town area, we shouldn't require 2-stories so that new buildings can better match the surrounding architecture. B. Parsons agrees, but says that in order to redefine Old Town it would have to be brought before the Planning and Zoning Committee. B. Johnston reiterates that the proposed demolition plan in the memo doesn't try to stop demolition altogether, but delays it for 30 days so HBC can have a chance to document what's there before it is gone. It also would give a property owner the option to move the structure instead of tearing it to the ground.

- B. Johnston also asks if a development in Old Town is converting an existing structure residential to commercial, or rebuilding a residential and going up a story / adding on to it, is there a design review for any project in Oldtown. B. Parsons answers that there is no design review for single family. The focus is on two-story constructions, and they are very limited on what they can require.

OLD BUSINESS [ACTION ITEMS]

6. Recommend: Revised Draft Memo to City Council: Landmarking Program Analysis [ACTION ITEM]

B. Johnston calls on B. Nary, asking if it's alright if B. Parsons sits in on this discussion. B. Nary confirms. B. Johnston, addressing B. Parsons, states that since we don't have a lot of family home buildings in downtown that are actually eligible for the national listing, State Historic Preservation Office (SHPO) asked us to look at properties that are of historical and cultural significance to the city. HPC is going to try and mark these properties and get them documented. B. Johnston calls on C. Schiffler to discuss the revised draft memo.

C. Schiffler provides a review of the landmarking program. She states that there are only 2 cities in the state of Idaho with a landmarking program: Ketchum and Boise. She highlights that a historic property designated by ordinance as here in provided may be demolished, material altered, remodeled, relocated or put to a different use only after 180 days written notice of the owner's proposed action has been given to the local historic preservation commission. C. Schiffler states that the HPC should think about what criteria would be used for the landmarking program. She suggests that it is for eligible National Historic registry properties, and some properties that have been mentioned like Modern Woodman Hall which is not eligible but might be significant and important. She says that the City of Ketchum had a specific list of approximately 25 properties. C. Schiffler states that the National Historic registry might include some farms and things that are not in the downtown area.

B. Johnston asks when the memo might be presented to council. C. Schiffler answers that assuming the memo will be approved, it will be presented in 1-2 months and encourages the HPC to attend the meeting.

B. Johnston states that there should be stricter design review standards in the city.

H. Giacomo asks if there is any budget for Sheri to attend the meeting with the commission. C. Schiffler answers that there is no more in the budget within our current contract, but might be able to create a small secondary contract to bring her back specifically for the meeting. H. Giacomo and B. Johnston agrees it would be worthwhile to bring Sheri back. P. Gittings asks about the timeline of presenting. C. Schiffler clarifies that the memo could be added to the agenda by the end of September, but that her schedule is packed until the beginning October and cannot meet before then.

B. Johnston thanks B. Parsons for attending.

K. Freeze motions to approve the revised draft memo, seconded by P. Gittings. All Ayes.

7. **Approve:** Commissioner Conference Registration Reimbursement Cost for PastForward National Preservation Conference in Louisiana October 28-30, 2024 in the Amount of \$665 [ACTION ITEM]

P. Gittings Motions to approve Reimbursement Cost for PastForward National Preservation Conference in Louisiana October 28-30, 2024 in the Amount of \$665, seconded by K. Freeze. All ayes.

8. **Discuss:** Panel Presentation of Meridian Historic Preservation Initiatives at the American Planning Association Idaho Chapter in Moscow, Idaho October 3, 2024

B. Johnston calls on C. Schiffler for an update. C. Schiffler states that there is an American Planning Association Idaho chapter meeting in Moscow and the consultant Sherry has proposed a panel which was accepted for the conference. C. Schiffler states that she proposed the meeting to her leadership, and the budgets are approved so she can attend to help present on the panel about what Meridian is doing for historic preservation efforts, including the landmarking program. B. Johnston clarifies for the commission that since C. Schiffler works for the city, funds from the HPC budget will not be used.

9. **Discussion and Planning:** Guided Historic Walking Tours

B. Johnston states that there were 14 attendees for K. Freeze's last guided tour, which lasted about an hour and a half. All 14 stayed for the entire duration. K. Freeze adds that he took the tour in reverse because he thought it was important that Pine Street School was seen at the beginning. He also skipped the more northern locations to save time. B. Johnston proposed the next walking tour should be on Saturday September 21 at 10am. B. Johnston volunteered to lead the tour.

B. Johnston calls on C. Schiffler to elaborate on the new proposed brochure design for the Historic Walking Tour. C. Schiffler introduces Paxton Hergenroeder as the Arts and Culture Seasonal Assistant, she has been working on arts projects for the Meridian Arts Commission and has graphic design knowledge. C. Schiffler states that P. Hergenroeder has revamped the Historic Walking Tour Brochure and comments were made about issues regarding the current booklet. C. Schiffler says that D. Pitts had previously suggested adding numbers to the map on the brochure, which has been added to the new version. The brochure is now one single piece of paper (with four folds) instead of a booklet, so it can now be printed at home. C. Schiffler states that the new version has less information as it has been condensed to fit onto one paper. This version of the brochure is not final, and is open to suggestions from the commission. C. Schiffler states that the QR code is still not functioning, will she has been working with IT to fix it.

C. Schiffler calls on P. Hergenroeder to provide additional information about the brochure. P. Hergenroeder clarifies that the white lines on the border of the brochure are not intended to stay, and will not be showing when the brochure is professionally printed. P. Hergenroeder states that she wanted to refresh the theme of the overall brochure with a new color scheme that follows branding colors for the City of Meridian (gold, blue, black, white, and grey) while also retaining some of the antique elements of the original booklet.

B. Johnston states he likes the colors and especially enjoys the historical facts included on the back of the brochure. He wants to use the fact about Eliza Zinger in a Facebook post. B. Johnston says that although the text is smaller, it is not difficult to read for him and shouldn't be an issue. B. Johnston thinks the new version will save a lot in printing costs, and asks the other commissioners to review the brochure for mistakes.

K. Freeze adds that he personally prefers the four-fold brochure style, he likes that he can see all the information on one page when unfolded.

P. Gittings asks where the QR code is meant to take people to. C. Schiffler answers that the QR code is meant to take individuals to MeridianCity.org/History.

H. Giacomo asks why there are two #17s on the map, and why one is larger than the other. P. Hergenroeder answers that #17 is a special section on the back that is called "The East Idaho Avenue Historic Area", which encompasses several buildings. The smaller 17 is the Hoyne building, which is across the street from the rest which is why it was separated visually on the map. C. Schiffler asks the commission if they'd prefer one 17 instead of two. H. Giacomo states she is unsure how to adjust it. B. Johnston suggests shifting the larger 17 down to encompass both areas and removing the smaller 17. P. Hergenroeder states she likes the idea and will provide another version with their suggestions. H. Giacomo states she loves all the updates on the new brochure. No other comments.

10. Other Project Updates: Eggers Farmstead Development, SHPO Grant and Historic Preservation Plan

B. Johnston calls on B. Nary to provide an update on the Eggers Farmstead Development agreement with Mr. Barton. B. Nary states that the council had approved the transfer of the Barn to a city site for storage during the interim until another location is found. B. Nary states he's reached an impasse at the moment with the property because the developer does not want to retain ownership; he wants to disassemble the property and transfer it to the city. B. Nary states that that was not what the council agreed to so they're looking for an alternative. B. Nary states that the city taking ownership of the property makes it problematic later if they were to then want to move the property onto some other piece of property that doesn't belong to the city. B. Nary states he's looking for an alternative to at least hold the property, whether it's a private entity or a nonprofit to hold it as owners until we can find a permanent location. B. Nary says there were discussions at the council meeting in regards to this property and whether it would potentially end up back on the site in a different location, or end up on a city property or on a private property on public display. B. Nary says they're still trying to determine where it's going to go. B. Nary states he plans on contacting the Library to see if they'd be willing to take on the property. B. Johnston asks if (theoretically) the developer can move forward with construction without an agreement signed. B. Nary confirms the developer cannot do anything until an agreement is signed.

B. Johnston calls on C. Schiffler to provide an update on the SHPO Grant. C. Schiffler states that there is now a new city process for grants where it now has to go through the grants committee. She states that although the SHPO grant was

submitted before the update she wanted to meet with the committee to make sure everyone was on the same page. She says that the grant is currently on the posted city council consent agenda for next week so the next step is they'll approve it, and then she'll send it back to SHPO for execute it. B. Johnston asks if the HPC needs to complete the Historic Preservation Plan before the grant is awarded. C. Schiffler confirms that it's a reimbursement style grant, so the Historic preservation plan will need to be complete in order to be reimbursed. B. Johnston adds that the next step on the preservation plan is to send it out to a vendor. C. Schiffler clarifies that the commission can't commence with any work until October 1, but Sherry from JUB is going to submit a proposal in order to wrap up everything with the landmarking program memo.

FUTURE MEETING TOPICS / DISCUSSION

- PastForward Conference
- Landmarking Program
- Historic Preservation Plan

NEXT MEETING: SEPTEMBER 26, 2024

ADJOURNMENT

K. Freeze motions to adjourn the meeting, seconded by K. Freeze. All Ayes.

*Historic Preservation
Commission Meeting
August 22, 2024*



Introduction

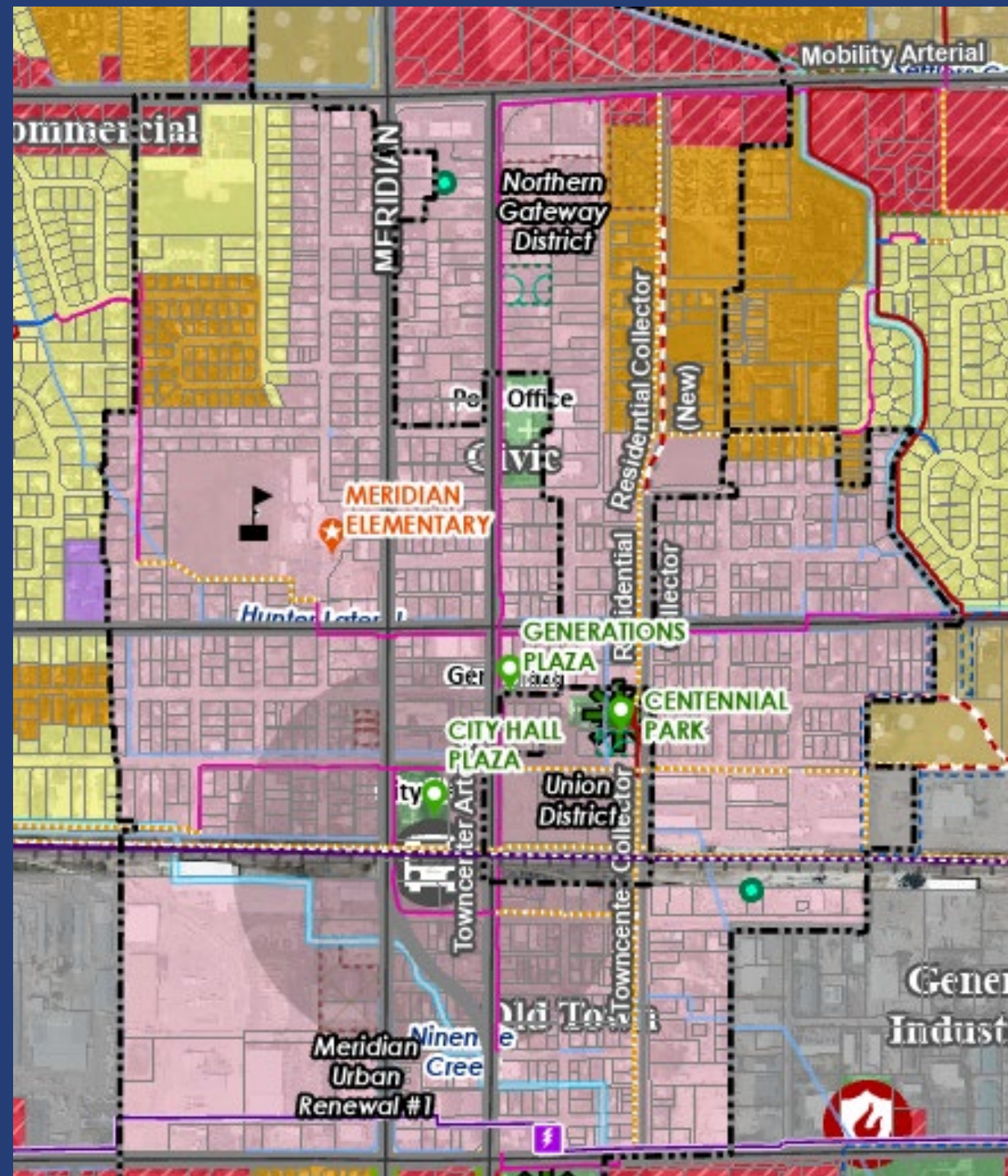
- ▣ Bill Parsons - Current Planning Supervisor
- ▣ Role – All things Land Use Related
- ▣ Framework for Old Town Zoning (O-T)
- ▣ What is Old Town Zoning?

Comprehensive Plan

- ▣ A broad visionary document adopted by the City that establishes the policies and future land use map (FLUM) designation to support the Old Town zoning. Contains a broad statement specific to the Old Town land use designation which also includes sample zoning. The Plan and the other support documents are “aspirational” in nature.
 - Old Town Land Uses (Excerpt from the Plan)

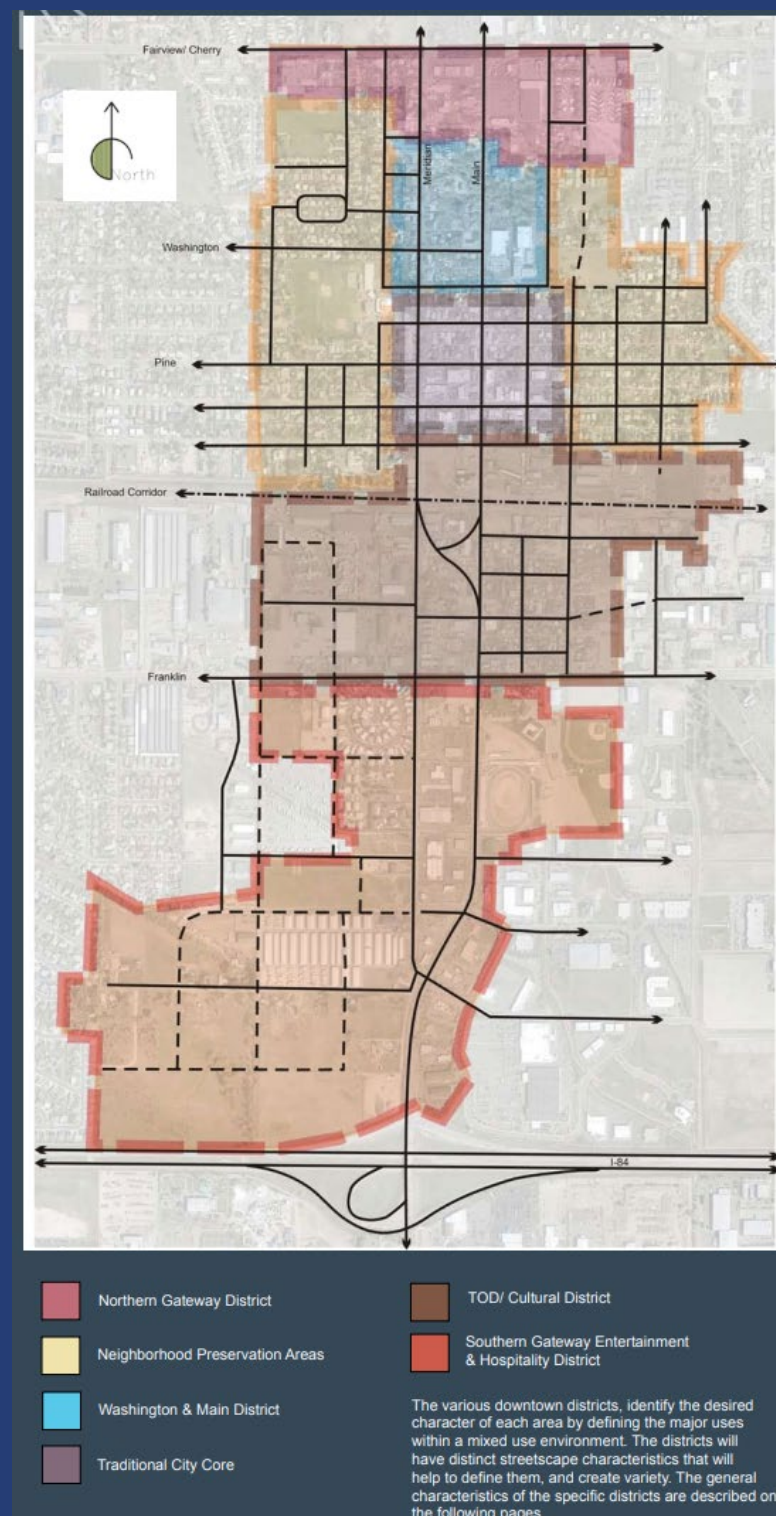
This designation includes the historic downtown and the true community center. The boundary of the Old Town district predominantly follows Meridian’s historic plat boundaries. In several areas, both sides of a street were incorporated into the boundary to encourage similar uses and complimentary design of the facing houses and buildings. Sample uses include offices, retail and lodging, theatres, restaurants, and service retail for surrounding residents and visitors. A variety of residential uses are also envisioned and could include **reuse of existing buildings**, new construction of multi-family residential over ground floor retail or office uses. The City has developed specific **architectural standards for Old Town** and other traditional neighborhood areas. Pedestrian amenities are emphasized in Old Town via streetscape standards. Additional public and quasi-public amenities and outdoor gathering area are encouraged. Future planning in Old Town will be reviewed in accordance with Destination Downtown, a visioning document for redevelopment in Downtown Meridian. Please see Chapter 2 Premier Community for more information on Destination Downtown. **Sample zoning include O-T.**
- ▣ Other companion documents include Destination Downtown which also sets the framework for specific districts in Downtown.
- ▣ Architectural Standards Manual (ASM) sets the design guidelines for the Old Town Zone. More specific design guidelines specific to downtown may be developed in the future.

FLUM



Destination Downtown

https://www.meridiandevelopmentcorp.com/sites/default/files/imce/Vision%2BDocument_052510.pdf



Old Town Zoning (O-T)

- ▣ Old Town zoning is the tool that implements the Plan. It is a set of expressed standards required by law.
- ▣ Old town district (O-T). The purpose of the O-T district is to accommodate and encourage further intensification of the historical city center in accord with the Meridian Comprehensive Plan. The intent of the O-T district is to delineate a centralized activity center and to encourage its renewal, revitalization and growth as the public, quasi-public, cultural, financial and recreational center of the city. Public and quasi- public uses integrated with general business, and medium high to high density residential is encouraged to provide the appropriate mix and intensity of activities necessary to establish a truly urban city center.
- ▣ Allows a broad mix of commercial and residential uses (O-T Zoning) .
- ▣ 11-2D-4. - Standards in the old town district (O-T).
 1. A. Building height. In the area defined as the city core in chapter 1, any new construction shall have a minimum height of thirty-five (35) feet and a maximum height of one hundred (100) feet. All other areas in the district, the maximum building height is seventy-five (75) feet.
 2. B. Number of stories. Minimum number of stories for new construction is two (2) and/or as set forth in the "City of Meridian Architectural Standards Manual".
 3. C. Streetscape improvements. Streetscape improvements within the city core shall be designed in accord with the "City of Meridian Public Works Design Standards Manual".
 4. D. Residential to commercial conversions. Residential to commercial conversions within old town shall comply with the established standards set forth in the "Architectural Standards Manual" (ASM) and structure and site design standards set forth in Section 11-3A-19 of this title. Where there are site constraints that prevent a conversion from wholly complying with these standards, the applicant may submit for a design standard exception as set forth in the ASM.
 5. E. Public and other urban open spaces. When proposed as part of a development, public and other urban open spaces shall have sufficient pedestrian access and be integrated into the overall site design.

▣ Questions?



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Meridian Historic Preservation Commission (HPC) **Meeting Date:** Month, Day 2024

Presenter: Cassandra Schiffler, Arts and Culture Coordinator and Blaine Johnston, HPC Chair **Estimated Time:** 20 minutes

Topic: Local Historic Landmarking Program

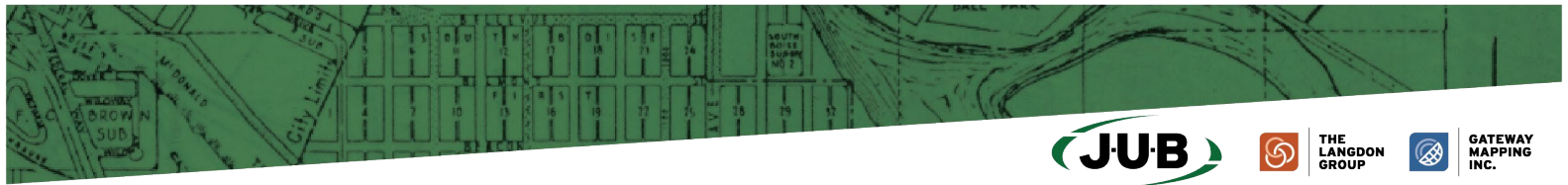
Recommended Council Action:

Our commission asks the Mayor and City Council to review this memo and to provide feedback from the Council on the prospect of pursuing a landmarking program including the next steps outlined in this memo.

Background:

The role of our commission is to preserve the historic sites and landscapes of Meridian, and to increase the appreciation of these cultural resources by residents and visitors alike. The Certified Local Government (CLG) program, that is operated by the Idaho State Historic Preservation Office (SHPO), provides an array of tools and some funding to support our efforts. Recently the Idaho SHPO recommended that the Meridian HPC consider utilizing a local historic landmarking program. The HPC has collaborated with a preservation planning consultant to explore how a local landmarking program could work for Meridian.

This memorandum provides basic information on the implementation of historic preservation by local preservation commissions. Based on our current interests, we have taken a closer look at Idaho Code Sections 67-4614 and 67-4616 and provided some observations. Applications of the local landmarking tool in Idaho, as well as other states, is also described. A possible approach for Meridian to pursue is offered by way of conclusion to this memo.



Historic Preservation Tools

With the passage of the National Historic Preservation Act (NHPA) in 1966, historic preservation gained prominence in the United States. The NHPA established the National Register of Historic Places (NRHP), the SHPOs, the Advisory Council on Historic Preservation and the Section 106 review process. In 1980, the NHPA was amended to create the CLG program providing funding and increased emphasis on the importance of local understanding and perspective to the community rather than being the sole provenance of the state and national governments. However, the NRHP still serves as the underpinning of all local historic preservation programs. Administered by the National Park Service, the NRHP is the centerpiece of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

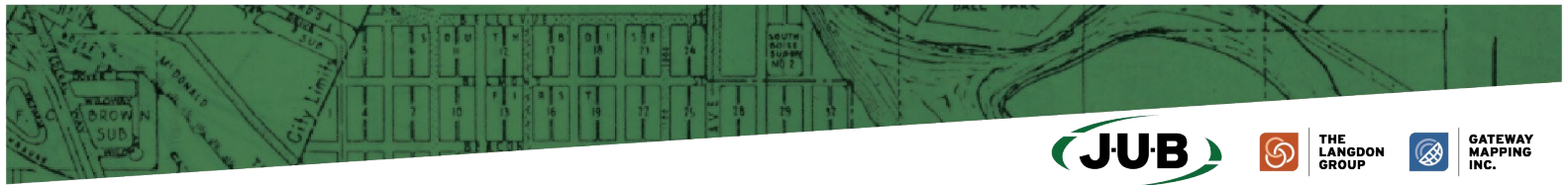
The NRHP consists of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. Under Federal Law, the listing of a property in the National Register *places no restrictions on what a non-federal owner may do with their property up to and including destruction*, unless the property is involved in a project that receives Federal assistance (usually funding or licensing/permitting).

However, local governments may designate districts and sites of local significance, with or without their inclusion in or eligibility for the National Register. Local landmarks designate a single historic structure or site while local historic districts consist of a *group of historic structures* that are significant to the City's culture and history. Cities use either tool in order to protect these sites or areas and maintain their historic integrity. Typically, properties within local historic districts are subject to local government approval at such time as a building permit is issued, for any changes to the exterior of the structures. Many communities adopt special design and development standards to support the objectives of the district and provide guidance for property owners. Code provisions and guidelines vary depending on the district.

Local Landmarking Programs

Historic Preservation programs in Idaho are provided for in Idaho Statute Title 67, State Government and State Affairs, Chapter 46 Preservation of Historic Sites (refer to Appendix A). Section 67-4612 expressly states that:

In addition to any power or authority of a city to regulate by planning or zoning laws and regulations or by local laws and regulations, the governing body ...is empowered to provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of historic properties....



Section 67-4614 further provides for the “designation as a historic property” providing the criteria for so doing and the potential for review prior to demolition of the designated property. Section 67-4616 provides a process by which local governments may regulate the change of use of a historic property.

While Idaho has over 40 cities and counties participating in the CLG program, a small percentage regulate historic properties or districts. In some of these communities, as well as other Idaho communities that are not CLGs, there exist properties and districts that are in the National Register but are not afforded the protection provided for by the local ordinances described in Idaho Statute.

Only two cities have a local landmark program – Boise and Ketchum. Both of these programs are distinct based on the nature of their historic resources (refer to Appendix B for copies of the ordinances). The City of Boise designates and maps by ordinance, individual properties that are not part of a local historic districts and are either listed in or eligible for the NRHP. Demolition or change of use in a historic landmark requires application to the City’s Historic Preservation Commission and may require further action by the City Council. The City of Ketchum also reviews demolition or change of use requests for their landmarks program. However, the City of Ketchum elected to create a list of 24 specific sites that are of local historic significance although they may not necessarily be listed in or considered eligible for the NRHP.

Other communities in Idaho have been considering adaptation of the local landmarking process. The City of Nampa Historic Preservation Plan (2020) suggests further research on the potential of such a program. The Ada County Historic Preservation Council (ACHPC), which is staffed by a planner in the Ada County Development Services department, has discussed delaying the issuance of demolition permits (presently administered by the Building Division) with a review by the ACHPC. One notion is to “flag” any demolition permit that would affect buildings over 50 years old and require review by the ACHPC. At present this process occurs informally between the building and planning divisions, with very few notices occurring over the past several years.

Examples from other states may be models suitable for use in Idaho, however State legislation, unique tax provisions and city management practices, may make adaptation to Idaho difficult. While Montana does not have any local landmarking programs, there are two examples that may be suitable from Wyoming:

- **Jackson** requires a demolition permit that will then be sent to the Teton County Historic Planning Board (TCHPB) for review. If the property is found to be historically significant, TCHPB will make a recommendation, but the Jackson Planning and Building Departments and/or the Jackson Town Council have the final say.

- **Green River** has a Historic Preservation Commission that is able to create an official list of locally significant cultural resources and submit to city council for ratification. A public hearing, with notification sent to all affected property owners, occurs and if approved, all property owners must be notified of the designation decision within fourteen days of the commission meeting.

Meridian HPC Preservation Program

The Meridian HPC “works to preserve the character and fabric of historically significant areas and structures within the City...to honor and preserve its rich heritage for future generations.” We have focused our work on the study of the City’s historic resources, as well as the education and promotion of preservation activities. While the local preservation ordinance allows the City of Meridian HPC to make recommendations to improve planning processes, including the adoption of ordinances for the purposes of preservation of historic resources, the HPC has not undertaken any local designations or design review programs.

National Register District. In September 2023 TAG Historical and Research Consulting concluded a two-phase reconnaissance-level survey of North Main Street for the HPC. The objective of the survey was to identify eligible, or potentially eligible, properties for listing in the National Register. The East Idaho Avenue and the North Main Street areas were determined to be potentially eligible as NRHP districts. As discussed above, the National Register does not provide any protection of the historic properties. To accomplish this, a local historic district could be formed (with the same boundaries or a variation), an ordinance and design guidelines prepared and adopted, that would provide for review by the HPC for changes within the district.

Local Landmarking. Earlier this year, the HPC commissioned J-U-B Engineers Inc. to draft a memorandum to consider and summarize the viability of a local landmarking program. As part of this analysis, HPC staff (in the Parks and Recreation Department) coordinated with the Meridian Planning Department to utilize a map layer of potential historic resources to provide for a “History Check” datapoint to the maps maintained by the department. While this map is not as up to date as the maps maintained by the SHPO, it does enable a planner to notify the HPC liaison if an application is made on or near mapped properties. This is similar to the informal program used by Ada County during their demolition permit review process; however, the City of Meridian demolition permit is currently an over-the-counter process with no wait time. That process could be adapted in the future to enable a review period that would provide an opportunity for closer review and possible notification of the Meridian HPC.

Unlike the local historic district process, the landmarking process may be applied to sites that are located *throughout* the city, rather than concentrated in one geographic area. This describes the presence of Meridian's resources, encompassing former farmsteads, individual residences, and prominent civic buildings, that occur in a diffuse array across the city. While local historic districts are possible, the district tool is intended to serve specific contiguous areas.

The Local Landmarking process involves 1) the designation of the sites to be landmarked, and 2) a determination of what the landmark process might entail. For example, the HPC could simply advise property owners considering demolition. Or the HPC might review applications for exterior changes to the property that require a building permit. Criteria for design and development review would be necessary if the HPC opted for the latter.

Next Steps for the Local Landmarking Program

The initial appeal for a local landmarking programs has been that it may be applied to individual, locally significant properties to recognize their importance to the City's heritage. Furthermore, the landmark status would be so noted on zoning maps and other land development databases, so that prior to issuance of any permits on the landmarked property, the HPC would be notified. Depending on the provisions established by the City of Meridian, the HPC could provide comment and recommendations on the proposed permit request. In order to achieve this objective, or some variation thereof, the following should occur:

Determine which properties would be included in the landmark program.

The City may choose the properties to designate as landmarks. These may be restricted to properties listed on or eligible for the National Register. Another option would be to landmark properties specifically selected by the HPC meeting based on specific criteria. The latter option is similar to the City of Ketchum approach that consists of a specific list of important sites that include properties that are not in the NRHP and may not be eligible. Some older buildings and sites are important to Meridian residents, such as the *Modern Woodman Hall* building, but are not in the National Register or eligible for listing.

Potential criteria for including sites in the local landmark program may include:

- building age (50 years or older)
- significance (to local history or contributing to local architecture)
- building condition
- unique location
- other attributes



In order to consider possible landmark sites, the HPC will need to enhance their understanding of the SHPO's Idaho Cultural Resource Information System (ICRIS) program. This publicly accessible database of surveyed historic sites launched this year and is essential to understanding the location of historic properties. Initial conversations between the City of Meridian and the SHPO did not yield a simple way to transfer the information to merge with City data. However, analysis of the data by the HPC and HPC staff should be possible to create an initial list of potential landmark sites. The addition of new resources to the system is also facilitated by ICRIS and would prove useful for the HPC.

Determine what types of activities on Landmarks would trigger HPC review.

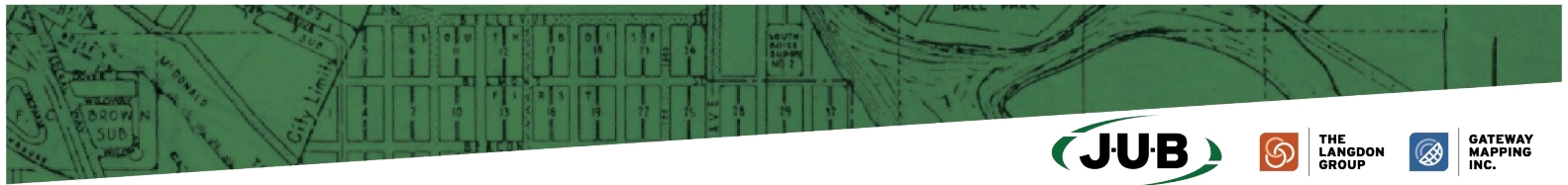
Some landmark programs confine their interests to the potential demolition of a landmark. This typically becomes apparent to a city when a Demolition Permit is issued. As discussed above, the demolition permit process in Meridian is relatively simple and "over the counter." In order to engage the HPC in the review of landmark property actions this process would need to be reconsidered so that additional time is added to the permit process.

The HPC might also want to be made aware of other permits issued by the City including discretionary permits (rezones, special use, variances) or building permits (re-roofs, fences, accessory buildings). Once aware of the permit application, the HPC would need to have a clear purpose and criteria for their review. Typically design review by preservation commission is confined to physical changes that are on the primary façade or visible from the road. This assures that the HPC is confining their review to what is in the public interest and will ensure the protection of the local historic site.

At present the Meridian HPC would prefer to confine our role in the development review process, to an advisory capacity for projects that involve a designated historic resource, providing suggestions to the applicant and planning staff regarding appropriate preservation options and treatments.

Conclusion

The Meridian HPC would like to press forward with a process that flags development permit requests on properties of local historical significance. In the short term this may be able to occur informally, using the adapted ICRIS data and communications between HPC and planning staff. However, for this to be effective over time and particularly adapted to address demolitions, the City's demolition permit process will need to be altered to allow for additional review time that accommodates staff and HPC consideration.



In addition, the City will need to develop a designation process that engages the public generally, and potential local historic landmarked property owners in particular. As discussed on page 5, criteria will need to be agreed upon and applied fairly to potential sites. The process should allow for property owners to nominate their own properties as well as reviewing and agreeing to requests from the HPC. Each listed property would eventually be mapped, listed and noted in a paper or digital publication. Property markers may also be considered.

At this City Council workshop session, the HPC would like feedback from the Council on the prospect of pursuing a landmarking program including the next steps outlined in this memo. The HPC would continue to collaborate with the Planning Department and the City Attorney on the preparation of program guidelines and code amendments. Additional discussions with the Council may be anticipated.

APPENDICES

- A. Relevant Idaho State Statutes
- B. Sample Idaho Local Landmarking Program Ordinances



Appendix A: Relevant Idaho State Statutes

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 46

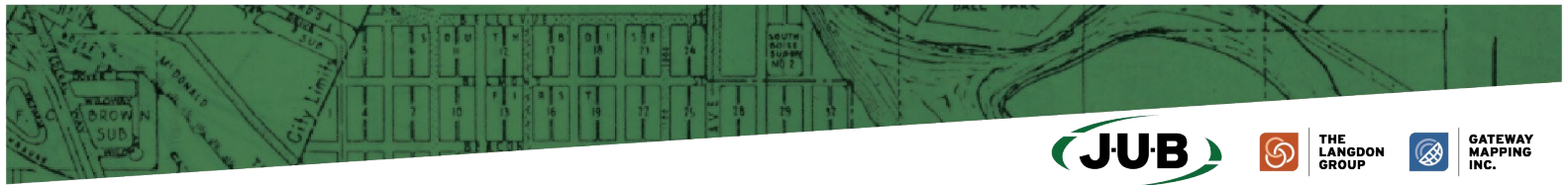
PRESERVATION OF HISTORIC SITES

67-4614. DESIGNATION AS HISTORIC PROPERTY. The local governing body of any county or city may adopt an ordinance designating one (1) or more historic properties on the following criteria: historical, architectural, archeological and cultural significance; suitability for preservation or restoration; educational value; cost of acquisition, restoration, maintenance, operation or repair; possibilities for adaptive or alternative use of the property; appraised value; and the administrative and financial responsibility of any person or organization willing to underwrite all or a portion of such costs. In order for any historic property to be designated in the ordinance, it must in addition meet the criteria established for inclusion of the property in the national register of historic places. For each designated historic property, the ordinance shall require that the waiting period set forth in section 67-4615, Idaho Code, be observed prior to its demolition, material alteration, remodeling or removal. The ordinance shall also provide for a suitable sign or marker on or near the property indicating that the property has been so designated; provided however, that nothing in this chapter shall authorize or be construed to allow the designation, regulation, conditioning or restriction by ordinance or other means of any property or facility owned by the state of Idaho.

History:



67-4616. CHANGE IN USE OF HISTORIC PROPERTY. (1) A historic property designated by ordinance as herein provided may be demolished, materially altered, remodeled, relocated or put to a different use only after one hundred eighty (180) days' written notice of the owner's proposed action has been given to the local historic preservation commission. During this period, the commission



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may negotiate with the owner and with any other parties in an effort to find a means of preserving the property. During this period, or at any time prior thereto following notice of designation to the owner as provided in section 67-4615 d., Idaho Code, and where such action is reasonably necessary or appropriate for the continued preservation of the property, the commission may enter into negotiations with the owner for the acquisition by gift, purchase, or exchange of the property or any interest therein. The commission may reduce the waiting period required by this section in any case where the owner would suffer extreme hardship, unless a reduction in the required period were allowed. The commission shall have the discretionary authority to waive all or any portion of the required waiting period, provided that the alteration, remodeling, relocation or change of use is undertaken subject to conditions agreed to by the commission insuring the continued maintenance of the historical, architectural, archeological or cultural integrity and character of the property.

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Appendix B: Sample Idaho Local Landmarking Program Ordinances

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ORDINANCE NUMBER 1231

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, REPEALING AND REPLACING CHAPTER 4.08 OF THE KETCHUM MUNICIPAL CODE, HISTORICAL PRESERVATION COMMISSION; ADDITION OF CHAPTER 17.20, HISTORIC PRESERVATION, TO TITLE 17 ZONING REGULATIONS OF THE KETCHUM MUNICIPAL CODE; AMENDING TITLE 17 ZONING REGULATIONS OF THE KETCHUM MUNICIPAL CODE BY AMENDING SECTION 17.96.010.C – PREAPPLICATION DESIGN REVIEW; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 2014 Comprehensive Plan identifies community character preservation as one of the community's ten core values; and

WHEREAS, Policy CD-1.2 of the Comprehensive Plan states, "Individual buildings and sites of historical, architectural, archaeological, or cultural significance should be identified and considered for protection. The City should encourage the private sector to preserve and rehabilitate buildings and sites through local landmark designations, public improvements, guidelines, and other tools."; and

WHEREAS, on October 15, 2020, the City Council of the City of Ketchum adopted Ordinance No. 1213, as an emergency ordinance to stay the processing of new demolition permit applications in the Community Core from October 15, 2020 through January 17, 2021 for purposes of historic preservation; and

WHEREAS, Idaho Code 67-6524 provides for the City to adopt an interim ordinance and permit restrictions, effective up to one (1) year, during the pendency of preparation and adoption of a permanent ordinance; and

WHEREAS, on January 15, 2021, the City adopted Ordinance No. 1216, as an interim ordinance to establish a list of historic buildings and sites within the City of Ketchum, establishing review standards for demolition or alteration of historic structures, establishing minimum maintenance requirements for historic structures, providing remedies for dangerous buildings, and providing enforcement standards from January 15, 2021 through January 15, 2022, for purposes of historic preservation; and

WHEREAS, the City of Ketchum ("City") conducted numerous public focus group meetings and two online questionnaires seeking discussion on potential options for historic preservation in the Community Core; and

WHEREAS, the City has established a Historic Preservation Commission per Chapter 4.08 of the Ketchum Municipal Code; and

WHEREAS, the City updated the 2005 Archaeological and Historic Survey Report and determined 26 structures to be of historic significance in the Community Core that were included in the Interim Ordinance, and

City: The City of Ketchum, Idaho.

Historic Building/Site List: The list of buildings and sites deemed to be historically significant as adopted by resolution by the HPC.

Historic preservation: The research, documentation, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archaeology or culture of this state, its communities or the nation.

Historic property: Any building, structure, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

HPC: The Historic Preservation Commission of the City of Ketchum, Idaho.

4.08.030 Created; appointments.

- A. There is created an HPC which shall consist of five (5) members comprised of a maximum of three (3) and a minimum of one (1) member of the Planning and Zoning Commission and a maximum of four (4) and a minimum of two (2) members of the community who shall be appointed by the Mayor with the advice and consent of the Council.
- B. All members of the HPC shall have a demonstrated interest, competence or knowledge in history or historic preservation. The Council shall endeavor to appoint community members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.
- C. Initial appointments to the HPC shall be made as follows: two two-year terms, and three three-year terms. All subsequent appointments shall be made for three-year terms. HPC members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments, and the appointee shall serve for the remainder of the unexpired term.
- D. The members of the HPC may be reimbursed by the City for expenses incurred in connection with their duties and for meetings, subject to a resolution adopted by the City Council.

4.08.040 Organization, officers, rules, meetings.

- A. The HPC 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 HPC shall be available for public inspection.
- B. The HPC shall elect officers from among the HPC members. The chairperson shall preside at meetings of the HPC. The vice chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.
- C. All meetings of the HPC shall be open to the public and follow the requirements of Idaho's open meeting laws. The HPC shall keep minutes and other appropriate written records of its resolutions, proceedings and actions.
- D. The HPC may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the HPC.

evaluation, designation and protection of buildings, sites, areas, structures and objects which reflect significant elements of the City's, the state's, and the nation's historic, architectural, archaeological and cultural heritage.

- B. *Applicability:* The regulations and procedures set forth in this ordinance shall apply to each and every structure listed on the adopted Historic Building/Site List. All other buildings over 50 years of age shall follow the process for demolition of buildings per Ketchum Municipal Code Section 15.16.040, except that no demolition permit shall be issued for any structure over 50 years old until a complete building permit application for a replacement project on the property and required fees have been accepted by the City.
1. Except as provided in Section 17.20.040, Remediating of Dangerous Building Conditions, no person shall make, or otherwise cause to be made, any demolition or alterations to structures on the Historic Building/Site List without approval by the Historic Preservation Commission (HPC) through the Demolition or Alteration application process described in Section 17.20.030. The following types of modifications require HPC review:
- a. Partial or total demolition of any portion of the structure; or
 - b. Exterior alterations, including windows or siding replacement, or
 - c. Additions to any structure.
- C. *Exceptions:* This ordinance shall not apply to dangerous building conditions that would imperil the health or safety of the public as determined by the Building Official and the Director of Planning and Building.

17.20.020 - Historic Building/Site List

- A. The Historic Building/Site List shall be established and maintained by the HPC.
- B. The HPC shall have the authority to add or remove structures from the Historic Building/Site List using the criteria below to determine if a structure should be added or removed from the Historic Building/Site List.
- C. Buildings or sites shall meet Criteria 1 and 2 and shall meet one or more of the Criteria listed in 3.
1. Historic buildings must be at least fifty (50) years old. A historic building may be exempt from the age standard if it is found to be exceptionally important in other significant criteria.
2. All buildings and sites must retain their physical integrity as determined by the following criteria. However, a site need not meet all of the following criteria:
- a. Shows character, interest, or value as part of the development, heritage or cultural characteristics of Ketchum, the region, state, or nation;
 - b. Retains a significant amount of the original design features, materials, character or feeling of the past;

Design Review.

- B. Upon receipt of a complete Request for Demolition or Alteration application and fee, as determined by the Zoning Administrator, the application shall be scheduled for a public hearing before the HPC within 60 days of the application being deemed complete. Notice shall be provided in accordance with KMC Section 17.116.040 C, D, and E.
- C. Following the public hearing, the HPC may approve, deny, or approve with conditions the Request for Demolition or Alteration. The HPC will review the application using the criteria below to determine if the proposed demolition or alteration of the structure may proceed.
 - 1. Is the structure of historic or architectural value or significance and does it contribute to the historic significance of the property within the Community Core.
 - 2. Would the loss, alteration of, or addition to, the structure adversely affect the historic integrity of the structure, impact the significance of the structure within the Community Core, impact the architectural or aesthetic relationship to adjacent properties, or conflict with the Comprehensive Plan.
 - 3. Does the structure retain the requisite integrity to convey its historic and/or architectural significance.
 - 4. Does the proposed demolition or alteration adversely affect the historic significance or architectural distinction of the structure or the Community Core.
- D. Appropriate alterations might include but are not limited to:
 - 1. Changes to the building's interior that are not visible from a public street, alley, park, or other public place;
 - 2. Changes to internal building systems that will not adversely affect the external appearance of the building;
 - 3. The erection or removal of temporary improvements.
 - 4. Adaptive reuse consistent with the Secretary of the Interior's Standards for Rehabilitation and Idaho Code Title 67-4618.
- E. The HPC shall consider the unique circumstances of each proposed demolition or alteration. Approval of each individual Demolition or Alteration application is unique to that property and does not constitute a precedent for other properties.
- F. The decision of the HPC on a Demolition or Alteration application may be appealed to the City Council by the applicant or affected party pursuant to the appeal provisions contained in Ketchum Municipal Code Section 17.144, Appeals of the Planning and Zoning Commission Decisions.

17.20.040 - Remedying of Dangerous Building Conditions

- A. If the Building Official finds a historic structure constitutes dangerous building conditions that would imperil the health or safety of the public, it shall first be determined by the Building Official if the structure is capable of being made safe by repairs in which said repairs shall be made by the owner of the structure.

square footage of the existing historic building shall not be counted toward the minimum parking requirement for the proposed project regardless of use.

2. No additional parking relief is provided for projects that include full demolition of historic buildings.
3. When projects include partial demolition of historic buildings, the square footage of the historic building that remains shall not be counted toward the minimum parking requirement for the proposed project regardless of use.

D. Relief from Nonconforming Building Requirements of Chapter 17.136 of the City of Ketchum Code of Ordinances.

1. Properties are allowed to increase existing nonconformities on expansions by matching existing setbacks, height, and other dimensional standards.
2. Properties are exempted from the limitation on and expanding nonconforming buildings.

Section 3. AMENDMENT TO SECTION 17.96.010.C, PREAPPLICATION DESIGN REVIEW:

17.96.010.C – Preapplication Design Review

1. Preapplication review is required for all new non-residential and multi-family residential developments with four (4) or more stories and all new developments on a lot or lots totaling 11,000 square feet. Applicants of projects exempt from Preapplication Design Review may request a Preapplication Design Review at their discretion.
2. The purpose of preapplication review is to allow the Commission to exchange ideas and give direction to the applicant on the "design concept", keeping in mind the purpose of this chapter and the application of the evaluation standards.
3. Preapplication review materials shall be submitted according to the application requirements of section 17.96.040 of this chapter.
4. The Commission may require a model of the project or computer simulation renderings showing the proposal from one or more key vantage points for presentation at regular design review meetings in order to assist in the understanding of the project. Models and computer renderings must include surrounding properties in sufficient detail for the proposal to be viewed in context.
5. The Administrator may waive the requirement for preapplication review if the project is found to have no significant impact.

Section 4. SAVINGS AND SEVERABILITY CLAUSE: It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any

(g) A Development Agreement may be amended or terminated by the City Council, after public hearing, for failure to comply. Upon termination, the City Council may rezone the property to the prior zoning district or in the case of an initial zoning district at Annexation, to a zoning district deemed appropriate and not inconsistent with the adopted Comprehensive Plan.

(h) In the case of a requested modification of a Development Agreement, the Planning Director may waive or adjust any pre-submittal requirement or common procedure related to the initial approval of a Development Agreement that the Planning Director determines is not necessary for the PZC, if applicable, or City Council to understand the impacts of the proposed modification of the Development.

(3) Findings for Approval:

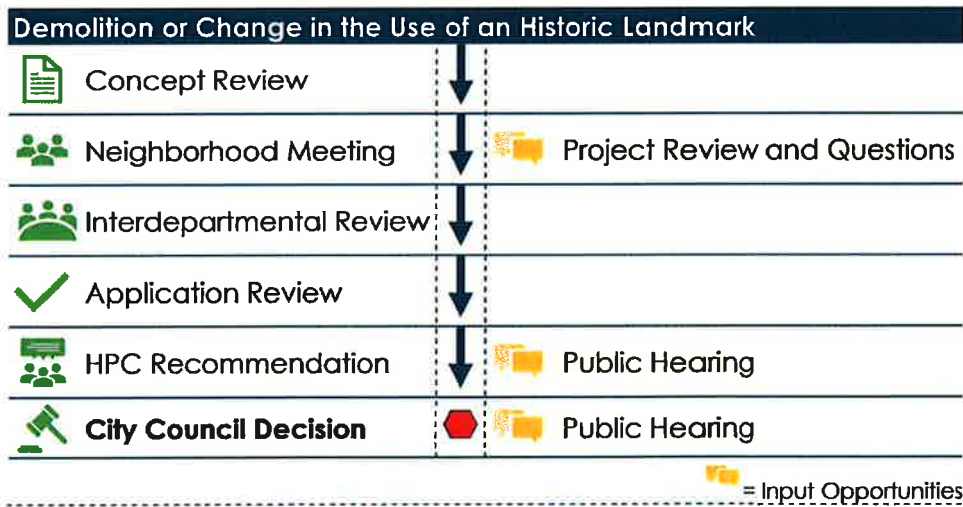
- (a) The PZC shall recommend and Council shall approve the application, or approve it with conditions, if the Development Agreement does not grant a land use or property right or privilege to the applicant and is necessary to:
- i. Provide infrastructure needed to support or service the proposed development;
 - ii. Mitigate potential impacts of development under the proposed Zoning Map Amendment on the surrounding neighborhoods; or
 - iii. Bring the Zoning Map Amendment application into compliance with the Comprehensive Plan or this Code.

E. Major Historic Preservation Actions: This section consolidates several procedures related to historic resources in the city, each of which requires action by the HPC and each of which may require further action by City Council.

(1) Demolition or Change in Use of an Historic Landmark

(a) Applicability: A Demolition or Change in Use of an Historic Landmark is required when an Historic Landmark designated by ordinance that is not part of an Historic District, is proposed to be demolished, materially altered, remodeled, relocated, or put to a different use.

(b) Procedure:



i. All applicable provisions of Sections 11-05-02, Summary Table of Review and Decision-Making Procedures and 11-05-04, Common Procedures for a Type 4 application apply unless specifically modified by the provisions of this Section 11-05-05.4.E(1).

ii. A request to demolish or change the use of an Historic Landmark shall be submitted to the Historic Preservation Commission (HPC).

iii. After 180 days written notice of the owner's proposed action has been given to the HPC, the HPC may negotiate with the owner and with any other parties to try to find a means of preserving the property. The HPC may enter into negotiations with the owner for the acquisition by gift, purchase, or exchange of the property or any interest in the property during this 180 day period or any such action as is reasonably necessary or appropriate for the continued preservation of the property.

iv. The HPC may reduce the waiting period required by this Subsection in any case where the owner would suffer extreme hardship unless a reduction in the required period were allowed. The HPC shall have the discretionary authority to waive all or any portion of the required waiting period, provided that the alteration, remodeling, relocation or change of use is undertaken subject to conditions agreed to by the HPC insuring the continued maintenance of the historical, architectural, archeological, or cultural integrity and character of the property.

v. The HPC shall notify, in writing, property owners within a 300 foot radius of the Historic Landmark and the Registered Neighborhood Association of the request to demolish, alter, remodel, relocate or change the use of the Historic

- xi. The HPC shall notify City departments and other agencies as required under Section 11-02-07.2.E(10).
- xii. One copy of the ordinance creating the District shall be filed in the office of the Ada County Recorder.
- xiii. The HPC shall maintain a register of Historic Districts as required under Section 11-02-07.2.E(11).

xiv. Following designation, and physical changes in the District that are approved by a Minor or Major Certificate of Appropriateness pursuant to Sections 11-05-05.2.C or 11-05-05.3.A shall be added to the report/survey prepared to support the designation process. Updates are not considered amendments to the Historic District.

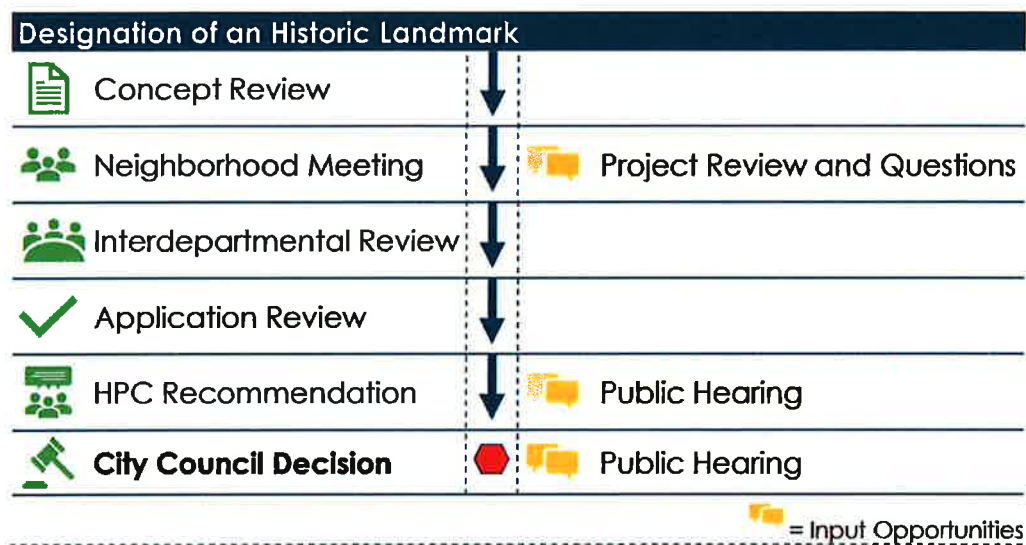
(c) Findings for Approval: The HPC shall recommend approval or approval with conditions and the City Council shall approve the application, or approve it with conditions, if the proposed Designation of an Historic District complies with the criteria set forth in Section 11-02-07.2.E(3), Criteria for Designation.

(3) Designation of Historic Landmarks:

(a) Applicability:

- i. A Designation of Historic Landmarks review is required to officially designate an Historic Landmark.
- ii. The HPC, either on its own initiative or upon the request of the City Council, or upon the request of the owner of the property proposed to be designated, may recommend the designation of an Historic Landmark.

(b) Procedure:



i. All applicable provisions of Sections 11-05-02, Summary Table of Review and Decision-Making Procedures and 11-05-04, Common Procedures for a Type 4 application apply unless specifically modified by the provisions of this Section 11-05-05.4.E(3).

ii. Prior to recommending designation the HPC shall conduct studies, research and investigations based on the relevant criteria given in Section 11-02-07.2.E(3), Criteria for Designation.

iii. The HPC shall prepare a report containing recommendations concerning the Historic Landmark proposed to be designated and a draft of the designating ordinance to the City Council. The report shall include:

- A. Comments regarding the suitability of the Historic Landmark for preservation or restoration.
- B. A statement regarding the appropriateness of an adaptive or alternative use of the Historic Landmark.

C. A statement regarding the administrative and financial responsibility of the person or organization proposing to undertake all or a portion of the cost of acquisition, restoration, maintenance, operation or repair, or the cost of adaptive or alternative use of the property to the extent that any, such considerations apply to the property proposed for designation.

D. A statement regarding the appraised value of the property if the owner of the property proposed for designation has not consented to such designation.

iv. If the HPC recommends approval or approval with conditions, a public hearing before City Council is required pursuant to Section 11-05-04.5, Scheduling and Notice of Public Hearing.

v. For each designated Historic Landmark, the designating ordinance shall require the waiting period prescribed by Section s to be observed prior to its demolition, material alteration, remodeling, or removal. The designating ordinance shall also provide guidelines for a suitable sign or marker on or near the Historic Landmark indicating that the property has been so designated.

vi. If the HPC determines that the application for removal of designation should not be recommended, it shall place upon its records the reason for such determination and shall notify the applicant of such determination and a copy of its reasons and its recommendations, if any, as appearing in the records of the HPC.

vii. If the Removal of Historic Designation will result in a change in zoning, the application for the Removal of Historic Designation shall be accompanied by an application for a Zoning Map Amendment. Upon approval by the City Council of the ordinance, the zoning map shall be changed to reflect the removal of all or part of the HD-O district.

viii. Upon approval of the ordinance, the City shall provide the owners and occupants of the HD-O district or property within the district for which designation was removed written notification of Council's action.

ix. One copy of the ordinance shall be filed in the office of the Ada County Recorder.

x. The HPC shall give notice of such removal of designation to the Ada County Tax Assessor and to the Boise office of the Internal Revenue Service.

(c) Findings for Approval: The HPC shall recommend approval or approval with conditions and the City Council shall approve the application, or approve it with conditions, if the proposed Removal of Historic Designation complies with the following:

i. For removal of the designation of a building, site, structure, or object Included within a designated Historic District, or designated as an Historic Landmark:

A. The building, site, structure, or object has ceased to comply with the criteria for designation in Section 11-02-07.2.E(3); or

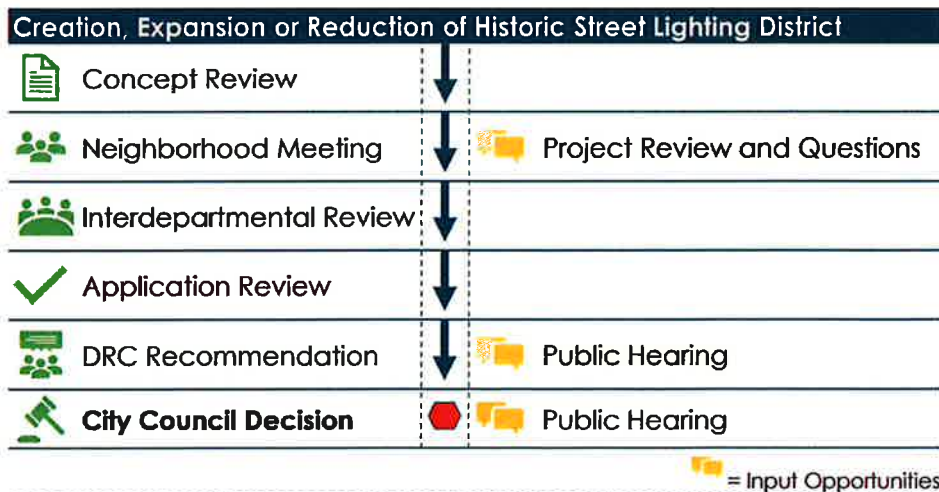
B. The building, site, structure, or object no longer exhibits the characteristics that qualified the property for inclusion within an Historic District.

ii. For removal of HD-O designation, the district has ceased to comply with the criteria for designation in Section 11-02-07.2.E(3).

(5) Creation, Expansion, or Reduction of Historic Street Lighting District:

(a) Applicability: This procedure applies to all requests to create a new Historic Street Lighting district, or to expand or reduce the area of an existing Historic Street Lighting district.

(b) Procedure:



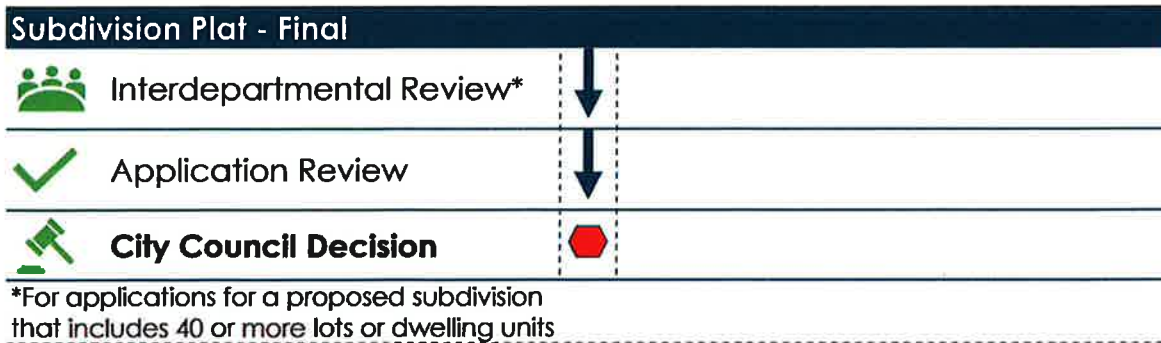
i. All applicable provisions of Sections 11-05-02, Summary Table of Review and Decision-Making Procedures and 11-05-04, Common Procedures for a Type 4 application apply unless specifically modified by the provisions of this Section 11-05-05.4.E(5).

ii. Applications for inclusion in an Historic Street Light District shall be made in writing to the Planning Director and the Director of Public Works. The request will be forwarded to the Public Works Commission and the DRC for their recommendation to City Council.

iii. No public hearing before the HPC or PZC is required.

iv. City Council shall make a decision on the application following a public hearing.

(c) Findings for Approval: The Planning Director and Director of Public Works shall recommend approval or approval with conditions, and City Council shall approve the application or approve it with conditions, based on consideration of the following factors:



(a) All applicable provisions of Sections 11-05-02, Summary Table of Review and Decision-Making Procedures and 11-05-04, Common Procedures apply unless specifically modified by the provisions of this Section 11-05-05.4.G.

(b) A Final Plat shall be prepared in accordance with Title 50, Chapter 13 of the Idaho Code and with this Code and shall be submitted within two years of approval of a Preliminary Plat.

(c) The City Engineer shall review and sign the Final Plat if it conforms to the approved Preliminary Plat and any conditions imposed by City Council.

(d) If approved by City Council, the applicant shall record the Final Plat with the Ada County Recorder within one year from the date of the City Engineer's signature. If the applicant fails to record the Final Plat within that time period, as that period may be extended by Council in the case of phased projects, the approved Preliminary Plat shall lapse and shall no longer be valid.

(e) No public hearing before the PZC is necessary before City Council approval of a Final Plat.

(f) The City Council may grant an extension of a Final Plat for up to one year in each request, provided an application for extension is filed at least 20 days prior to the expiration of either the first two year period or a previous extension. In granting a time extension, the City Council may modify or add conditions to the Final Plat to conform with adopted policies or Code changes since initial approval.

(3) Findings for Approval: The City Council shall approve the Final Plat if it conforms to the approved Preliminary Plat and any conditions imposed by City Council and has been signed by the City Engineer, a professional licensed surveyor, and all other City or governmental officials required to sign the Final Plat.

H. Subdivision Plat - Replat:

(1) Applicability:

(a) This procedure shall apply to all applications to remove from a recorded Final Plat:

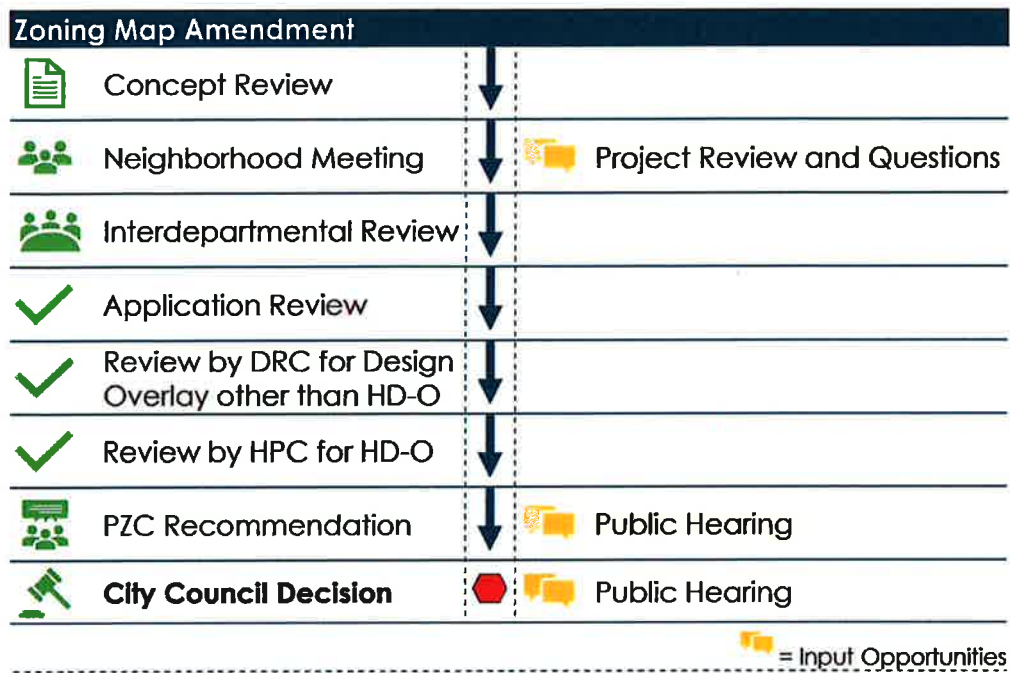
- i. A utility, drainage, or slope easement;
- ii. A public street or right-of-way owned by the City; or
- iii. A plat note.

(b) When a public street or public rights-of-way is located within the Ada County Highway District (ACHD, the ACHD shall have the authority to vacate the public street or public rights-of-way as provided in section 40-203, Idaho Code.

(2) Procedure:

- (a) A Zoning Map Amendment is required to change zoning district boundaries, establish or eliminate zoning districts, change the zoning designation of a parcel, or to amend a Development Plan for a Planned Unit Development zoning district.
- (b) Any application for a Zoning Map Amendment to establish, amend, or remove a Character or Design Overlay District (excluding an Historic Overlay), or a Sensitive Lands Overlay District shall also submit an application for a text amendment pursuant to Section 11-05-05.4.B, Code Adoption or Amendment.
- (c) Any application for a Zoning Map Amendment to establish, amend, or remove an Historic Overlay shall also submit an application pursuant to Section 11-05-05.4.E, Major Historic Preservation Actions.
- (d) If a Development Agreement is required pursuant to Section 11-05-05.4.D, Development Agreement or Modification, final action on the Zoning Map Amendment shall not occur before the Development Agreement has been approved by Council.

(2) Procedure:



(a) Standard Base and Overlay Zoning Districts:

- i. All applicable provisions of Sections 11-05-02, Summary Table of Review and Decision-Making Procedures and 11-05-04, Common Procedures for a Type 4 application apply unless specifically modified by the provisions of this Section 11-05-05.4.I.
- ii. A Zoning Map Amendment, including the establishment of a new overlay district, shall become effective on the date stated in the ordinance amending the zoning classification adopted by the City Council.
- iii. Following the approval of each Zoning Map Amendment, all development permitted in the new zoning designation shall be required to obtain all other permits and approval required for that type of development in this Code before applying for a Building Permit, unless the ordinance documenting Council's action waives one or more of those requirements.

(b) Planned Unit Development Districts (PUDs):

- i. All property included in the proposed PUD shall be under common ownership or control or shall be the subject of an application filed jointly by the property owners of all the property to be included.
- ii. An application for a Zoning Map Amendment to a PUD zoning district will only be accepted if the proposed PUD could not be developed using a combination of the base and overlay zoning districts listed in Chapter 11-02, Zoning Districts.
- iii. An application for a Zoning Map Amendment to a Planned Unit Development zoning district shall include a Development Plan. The Development Plan shall identify one of the base zoning districts listed in Chapter 11-02, Zoning Districts as the reference base district for each portion of the PUD and shall list the standards, variations, and requirements for the development that may diverge from the standards of this Code for that reference base district, as permitted by Section 11-02-06, PUD: Planned Unit Development.
- iv. Following approval of a Zoning Map Amendment for a Planned Unit Development district that includes design standards requirements that differ from those otherwise applicable under this Code, the new design requirements will be reviewed through Minor Design Review unless Council's action requires a different review process.

(c) Specific Plan Districts: