

**THE HISTORIC PRESERVATION COMMISSION AGENDA**  
**CITY HALL UPPER LEVEL, CONFERENCE ROOM #6**  
**710 E. MULLAN**  
**DECEMBER 9, 2019**

**THE HISTORIC PRESERVATION COMMISSION'S VISION OF ITS ROLE IN THE COMMUNITY**

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

**4:30 P.M. CALL TO ORDER:**

**ROLL CALL:** Beebe, Burns, Emerson, Marienau, Miller, Mueller, Singletary, Straza, Walker

**OVERVIEW OF COMMISSION AND CERTIFIED LOCAL GOVERNMENT PROGRAM**

**ELECTIONS:** \*\*\*ITEM BELOW IS CONSIDERED TO BE AN ACTION ITEM

**GRANT APPLICATION TO SHPO:**

**ADJOURNMENT/CONTINUATION:**

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

***\*The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhlmiller at (208)769-2240 at least 72 hours in advance of the meeting date and time.***

# Certified Local Government Program in Idaho

## PURPOSE OF THE CLG PROGRAM

The Certified Local Government (CLG) program is a partnership between local communities, the State Historic Preservation Office (SHPO), and the National Park Service. The CLG program is intended to help local communities preserve and protect their important historic resources, provide local communities a more active degree of participation in the National Register of Historic Places program, a greater say in any federally funded projects in their area which may impact historic resources, and generally support local historic preservation efforts through technical assistance and grants.

## WHO CAN PARTICIPATE IN THE CLG PROGRAM?

Any city, county, parish, township, tribe, or municipality which meets the program requirements and completes application process. There are currently 37 CLGs in Idaho.

## BENEFITS OF BECOMING A CLG

- Shows a commitment to local heritage, community character, and quality of life.
- Access to technical Assistance from SHPO, which includes: commission support and training; assistance with surveys and nominations; general program assistance and support.
- Access to CLG Grants only available to CLGs.

## DOES THIS INVOLVE PROPERTY RESTRICTIONS?

**NO.** There is no required design review component to participate in the Idaho Certified Local Government program. There are only two (2) situations which involve design review: 1. If there are **Federal funds** involved in a bricks-and-mortar project (e.g. – Federal Tax Credits or CLG Grant funds); or 2. If the **local community** decides to pass a **local** ordinance requiring it for historic districts (e.g. – local zoning code requirements).

## THE REQUIREMENTS TO BECOME A CLG

There are few, specific minimum requirements that a community has to meet before they can apply to become a CLG; the community will be expected to

maintain these requirements for as long as they wish to continue to participate in the program.

- Have a Historic Preservation Commission as established by local ordinance
  - A demonstrated interest, competence, or knowledge in historic preservation
  - 5-10 members appointed by governing authority, with an effort to represent specific historic preservation disciplines
  - Appointment terms up to 3 years; can be reappointed
  - Solicit expertise when reviewing National Register nominations (if necessary)
  - Regular professional development/training
- Conduct a Survey and Have a System to Maintain an Inventory
- Public Participation in the Preservation Program
- Encourage Local Preservation Planning Efforts
- Enforce Local and State Preservation Laws.

## HISTORIC PRESERVATION COMMISSION DUTIES

- Minimum Duties
  - Participate in nominating properties to the National Register of Historic Places
  - Act as liaison to the public on historic preservation matters
  - Advise officials and other departments on the protection of historic/cultural resources and participate in local planning and decision making processes
- Other Duties Allowed Under State Law
  - Conduct surveys of local historic properties
  - Contract with state or federal governments
  - Recommend ordinances
  - Promote and conduct educational and interpretation programs
- Design Review **only** if adopted by local ordinance; not required for CLG status

## FOR MORE INFORMATION:

For more information, please contact:

Pete L'Orange  
Historic Preservation Planner/CLG Coordinator  
Idaho State Historic Preservation Office  
210 Main Street  
Boise, ID 83702  
208-488-7471  
[Pete.lorange@ishs.idaho.gov](mailto:Pete.lorange@ishs.idaho.gov)  
<http://www.history.idaho.gov/location/shpo>

# Certified Local Government Grant Program

Every year, the State Historic Preservation Office (SHPO) receives funds through the National Park Service (NPS). These funds – called the Historic Preservation Fund (HPF) – comes from off-shore oil lease money, not taxes. The HPF provides funds and support to all of the SHPOs around the county. By law, the SHPOs must pass a minimum of 10% of their HPF to their Certified Local Government partners.

## WHO CAN GET CLG FUNDS?

CLG grant funds are only available to designated CLG communities; non-CLG communities are not eligible to apply. And it must be the local government to apply; individuals, local businesses and non-profits cannot apply, except through the local government.

## IS THERE A LOCAL MATCH?

**Yes.** The CLG Grant program is a 50/50 matching grant. However, the local match can usually be met through in-kind sources, such as City Staff and/or Commissioner time, volunteer time and donations, and other non-federal funds.

## HOW ARE THEY DISTRIBUTED?

The CLG grants are awarded on a competitive basis, and funding is not guaranteed for every application, although SHPO works hard to make the money go as far as possible. The grant applications are scored on the project scope, the project administration, the proposed budget, and additional considerations (such as status of active/outstanding CLG grants, community support, et cetera).

CLGs are allowed to apply for more than one project in any given year; however, each project will be scored on its own merits, and the SHPO very well may not be able to fund more than one (1) project per CLG.

The CLG grants are reimbursable grants.

## ELIGIBLE TYPES OF PROJECTS

- Architectural surveys (Thematic and/or Geographic) and Archaeological surveys
- Preparation of National Register of Historic Places nominations
- Design guidelines and historic context reports
- Acquisition and Development (including “bricks-and-mortar” projects)

- Develop community historic preservation plan
- Publishing educational materials
- Public/HPC training, education, and workshops

NOTE: CLG funded projects must be related to the National Register of Historic Places

## WHAT CAN THE GRANT PAY FOR?

Because the CLG Grants are ultimately Federal funds, there are limits on what kinds of costs are considered eligible for reimbursement. These typically include: Consultant Fees; Printing Costs; Project-Related Travel Expenses; Training Registration Fees; and some Program Administration costs.

## CLG GRANT CYCLE

The CLG Grants are on the Federal calendar (October to September), and must be used within a two year window. The typical grant cycle is as follows:

October 1	Call for Applications Released
December 31	Applications Due
February 15	Awards Announced
Spring	Grant Agreements Processed
June 1	Anticipated Project Start date
May 31	Projects Completed
Summer	Review and Revision period
September	Grant Closeout

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ORDINANCE NO. 3643  
COUNCIL BILL NO. 19-1016

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, ADDING A NEW CHAPTER DESIGNATED AS 2.85, HISTORIC PRESERVATION CODE, TO THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE; ESTABLISHING A HISTORIC PRESERVATION COMMISSION; PROVIDING FOR MEMBERSHIP TERMS; PROVIDING FOR ORGANIZATION AND DUTIES; PROVIDING FOR MEETINGS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, Chapter 46 of Title 67 of the Idaho Code empowers cities to establish a historic preservation commission and to make provisions for the identification and preservation of historic sites; and

WHEREAS, the City Council of the City of Coeur d'Alene deems it in the best interest of the community to establish a historic preservation ordinance;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene:

**SECTION 1.** That a new Chapter, designated 2.85, is hereby added to the Coeur d'Alene Municipal Code, to be titled as follows:

**CHAPTER 2.85  
HISTORIC PRESERVATION CODE**

**SECTION 2.** That a new Chapter, designated 2.85, is hereby added to the Coeur d'Alene Municipal Code to read as follows:

**2.85.010: PURPOSE:**

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

**2.85.020: DEFINITIONS:**

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

*City.* The City of Coeur d'Alene.

*Commission.* The Historic Preservation Commission of the City of Coeur d'Alene.

*Historic Property.* Any building, structure, district, area, or site that is significant in the history, architecture, archaeology or culture of this community, the City, the State, or the Nation.

*Designated Historic Property.* Property designated under this Chapter, as well as the National Register of Historic Places, as Historic Property.

*Historic Preservation.* The identification, evaluation, recordation, documentation, curation, acquisition, management, protection, restoration, rehabilitation, stabilization, maintenance, interpretation, conservation, and education of buildings, structures, objects, districts, areas, and sites significant in the history, architecture, archaeology or culture of this community, the City, the State, or the Nation.

## **2.85.030: HISTORIC PRESERVATION COMMISSION:**

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

B. All members of the Commission shall have a demonstrated interest, competence, or knowledge in history or Historic Preservation. The Commission shall have at least two (2) members who also serve on the historic preservation commission of Kootenai County and at least two (2) members who meet the Secretary of the Interior's Historic Preservation Professional Qualification Standards as set out in the Federal Register, Vol. 62, No. 11, dated Friday, June 20, 1997. The Commission should include a member or members who have professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, conservation, landscape architecture, law, or other historic preservation-related disciplines.

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

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

E. A member of the City Council shall be a non-voting member of the Commission and act as liaison between the Council and the Commission.

**2.85.040: ORGANIZATION, OFFICERS, RULES, MEETINGS:**

- A. The Commission shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this Ordinance. Rules of procedure and bylaws adopted by the Commission shall be available for public inspection.
- B. The Commission shall elect a chairperson and vice-chairperson, and such other officers as it deems expedient, from among the Commission members. The chairperson shall preside at meetings of the Commission. The vice-chairperson shall, in the absence of the chairperson, perform the duties of the chairperson.
- C. The Commission shall hold meetings as necessary, at such time and place as may be determined by the majority of the Commission, or when called by chairperson or Mayor of the City. At a minimum, the Commission shall meet quarterly. The Commission shall post agendas in accordance with the requirements of public meetings.
- D. A majority of the sitting members of the Commission shall constitute a quorum to conduct business at any meeting.
- E. All meetings of the Commission shall be open to the public and comply with the requirements of the Idaho Open Meetings law. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions.
- F. The Commission may recommend to the City Council, within the limits of its funding, the employment of or the contracting for the services of technical experts or other persons as it deems necessary to carry out its functions.

**2.85.050: POWERS, DUTIES, AND RESPONSIBILITIES:**

- A. The Commission shall advise the Mayor and City Council on matters of historic preservation and shall be authorized to:
  - 1. Conduct surveys of local historic properties.
  - 2. Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequest, or donation.
  - 3. Recommend methods and procedures necessary to preserve, restore, maintain, and operate historic properties under the ownership or control of the City.
  - 4. Recommend the lease, sale, or other transfer or disposition of historic properties subject to rights of public access and other covenants, and in a manner that will preserve the property.
  - 5. Recommend designation of properties as historic and recommend the establishment of historic districts.

6. Contract, with the approval of the Council, with the state or federal governments, or any agency of either, or with any other organization on matters of historic preservation.
7. Cooperate with the federal, state, and local governments in the pursuance of the objectives of historic preservation.
8. Make recommendations in the planning processes undertaken by the City.
9. Recommend ordinances or other actions for the purposes of historic preservation in the City.
10. Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City as funding allows.
11. Commission members, employees, or agents of the Commission may enter private property, buildings, or structures in the performance of their official duties only with the express consent of the owner or occupant thereof.
12. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction and make recommendations to the appropriate agency.
13. Take public comment and testimony on issues of historic preservation.

B. The Commission shall comply with all City policies, procedures, and regulations, and any applicable state and federal statutes and regulations.

**2.85.060: RESERVED (SPECIAL RESTRICTIONS)**

**2.85.070: RESERVED (APPEALS)**

**2.85.080: RESERVED (VIOLATIONS; PENALTY)**

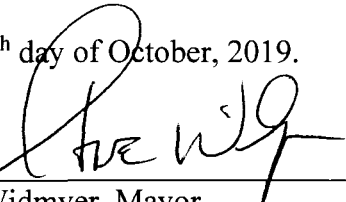
**SECTION 3.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

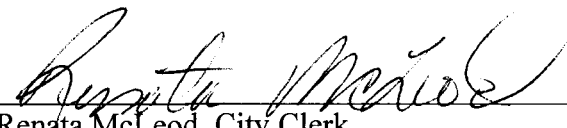
**SECTION 5.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on October 15, 2019.*

APPROVED, ADOPTED and SIGNED this 15<sup>th</sup> day of October, 2019.

By   
Steve Widmyer, Mayor

ATTEST:

  
Renata McLeod, City Clerk