

Boise City
Historic Preservation Plan

July, 1979

Cover and Division Page Photographs

Six examples of notable Boise buildings are illustrated on the cover and the division pages of this report to show the range and variety of preservation activity, both public and private, which has occurred in the city. Effective preservation has enabled these buildings to survive, to continue in useful service for their owners and to give much pleasure to the entire community because of their architectural distinction and the links which they maintain with our history.

Cover Photograph

John Daly House, 1015 West Hays Street. Built in 1912 by John Daly, a pioneer businessman, and kept in the Daly family by his daughter, Eunice Archer. The house was designed in the Classic/Colonial Revival Style by Tourtellotte & Hummel. It was substantially repaired and renovated in 1977 with the assistance of a housing rehabilitation loan in a program sponsored by the Boise City Department of Community Development and administered by the Boise City Building and Housing Department.

The Boise City Historic Preservation Plan

PURPOSES - BACKGROUND - GOALS & POLICIES - IMPLEMENTATION

Prepared by the Boise City
Historic Preservation Commission

July, 1979

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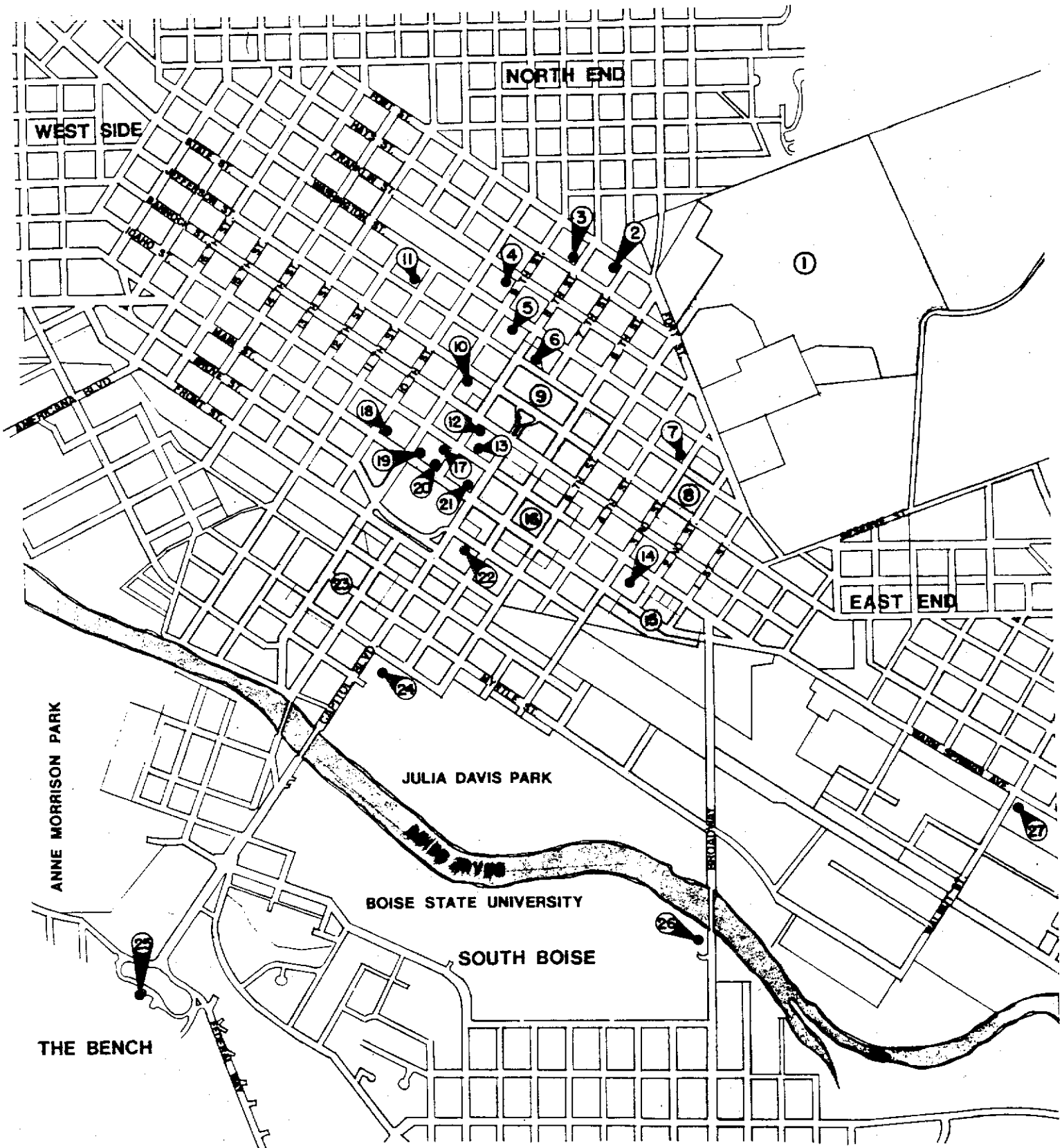
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NATIONAL REGISTER SITES
IN
CENTRAL BOISE & NEARBY AREAS

(Complete list of National Register Sites in the Boise area is given in the Appendix, Pages C-1 - C-4.)

1. Fort Boise (U.S. Army) Historic District
21 Buildings from 1863 - 1932
2. Immanuel Lutheran Church, 1908
3. St. John's Roman Catholic Cathedral, 1906
4. First Christian Church, 1910
5. Carnegie Public Library, 1904
6. G. A. R. Hall, 1892
7. Governor Moses Alexander House, 1897
8. State Street Historic District
16 Houses from 1895 - 1919
9. Boise Capitol Area Historic District
5 Buildings from 1904 - 1930
10. Elk's Temple, 1913
11. Congregation Beth Israel Synagogue, 1895
12. Idaho Building, 1910
13. Union Block, 1901
14. U.S. Assay Office, 1872
15. West Warm Springs Historic District
14 Houses from 1892 - 1911
16. Old Boise Historic District
23 Buildings from 1879 - 1938
17. Boise City National Bank (Simplot Building), 1891
18. Idanha Hotel, 1901
19. Alexander's Store, 1924
20. Eastman Building, 1904
21. Egyptian Theater, 1927
22. Cyrus Jacobs House, 1864
23. South 8th Street Historic District
20 Buildings from 1902 - 1935
24. Mayor Thomas E. Logan House, 1867
25. Union Pacific Mainline Depot, 1927
26. Christ Chapel, 1866
27. Moore-Cunningham House, 1891



NATIONAL REGISTER SITES

CENTRAL BOISE AREA

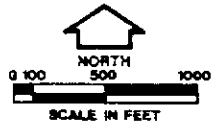


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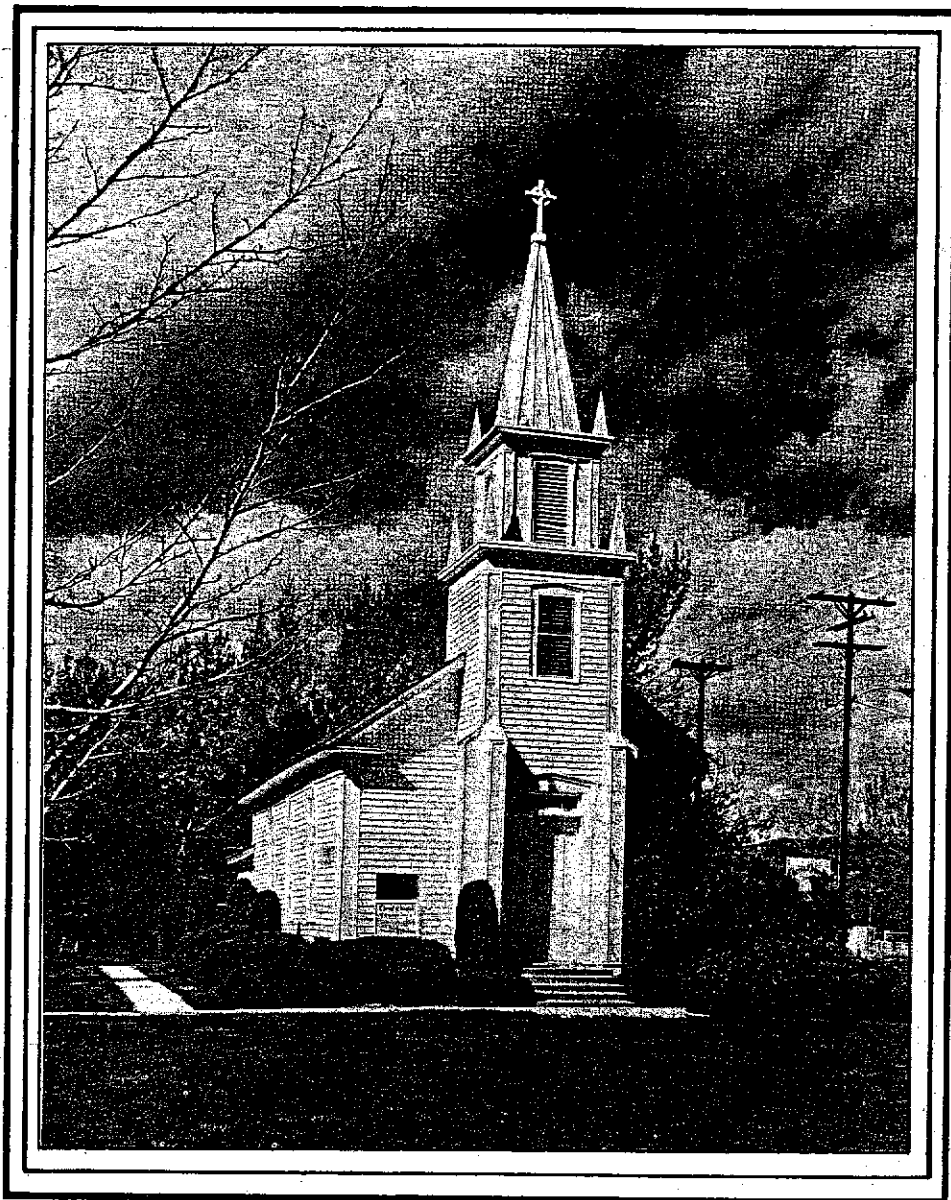
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I

Introduction

Photograph on Preceeding Page

Christ Chapel at Broadway and Campus Drive on the Boise State University Campus next to the Boise River. It was built in 1866 in the Gothic Revival Style as the original St. Michael's Episcopal Church and is the oldest church building in the city. It is included in the National Register of Historic Places and continues in service as a non-denominational chapel and a popular location for visits and weddings. The chapel was moved three times in its' history and has been preserved and maintained in recent years by the Sons and Daughters of the Idaho Pioneers.

INTRODUCTION

The Boise Historic Preservation Plan

The Boise Historic Preservation Plan is a requirement of the Boise Historic Preservation Ordinance which calls for the City to engage in "a comprehensive program of historic preservation . . ."

This Plan is not a drawing or a map. It is a plan in the wider meaning: a method of doing something, a program of action. In this report it will be seen that many parts of the program are yet to be accomplished and that some parts require further definition. Programs for historic preservation require an ongoing effort by the City: the endorsement and support of the Council, delegation for their execution to the Historic Preservation Commission, understanding and cooperation by the citizens of Boise.

The Plan is also "comprehensive" since it has many parts, some of which are either included or described in this report. This report is, therefore, an introduction to the Plan - a reference and guide for the use of the City Administration, the Commission, the agencies of the City and the citizens of Boise who are interested in the promotion of historic preservation. Elements of the Plan included in this report are:

- A description of the purposes of historic preservation as it applies to Boise.
- Information regarding historic preservation at the national, state and local levels and its effect on Boise.
- Statements of the goals and policies of the Boise Historic Preservation Commission.
- Recommendations for implementation, including: the duties of the Commission, programs for rehabilitation of historic properties, cooperation with other agencies of the City, state or federal government and with individual citizens and groups.

The Commission is aware of the need to foster interest in the history of our pioneer builders. This is, also, an element of the Plan. For this purpose the Commission will publish a book in the Fall of 1979 to be titled "Historic Boise." It is hoped this publication will inspire others to explore in detail the many interesting aspects of our beautiful City of Boise.

Why Preserve ?

From the dawn of civilization to our own time the great works of humankind have embodied the essence of the age which produced them. From the Acropolis to Rockefeller Center these works speak to us today in a non-verbal, but unmistakable, language. They link past with present and teach us about survival and hope. Many have been lost due to the accidents of nature or war. Some disappear because their original function ceased. Until the 20th Century few were lost because they had no obvious economic use.

If anything can distinguish the basis for the preservation movement it is a call for the re-establishment of those old ways by which man's works are regarded - that they have a continuing human significance, and are not just commodities which are automatically disposable.

In this sense, preservation is an activity of wider scope than "preserving." Preservation does have that function. But keeping old buildings, as in a museum, and not as living and working parts of the community, is not the primary purpose of preservation. Education, social and economic benefit, among others, are clearly identified as reasons for historic preservation.

Preservation or Conservation ?

Allied to preservation is the conservation movement. Conservation looks at nature's legacy and finds it good, and fragile, and renewable only if it is nurtured. It also sees in nature a dimension which is significantly human. Conservation and preservation share these attitudes - so much so that the term "conservation" is increasingly favored over "preservation" as more inclusive and useful.

The conservation aspect of preservation is also related to people as city dwellers. We have come to realize that the city - originally a place of refuge and for human fulfillment - has the effect of numbing perception, of creating anonymity and facelessness, rather than providing identity and a sense of place. The useful retention of fine buildings in their original setting, with compatible old neighbors and

complementary new ones is an important aspect of the art of urban design. The perceptions and values of historic preservation are, in this relationship, the building blocks for urban conservation.

Historic Preservation in Boise

Boise is young and cannot boast of the overwhelming number of great old buildings which can be seen in Providence or Alexandria. Yet, Boise has a specific and interesting history of pioneer builders and that legacy establishes our unique identity. Sadly, many of the finest old buildings have been lost because of neglect or indifference. What remains, however, includes many outstanding examples of structures in the historical styles and many neighborhoods of outstanding character and livability. The large number of our buildings and houses which have been placed on the National Register of Historic Places attests to this fact.

Some of these are threatened by the forces of economic change, by the pressure to develop, by the adverse effects of traffic or adjacent incompatible uses. Historic preservation, largely under private sponsorship, has been underway for the past several years and it is heartening to see what has already been accomplished.

It is the task of historic preservation in Boise under City sponsorship to supplement the work already under way and not to supplant it. The Boise City Historic Preservation Ordinance, as implemented through this Plan, will enable the City to secure its historic heritage and influence its urban design in ways which cannot be done by the private sector alone.

General Objectives

The general objectives of historic preservation in Boise are defined in the Boise City Historic Preservation Ordinance:

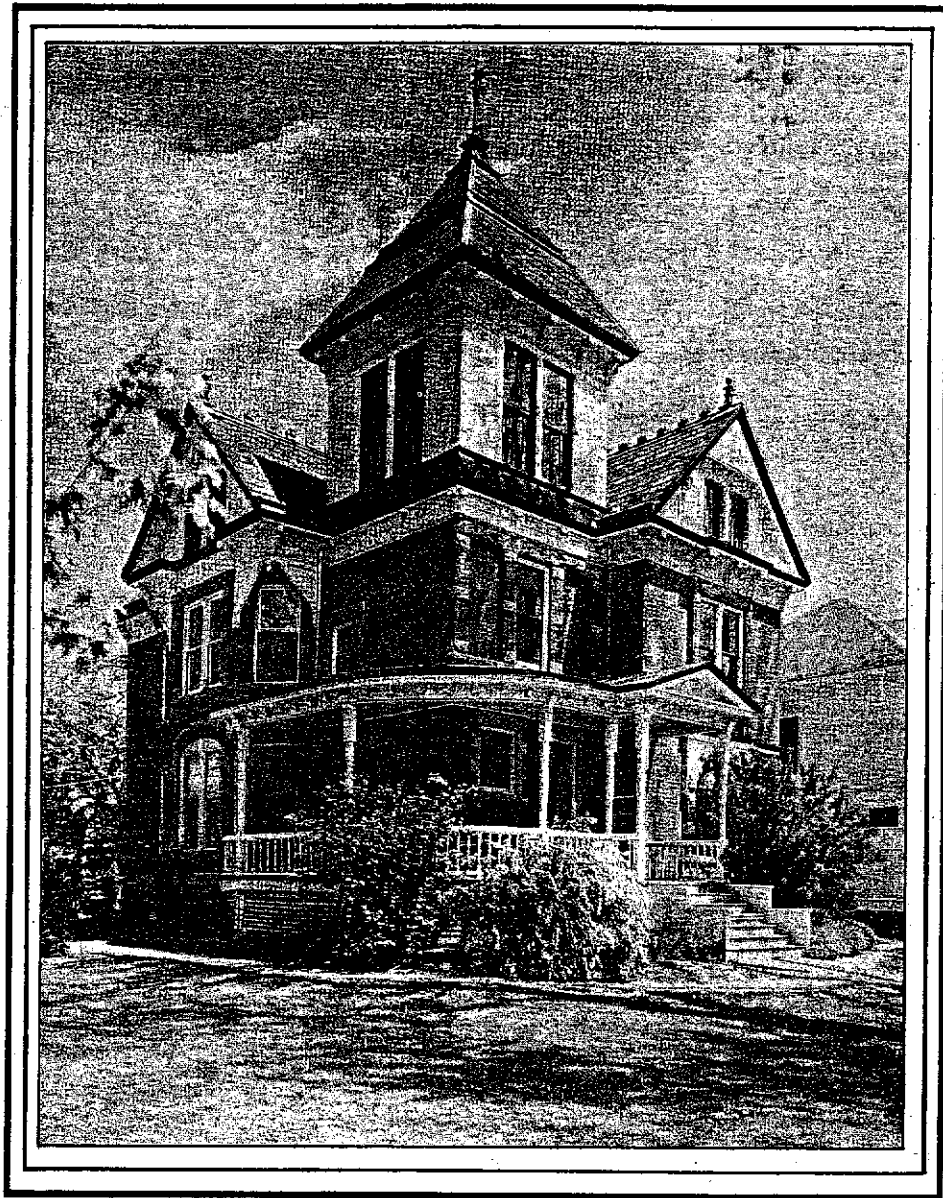
"The purpose of this ordinance is to promote the educational, cultural and economic welfare of the public of the City by engaging in a comprehensive program of historic preservation to promote, preserve and protect historic buildings, structures, sites, monuments, streets, squares and neighborhoods which serve as visible reminders of the historical, archeological, architectural, educational and cultural heritage of the City.

It is the further purpose of this ordinance for the social, economic and environmental advantages of the City to promote the use and conservation of such property, to stabilize and improve property values in historic areas, and to encourage new buildings and developments that will be harmonious with the existing historical, archeological, architectural, educational and cultural buildings, structures, sites, streets, squares and neighborhoods. "

The Commission's Goals

From this charter the Commission has defined four goals as the starting point in accomplishing its task. These goals are developed at length in other sections of this report, but it is useful to state them here so they can be considered in relation to the purposes of preservation and conservation:

1. Boise City will identify, study and designate its historic and culturally significant buildings and sites.
2. Boise City will protect, enhance and preserve its designated Historic Landmarks, Properties, Districts and Urban Conservation Areas.
3. Boise City will promote public understanding and appreciation for its historic heritage.
4. Boise City will cooperate with other governmental entities and with private groups and persons and will integrate historic preservation and urban conservation with its public planning processes.



II

Background

Photograph on Preceeding Page

James H. Bush House at 1020 West Franklin Street. This ornate Queen Anne Style mansion was built in 1892 by the operator of the Central Hotel, a famous pioneer hostelry, and was designed and constructed by J. W. Brown "architect and builder." Through many changes in ownership and a variety of fortunes it was acquired by Glenn Martz who restored it and has successfully converted the lower floors into professional offices.

II

THE BACKGROUND OF HISTORIC PRESERVATION

Preservation at the National Level

It may be thought that historic preservation is a recent activity of the larger cities of the country and a matter of interest only in the last few years. The record shows that there was interest at an early date in retaining buildings and areas associated with the important events of our history. The result of that early interest is that we have preserved such things as Independence Hall, Mount Vernon, the City of Williamsburg and many fine neighborhoods in such cities as Providence, Savannah and Alexandria. Most of these early efforts were either privately sponsored or predated federal preservation efforts.

National Park Service

Created by Congress in 1916 as an agency in the Department of Interior, the Park Service began to have responsibilities for the preservation of man-made things with the institution of the Historic American Buildings Survey in 1933 and the Historic Sites Act of 1935. Many of the programs were conducted in cooperation with other federal agencies, with the Congress directly (the Library of Congress) or with private groups such as the American Institute of Architects.)

It is significant that the 1935 Act encouraged cooperation in these activities between the public and private sectors. That characteristic of federal-state-local-private cooperation in historic preservation continues, happily, to the present day.

Heritage Conservation and Recreation Service

In January of 1978, Secretary of the Interior, Cecil D. Andrus, announced the organization of this new Service along with a separately budgeted program which will combine the activities of several separate functions in the Department including: the Office of Archaeology and Historic Preservation, the Natural Landmarks Program, and the Bureau of Outdoor Recreation. The responsibilities of this new, combined Service will replace those previously assigned to the National Park Service in the field of historic preservation.

The integrated programs will be referred to as The National Heritage Program and will enable the Department of the Interior to consider all the related areas of the man-made and natural environment which are a part of the nation's heritage in a unified and systematic way. In announcing the new Service and this Program, the Secretary stressed the close relationship which the Department will maintain with the National Trust for Historic Preservation and other private preservation groups.

National Trust for Historic Preservation

The outstanding example of cooperative public-private activity for historic preservation at the national level is the National Trust for Historic Preservation which was established in 1947 and chartered by Congress in 1949. Virtually every state and local preservation organization looks to the National Trust for guidance and assistance. Its distinguished board of directors includes the United States Attorney General, the Secretary of the Interior and the Director of the National Gallery of Art. Its functions and the basis for its support are best explained in the Trust's own words:

"The only national, nonprofit, private organization chartered by Congress to encourage public participation in the preservation of sites, buildings and objects significant to American history and culture. Its services - counsel and education on preservation, and historic property interpretation and administration - are carried out at national and regional headquarters in consultation with Advisors in each state and U.S. Territory. National Trust programs and publications are made possible by membership dues, contributions and matching grants from U.S. Department of the Interior, under provisions of the National Historic Preservation Act of 1966."

National Historic Preservation Act of 1966

This law is the most important single federal action in the field of historic preservation. It was adopted in response to several needs including: the recognition of buildings and sites significant in state and local history or culture; for federal-state liason and assistance in the identification of state and local sites; for financial assistance to the states in preservation programs; and for coordinated control in the federal establishment with regard to properties in federal ownership or affected by federally assisted programs.

To meet these needs the 1966 act provided for a redefinition and expansion of the National Register of Historic Places and the establishment of State Officers responsible for state activities; for grants to the states enabling them to prepare statewide preservation plans; for matching grants for preservation projects and for the assistance of the National Trust, and the creation of the Advisory Council on Historic Preservation to supervise the preservation of National Register properties owned by the federal government or affected by a federal program.

All of these activities under the 1966 act are of considerable significance to Idaho and the programs of the Boise City Historic Preservation Commission.

National Register of Historic Places

Prior to the 1966 act the national register system included only buildings and sites which had national significance or which were part of the National Park System. Such buildings and sites were given the title of "National Historic Landmark," and only one such building in Boise - the U.S. Assay Office - had been declared eligible for this distinction.

It was recognized that the criteria of national significance was too limiting and that by this standard, particularly in the west, there would be very few buildings or sites which would qualify. The 1966 act, in expanding the concept of the register to include buildings and sites of state and local significance, adopted criteria to be used by the states in evaluating properties for nomination to the register. This criteria is basic to all state and local historic preservation laws and is included in the Appendix.

A State Historic Preservation Officer is designated under the 1966 act as the nominator for properties in each State which are considered for inclusion in the National Register. In Idaho this function is performed through the Idaho State Historical Society.

Federal Grants-in-Aid Under the 1966 Act

Federal assistance for preservation through the Department of Interior is allocated to the individual states on the basis of a formula which takes the state population and level of effort into account. The grant program is dependent upon the annual budgets authorized by Congress.

These grants are of several types and for several purposes, including: the operation of the State office, its research and technical staff; for the acquisition of threatened National Register properties by the State; for rehabilitation of National Register properties under projects directly supervised by the State, or by private owners of such properties; and for rehabilitation studies and planning by qualified preservation groups.

Rehabilitation grants through this system are limited to buildings and sites which are included in the National Register. The grants are requested by the State Officer through an annual budget and report. The annual report is also approved by the State Historic Sites Review Board and the individual grants-in-aid require the approval of the Trustees of the Idaho State Historical Society.

Council on Heritage Conservation

The 1966 Act also created the Advisory Council on Historic Preservation, now called the Council on Heritage Conservation, as an independent agency of the Executive Branch to advise the President and the Congress on matters involving historic preservation related to federally-owned or operated National Register Properties and all other National Register properties which may be affected by a federal program - such as federally assisted construction, demolition, urban renewal, highway building and the like. The Council includes 17 members representing the principal federal agencies which relate to buildings and properties, the National Trust, the Smithsonian Institution and ten citizen members appointed by the President.

One of the major responsibilities of the Heritage Council is the review and supervision of all federal undertakings affecting National Register properties, under Section 106 of the 1966 Act and is the method whereby the Federal Government controls its own activities to prevent or to mitigate "adverse effect."

It should be noted that the Council does not have the ultimate right to prevent an "adverse effect" by some federal action - but the advisory process, the required consultation and reporting and the time afforded to work out alternative plans has resulted in the "saving" of a large number of significant buildings.

Since the federal definition of "adverse effect" is of state and local interest, it is included in the Appendix.

In Boise we have an outstanding example of the working of this criteria under the Heritage Council in the rehabilitation of the buildings at the U.S. Veterans Administration Hospital which are a part of the Fort Boise (U.S. Army) National Register Historic District. Through this process the buildings at this site were structurally rehabilitated and a new addition added to the complex which respected the historic character of the entire site. Heritage Council procedures are, also, utilized in connection with the effect of federally-assisted urban renewal on properties in the Boise Redevelopment area which have been listed in the National Register.

Other Council on Heritage Conservation Functions

Among these functions are programs relating to the disposition of federally-owned National Register properties which are surplus to federal needs by sale or lease to the states; the transfer without cost of such properties to the states or to cities; permission for such properties to be leased to private developers for adaptive uses. The purpose is to preserve outstanding historic structures and to demonstrate the interest of the Federal Government in adaptive uses which can generate income for their maintenance and upkeep. The U.S. Assay Office in Boise was transferred to the State under this program.

An additional responsibility of the Council is the coordination of federal activities with respect to National Register properties in connection with the 1969 National Environmental Policy Act (NEPA.) The Heritage Council is involved with the environmental impact statements which are required under NEPA. Section 101 (b) (4) of NEPA to "preserve important historic, cultural and natural aspects of our national heritage and maintain, wherever possible, an environment which supports diversity and variety of individual choice."

Other Federal Historic Preservation Activities

Prior to the National Historic Preservation Act of 1966 there were many programs in other agencies and departments outside the Department of Interior which had some relation to "preservation" in the general sense, and the federal establishment has, for years, been involved in museums and the collection of artifacts of historic interest - such as in the Smithsonian Institution.

Since the 1966 Act, federal activity in this field has expanded to a remarkable degree. It is not possible to list these other federal programs, which number, approximately, 260 and involve some 50

separate agencies. The Guide to Federal Programs for Historic Preservation published by the National Trust for Historic Preservation is an invaluable reference tool for everyone in this field.

Of particular interest to Boise City, are the programs administered by the Department of Housing and Urban Development which relate to historic preservation; including housing rehabilitation and the funding for this report under the provisions of the Housing and Community Development Act of 1974.

Historic Preservation and the Tax Reform Act of 1976

One of the most recent federal actions affecting historic preservation is the Tax Reform Act of 1976, specifically, Section 2124, "Tax Incentives to Encourage the Preservation of Historic Structures." Following Congressional enactment of this law the federal tax code has also been amended to reflect its provisions. In general, this law and the tax code provide certain incentives and disincentives to the owners of certified historic property. These provisions of the Act are summarized in the Appendix.

Preservation at the State Level

Early Preservation Activity in Idaho

Historic preservation in Idaho has followed much the same pattern seen at the national level. Early interest and activity was private and arose, principally, from the social contacts established among the early settlers. The predecessor of the Idaho State Historical Society, as we know it today, was the "Historical Society of Idaho Pioneers" which grew out of an initial meeting of Idahoans held in 1881 and consisting of 43 pioneers who had arrived in the Idaho Territory prior to July 4, 1864. Their interest was mainly in the collection of memorabilia associated with the pioneer days of the Territory and not in the preservation of buildings.

The Sons and Daughters of Idaho Pioneers were particularly active in the identification of important buildings and historic sites and it was through their efforts that the historical marker program, later taken over by the Idaho State Historical Society and the Highway Department was initiated. Boiseans can also thank the Sons and Daughters of the Idaho Pioneers (and the Daughters of the American Revolution) for the preservation of the O'Farrell Cabin and the original St. Michael's Church (now called Christ Chapel.)

Idaho State Historical Society

In 1907 the Legislature established the Historical Society as an agency of the state government and appropriated funds for its operation. Many Boiseans will remember the original state museum in the basement of the Capitol.

Until the Society acquired the present museum and more recently constructed space in the new State Library, it was not possible to undertake extensive reworking of the collections or systematic handling of archival material. With these improvements, the increasing interest of the Legislature, large gifts, volunteer assistance, and the availability of federal grants the Society was able to increase the range and depth of its work - to establish publications, a research and curatorial staff, and to engage in major programs for the identification and preservation of buildings, structures, sites and objects.

In this respect, the National Historic Preservation Act of 1966 has had a major and beneficial impact. The functions delegated to the

Society under the Act have been underway since 1970. The Society maintains a qualified professional staff for investigation and research. Of particular interest to Boiseans is the acquisition or relocation of the Coston and Pierce Cabins, the Mayor Logan House, the U.S. Assay Office and the Old Idaho Penitentiary.

Since the Society is headquartered in Boise it is natural that much of its attention is devoted to the major buildings of the Capitol City. The historic preservation movement in Boise has also benefitted from the personal interest and time given by the Director and his staff to preservation issues of local interest.

State Historic Preservation Officer

Under the 1966 Act each state governor appoints the Officer responsible for the statewide historic plan and survey. In Idaho the State Historic Preservation Officer is Dr. Merle W. Wells of the Idaho State Historical Society. His responsibilities include the preparation of the state plan, the compilation and research of the state inventory of historic sites and the preparation of state nominations for review, approval and inclusion in the National Register.

Nominations to the Register must be reviewed and approved by a "high-level professional review committee." In Idaho this Committee is known as the Idaho State Historic Sites Review Board and consists of 16 persons.

Nominations of the most significant entries are forwarded to the Heritage and Conservation Service several times a year. As a result of this activity the State of Idaho now has approximately 200 districts or individual buildings listed in the National Register, many of which are in Ada County or the City of Boise.

The Idaho Historic Preservation Law

In 1975, in response to statewide interest expressed by local preservation groups and the Idaho State Historical Society, the Legislature adopted the Idaho Historic Preservation Law (Chapter 46 - Preservation of Historic Sites - Sections 67-4601-67-4619, Idaho Code.) This law, which is modeled on typical national "landmark" legislation, grants to the cities and counties of the state the authority to designate historic districts or individual historic properties, to control the exterior appearance and uses of designated properties, to acquire ownership interests or easements for their conservation and to engage in planning, research and restoration.

Such legislation is the capstone in a fully integrated program of historic preservation required to supplement the activities of the federal and state establishments in the designation of historic sites. It brings into play the authority of the local government to insure the conservation of historic property through the general welfare provision of the police powers. It affords legal protection to historically significant property and gives it a measure of protection which is more than an honorary distinction.

The stated purposes of the Idaho Historic Preservation Law also reflect the purposes noted by the Congress in the adoption of the National Historic Preservation Act of 1966 and are:

"Whereas the legislature of this state has determined that the historical, archeological, architectural and cultural heritage of the state is among the most important environmental assets of the state and furthermore that the rapid social and economic development of contemporary society threatens to destroy the remaining vestiges of this heritage, it is hereby declared to be the public policy and in the public interest of this state to engage in a comprehensive program of historic preservation, undertaken at all levels of the government of this state and its political subdivisions, to promote the use and conservation of such property for the education, inspiration, pleasure, and enrichment of the citizens of this state. It is hereby declared to be the purpose of this act to authorize the local governing bodies of this state to engage in a comprehensive program of historic preservation."

The provisions of the Idaho Historic Preservation Law are reflected in the Boise City Historic Preservation Ordinance and are the basic charter for its operation.

Preservation in Boise

Early Activities

Many members of the Sons and Daughters of Idaho Pioneers and other organizations having an interest in historic preservation lived in Boise and assisted the early programs of the Idaho State Historical Society.

Despite this interest, however, a great many of Boise's distinguished older buildings disappeared for a variety of reasons. The original State Capitol and Ada County Courthouse were replaced by newer buildings. The original Boise City Hall (an architectural gem) was sold by the City in 1953. The Natatorium, one of the most unusual buildings of its time, fell to the ravages of weather and the neglect of its owners. The exterior facades of several fine downtown buildings were covered or disfigured with "modern" coverings or inappropriate signs.

The event which appeared to spark an intense interest in the older buildings of Boise was the onset of the downtown urban renewal project. In a short period, early in the 70's, several blocks of the original business district were cleared, and in the process, the Moore-DeLamar House, a National Register Property, and several other buildings of distinction, quickly disappeared.

These demolitions occurred at the time of an increasing awareness for the worth of historic buildings. Soon, a number of private organizations emerged and began the task of organizing public opinion in favor of historic preservation and to engage in various rescue and rehabilitation efforts.

Private Historic Preservation in Boise

Historic preservation under private auspices in Boise include a wide range of organizations; some for the purpose of commercial redevelopment and investment, some directed to the saving or rehabilitation of a single building, some with general purposes and intentions. As a group, and in concert with the Idaho State Historical Society, they succeeded in bringing the cause of historic preservation to the attention of the public and the policy-makers of the City.

Notable among these groups is the Idaho Historic Preservation Council, the largest of the general-purpose preservation organizations active in the City and - as the name implies - on a statewide basis. The Council lends its support to all types of preservation activities.

Two other non-profit organizations are also of interest:

The Egyptian Foundation - formed to rescue the organ in the Ada Theater and to arrange (with the assistance of the Idaho Historic Preservation Council) for a rehabilitation study of this Egyptian-style cinema and its sale by the Boise Redevelopment Agency to a new owner for its restoration and continued use.

Friends of the Bishops' House, Inc. - organized to arrange for the rescue of a particularly fine Queen Anne-style mansion and its relocation, restoration and adaptive reuse.

Several commercial ventures in historic rehabilitation are notable:

White Savage Associates, Old Boise 6th and Main, Eighth Street Marketplace - have been in successful ventures involving the restoration and adaptive reuse of many historic properties including; apartment houses, hotels, store buildings and warehouses.

Numerous established business institutions and individuals have invested in older buildings and homes and demonstrated their adaptability while retaining the character of the original structure. There are too many of them to list. Of particular note are: Hendren's Furniture - a fine adaption of an older warehouse for a new store; William A. Hon Real Estate - the graceful adaption of the original Boise Public Library (a National Register Property) for professional offices.

Preservation in Boise Under Government Sponsorship

The activities of the Idaho State Historical Society are related to national, state and local functions. The Society will continue to fulfill its role under the 1966 federal act in Boise with additional nominations

to the National Register, as the allocating authority for federal grant assistance and as a major resource for technical assistance in preservation and restoration.

The Boise City Historic Preservation Commission was created by the Boise City Historic Preservation Ordinance first adopted by the City on April 19, 1976, as authorized by the State Act of 1975.

The Boise City Historic Preservation Plan - which is described in this report - is the first major undertaking of the Commission and is required to establish the goals and policies and implementation procedures of the Commission. Among these goals and policies, the Commission notes its intention to continue the tradition of public-private cooperation which has been a characteristic of the preservation movement from its earliest days.

The Boise City Community Development Department and the Boise City Building Department have been active as the source of funding (through the federal Community Development Act/Department of Housing and Urban Development) and the implementing agency for residential rehabilitation in the older neighborhoods of the City. While most of the rehabilitation under this program has been directed to immediate functional needs, the program has the potential of assisting in historic restoration, as well. One of their most notable projects recently combined functional rehabilitation with historic restoration in the work completed on the John Daly House at 1015 Hays Street - one of Boise's most distinguished buildings.

The Boise City Planning and Zoning Department has furnished the staff required by the Commission and will continue to furnish assistance in the administrative functions of the Preservation Plan and Ordinance. It is also expected that the relationships between urban design and historic conservation will be cooperatively developed between the Planning and Zoning Commission and the Historic Preservation Commission in the implementation of the Policy Plan for the Boise Metropolitan Area - particularly relating to the category of an "urban conservation area."

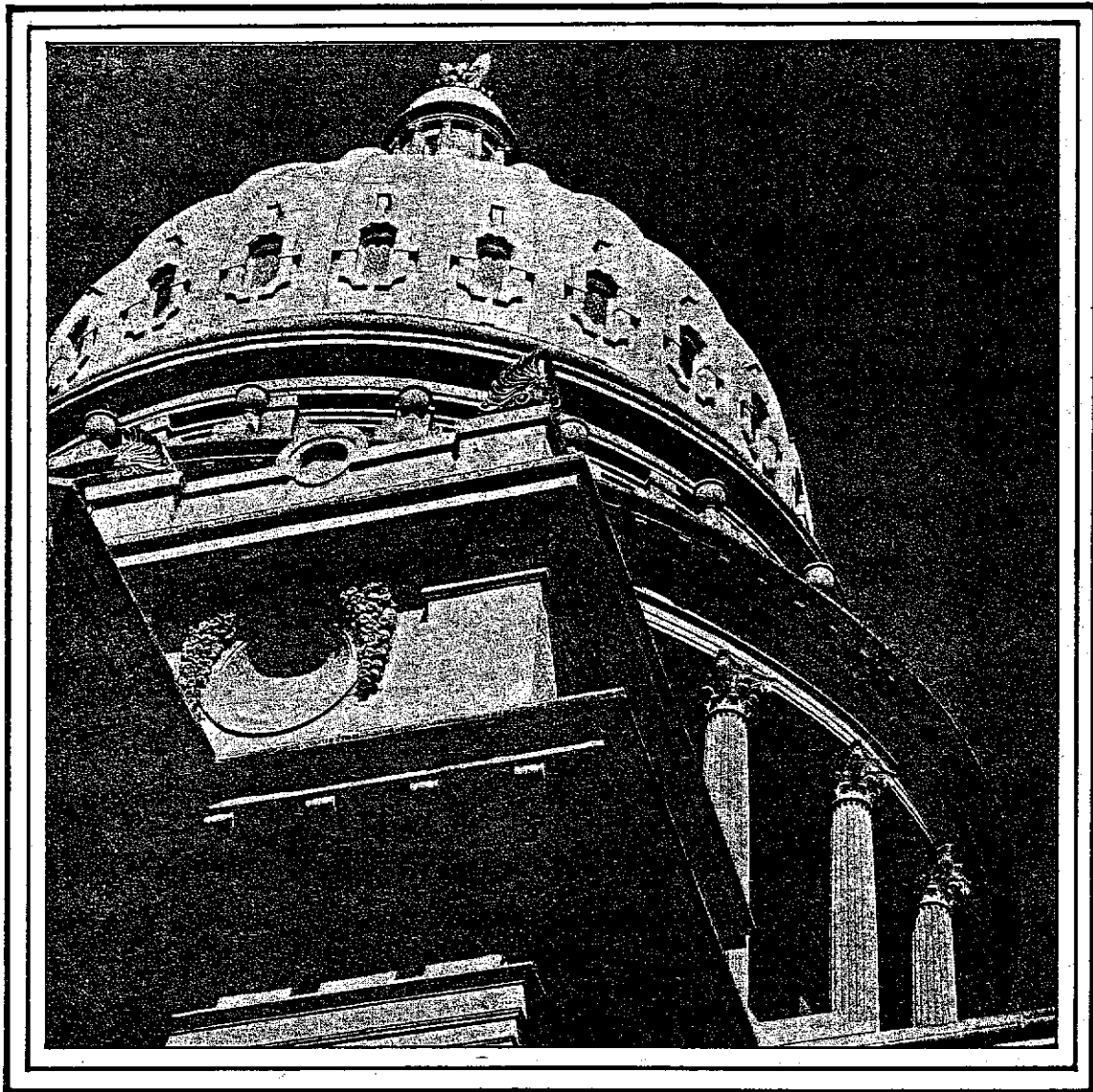
Neighborhood Associations

The older residential areas of the City to the east, north and immediately to the west of the central business district had, for many years, been in a gradual state of decline and transition. Approximately by 1970 these areas - if judged by the conventional wisdom of real estate development - could easily have been written off and expected to follow a continued and familiar pattern of decay.

At about that time, however, this pattern was notably reversed. The reasons are many: the increasing cost of new housing made investment in older properties attractive; many young families were questioning the social values associated with "suburbia"; the "energy crisis" made walking (or cycling) from these areas to the major employment center a budgetary consideration.

These factors surfaced at the time of an increasing appreciation for the aesthetic values which an older architecture contributes to a life-style - the same impulse which inspired the private preservation groups. The result, particularly in the "north end", has been a renaissance of neighborhood cooperation and an appreciation for visual and historic ambience.

Addressing the concerns of neighborhood associations is a responsibility of the City. It is for this reason that the goals and policies of the Commission indicate a continuing interest in and the need for cooperation with these groups for the mutual benefits of historic preservation and urban quality.



III

Goals & Policies

Photograph on Preceding Page

Idaho State Capitol at the north end of Capitol Boulevard between State and Jefferson Streets. As with all state capitols it was designed as a monumental structure to be expressive of the dignity of the state. Our capitol was constructed in a series of projects beginning in 1905 and continuing in 1912 and 1920. It was designed by Tourtellotte & Hummel in the Beaux-Arts Classical Revival Style. As expected, the maintenance of a monumental building of this size and complexity is no easy task. This responsibility has been carefully observed by the state as evidenced by recent interior restorations, exterior cleaning and reconstruction of the huge outside flights of steps.

III
GOALS AND POLICIES
OF THE
BOISE CITY HISTORIC PRESERVATION COMMISSION

Goals and Policies Development

In 1978 the Historic Preservation Commission identified a number of deficiencies in the City Historic Preservation Ordinance which required correction. The Commission studied the Ordinance and recommended revisions to the Mayor and Council which were adopted in 1979. The revised Boise City Historic Preservation Ordinance, the text of which is included in the Appendix, is the basis for the Goals and Policies of the Commission.

Four general goals have been identified. Each goal is further defined with a number of specific policies. Together, these goals and policies are the "blueprint" of the Plan and a guide for the Commission and the Council in achieving the purposes of historic preservation.

These goals and policies are similar to those successfully used in other cities. It is recognized that they must be tested in practice and be appropriate for Boise. It may be expected that some of the policies will be changed or modified as experience is gained in putting them into practice.

The Ordinance which created the Historic Preservation Commission requires broad citizen representation. The Commission will request the active interest and participation of the public and insist on prompt and impartial administration. With these intentions the Commission is confident that its goals and policies will reflect the desires of Boise for our historic and cultural heritage.

Goal 1

Boise City will identify, study and designate its historic and culturally significant buildings and sites.

Policies for Goal 1

Policies for Goal 1 relate to the establishment of a Boise City Inventory of Historic Places and the designation of Historic Landmarks, Properties and districts or Urban Conservation Areas.

1.1. A Boise City Inventory of Historic Places will be initiated and maintained. The Inventory will identify the building, structures, sites, districts and natural features which are significant in local, state or national history, or in cultural, political, spiritual, economic, social or artistic development.

1.2. The Inventory will also identify buildings, structures, sites, districts and natural features which may not have a specific historic or cultural association but which contribute significantly to the visual or environmental ambience of the city or the urban design of a district or neighborhood.

1.3. Listing in the Inventory is for the purposes of data collection and research. Listing does not constitute registration or designation as "historic" or impart any special legal status or limitation on such property.

1.4. Compilation of the Inventory is a continuing activity of the Commission. Research directed by the Commission is required for each item prior to its designation as a Boise City Historic Landmark, Property, District, or Urban Conservation Area.

1.5. The designation criteria for any Landmark, Property, District or Area will be objective and conform to statutory requirements and the goals and policies of this Plan.

1.6. Criteria for the designation of Boise City Historic Landmark, Property or District will include eligibility for nomination to the National Register of Historic Places as generally accepted by the Idaho State Historical Society.

1.7. Priority for Boise City designations will be given to Inventory items which are included in the National Register of Historic Places and to other items of merit particularly when designation is requested by the owner.

1.8. Criteria for the designation of a neighborhood or district as an Urban Conservation Area will be developed in accordance with Policies 1.2 and 1.5. Priority for such designations will respond to the Comprehensive Plan of Boise City, specific urban design plans and requests by property owners in such neighborhoods or districts.

Goal 2

Boise City will protect, enhance and preserve its designated Historic Landmarks, Properties, Districts and Urban Conservation Areas.

Policies for Goal 2

Policies for Goal 2 relate to the administrative and advisory functions of the Commission specified in the Ordinance and to the development of programs for historic preservation under City auspices.

2.1. Procedures for the issuance of Certificates of Appropriateness and determinations required in the maintenance and repair of designated properties will be administered by the Commission in a timely, professional and thorough manner.

2.2. Goals and policies for historic preservation will be recommended for inclusion in the Comprehensive Plan, the Urban Renewal Plan and the specific urban design plans of the City.

2.3. The Commission will recommend provisions in the Boise City Zoning Ordinance intended to facilitate historic preservation and the conservation of urban quality.

2.4. The Commission will recommend the acquisition of historic easements or facade easements, when required in the public interest and to fulfill the purposes of the Historic Preservation Plan.

2.5. Provisions in the Boise City Building Code intended to preserve historic properties and to encourage satisfactory adaptive uses will be recommended.

2.6. Programs for the repair and rehabilitation of threatened or deteriorated properties of historic or aesthetic merit will be recommended to the departments of the City having existing programs for this purpose. Other rehabilitation programs under City auspices will be recommended when required to fulfill the purposes of the Historic Preservation Plan.

2.7. The Commission will develop recommendations for historic preservation and rehabilitation through appropriate tax incentives and programs relating to the conservation of energy.

2.8. The Commission will recommend the lease or purchase of a threatened or deteriorated property having unusual historic or aesthetic merit in an emergency situation, or, as a last resort to save such property from destruction.

2.9. Privately sponsored programs for historic preservation and rehabilitation will be encouraged by the Commission and will be assisted to the extent which is feasible and appropriate.

Goal 3

Boise City will promote public understanding and appreciation for its historic heritage.

Policies for Goal 3

Policies for Goal 3 recognize the need for public awareness and support for the Historic Preservation Plan and the role of preservation as an educational and cultural resource of the City.

3.1. The Commission will notify the public of its meetings, keep the news media informed of its activities and issue an annual report to the people, the Mayor and Council.

3.2. The active interest and cooperation of the people in the programs of the Commission will be solicited. Voluntary assistance in the implementation of the Ordinance, particularly in the compilation and research required for the Boise City Inventory of Historic Places, will be encouraged.

3.3. The Inventory, historical data, references and other material developed by the Commission, excepting information which may be legally privileged, will be made available to researchers, writers, students and other persons interested in the history and development of Boise.

3.4. Designated Boise City Historic Landmarks, Properties and Districts will be identified with dignified and appropriate signs or plaques.

3.5. The Commission will participate in educational and interpretive programs regarding historic properties owned by Boise City and will advise the City with respect to the management of such properties in the conservation of their historic character.

3.6. The Commission, to the extent which is feasible, will provide incentives for scholarship, publication and academic credit to stimulate interest in and appreciation for Boise's historic legacy.

Goal 4

Boise City will cooperate with other governmental entities and with private groups and persons and will integrate historic preservation and urban conservation with its public planning processes.

Policies for Goal 4

Policies for Goal 4 recognize that a successful program of historic preservation is related to other public and private activities, particularly planning, urban design and the efforts of allied organizations.

4.1. The Historic Preservation Plan and program will be coordinated and cooperatively administered with the other agencies of Boise City. Items of interest and procedures required by the Historic Preservation Ordinance will promptly be brought to the attention of related or affected agencies.

4.2. The plans, programs, and policies of the Commission will be reviewed and developed in coordination and cooperation with the Idaho State Historical Society, the Heritage Conservation and Recreation Service, The National Endowment for the Arts, the National Trust for Historic Preservation and the Idaho Office of Energy.

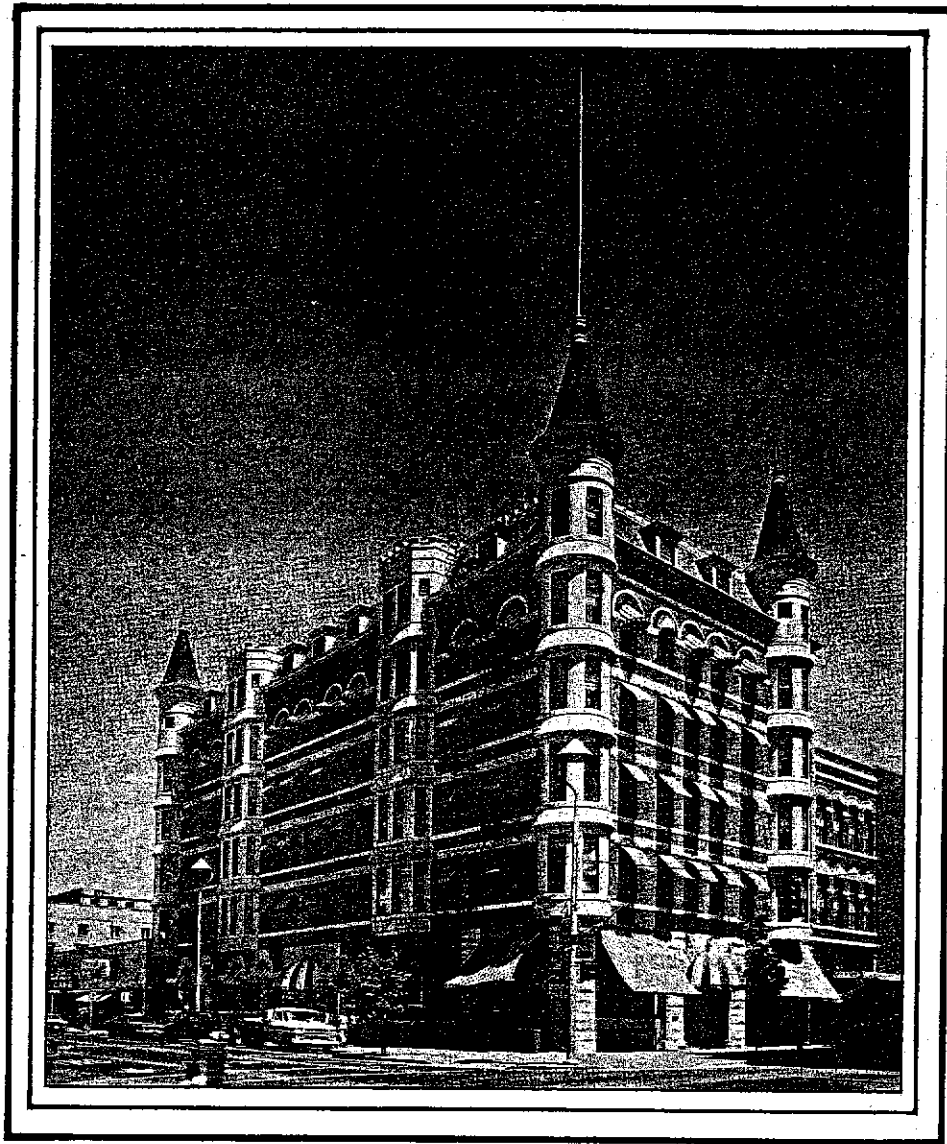
4.3. The Commission will assist and work in cooperation with private institutions and organizations in Boise and the state for the furtherance of their mutual efforts in the field of historic preservation.

4.4. The Commission will solicit the advice and assistance of neighborhood associations in the development of its plans and programs and will extend its support to such associations in the preservation of properties and the conservation of architectural character.

4.5. The Commission will extend its assistance to private individuals in every appropriate way in the furtherance of the general objectives and purposes of the Historic Preservation Plan.

4.6. The Historic Preservation Plan will be integrated with the land use planning and other public planning processes of the City which relate to the visual, aesthetic and cultural environment.

4.7. The concept and programs of historic preservation are allied and related to the planning process known as urban design. The Commission will work for the furtherance of this approach to planning for City environments and offer recommendations to the responsible planning agency.



IV

Implementation

Photograph on Preceding Page

Idanha Hotel at 10th and Main Streets. The Idanha was completed in 1901 from designs by the pioneer architect, Walter S. Campbell. It was Boise's premier hotel and the community now rejoices in its recent restoration by a private development group. The Idanha was exceeded in size by its near-neighbor, the Owyhee, in 1910 and by the Art Moderne Style Boise Hotel in 1930 and gradually fell into a decline until its recent sale and rehabilitation. The original credit for its survival and maintenance, however, should be given to the McMillan family and Roxie (Mrs. Ansgar) Johnson who operated it for many years.

Implementing Goal 1

Boise City will identify, study and designate its
historic and culturally significant buildings and sites.

Implementing Goal 1 requires the Commission to inventory the buildings and sites which meet the criteria for historic designation. With these studies the Commission may then consider the designation of "historic" for a building, site or district. The Boise City Historic Preservation Ordinance specifies the criteria and procedures.

Implementation procedures in this section include:

The Boise City Inventory of Historic Places

The General Survey and Inventory - Responsibility
for Preparation - Funding for the Inventory.

Historic Designation Criteria

Criteria for Districts and Individual Properties -
Criteria for Objectivity, Interest and Need -
Priorities for Designation.

Urban Conservation Areas

Proposal for Implementing.

The Procedures for Designation

Procedural Steps - Adoption by Ordinance - Notices.

Material in the Appendix relating to Goal 1 includes:

- Appendix A: Form for the Boise City Inventory of
Historic Places.
- Appendix B: National Register Criteria of Evaluation.
- Appendix C: List of Boise Properties Currently Included
in the National Register of Historic Places.
- Appendix D: Proposal for Urban Conservation Areas.

The Boise City Inventory of Historic Places

Section 2-18-5 (A) of the Ordinance authorizes the Commission to conduct a "survey" - which is the Inventory referred to in Commission Policies 1.1 through 1.4. Preparing an inventory requires consideration be given to the persons who conduct it, the manner in which it is conducted and the funds required for its preparation.

Who Prepares the Inventory ?

Preparation of the Inventory is the responsibility of the Commission. The persons who do the actual work may be:

- The members of the Commission working on an unpaid basis.
- Qualified, paid Staff assigned to the Commission by the Mayor and Council from appropriate Departments such as Planning & Zoning, Building, or Community Development.
- Architectural historians, architects or other qualified researchers employed as professional consultants as authorized by the Mayor and Council.
- Citizen volunteers working on an unpaid basis, recruited, trained and working under the Commission's direction.

How Is the Inventory Prepared ?

The Inventory has two parts: a general survey or item list and individual inventories for specific properties.

- General Survey or Item List: Identifies the name, type of building and address of all properties considered to be possible candidates for the Inventory. A consultant has prepared an Item List which may be added to as other properties are identified. The Item List is too lengthy for inclusion in this report.

- Inventory Form: The detailed inventory for any property is prepared on the form developed by the Commission in Appendix A. The form covers the criteria and pertinent information to be recorded and is designed to be completed by either professionals or volunteers working under the Commission's direction.

Section 2.18-5 (J) of the Ordinance prescribes that no researcher or other person representing the Commission may enter onto private property while preparing the survey or inventory except with the permission of the Owner.

The form is the basis for the "report" required by Sections 2-18-7 (A)-(C) and 2-18-8 (A)-(C) of the Ordinance for the designation of districts or single properties. Ordinarily, the Commission would not prepare a full inventory report for any property unless it was being considered for designation.

How Is the Inventory Funded ?

Preparation of the Inventory is an official activity of the City. Costs associated with the preparation of the Item List or Inventory should be paid for by the City. Due to probable limitations on City financing the Commission should consider using unpaid and volunteer assistance. In addition to the Commission members, the other likely persons interested in this task would be members of the Idaho Historic Preservation Council and of neighborhood associations. The cost of the forms for recording the Inventory is negligible.

As the Commission develops experience in these procedures it should be able to recommend an annual amount for the funds and staffing required to carry on this work. The Inventory should be prepared by disinterested persons and not by anyone who has a business, personal or property interest in the building under consideration.

Historic Designation Criteria

Each property to be given the designation of "historic" must meet the criteria specified in the Ordinance and summarized in the Inventory prepared for the Commission's consideration. Three sets of criteria are pertinent:

- Criteria for the designation of an Historic District.
- Criteria for the designation of an individual Historic Property or Historic Landmark.
- Criteria establishing priorities, interest and need for historic designations.

Criteria For Historic Districts

The properties in a proposed Historic District must meet one or more of four criteria specified in Section 2-18-7 (A) of the Ordinance. These four criteria are:

1. Historical, Cultural or Educational Importance.
2. Architectural or Engineering Importance.
3. Geographic Importance.
4. Archeological Importance.

Each of these four criteria is further defined in the Ordinance.

Criteria for Historic Properties or Landmarks

If an individual building or site is to be designated Section 2-18-8 (A) specifies that the property is to meet one of the four criteria for a District and, in addition, the criteria for inclusion in the National Register of Historic Places as applied in the State of Idaho.

The National Register Criteria of Evaluation is included in Appendix B. It consists of a preamble, four general criteria and a number of exclusions and qualifications. Any building or site included, or, "eligible for inclusion", in the National Register should automatically qualify for the Boise City designation of Historic Property or Historic Landmark.

A list of Boise properties currently included in the National Register is given in Appendix C.

Commission Criteria For Objectivity, Interest and Need

The Commission also requires criteria establishing a basis for considering historic designations. These are outlined in Commission Policies 1.5 through 1.7 and include:

1. Designations to be objectively evaluated. The Inventory Report Form (Item 9) requires each report to be approved by the Commission and signed by the Chairman. This action signifies that the criteria cited in the report is adopted by the Commission and is correct and objective.
2. Priorities for Boise City Designations
 - a. Properties on the National Register when requested by the owner. May be considered as a Boise City Historic Property or Historic Landmark.
 - b. Properties of merit which may not qualify for the National Register when requested by the owner. May be considered in a Boise City Historic District.
 - c. Other National Register properties (individual or in districts.) May be considered for Boise City designation as individual items or districts, particularly when the property is threatened by blight, incompatible intrusions, development pressure, street widening, demolition or comparable adverse effects.
 - d. Meritorious properties qualifying for inclusion in a Boise City Historic District subject to the adverse effects noted above.
 - e. Other meritorious properties which are not on the National Register and not situated in a potential district may be considered for individual designation, particularly when threatened.

Urban Conservation Areas

Commission Policy 1.8 identifies the need for a type of designation which arises from concern for the historic integrity of large neighborhoods or areas where the criteria and administration of an Historic District would be difficult to interpret and effect. Implementation of this concept requires integration with the planning and zoning functions of the City. A proposal for Urban Conservation Areas is included in Appendix D.

Procedures for Designation of Historic Districts,

Properties or Landmarks

Procedures for historic designation are specified in the Boise City Historic Preservation Ordinance and are illustrated in the flow chart on page 34.

The procedures, in general, are the same for districts or for individual properties. Additional notices are required to be sent to the owners in the case of individually designated buildings.

The Ordinance sections controlling this process are:

Historic Districts: 2-18-7 (B)-(E) regarding the origin of requests, the conduct of the studies, transmittals to the public or the Planning & Zoning Commission, the hearings and the adoption of an ordinance by the City Council.

Section 2-18-17 (A)-(B) specifies the requirements of notice and entry on the Register of Historic Places following the designation by ordinance.

Historic Properties and Landmarks: 2-18-8 (B)-(G) are similar to the requirements for districts with additional requirements for study by the Commission regarding adaptive uses, restoration potential and valuation in cases where the owner does not consent to the designation. These designation requirements are also specified in the Idaho Code (Chapter 46, Title 67.)

The principal features of these procedures include:

- Designations may be proposed by an owner, by the City Council, or by the Commission.
- It is in the Commission's discretion to proceed with a study and inventory for the proposed designation.
- Having studied and proposed a designation the Commission must notify the owners and the Planning & Zoning Commission and hold a public hearing.
- Following this hearing the Commission sends its final report and recommendation to the City Council.

- No designation is made except by ordinance adopted by the Council.
- Additionally, the Council must notify the owners of buildings proposed to be designated.
- Following adoption by ordinance the Commission is required to notify the owners, the City Departments and enter the designated district or property on the Boise City Register of Historic Places.

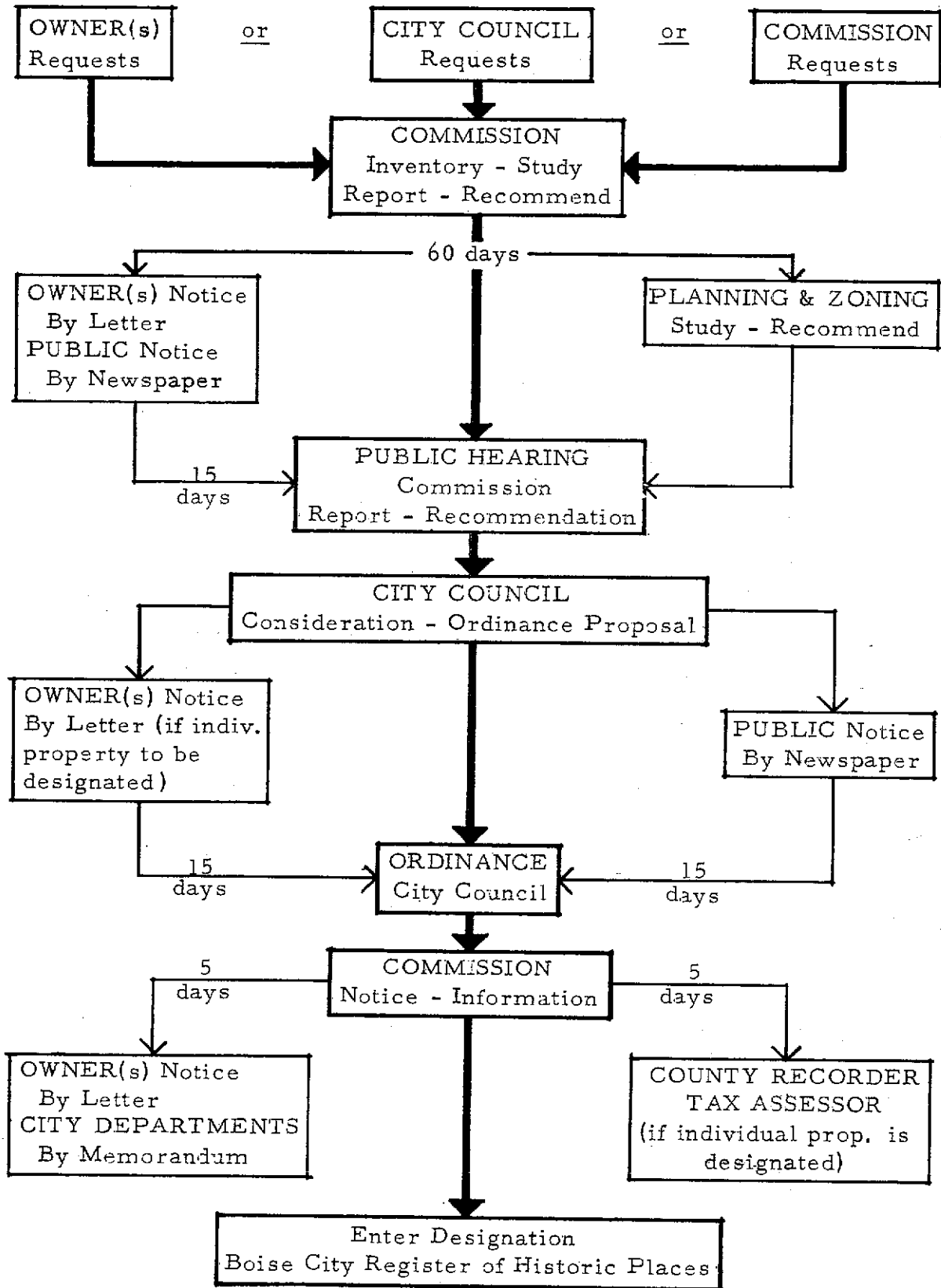
Boise City Register of Historic Places

Section 2-18-17 (B) of the Ordinance requires the Commission to maintain "a current register and map of historic districts, properties and landmarks which have been designated by ordinance."

This is a public document available to the City Departments and all other interested persons. It is distinguished from the General Survey and Inventory which have no legal status and the counterpart, at the local level, of the National Register.

There is no State of Idaho Register since the State does not give historic designations to the buildings, sites and structures on its inventory.

DESIGNATION OF HISTORIC DISTRICTS OR PROPERTIES



Implementing Goal 2

Boise City will protect, enhance and preserve its designated Historic Landmarks, Properties, Districts and Urban Conservation Areas.

Implementation of this Goal requires the Commission to administer the regulatory aspects of the Ordinance, to provide advice and recommendations to the City concerning the preservation-related functions of other City agencies and to assist in the development of rehabilitation programs.

Implementation procedures in this section include:

Preservation Following Designation

Maintenance Requirements - Regulation of Demolition
Relocation and Alterations - Certificates of Appropriateness - Other Change Procedures - Removal of Designation - Funding for Regulatory Activities

Advisory Functions of the Commission

The Comprehensive Plan - Urban Renewal and Other Plans - Planning & Zoning - Building Code - Easements, Leases or Acquisition - Rehabilitation Programs - Tax Incentives

Material in the Appendix relating to Goal 2 includes:

- Appendix E: Guidelines for Certificates of Appropriateness
- Appendix F: Federal Criteria of Effect and Adverse Effect
- Appendix G: Boise Metro Plan Goal D
- Appendix H: Historic Preservation and the Tax Reform Act of 1976
- Appendix I: Secretary of the Interior's Standards For Rehabilitation

Preservation Following Designation

Sections 2-18-9, 12 and 15 of the Ordinance specify the requirements for the preservation of buildings in Districts and of individual Historic Properties following their designation. There are four aspects to this preservation:

- Ordinary maintenance and repair of the interior.
- Conservation of the exterior historic effect.
- Regulation of demolition, relocation and exterior alternations.
- Regulation in changes of use or zoning.

These responsibilities are shared by the owner, the City Building and Fire Departments, the Planning & Zoning Commission and the Historic Preservation Commission. The implementation outline suggested below defines these responsibilities and indicates procedures.

Ordinary Maintenance and Repairs - Interior

The owner of each designated building (in a District or individually designated) is required to maintain the interior in good repair. This maintenance is no different than that required by the Housing, Building and Fire Codes whose purpose is to prevent hazardous or unsafe conditions. This requirement is cited in the Preservation Ordinance since unsafe interior conditions create a detriment to historic integrity.

Enforcement of these requirements is the responsibility of the Building and Fire Departments. When they occur in a designated building they are reported to the Commission which may wish to take further action under the Preservation Ordinance.

Conservation of Historic Effect - Exterior

The owner of each designated building is required to conserve the exterior effect of the structure in such manner that it retains the historical and architectural character which was the original basis for its designation.

Criteria for this conservation is cited in Section 2-18-15 and includes:

- Maintenance to prevent the deterioration of exterior walls, supports, roofs, chimneys, plaster or mortar.
- Prevention of water leaks through exterior walls and roofs and the repair of broken doors and windows.
- Maintenance to prevent unsafe or hazardous exterior conditions.

Compliance with these requirements is ordinarily expected with any prudent owner. These requirements are in the Ordinance since exterior blight has an obvious effect and diminishes the character of an Historic District.

Enforcement of these requirements is the responsibility of the Building and Fire Departments to the extent that violations fall within their Codes. Observation of violations is also the responsibility of the Commission. Normally, such violations are easily seen and could be expected to be reported by neighbors or other interested citizens.

Regulation of Demolition, Relocation and Exterior Alterations

The owner of each designated building (or a building in a District) is not permitted to demolish, relocate or cause an exterior alteration of the building, its appurtenances or site without first applying for a Certificate of Appropriateness. A new building, sign or other appurtenance cannot be erected in an Historic District without a Certificate of Appropriateness.

Criteria for the regulation of demolition, relocations, exterior alterations or new buildings is cited in Section 2-18-9 (A) of the Ordinance and is broadly stated:

"The Commission... shall take no action under this section except for the purpose of preventing the (exterior) construction, reconstruction, alteration or restoration, moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs or natural features in the historic district or on the historic property or landmark which would be incongruous with the historical, architectural, archeological, educational or cultural aspects of the district."

Since the regulation applies primarily to exterior features they are further defined in Section 2-18-2:

"The architectural style, general design and general arrangement of the exterior of a building or structure, including the color, the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs and other appurtenant fixtures and other natural features such as trees and shrubbery."

No further explication of this criteria is appropriate since general standards are applicable to all buildings and districts. The Ordinance requires broad interpretation - including consideration for its "Purpose" preamble (Section 2-18-1) and the requirement that the Commission be composed of citizens familiar with history, architecture, planning and law (Section 2-18-3.)

Each case must be judged on its own merits and with consideration for the adjacent area and the circumstances of the applicant. Additional guidelines are suggested in Appendix E.

Enforcement of these requirements begins with the compliance of the owner. The requirement to apply is unequivocal. The owner or proposer of a new building, however, may proceed without the concurrence of the Commission under three conditions.

- If the Commission has not taken action on a Certificate within 40 days of its receipt, or,
- If, after 180 days from the receipt of a written notice and the Commission has not granted a Certificate, the applicant may proceed, or,
- A decision of the Commission not to issue a Certificate may be appealed to the Council and, finally, to the District Court where it may be remanded or reversed.

Other enforcement exceptions (Section 2-18-12) relate to modifications which do not change the design, color, material or exterior appearance of a building, or to changes required for the reasons of public safety as certified by the Building Inspector.

Regulation In Changes of Use Or Of Zoning

The owner of a designated building (or a building in a District) may not change its use or apply for a change in zoning without first applying for a Certificate of Appropriateness from the Commission.

Criteria for regulating a change in use or of zoning are the same as cited for demolitions, relocations or exterior alterations and are based on the requirement that such changes must not be incongruous with the historic effect of the building or its District. The Ordinance does not prohibit such changes. It simply requires that the exterior effect of such changes be appropriate.

Enforcement of these requirements begins with the compliance of the owner who is required to file the application for a Certificate and with the Building and Planning & Zoning Departments who may not proceed with their own procedures until the Historic Preservation Ordinance requirement is satisfied.

Regulation of Signs

The Ordinance states that signs in designated Historic Districts shall be regulated by the Commission. The criteria for signs includes:

- The basic test is whether any new or proposed sign is appropriate for its location ("not incongruous.")
- The Commission has the authority to make this judgement.
- The standards for new or changed signs in Districts will, therefore, not be different than the standards or guidelines for the buildings, landscaping or appurtenances.
- Revisions in the City Sign Code should note the authority of the Commission and include a reference for the required review and Certificate of Appropriateness.

Procedures For the Issuance of Certificates of Appropriateness

Sections 2-18-9 and 10 of the Ordinance prescribe the procedures for the applications, consideration, issuance or denial of Certificates of Appropriateness. Certificates must be applied for by the owner of individually designated buildings or a building in a District when it is proposed to:

- Demolish, relocate or materially alter the exterior appearance of the building, its exterior appurtenances (including signs), or its site and exterior site features.
- Construct a new building or sign in an Historic District.
- Change the use of an existing designated building (or building in a District) or change the zoning in a District.

Responsibility for application rests with the owner. The procedural responsibilities from the date of the receipt of the application rest with the Commission.

Form of the Application

Section 2-18-10 (A) requires the owner to apply on a form prescribed by the Commission. The form is to provide the information required in considering the particular matter requiring approval.

An application form has not been developed to date. The form should be modeled on the standardized form used by the Planning & Zoning Commission in applications for zone changes, conditional use permits and design reviews. Certain information can be simplified in this application and other modifications are suggested:

- The location, legal and general description of the existing property should already be in the Commission's possession by virtue of the Inventory, including an adequate photograph.
- Unless a new building or major alteration is proposed there should not be a requirement to submit a site plan or highly detailed drawings.

- The application and consideration procedure should provide for a site visit by the Commission with the applicant. In many cases the pertinent information can be easily communicated, recorded and evaluated by the Commission on this occasion.

Time Required For Action By the Commission

Section 2-18-10 (C) requires the Commission to act on the application within forty days after its receipt. Official receipt of the application includes completion of the information required in the prescribed form. If the Commission does not act in this period the Certificate is deemed to be issued.

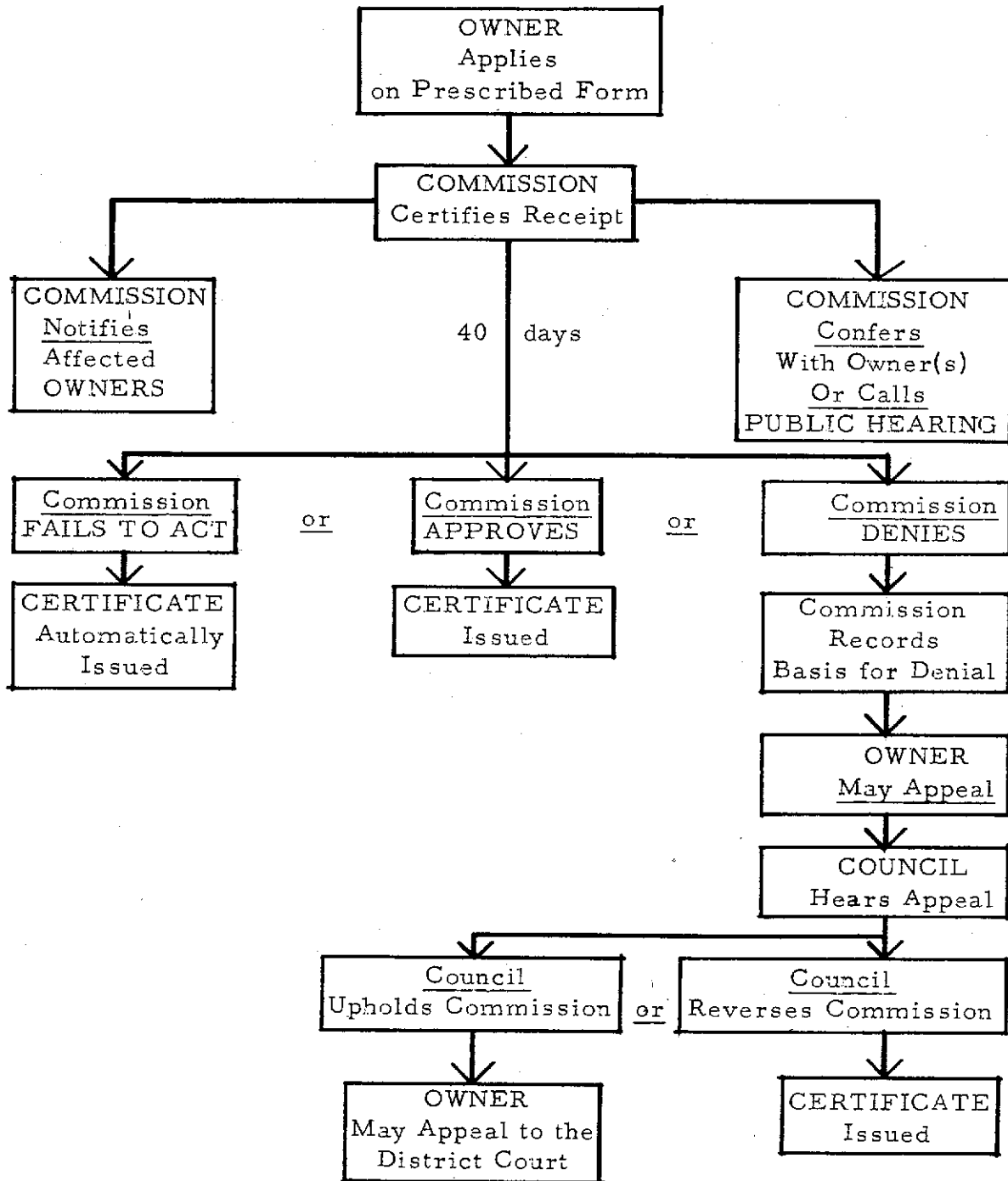
Form of the Certificate

The Ordinance does not specify the form of a Certificate and a form for the use of the Commission has not been developed to date. In developing a form it is suggested:

- One page, comparable to a Zoning Certificate, with spaces indicating the actions of the Commission and the Council with the effective dates.
- The form should be designed as a cover attachment to the application.

It may also be desirable to develop a comparable form for a denial of certificate.

PROCEDURE FOR CERTIFICATE OF APPROPRIATENESS



Changes in Historic Status Without a Certificate

Section 2-18-11 of the Ordinance provides owners with an alternative to applying for a Certificate of Appropriateness when considering significant changes which either could not be approved by the Commission, or, for which the owner chooses not to apply.

This is the "escape hatch" through which an historically designated building disappears. In this sense, the utilization of this alternative is a defeat for preservation. At the same time, it is recognized that some historically designated buildings may not be perpetually preserved due to a variety of legitimate reasons.

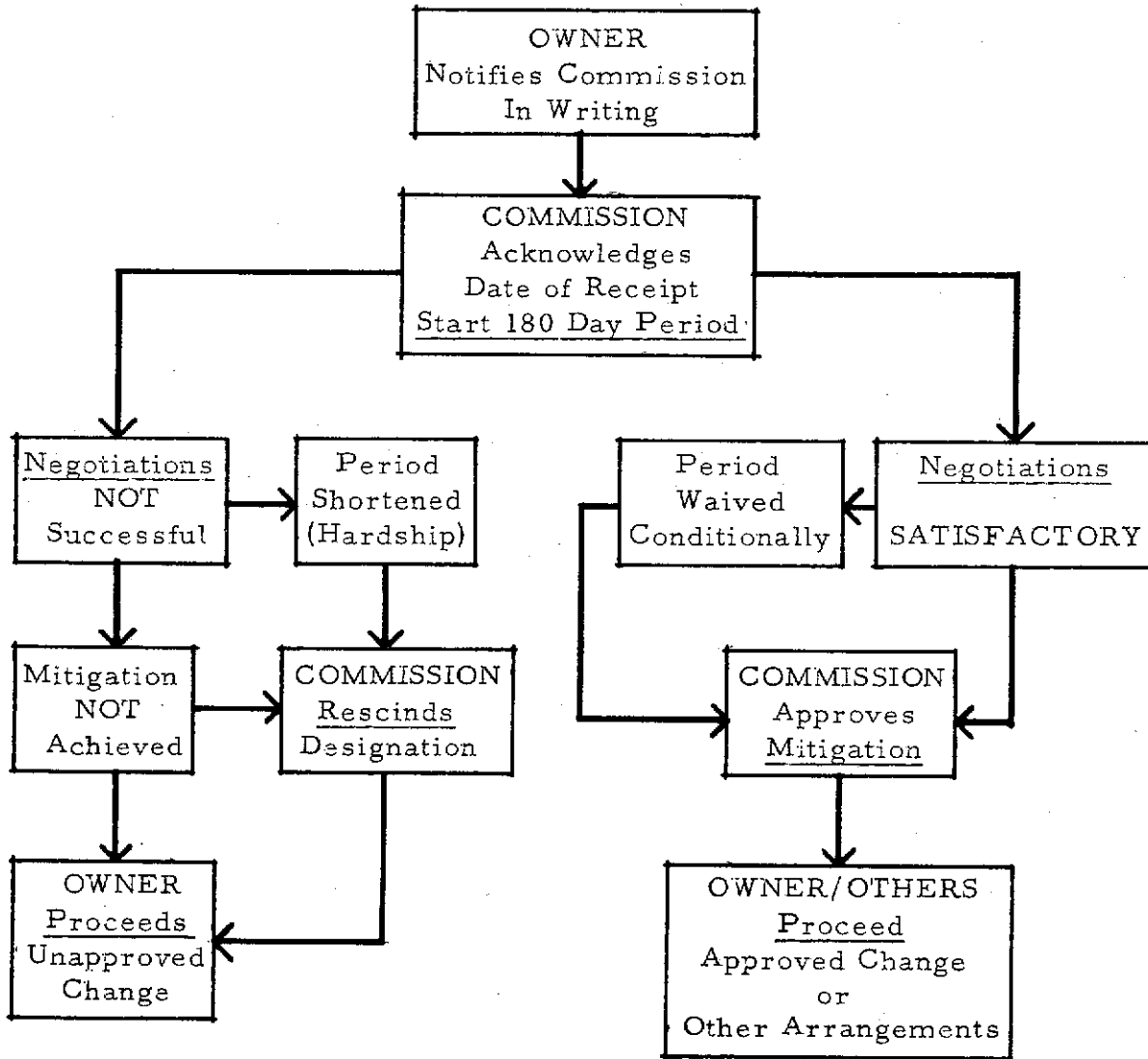
Procedures, Policies and Mitigation

The procedures under this Section are clearly defined in the Ordinance. Significant features and related policy questions include:

- The owner is required to apply in a letter addressed to the Commission, referred to as a "notice."
- The Commission is required to promptly acknowledge receipt of the notice. A 180 day period before the owner may proceed begins with the date of receipt.
- If no other action is taken to mitigate the proposed action the owner may proceed after the 180 day period.
- The Commission may reduce the waiting period, at its discretion, in cases of extreme hardship. Loss of profit is not a basis for reducing the waiting period.
- The Commission, cooperatively with the owner, may take various steps to mitigate the effect of the application, including: negotiations leading to acceptable solutions; initiating purchase, lease, historic easement rights or transfer by gift to the City or other interested persons; or, waiving of the required time while good faith negotiations are underway.

The Ordinance contemplates that the Commission is obliged to seek acceptable solutions when in receipt of a notice. If no satisfactory solution is obtained during the required period and the owner proceeds with the proposed action, the Commission must rescind the historic designation.

HISTORIC STATUS CHANGES WITHOUT A CERTIFICATE



Removal of Historic Designation

Section 2-18-18 of the Ordinance provides for the removal (recision) of historic designation for individual properties, for individual buildings in a District, or for an entire District. This Section also specifies the requirements for the amendment of an historic designation.

Recisions and amendments are recommended by the Commission and adopted by the Council by ordinance.

Criteria for Recision is stated in Section 2-18-18 (B) and does not require elaboration. The Federal Criteria of Effect and Adverse Effect is attached in Appendix F and may be useful as an additional guideline in determining the basis for recisions. A recision "automatically" ensues when an owner proceeds with a demolition, relocation, or significant unapproved alteration without a Certificate of Appropriateness.

Enforcement of a recision is the responsibility of the Commission since the procedures are all administrative. The effects of recision may include:

- Loss of code exemptions which may have been granted to the property by virtue of its historic designation.
- Loss of tax benefits applicable under the Tax Reform Act.
- Requirement to reimburse grantors who may have assisted in the rehabilitation or restoration of a designated property. (This requirement should be included in any City grant program.)
- Loss of "status" or property valuation may also occur since the recision process is public and the appropriate public officials are notified.

Procedures for recision or amendment of a District boundary are the same as required for designation requiring a study by the Commission, report to the Planning & Zoning Commission, notification to affected owners, a public hearing by the Commission, report and recommendation to the City Council, adoption of the recision or amendment by ordinance, notification to the City Departments, notification to the Recorder and Assessor and removal from (or amendment to) the Boise City Register of Historic Places.

These procedures are illustrated on page 34.

How Are Regulatory Activities Funded ?

Until such time as the Commission gains experience with the workload, it is difficult to predict the amount of staff time, paperwork, mailing and other overhead which will require City funds.

Funding sources include:

- Some of the procedures are in the normal line of duty for certain City Departments - Fire, Building, Planning & Zoning do not require extra work on their part except liaison with the Historic Preservation Commission.
- A part-time coordinator has been furnished to the Commission from the Planning Department staff. This has greatly aided the Commission and is important for liaison with the Planning Department. Until the workload of the Commission materially increases this amount of staff support will be sufficient.
- Surveillance of violations is simple and will not require an "inspector" in the foreseeable future. The members of the Commission should be well informed as to situations in the field.
- Certificate of Appropriateness Application and "Notice" fees should be charged. The fees should be comparable to those for the other regulatory functions of the City.
- The Ordinance provides that funds for the Commission may also be obtained from "any other available source." It would be appropriate for the Commission to seek private sources to supplement the funding of essential activities.

The enlistment of private sources must be with the approval of the Council. The Council is authorized to receive and expend monies so obtained for the use of the Commission.

Advisory Functions of the Commission

Among the powers and duties of the Commission listed in Section 2-18-5 of the Ordinance there are a number of advisory functions which are cited in the Commission's Policies under Goal 2:

<u>Policy</u>	<u>Objective</u>
2.2	Incorporate preservation goals in the City Comprehensive Plan and Urban Renewal Plan.
2.3 & 2.5	Facilitate preservation with appropriate provisions in the Zoning Ordinance and Building Code.
2.4 & 2.8	Recommend acquisition of historic easements, lease or ownership of threatened historic properties of exceptional merit.
2.6 & 2.9	Encourage and participate in rehabilitation programs under City sponsorship and in cooperation with private groups.
2.7	Recommend tax and energy conservation incentives to owners of historic properties.

Several of these objectives have been met or are being currently addressed. The others are an agenda for further consideration. Current and future implementation includes:

Comprehensive Plan

The City's first Comprehensive Plan dates from 1964 and was replaced with a new plan, adopted October 16, 1978, titled A Policy Plan for the Boise Metropolitan Area (the "Metro Plan.")

The Commission suggested that this plan include references to urban design and historic preservation and assisted the Planning & Zoning Commission in the drafting of Goal D - Urban Quality which integrates the objectives of urban design, conservation and historic preservation as a major goal of the City.

A summary of Goal D is attached in Appendix G.

Urban Renewal and Other Downtown Plans

The Commission has advised the Boise Redevelopment Agency on several occasions with respect to historic and other structures and has cooperated with consultants employed by the Agency and the City who have studied these structures in the renewal area and the central business district.

Zoning Ordinance and the Planning Department

The proposal for Urban Conservation Areas, included in Appendix D, is the Commission's contribution toward the development of new zoning concepts for the City. The Commission will work with the Planning Department in the development of this, or a comparable, provision in the zoning ordinance.

The Commission is required to report its recommendations for historic designations to the Planning & Zoning Commission and receive comments from P & Z at the public hearings.

The project coordinators assigned to the Commission from its inception have been members of the City Planning Department. This is a logical and constructive relationship and should be continued.

The Commission should establish a permanent liaison at the Commissioner level with the City Planning & Zoning Commission to assist the P & Z Commission in the evaluation of cases involving buildings of historic interest.

Building Code

Section 104(j) of the Uniform Building Code integrates with Sections 2-18-12 and 16 of the Historic Preservation Ordinance. Liaison with the Building Department will be required as the Commission proceeds with historic designations. The Commission should recommend references in the administrative section of the Code concerning designated buildings. This section of the Code can be supplemented by City ordinance. Since the City utilizes the standard code of the International Conference of Building Officials it is unlikely that its technical provisions can incorporate local preservation requirements.

Historic Easements and Leases or Acquisition of Threatened Historic Properties

The Ordinance authorizes the City Council to obtain easements, or to lease or acquire historic properties on the advice of the Commission. To date no recommendations have been made.

Various historic buildings in or near the central business district have been acquired and rehabilitated by private interests resulting in a number of notable "rescues". Private activity will continue to be the principal means of preservation. Commission programs should be directed toward facilitating and encouraging the private sector.

Due to funding limitations now and in the foreseeable future it is unlikely that the City will be in a position to lease or acquire historic properties from direct funding sources. On a national scale, few municipalities have been involved in facade easement or acquisition activities on a direct basis.

A program in Boise implementing these objectives could include:

- Organization of a non-profit corporation similar to Historic Denver with the capability of obtaining the required capital and authority to develop, lease or sell to others subject to retention of historic character. The City's role would be advisory and as a liason, particularly in negotiations involving the "Notice" procedures of the Ordinance. The initial role of the Commission would be to assist in the organization of the corporation.
- Revolving funds have been utilized both by municipalities and historic development corporations. The Commission should investigate the feasibility of such programs under city auspices in which the seed money is obtained through Federal grant sources.
- Participation with the Idaho Historic Preservation Council in programs of mutual interest. The Idaho Association for the Humanities and Fundsy are other organizations to be contacted.
- The City is also empowered to acquire ownership or easement by gift.

There is an extensive literature on the subject of preservation financing. Several of the principal references are noted in the Bibliography.

Rehabilitation Programs

Among the subjects included under this heading are:

City Housing Rehabilitation. The current City program administered by the Building Department with Community Development funds has resulted in significant upgrading of numerous dwellings, particularly in the North End. The Commission will study the historic preservation aspects of this program and offer constructive suggestions to the Department.

Rehabilitation of City-Owned Buildings of Historic Interest is the subject of Commission sponsored studies on the Central Fire Station, the Julia Davis Park Bandshell and the John O'Farrell Cabin.

Tax and Energy Conservation Incentives

There are no tax benefits under Idaho law with respect to historically designated buildings. Authorities on this subject agree that state property tax laws are not amenable to special treatment for such buildings.

To the extent that Idaho has "circuit-breaker" and other provisions for property tax relief for the elderly there may be some benefit to older dwellings of historic interest. Indirect benefits of tax law also accrue as a result of deductions for energy conservation improvements.

The principal avenue of tax incentives for historic preservation is related to the Federal Tax Reform Act of 1976. Since information on this subject should be available to the Commission and others interested in preservation there is a summary of the provisions in Appendix H.

The Secretary of the Interior's Standards for Rehabilitation in Appendix I are the rules established for determining if a rehabilitation project qualifies as a "certified rehabilitation" under the 1976 Act.

These Standards are also an excellent guide with respect to any rehabilitation project and should be consulted when evaluating proposed alterations under the Ordinance and the rehabilitation programs under City auspices.

Implementing Goal 3

Boise City will promote public understanding
and appreciation for its historic heritage

Implementing this Goal requires the Commission to develop a system of regular communication with the Mayor and Council, the Departments, other agencies, the news media and the general public in order to insure that the City's programs for historic preservation are understood, open and in need of widespread citizen participation and support. With the exception of the minutes of the Commission's meetings, which have been kept since its inception, there has been little public information concerning this City activity.

Implementation recommended in this section includes a number of steps not yet undertaken by the Commission.

Meetings, Minutes and Reports

In addition to the meetings, hearings and administrative reports outlined under Goals 1 and 2, the Commission is required to meet regularly, maintain minutes and prepare an annual report of its activities for the Mayor and Council.

All meetings of the Commission are required to be open to the public.

Information For the News Media and the Public

The Commission should develop a regular format of contact with news media, including resume's of its meetings and agenda and timely news releases concerning historic properties which may be threatened, rehabilitation programs of interest to the City, of research and other scholarly activities associated with the Commission's work.

The Commission should consider the publication of a simple brochure, similar to those published by the Boise City Housing Center, explaining the purpose of the Commission, the Goals of the City for preservation and the function and effect of the historic designation of individual properties and districts.

Historical Signs and Markers

Section 2-18-8 (C) of the Ordinance requires the City to provide "a suitable sign or marker on or near the property or landmark indicating that the property has been so designated." This is also a requirement of the State Historic Preservation Act.

Historic Districts and their separate buildings are not included in this requirement.

Implementation of this requirement involves several considerations:

Coordination with existing signs and markers will require that City designated properties be examined for any existing markers. National Register properties are also marked under the Federal program. It will be necessary to determine the size, location and "suitability" of the City marker. It is also noted that many individual buildings in National Register Districts have markers commemorating the American Bicentennial or privately erected. The buildings in the Old Fort Boise District (Veteran's Hospital) have markers placed by the employee association of the VA Hospital.

Funding for the marker program should be sought from cooperating private organizations or individuals. It would be appropriate to recognize their contribution on the marker.

Design of the City markers is a likely subject for a competition which could be the subject of considerable public interest. The marker design will probably have to take the factors noted above into consideration.

Other Markers

While not required by the Ordinance, the Commission should consider an historical marker program for Districts similar to those seen at the entrance streets of historical districts in other cities. This marker program could also be the subject of a design competition. The message content of the marker should be more extended while keeping the "sign area" to a reasonable and dignified size.

Signs associated with walking tour routes could also be considered and integrated with public educational programs of the school system or the Historical Society.

Implementing Goal 4

Boise City will cooperate with other governmental entities and private groups and persons and will integrate historic preservation and urban conservation with its public planning processes.

Implementation of Goal 4 begins with the recognition that historic preservation is not an isolated activity and that preservation under public auspices is based on its relation to "educational, cultural and economic welfare."

The implementing processes under this Goal are requirements of the Ordinance.

The City Register and Map

Noted earlier in the implementation of Goal 1. Publication of the register with suitable news releases is also a function under Goal 3. The Register and the Inventory data for each designated property and district should be available to historians, other agencies and interested persons.

Liaison With the Idaho State Historical Society

A staff member of the Society has been invited to attend the Commission's meetings, receive its agendas and minutes and participate in the discussions. The Society representative has been effective and should be continued.

Liaison With Private Historic Preservation Groups

Most of the members of the Commission are also members of private preservation groups, such as the National Trust for Historic Preservation, the Idaho Historic Preservation Council, Friends of Old Buildings, etc. The Commission should make a special effort to keep these organizations aware of its activities and, to a large extent, the overlap in membership assures this.

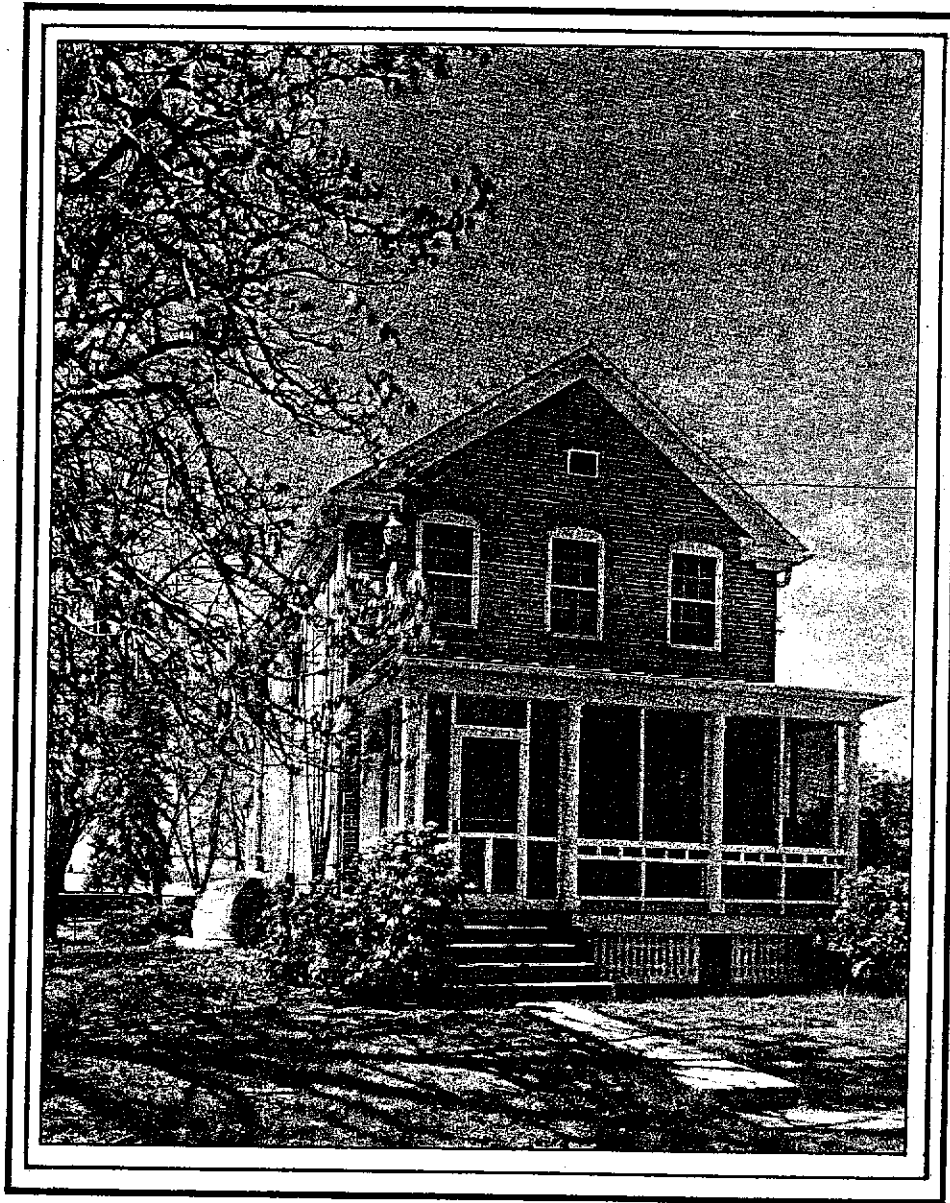
The Commission will have to rely on the cooperation and assistance of these groups in order to carry on some of its essential functions - surveying, research, compilation of the Inventory, funding for certain activities - due to possible limitations of the City in providing all of the support which a proper historic preservation program should have.

Integration With Planning

Recommendations for liaison with the Planning & Zoning Commission (and as required in the designation process) have been previously noted. The Ordinance also provides for Commission participation in the "conduct of land use, urban renewal and other planning processes.."

It is recommended that individual members of the Historic Preservation Commission be designated for liason with the Building Department, the North Bank Consortium, the Ada County Highway District and the Boise Redevelopment Agency.

All of these agencies "plan" and that planning frequently has a significant relationship to historic preservation or its related interest in urban and architectural, conservation. Public agencies, through lack of information, sometimes make plans which adversely affect preservation. The Ordinance authority to participate in the "conduct" of planning is intended to represent this interest to those agencies and to furnish the perspective of preservation at the beginning, rather than at the end, of their considerations.



V
Appendix

Photograph on Preceeding Page

Nurse's Quarters (Building No. 42) at the Veteran's Administration Hospital. Ownership of this building was transferred to the Boise Independent School District in 1974. It is one of many interesting buildings comprising the National Register Fort Boise (U.S. Army) Historic District. The house was the residence of the Chief Nurse at the nearby Boise Barracks Hospital at the time of its construction in 1909 and has been occupied as a residence, an office and for educational purposes at various times. It has been kept in excellent condition due to the careful maintenance of its federal and local public owners even though it has had a wide number of uses and has been vacant many times.

BOISE CITY INVENTORY OF HISTORIC PLACES

Inventory No. _____

Boise City Historic Preservation Commission
150 North Capitol Boulevard
Boise, Idaho 83702

Item List No. _____

Date Completed _____

Photo(s): _____

1. NAME

Historic: _____

and/or Common: _____

2. LOCATION

Street Address: _____ Boise, ID 837 _____

Subdivision: _____
(Block(s)) (Lot(s)) (Subdivision/Addition Name)

Zoning Classification: _____
(At Site) (Adjacent Property)

3. CLASSIFICATION

<u>Category</u>	<u>Ownership</u>	<u>Status</u>
____ District	____ Public	____ Occupied
____ Building(s)	____ Private	____ Vacant
____ Structure	____ Mixed	____ Work in Progress
____ Site		
____ Object	<u>Public Acquisition</u>	<u>Accessibility</u>
	____ In Process	____ Yes/Restricted
	____ Being Considered	____ Yes/Unrestricted
		____ Not Accessible
<u>Present Use</u>		
____ Agriculture	____ Industrial	____ Private Residence
____ Commercial	____ Military	____ Multiple Occupancy
____ Educational	____ Museum	____ Religious
____ Government	____ Park	____ Other: _____

4. CURRENT OWNER OF PROPERTY

Name: _____

Address: _____
(Number) (Street) (City) (State) (Zip)

5. LOCATION OF LEGAL DESCRIPTION

Ada County Recorder
Boise, Idaho

Deed/Instrument No. _____
Book _____ Page _____

6. REPRESENTATION IN OTHER SURVEYS/REFERENCES

Survey Title: _____

National Register Status: _____
(Date Nominated) (Date Listed)

Published References:

Other:

7. PROVENANCE AND DESCRIPTION

Name of Original Owner: _____

Architect or Builder: _____

Date of Construction: _____ . Addition(s) _____

Condition

____ Excellent. ____ Good. ____ Fair. ____ Deteriorated. ____ Ruins.

____ Unexposed Remains. Comment: _____

Status

____ Unaltered. ____ Altered: Date(s): _____

____ Original Site. ____ Moved: Date(s): _____

Restoration Potential

____ Excellent. ____ Good. ____ Fair. ____ Poor. ____ Infeasible.

Comment: _____

Description of Present and Original Appearance (if known.)

Architectural Style: _____

Attached Check List of Exterior Features Completed: ____ Yes ____ No

Comment:

8. SIGNIFICANCE

Inventory No. _____

HISTORICAL-CULTURAL-EDUCATIONAL

____ Community Development. ____ Cultural. ____ Ethnic Group.

____ Historic. ____ Significant Person. ____ Other: _____

____ Art. ____ Economic. ____ Education. ____ Exploration/
Settlement. ____ Military. ____ Political. ____ Religious.

____ Scientific. ____ Social. ____ Other: _____

ARCHITECTURE-ENGINEERING

____ Characteristic of Style. ____ Distinctive/Outstanding Example.

____ Innovative Feature. ____ Rare/Unusual Feature. ____ Rare Style.

____ Work of Influential Designer. ____ Other: _____

GEOGRAPHIC

____ Distinctive Area/Neighborhood. ____ Established/Prominent
Feature. ____ Historic/Cultural/Stylistic Theme Area.

Other: _____

ARCHAEOLOGICAL

____ Prehistoric. ____ Historic. ____ Other: _____

Statement of Significance: (Attach sheets as required.)

9. ACTION BY BOISE CITY

Data Approved by Commission: s/ _____

Date Approved: _____ Chairman

Recommended for Boise City Designation: ____ Historic Property.



































____ Historic Landmark. ____ Historic Site. ____ Other: _____











Date of Historic Preservation Commission Recommendation: _____

Approved by Boise City: Date: _____. Ordinance No. _____

1 STORIES					
				OTHER	
1	1 1/2	2	2 1/2		
2 PLAN					
SQUARE	RECTANG.	O	L	U	
T	H	POLY.	IRREG.		
3 BAYS					
1	2	3	4	5	OTHER
4 MATERIALS (PRIMARY)					
LOG-FULL DOVE-TAIL	LOG-HALF DOVE-TAIL	LOG-SADDLE NOTCH	LOG-LAP	LOG-STEEPLE NOTCH	
BOARD+BATTEN	CLAP-BOARD	SHIPLAP	COMPOSITION SHINGLE		
SANDSTONE DRESSED	SANDSTONE RUSTICATED	CONCRETE BLOCK	LAVA ROCK	TUFF	
BRICK	STUCCO	ADOBE	ALUMINUM SIDING	OTHER	
5 ADDITIONAL MATERIAL (SECONDARY)					
WOOD	TERRA-COTTA	PLASTER OR STUCCO	STONE	BRICK	
METAL	SHINGLE	OTHER			
6 ROOF					
GABLE	ADDITIONAL GABLE OFFSET	ADDITIONAL GABLE-CENTERED	STEPPED GABLE	PARAPET GABLE	
HIP	TRUNCATED HIP	GAMBREL	MANSARD	SHED	
FLAT	DOME	PYRAMID	OTHER		
















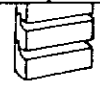





























7 DORMERS				
NUMBER:	FRONT	SIDE		
			GABLE	GABLE W/RETURN
PEDIMENT	SWEPT	HOODED	HIPPED	SHED
TRIANGULAR	MANSARD	PALLADIAN	ORNAMENTED	OTHER
8 ROOF TRIM				
CLOSE EAVES	OVERHANGING EAVES	BRACKETS	CORNICE	PARAPET
BALUSTRADED PARAPET	CUPOLA	CRENELLATED BATTLEMENT	BELVEDERE	FINIAL
CRESTING	GABLE RETURNS	FLARED	OTHER	

9 WINDOWS - HEAD												
												
FLAT ARCH	SEGMENTAL	ROUND	GOTHIC	TUDOR								
												
ENTABLATURE	PEDIMENT	SEGMENTAL PEDIMENT	HOOD	KEYSTONE	OTHER							
10 MATERIAL - HEAD												
BRICK	STONE	METAL	WOOD	TERRACOTTA								
11 WINDOWS - TYPE												
												
SINGLE SASH	DOUBLE HUNG SASH	TRANSOMS PLAIN	LEADED GLASS TRANSOM	WOODEN PATTERN TRANSOMS	CASEMENT							
												
SASH W/ SIDELIGHTS	BAY	ORIEL	PALLADIAN	QUEEN ANNE	OTHER							
12 NO. OF LIGHTS OR PANES												
UPPER SASH	1	2	3	4	5	6	7	8	9	10	11	12
LOWER SASH	1	2	3	4	5	6	7	8	9	10	11	12
13 MAIN ENTRY												
SINGLE DOOR	DOUBLE DOOR	LEADED GLASS	WINDOW IN DOOR	ORNAMENTED DOOR								
												
OUTSET	RECESSED	TRANSOM	SIDE PANELS	SIDE LIGHTS								
												
FANLIGHT	PILASTERS	PEDIMENT	ENTABLATURE	SEGMENTED PEDIMENT	OTHER							

14 PORCHES				
NONE	INSET	RUNS LENGTH OF REAR	CENTERED	WRAP-AROUND
OPEN	CLOSED		SIDE	OTHER
				
PORTICO	OFFSET	DORIC COLUMNS	IONIC COLUMNS	CORINTHIAN COLUMNS
				
TUSCAN COLUMNS	POSTS	BALUSTRADE	ARCADE	STOOP
15 ADDITIONAL FEATURES				
TOWER	BALCONY	ATTACHED GARAGE	SLEEPING SUNPORCH	2-STORY BAY
16 ADDITIONS				
1 STORY	1 1/2 STORY	2 STORY	2 1/2 STORY	TO REAR
TO LEFT SIDE	TO RIGHT SIDE	SAME MATERIAL	SAME STYLE	

1 TYPE					
STORE/OFFICE	LODGE-HALL	BANK	WAREHOUSE	SCHOOL	
COURT-HOUSE	CITY-HALL	DEPOT	FEDERAL BUILDING	HOSPITAL	
HOTEL	THEATER	LIBRARY	OTHER		
2 STORIES					
1	2	3	4	5	
6	OTHER	RAISED FOUNDATION			
3 PLAN					
SQUARE	RECTANG.	L	U	T	
H	IRREGULAR				
4 BAYS					
1	2	3	4	5	OTHER
5 MATERIAL (PRIMARY)					
WOOD: BOARD & BATTEN	WOOD: HORIZ. SIDING	BRICK	STONE	SHINGLE	
CONCRETE BLOCK	REINFORCED CONCRETE	TERRA-COTTA	STUCCO	OTHER	
6 MATERIAL (SECONDARY)					
WOOD	TERRA COTTA	PLASTER OR STUCCO	STONE	BRICK	
CAST IRON	METAL	SHINGLE	OTHER		
7 MAIN ENTRY					
RECESSED	OUTSET	CENTERED	OFF-CENTER	CORNER	
TRANSOM	FANLIGHT	PILASTERS/COLUMNS	STEPS	ENTABLATURE	
PEDIMENT	ROUND ARCHED	SEGMENTAL ARCHED	SQUARE	OTHER	

8 WINDOWS - TYPE				
DISPLAY	SINGLE SASH	DOUBLE HUNG SASH	LEADED GLASS	TRANSOM
CASEMENT	MEZZANINE	OTHER		
9 WINDOWS - HEAD				
CIRCULAR	ROMANESQUE ROUND ARCH	RENAISSANCE ROUND ARCH	SEGMENTAL ARCH	FLAT ARCH
TUDOR ARCH	KEYSTONE	PEDIMENTED	OTHER	
10 MATERIAL - HEAD				
BRICK	STONE	METAL	WOOD	TERRA COTTA
OTHER				
11 ROOF				
GABLED	HIPPED	DORMERS	MANSARD	GAMBREL
FLAT	SHED			
12 ROOF TRIM				
CUPOLA	FALSE FRONT	CORNICE	PARAPET	FLARED
BATTELEMENT	FINIAL	PEDIMENT	BRACKETS	DOMES
13 CORNICE - MATERIAL				
METAL	TERRA COTTA	STONE	BRICK	
14 ADDITIONAL FEATURES				
TURRET	TUSCAN COLUMNS	DORIC COLUMNS	IONIC COLUMNS	CORINTHIAN COLUMNS
BALCONY	AWNING	MODERN 1 ST STORY	LOADING PLATFORM	ORNAMENTAL PLAQUES

1 STORIES						COMMENTS					
											
1	1 1/2	2	2 1/2	OTHER							
2 PLAN											
							OTHER				
BASILICAN	CRUCIFORM	APSIDAL	APSE + TRANSEPT	APSE + NARTHEX	NARTHEX + TRANSEPT	SQUARE					
3 BAYS						11 WINDOWS					
FRONT:	1	2	3	4	5	OTHER					
SIDES:	1	2	3	4	5	OTHER	GOthic	ROUND-ARCHED	TUDOR	STAINED GLASS	OPALESCENCE GLASS
4 MATERIAL (PRIMARY)						12 ADDITIONAL FEATURES					
									OTHER		
CLAP-BOARD	SHIPLAP	BRICK	STONE	STUCCO	OTHER		BUTTRESS	ROSE WINDOW			
5 ADDITIONAL MATERIAL (SECONDARY)						13 ENTRY					
WOOD	TERRA COTTA	PLASTER/STUCCO	STONE	BRICK	SHINGLE	OTHER					
							TOWER	PORTICO	INSET	CENTERED	SIDE
6 ROOF						14 ADDITIONS					
							STORIES:	1	1 1/2	2	2 1/2
GABLE	HIP	TRUNCATED HIP	DOME				LEFT SIDE	RIGHT SIDE	REAR	COMPATIBLE MATERIAL	COMPATIBLE STYLE
7 ROOF TRIM											
											
CLOSE EAVES	OVERHANGING EAVES	BRACKETS	CORNICE	PARAPET	CRENELLATED BATTLEMENT						
8 TOWERS - NUMBER											
						OTHER					
NONE	SINGLE-CENTERED	SINGLE-SIDE	PAIR-SIDES	TWO-SIDE, CENTER	THREE-SIDES, CENTER	OTHER					
9 TOWERS - LOCATION											
				OTHER							
INSET	FLECHE	FACADE	OUTSET	OTHER							
10 TOWERS - TYPE											
			OTHER								
SPIKELE	OPEN BELFRY	PARAPET	OTHER								

A P P E N D I X B

National Register Criteria of Evaluation

The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or
4. That have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- (a) A religious property depriving primary significance from architectural or artistic distinction or historical importance.
- (b) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.
- (c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

Appendix B - Continued

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

(e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.

(f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.

(g) A property achieving significance within the past 50 years if it is of exceptional importance.

A P P E N D I X C

PROPERTIES IN OR ADJACENT TO BOISE CITY
INCLUDED IN
THE NATIONAL REGISTER OF HISTORIC PLACES

(As of July, 1979)

<u>Name (Current Name)</u>	<u>Location</u>
United States Assay Office	210 Main Street
Governor Alexander House	304 West State Street
Diversion Dam	Highway 21, 4 mi. East
Congregation Beth Israel Synagogue	1102 West State Street
<u>Fort Boise (U.S. Army) Historic District</u> (Veteran's Administration Hospital)	5th & Fort Street
Bldg. 1: Commandant's Quarters	
Bldg. 4: Officer's Quarters	
Bldg. 6: Quartermaster Building	
Bldg. 13: Headquarter's Building	
Bldg. 23: Officer's Quarters	
Bldg. 24: Officer's Quarters	
Bldg. 27: Hospital	
Bldg. 28: Laundry	
Bldg. 29: Recreation Building	
Bldg. 30: Sonna Reservoir	
Bldg. 34: Stables	
Bldg. 43: Warehouse	
Bldg. 44: Officer's Quarters	
Bldg. 46: Heating Plant	
Bldg. 48: Storage Building	
Bldg. 50: Tack Room	
Bldg. 67: Hospital	
Bldg. 69: Gate House	
Bldg. 33: Infirmary*	
Bldg. 42: Chief Nurse's Quarters*	
Bldg. 54: Utility Building*	
*(Transferred to Boise Independent School District)	
Cyrus Jacobs House	607 Grove Street
Moore-Cunningham House	1109 Warm Springs Ave.
Christ Chapel	Broadway & Campus Drive
Egyptian (Ada) Theater	700 Main Street
Union Pacific Mainline Depot	1701 Eastover Terrace

NATIONAL REGISTER PROPERTIES, BOISE, cont'd:

<u>Name (Current Name)</u>	<u>Location</u>
G. A. R. Hall	714 West State Street
<u>Boise Historic District</u>	Main & Idaho Streets 5th to Capitol Boulevard
Adelman Block	624 West Idaho Street
F. O. E. Building	604 West Idaho Street
Archery Shop	210 North 7th Street
Fire Department Storage Building	522 West Idaho Street
Central Fire Station	522 West Idaho Street
Star Rooming House	512 West Idaho Street
Royal Hotel (Boise Water Corp.)	500 West Idaho Street
Catholic Chancery Office	422 West Idaho Street
R. Z. Johnson Law Office	112 North 6th Street
R. Z. Johnson Block	515-21 West Idaho Street
Pioneer Tent/Packard Buildings	516 Main Street
Jellison Monument Company	510 Main Street
House of Louie	108 South Capitol Blvd.
Perrault Building	625 Main Street
Empire Theater (Idaho Blueprint)	619 Main Street
Masonic Hall (Salvation Army)	615 Main Street
Old Statesman Building	603 Main Street
Boise Turnverein (Jake's)	523 Main Street
Cactus Bar	517 Main Street
Night Grocery	513-15 Main Street
Dubois Flats (Belgravia)	417-27 Main Street
House	111 South 6th Street
Chico Club	117 South 6th Street
<u>West Warm Springs Historic District</u>	Main & Warm Springs Ave. 3rd to Broadway & 109 Idaho Street
Kohny-Fletcher House	209 Main Street
Northrom-Hawley House (Graeber's)	203 Main Street
Sonna-Reller House	121 Main Street
Bayhouse House	119 Main Street
Urquides House	115 Main Street
Fontes House	111 Main Street
Fontes House	107 Main Street
Eoff-Brady House	140 Main Street
Timothy Regan-Galey House	110 Main Street
Kerr-Leighton (Stromberg) House	100 Main Street
Wilson-Barton (Mott) House	103 Warm Springs Ave.
Ormsby (Nicholson) House	101 Warm Springs Ave.
Eoff-Bicknell House	141 Warm Springs Ave.
Henry Falk-Chase Clark House	109 West Idaho Street

NATIONAL REGISTER PROPERTIES, BOISE, cont'd:

<u>Name (Current Name)</u>	<u>Location</u>
Idanha Hotel	10th & Main Street
Overland Building (Eastman)	8th & Main Street
Elk's Temple	821 West Jefferson St.
Carnegie Library	815 West Washington St.
<u>South Eight Street Historic District</u>	South 8th to South 9th Broad to Fulton Streets
Mutual (Meadow Gold) Creamery	601 South 9th Street
Northrup King & Co. Warehouse	520 South 9th Street
Harry K. Fritchman Bldg. (Hendren's)	516 South 9th Street
Boise Ice & Produce (Idaho Fish)	504 South 9th Street
Davis Warehouse (Heller)	418 South 9th Street
Harry K. Fritchman Warehouse (Foster's)	414-16 South 9th Street
Alexander T. Ellis Warehouse (Atlantis)	412 South 9th Street
Anton Goreczky Block (Foster's)	314 South 9th Street
Northrup Hardware Co. (8th St. Marketplace)	401 South 8th Street
Coffin Block	405 South 8th Street
Day Building	409 South 8th Street
Capitol Brokerage (Bates)	413 South 8th Street
Peasley Transfer & Storage	415 South 8th Street
O. W. Smith Building (Mt. States Press)	419 South 8th Street
Idaho Junk House	511-17 South 8th Street
William Udelavitz Bldg. (Idaho Junk)	521 South 8th Street
Idaho Milling & Elevator Co.	418 South 8th Street
Idaho Candy Company	412 South 8th Street
Carson & Lusk Warehouse (Kamloops)	408 South 8th Street
Falk Warehouse	404-06 South 8th Street
<u>Boise Capitol Area District</u>	5th-6th, Jefferson-State 6th-8th, Bannock-State
Idaho State Capitol	700 West Jefferson Street
Ada County Courthouse	500 West Jefferson Street
Federal Building (Borah Station)	304 North 8th Street
Hotel Boise (Hoff Building)	802 West Bannock Street
Steunenberg Monument	700 West Jefferson Street
St. Michael's Cathedral	722 West State Street
Thomas E. Logan House	600 North Julia Davis Dr.
Immanuel Lutheran Church	701 West Fort Street
St. John's Cathedral	8th and Hays Street
Oregon Trail - Boise Vicinity	S. of Boise River, 4 mi. E.
First Christian Church (Central)	615 North 9th Street
<u>Old Idaho Penitentiary Historic District</u> (18 Buildings not individually listed)	2445 Old Penitentiary Road

NATIONAL REGISTER PROPERTIES, BOISE, cont'd.

<u>Name (Current Name)</u>	<u>Location</u>
Joseph Bown House	2020 East Victory Road
Alexander's Store	9th & Main Streets
Idaho Building	8th & Bannock Streets
Union Block & Montandon Building	8th & Idaho Streets
<u>State Street Historic District</u>	Jefferson & State Streets between 2nd & 3rd Streets
Judge Frank Dietrich House	201 West Jefferson
Samuel L. Tipton House	211 West Jefferson
Richard C. Adelman House	221 West Jefferson
John Atkinson House (1888)	206 West Jefferson
Atkinson - Blucher House	208 West Jefferson
John Atkinson House (1903)	210 West Jefferson
Sophia Oberdoffer House	216 West Jefferson
John W. Daniels House	220 West Jefferson
Thomas Fitzpatrick House (1893)	221 West State Street
Hester Spackman House	217 West State Street
Gov. John T. Morrison House	211 West State Street
Charles M. Hays House	204 West State Street
Daniel Caswell House	210 West State Street
J. L. Weaver House	216 West State Street
Arthur Hodges House	220 West State Street
Thomas Fitzpatrick House (1890)	412 3rd Street
Artesian Hot and Cold Water Company Pumphouse	Old Penitentiary Road

A P P E N D I X D

Urban Conservation Areas

Need

Over the past several years a concern has developed among the residents in several distinctive neighborhoods for the maintenance of their character, amenities, visual quality and historic ambience. This interest has been particularly evident in the activities of neighborhood associations.

In discussions with representatives of the Boise North End Association, it was observed that the Historic Preservation Ordinance offers the designation of "Historic District" which could apply to some, but not all, of the interested neighborhood and, through such designation, afford a high degree of control with respect to the exterior appearance of the buildings in historically designated districts.

It was also noted that historic district designation carries with it a set of exterior appearance controls and a procedure for variances (Certificate of Appropriateness) which would probably be too elaborate and limiting to be appropriate or acceptable for large areas.

This observation was concurred in by the association representatives and it was suggested that an alternative method of satisfying the needs of these areas should be sought.

Proposal for Urban Conservation Areas

The Historic Preservation Commission's interest in this need is expressed in its Goals and Policies in the proposed category of Urban Conservation Area.

Goal 1: Boise City will identify, study and designate its historic and culturally significant buildings and sites.

1.8: Criteria for the designation of a neighborhood or district as an Urban Conservation Area will be developed in accordance with Policies 1.2 and 1.5. Priority for such designations will respond to the Comprehensive Plan of Boise City, specific urban design plans and requests by property owners in such neighborhoods and districts.

Goal 2: Boise City will protect, enhance and preserve its designated Historic Landmarks, Properties, Districts and Urban Conservation Areas.

2.2 Goals and policies for historic preservation will be recommended in the Comprehensive Plan, the Urban Renewal Plan and the specific urban design plans of the City.

2.3 The Commission will recommend provisions in the Boise City Ordinance intended to facilitate historic preservation and the conservation of urban quality.

Implementation of the Proposal for Urban Conservation Areas

In the furtherance of the goals relating to Urban Conservation Areas, the Historic Preservation Commission had a particular interest in the development of Goal D of the Metro Plan (Policy Plan for the Boise Metropolitan Area, 1978) which integrates the concepts of urban design and conservation with the related activity of historic preservation.

In this respect the Preservation Commission initiated the step in this process called for in Policy 2.2, noted above.

Otherwise, the status of an Urban Conservation Area designation is in the proposal and discussion stage and will require liason and cooperation with the Planning Department and the Planning and Zoning Commission for its refinement, definition and enactment.

This paper is intended to provide that initial liason with the Planning Department and suggest an approach.

Outline of the Problem and Possible Solutions

From the standpoint of the Preservation Commission's authority as defined by the Preservation Ordinance, several suggestions are noted:

1. Large neighborhoods, such as the North End, contain many buildings of historic, architectural and cultural merit sufficient to warrant individual designations of "Landmark", and there are sub-areas which will justify the designation of "Historic District" - all within the scope of the Preservation Ordinance.
2. The general neighborhood, however, is too large to be designated as a Historic District and is not consistent with respect to the frequency of buildings of outstanding merit to qualify under the rigorous criteria of the Preservation Ordinance.
3. Nevertheless, the Commission recognizes that such general neighborhoods have considerable historic, cultural, and architectural ambience and that these qualities should be conserved for various reasons essential to the historic preservation effort of the City, including:

- a) Their historic, architectural and cultural qualities are perceived as values, per se, and as important to the residents of the general neighborhood.
 - b) These qualities furnish an essential background and setting for individual buildings of outstanding merit and for the potential historic districts within such neighborhoods.
 - c) Degradation or significant changes in the background and setting of historic landmarks or districts usually have adverse effects on such buildings and districts.
4. Neither the Idaho enabling act or the Boise City Historic Preservation Ordinance provide for a "lesser" designation than "landmark" or "district" which can be applied by the Historic Preservation Commission.
 5. The advisory and cooperative functions of the Preservation Commission are broadly defined in the Ordinance and enable the Commission to participate in the general planning functions of the City.
 6. Similar needs have been identified in other cities. In particular, a category of "Historic Conservation District" has been studied and applied in Portland, Oregon, responding to the requirement to afford a type of historic building protection in areas which would otherwise not fit the more restrictive category of "historic district."

The Portland study, and resulting changes in the Portland ordinances, offer several solutions of interest to Boise, including:

- a) The "Conservation" designation takes urban design and functional neighborhood situations into account, in addition to historic and architectural merit. The concept combines aspects of land use, aesthetic and historic zoning.
- b) The "Conservation" designation is an overlay zone. As such it does not restrict uses or is limited to single use zones.
- c) The designation does not specify tight (or any) "exterior effect" criteria with respect to existing buildings - in contrast to "landmark" or "historic district" criteria which "freezes" the established exterior effects.
- d) The principal point of control in the Portland ordinance appears to be in the design criteria for new construction which must be "congruous" with the established architectural and historic themes of the area.

7. Due to the limitations of the Boise Historic Preservation Commission's charter it appears that a comparable designation - suggested by the Commission to have the name of "Urban Conservation Area" - is, properly, a Zoning Ordinance and Zoning Commission administrative function and can be justified within the general welfare provisions of the Idaho Land Use Act and the Boise Zoning Ordinance.
8. In this regard the interests, powers and responsibilities of the Zoning Commission and the Preservation Commission appear to meet and to offer a solution for the need expressed earlier in this paper:
 - a) To the extent that historic and cultural values are involved it is a matter of interest and responsibility for the Preservation Commission.
 - b) Urban design, land use and general zoning questions are within the enacting and administrative purview of the Planning Department and the Zoning Commission.
9. Therefore, the role which is suggested for the Historic Preservation Commission in the designation of "Conservation" zoning would be confirmation of general historical and cultural qualities and historic architectural style in such neighborhoods.

These are subjects now defined as interests of the Preservation Commission and in which it is competent.
10. The mechanics of this approach suggest that such questions in neighborhoods proposed for "Conservation" designation would be referred to the Preservation Commission for research, opinion and recommendation as a part of the designation procedure.
11. Following the "Conservation" zoning designation by the Zoning Commission, the Preservation Commission's role would be the evaluation of these subjects as they apply to variance or approval requests received by the Zoning Commission in the administration of the zone.
12. In all instances, the initiating, administrative and enforcing entity is the Zoning Commission acting with the advice (on specific subjects) of the Preservation Commission. The "Conservation" designation would appear as an amendment in the Zoning Ordinance. That amendment would also specify the duties of the Preservation Commission in this process.

If the legal office of the City thought it was necessary there could be a parallel reference to this function in the Preservation Ordinance. At this time, however, it is believed that the Preservation Ordinance now permits this advisory function.

A P P E N D I X E

Guidelines For Certificates of Appropriateness

(Developed for the City of Savannah, Georgia, and taken from the Historic Preservation Plan for the Central Area - General Neighborhood Renewal Area, Savannah Housing Authority.)

1. Height of the buildings in the vicinity.
2. Proportion of the front facade(s).
3. Proportion of openings within the facade.
4. Rhythm of solids to voids in the front facade
5. Rhythm of spacing of buildings on street.
6. Rhythm of entrances or porch projections.
7. Relationship of materials.
8. Relationship of textures.
9. Relationship of color.
10. Relationship of architectural details.
11. Relationship of roof shapes.
12. Character of walls and fences.
13. Effect of the landscaping.
14. Type and extent of lawn or groundcover.
15. Scale of the front elevation.
16. Directional expression of the front elevation.

These criteria do not require a particular design, material, color or style and are applicable to all neighborhoods.

A P P E N D I X F

Federal Criteria of Effect and Adverse Effect

A Federal, federally assisted, or federally licensed undertaking shall be considered to have an effect on a National Register property or property eligible for inclusion in the National Register (districts, sites, buildings, structures, and objects, including their settings) when any condition of the undertaking causes or may cause any change, beneficial or adverse, in the quality of the historical, architectural, archeological, or cultural character that qualifies the property under the National Register Criteria.

Generally, adverse effects occur under conditions which include but are not limited to:

- (a) Destruction or alteration of all or part of a property;
- (b) Isolation from or alteration of its surrounding environment;
- (c) Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting.
- (d) Transfer or sale of a federally owned property without adequate conditions or restrictions regarding preservation, maintenance, or use; and
- (e) Neglect of a property resulting in its deterioration or destruction.

A P P E N D I X G

Goal D From the Policy Plan For the Boise Metropolitan Area

Adopted by Boise City on October 16, 1978

"GOAL D: Urban Quality. The City will promote and establish a physical framework of development which encourages the development of form and character in its districts, the preservation of its neighborhoods and the conservation of its historical identity. (Four specific goals are noted - each with several implementing policies.) D1: The General Community Planning Areas, Policy Areas and other planning areas as may be determined, will be considered as urban design entities. D2: The City will work in cooperation with the State and County and other governmental entities to preserve and enhance its natural environment and to mitigate the impact of urbanization on the surrounding area. D3: The neighborhoods of the City will be protected from the loss of residential quality arising from the impacts of: physical blight, traffic, intrusion of incompatible uses, adjacent development and inadequate service systems."

Goal D4 refers to preservation and urban design.

"D4: The City will establish and maintain a plan and comprehensive program of historic preservation intended to conserve its historic identity as a major economic, educational, cultural and social resource. (a) Historic landmarks, properties and districts will be considered as integral elements in the urban design and planning processes of the City. The City will encourage preservation and rehabilitation programs for the conservation and improvement of historic sites and buildings. (b) The City will identify its historic sites and buildings and promote public awareness of their value and meaning. (c) The City will cooperate with national and state agencies and local associations for historic preservation in the development and implementation of the City historic preservation plan and program."

A P P E N D I X H

Summary of Tax Incentives To Encourage the Preservation Of Historic Structures

One of the federal actions affecting historic preservation is the Tax Reform Act of 1976, specifically, Section 2124, "Tax Incentives to Encourage the Preservation of Historic Structures." In general, this law and the tax code provide certain incentives and disincentives to owners of certified historic property. These provisions are summarized below.

(1) Accelerated amortization of rehabilitation improvements.

Provides that a taxpayer may amortize the capital expenditure incurred in a certified rehabilitation over a 60 month period in lieu of depreciation deductions which are otherwise allowable.

The conditions applicable to this eligibility include:

(a) The building must be listed in the National Register of Historic Places and in a registered historic district, or

(b) The building must be located in a designated historic district under a state or local ordinance approved by the Secretary of the Interior.

(c) The rehabilitation must be of a type approved by the Secretary of the Interior.

(d) The rehabilitation expenditures must occur after June 14, 1976 and before June 15, 1981.

(e) The Property must have some commercial characteristics. Residential property qualifies if it is a rental structure.

A number of procedural questions remain to be solved (particularly "b" and "c") before this provision is fully available. The Secretary of the Interior has issued a guideline which defines an eligible

Appendix H - Continued

improvement or rehabilitation. The Idaho Historic Preservation Act and the Boise City Historic Preservation Ordinance (discussed later in this section) also must be qualified. It would appear that they can be qualified.

(2) Disallowance of Expenditures Incurred in Demolition

Provides that the cost of the demolition of a certified historic building cannot be deducted for tax purposes. The definition of "historic" and the other provisions related to eligibility, noted above, also apply.

(3) Disallowance of Accelerated Depreciation

Provides that the accelerated method of depreciation may not be utilized if a building is constructed, improved or occupied on a site formerly certified as "historic" or if the building, which is still standing, had been certified as "historic" but had lost its certification or designation due to some unacceptable change in its historic character.

(4) Depreciation of Substantially Rehabilitated Property

Provides that if certified historic property is substantially rehabilitated in any two-year period prior to the end of a tax year that the depreciation may be treated as if the property was new. There are certain other provisions involved in this section which prevent it from conflicting with the accelerated amortization allowance. Again, the conditions for eligibility are the same as noted in (1).

(5) Value of Historic Easements Deductable

Provides for the deductability for tax purposes of the value of an approved historic easement granted by a property owner to an eligible organization or governmental entity. The conditions noted in (1) also apply, except the time limit is shorter and will require Congressional extension to be applicable at this time.

A P P E N D I X I

The Secretary of the Interior's Standards for Rehabilitation

The following "Standards for Rehabilitation" shall be used by the Secretary of the Interior when determining if a rehabilitation project qualifies as "certified rehabilitation" pursuant to the Tax Reform Act of 1976. These standards appear in Section 36 of the Code of Federal Regulations, Part 67.

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alterations of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

Appendix I, Continued

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

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BY THE COUNCIL: BUERSMEYER, EWING, JENSEN, KOPKE,
 McADAMS & SELANDER

AN ORDINANCE REPEALING ORDINANCE NO. 3822 AND AMENDING TITLE 2 OF THE BOISE CITY CODE BY ADDING A NEW CHAPTER TO BE NUMBERED 18 ESTABLISHING A HISTORIC PRESERVATION COMMISSION; FIXING THE TERMS OF OFFICE OF THE MEMBERS AND THE ORGANIZATION OF SAID COMMISSION; PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSION; PROVIDING FUNDS FOR THE COMMISSION; PRESCRIBING THE PROCEDURE FOR ESTABLISHING AND DESIGNATING HISTORIC DISTRICTS, HISTORIC PROPERTIES AND HISTORIC LANDMARKS; PROVIDING FOR A CERTIFICATE OF APPROPRIATENESS; PROVIDING FOR PROCEDURE FOR ISSUANCE OF CERTIFICATE AND APPEAL; PRESCRIBING THE PROCEDURE FOR ALTERATION OR CHANGE IN USE OF HISTORIC PROPERTY OR LANDMARK; AUTHORIZING ORDINARY REPAIRS FOR SAFETY; PROVIDING FOR ACQUISITIONS OF PROPERTY AND HISTORIC EASEMENTS; REQUIRING MAINTENANCE AND REPAIR OF BUILDINGS, STRUCTURES AND LANDMARKS WITHIN A DISTRICT; PROVIDING EXEMPTION FROM HEALTH OR BUILDING CODES; REQUIRING NOTICE TO CITY DEPARTMENTS AND OTHER DISTRICTS REGARDING THE DESIGNATION OF HISTORIC DISTRICTS, PROPERTIES AND LANDMARKS; PROVIDING FOR AMENDMENT OR RECISION OF HISTORIC DESIGNATION; PRESCRIBING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Ordinance No. 3822 be, and the same hereby is, repealed.

Section 2. That Title 2 of the Boise City Code be, and it hereby is, amended by adding a new Chapter to be numbered 18, to read as follows:

2-18-1: PURPOSE: The purpose of this ordinance is to promote the educational, cultural and economic welfare of the public of the City by engaging in a comprehensive program of historic preservation to promote, preserve and protect historic buildings, structures, sites, monuments, streets, squares and neighborhoods which serve as visible reminders of the historical, archeological, architectural, educational and cultural heritage of the City. It is the further purpose of this ordinance for the social, economic and environmental advantages of the City to promote the use and conservation of such property, to stabilize and improve property values in historic

areas, and to encourage new buildings and developments that will be harmonious with the existing historical, archeological, architectural, educational and cultural buildings, structures, sites, streets, squares and neighborhoods.

2-18-2: DEFINITIONS: For the purposes of this Ordinance, the following terms, phrases and words shall have the meaning given herein. The word "shall" is always mandatory and not merely directory.

COMMISSION: Historic Preservation Commission.

EXTERIOR FEATURES: The architectural style, general design and general arrangement of the exterior of a building or structure, including the color, the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures and other natural features such as trees and shrubbery.

EXTERIOR FEATURES (outdoor advertising signs): The style, material, size and location of all such signs.

HISTORIC OR HISTORICAL LANDMARK (Whether used interchangeably or synonymously with historic or historical property): Any site (including significant trees or other plant life located thereon), building or structure or particular historic or aesthetic significance to the city, the state or the nation. Landmarks may include, and are hereby defined to include, sites, buildings, or structures where cultural, political, spiritual, economic, social or artistic history of the city, state or nation is reflected or exemplified or which are identified with historic personages or important events in local, state or national history, or which embody the distinguishing characteristics of an architectural specimen inherently valuable for representation of a period, style or method of construction, or a notable work of construction, or a notable work of a master designer or architect whose individual genius influenced his age.

HISTORIC OR HISTORICAL PROPERTY: Any building, structure, area or site that is significant in the history, architecture, archeology or culture of the city, state or nation.

HISTORIC PRESERVATION: The research, protection, restoration, and rehabilitation of buildings, structures, landmarks, signs, appurtenances, objects, districts, areas and sites significant in the history, architecture, archeology, education or culture of the city, state or nation.

HISTORICAL DISTRICT: Any area which includes or encompasses such historic sites, landmarks, buildings, signs, appurtenances,

structures or objects as the Commission may determine to be appropriate for historical preservation. Such designated district or districts need not be a single enclosed area nor do the areas or sites have to be contiguous to constitute a district.

PERSON: An individual, firm, corporation, association, corporation, or any group or combination thereof acting as a unit.

PERSON IN CHARGE: The person or persons possessed of the freehold, or a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any person directly or indirectly in control of a historic property or landmark.

2-18-3: HISTORIC PRESERVATION COMMISSION: There is hereby created and established a Historic Preservation Commission which shall consist of seven (7) members who shall be appointed by the Mayor with the advice and consent of the Council. Members of the Commission shall be appointed with due regard to the proper representation of such fields of history, architecture, urban planning, archeology and law. Initially two (2) members shall be appointed for a term of one (1) year, two members shall be appointed for a term of two (2) years and three (3) members shall be appointed for a term of three (3) years. Thereafter all appointments shall be made for a term of three (3) years, the members of said Commission being eligible for reappointment as provided by Section 1-21-8 of the Boise City Code. If a vacancy occurs, the Mayor with the consent of the Council shall appoint a member to fill the unexpired term. The members of the Commission shall serve without pay but shall be reimbursed by the City for necessary expenses incurred in connection with their duties.

2-17-4: ORGANIZATION; OFFICERS; RULES; MEETINGS: At their first meeting, the appointed Commissioners shall elect officers who shall serve for terms of one (1) year. The Commission may establish any rule necessary for the orderly conduct of its business, and all meetings of the Commission shall be open to the public. The Commission shall keep a record of its resolutions, proceedings and actions.

2-18-5: POWERS AND DUTIES OF COMMISSION: The Commission shall be authorized to:

- (A) Conduct a survey of local historic properties and landmarks;

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- (B) Recommend acquisition of the fee and lesser interest in historic properties and landmarks, including adjacent or associated properties and lands, by purchase, bequest or donation;
- (C) Preserve, restore, maintain and operate historic properties under the ownership or control of the City;
- (D) Recommend the lease, sale, transfer or disposition of historic property subject to rights of public access and upon such terms and conditions that will insure the preservation of the property;
- (E) Recommend contracting with the state or federal government, or any agency of either, or with any other person, firm, corporation or organization, to accomplish the purposes of this ordinance;
- (F) Cooperate with the federal, state and local governments in the pursuit of the objectives of historic preservation;
- (G) Participate in the conduct of land use, urban renewal and other planning processes undertaken by the county, the city or any other entity;
- (H) Recommend ordinances and otherwise provide information for the purposes of historic preservation to the City;
- (I) Promote and conduct an educational and interpretative program on historic properties within the jurisdiction of the City; and
- (J) Only after having received prior consent of the owner, occupant or person in charge thereof and solely in performance of official duties and only at reasonable times, enter upon private lands for the examination or survey thereof.

2-18-6: FUNDING:

- (A) For the purpose of providing funds for a Historic Preservation Commission, the Council may:
 1. Provide funds from current revenues;
 2. Receive and expend monies from any other available source or sources; and
 3. Use any combination of the foregoing.

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- (B) Funds received for a Historic Preservation Commission may be accumulated from year to year and need not be expended during any one fiscal year, except that unexpended monies appropriated by the Council shall be deemed surplus to be budgeted and appropriated for the subsequent year as provided by law.

2-18-7: DESIGNATION OF HISTORIC DISTRICTS: Historic Districts shall be designated by ordinance and in accordance with the following requirements:

- (A) The buildings, structures, features, sites, objects and surroundings of a historic district shall meet one or more of the following four (4) criteria:

1. Historical, Cultural or Educational Importance:

- (a) Has significant character, interest or value, as part of the development, heritage or cultural characteristics of the city, state or nation; or is associated with the life of a person significant in the past; or
- (b) Is the site of an historic event with a significant effect upon society; or
- (c) Exemplifies the cultural, political, economic, social, educational or historic heritage of the community; or

2. Architectural, Engineering Importance:

- (a) Portrays the environment in an era of history characterized by a distinctive architectural style; or
- (b) Embodies those distinguishing characteristics of an architectural-type or engineering specimen; or
- (c) Is the work of a designer whose individual work has significantly influenced the development of Boise; or
- (d) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or

3. Geographic Importance:

- (a) By being part or related to a street, square, park or other distinctive area, should be

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developed or preserved according to a plan based on a historic, cultural or architectural motif; or

- (b) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community or city; or

4. Archeological Importance:

- (a) Has yielded, or may be likely to yield, information important in pre-history or history.
- (B) The Commission, either on its own initiative, or upon the request of the City Council, or upon the request of one or more owners of property residing in the area of a proposed historic district, may recommend the designation of one or more historic districts. Prior to recommending designation the Commission shall conduct studies, research and investigations based on the relevant criteria given in Section 7(a) regarding buildings, structures, features, sites, objects and surroundings of such proposed historic district or districts. Thereafter, the Commission shall prepare a report containing recommendations concerning the area or areas to be included in the proposed historic district or districts.
- (C) Copies of the report shall be transmitted for review and recommendation to the Planning-Zoning Commission, and within sixty (60) days after the date of transmittal of such report to the Planning-Zoning Commission, the Historic Preservation Commission shall hold a public hearing thereon. Notice of the time, place and purpose of such hearing shall be given at least fifteen (15) days prior to such hearing by one publication in a newspaper of general circulation in the City and by a written notice of such hearing, postage prepaid, given to the owners of all properties to be included in the district or districts.
- (D) After such public hearing, the Historic Preservation Commission shall submit a final report with its recommendations and a draft of a proposed ordinance to the City Council.
- (E) The City Council shall act upon the report and recommendation in accordance with the provisions of Section 11-1-8.10 of the Boise City Code.

2-18-8: DESIGNATION OF HISTORIC PROPERTY OR HISTORIC LANDMARKS: Historic Properties or Historic Landmarks shall

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be designated by ordinance and in accordance with the following requirements:

- (A) The building, structure, feature, site or object proposed for such designation shall meet one or more of the criteria required in Section 7(a). In addition, it must meet the criteria established for inclusion in the National Register of Historic Places as such criteria are applied to historic properties in the State of Idaho by the Idaho State Historic Sites Review Board.
- (B) The Commission, 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 a historic property or historic landmark. Prior to recommending the designation the Commission shall conduct studies, research and investigations based on the relevant criteria given in Section 7(a) regarding buildings, structures, features, sites, objects and surroundings of such proposed historic district or districts. Thereafter, the Commission shall prepare a report containing recommendations concerning the area or areas to be included in the proposed historic district or districts.
- (C) Copies of the report shall be transmitted for review and recommendation to the Planning-Zoning Commission, and within sixty (60) days after the date of transmittal or such report to the Planning-Zoning Commission, the Historic Preservation Commission shall hold a public hearing thereon. Notice of the time, place and purpose of such hearing shall be given at least fifteen (15) days prior to such hearing by one publication in a newspaper of general circulation in the City and by a written notice of such hearing, postage prepaid, given to the owners of all properties to be included in the district or districts.
- (D) After such public hearing, the Historic Preservation Commission shall submit a final report with its recommendations and a draft of a proposed ordinance to the City Council.
- (E) The City Council shall act upon the report and recommendation in accordance with the provisions of Section 11-1-8.10 of the Boise City Code.

2-18-8: DESIGNATION OF HISTORIC PROPERTY OR HISTORIC LANDMARKS: Historic Properties or Historic Landmarks shall be designated by ordinance and in accordance with the following requirements:

(Ordinance)

- (A) The building, structure, feature, site or object proposed for such designation shall meet one or more of the criteria required in Section 7(a). In addition, it must meet the criteria established for inclusion in the National Register for Historic Places as such criteria are applied to historic properties in the State of Idaho by the Idaho State Historic Sites Review Board.
- (B) The Commission, 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 a historic property or historic landmark. Prior to recommending the designation the Commission shall conduct studies, research and investigations based on the relevant criteria given in Section 8(a). Thereafter, the Commission shall prepare a report containing recommendations concerning the property proposed to be designated and a draft of a proposed ordinance to the City Council. The report of the Commission shall include comments regarding the suitability of the property for preservation or restoration. In case there is a question of an adaptive or alternative use of the property, the report shall include a statement regarding the appropriateness of such adaptive or alternative use. The report shall also include 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 of such considerations apply to the property proposed for designation. If the owner of the property proposed for designation has not consented to such designation, the report of the Commission shall also include a statement regarding the appraised value of the property.
- (C) For each designated historic property or landmark, an ordinance shall require the waiting period prescribed by Section 11 to 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 or landmark indicating that the property has been so designated.
- (D) The City Council shall hold a public hearing on the proposed ordinance, after having given written notice to the owners and occupants of the property and the publication of such notice in the time and manner required by Section 7 hereof.
- (E) Following such public hearing, the Council may act on the ordinance.

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- (F) Upon passage of the ordinance, the owners and occupants of each designated historic property or landmark shall be given written notification of said designation by the Council, and one copy of the ordinance shall be filed in the office of the County Recorder of Ada County, Idaho.
- (G) The Commission shall give notice of such designation to the Tax Assessor of Ada County, Idaho.

2-18-9: CERTIFICATE OF APPROPRIATENESS REQUIRED FOR ALTERATIONS OR CHANGE IN USE IN HISTORIC DISTRICTS, PROPERTY OR LANDMARKS:

- (A) After the designation by ordinance of a historic district, property or landmark, no exterior feature of any building or other structure (including walls, fences, light fixtures, steps and pavement or other appurtenant features), above ground utility structure or any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within such designated area until after an application for a Certificate of Appropriateness as to the exterior features has been submitted to and approved by the Commission. For the purpose of constructing or altering any building or structure, a utility structure or any type of outdoor advertising sign, the Commission shall issue a certificate prior to the issuance of a building permit, but a certificate will be required whether or not a building permit is required. The Commission shall not consider interior arrangement and shall take no action under this section except for the purpose of preventing the construction, reconstruction, alteration or restoration, moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs or natural features in the historic district or on the historic property or landmark which would be incongruous with the historical, architectural, archeological, educations or cultural aspects of the district.
- (B) No change in the use of any historic property or landmark or in any building, structure, appurtenant fixtures, outdoor signs or natural features within a designated historic district or within a historic property or landmark shall be permitted until after an application for a Certificate of Appropriateness has been submitted to and approved by the Commission. Any change of zoning classification within a historic district or within a historic property or landmark, shall first require a Certificate of Appropriateness.

2-18-10: CERTIFICATE PROCEDURE: APPLICATION; NOTICE; TIME; APPEAL:

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- (A) Application for a Certificate of Appropriateness shall be submitted by the owner of the property requiring such Certificate in a form designated by the Commission and containing such information as required by the Commission in its determination of the application as prescribed in Section 9.
- (B) Prior to issuance or denial of a Certificate of Appropriateness, the Commission shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application, and give the applicant and such owners an opportunity to be heard. In cases where the Commission deems it necessary, it may hold a public hearing concerning the application. If the Commission determines the proposed construction, reconstruction, alteration, moving or demolition is appropriate, it shall forthwith approve such application and shall issue to the applicant a Certificate of Appropriateness.
- (C) The Commission shall act on an application within forty (40) days after the required information has been submitted; otherwise the application shall be deemed to have been approved and a favorable Certificate of Appropriateness shall be issued by the Commission; provided, however, that the applicant may waive this requirement and consent to an extension of such period.
- (D) If the Commission determines that a Certificate of Appropriateness should not be issued, it shall place upon its records the reason for such determination and shall forthwith notify the applicant of such determination, furnishing him an attested copy of its reasons therefore and its recommendations, if any, as appearing in the records of said Commission. The Commission may approve such application in any case where the applicant would suffer extreme hardship, not including loss of profit, unless the Certificate of Appropriateness were issued forthwith.
- (E) Any applicant aggrieved by a determination of the Commission may appeal to the Council of the City, and an appeal from the Council may be taken to a court of competent jurisdiction.

2-18-11: PROCEDURE FOR ALTERATION OR CHANGE IN USE OF HISTORIC PROPERTY OR LANDMARK:

- (A) After the designation by ordinance of a historic district, property or landmark, such designation shall not be rescinded not shall such property or landmark nor property within a district be demolished, relocated or put to a different use, except as hereinafter provided:

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1. The owner or person in charge shall notify the Commission in writing of the intention to rescind, demolish, relocate, change the use of, or materially alter or remodel the exterior features of such historic property, landmark or individual property within a district.
2. The Commission shall promptly acknowledge the date of receipt of such written notice.
3. From the date of receipt by the Commission of such notice, such historic property or landmark or individual property within a district, may not be demolished, relocated, have a change in use, or have the exterior features materially altered or remodeled for a period of one hundred eighty (180) days except as provided in this section.

(B) During this period the Commission may negotiate with the owner or any other person interested in an effort to find a means of preserving the property or landmark or individual property within a district. During said period, or at any time prior thereto following the notice of designation to the owner as provided in Section 8 hereof, and where such action is reasonably necessary or appropriate for the continued preservation of the property or landmark or individual property within a district, the Commission may enter into negotiations with the owner, subject to consent and approval of the Council, for the acquisition by gift, purchase or exchange of the property or landmark or individual property within a district, or any interest therein. The Commission shall have the discretionary authority to:

1. Reduce the waiting period required by this Section in any case where the owner or person in charge would suffer extreme hardship, not including loss of profit, unless a reduction in the required period were allowed; and
2. Waive all or any portion of the required waiting period, provided 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, educational, or cultural integrity and character of the property or landmark.

(C) At the end of the required waiting period, as reduced or waived if such be the case, the designation of such historic property, landmark, or individual property within a district, shall be rescinded.

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(D) In the event, however, any Code exemption has been granted pursuant to Section 2-18-16 of this Chapter, no rescission shall be granted except as provided in Section 2-18-18.

2-18-12: ORDINARY REPAIRS; PUBLIC SAFETY: Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior feature of any building or structure in a historic district, or of any historic property or landmark which does not involve a change in design, material, color or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration or demolition of any such feature of a structure, building or landmark when the building official shall certify is required for the public safety because of an unsafe or dangerous condition.

2-18-13: ACQUISITION OF PROPERTY: All lands, buildings, structures, sites or areas acquired by funds appropriated by the City, as provided in Section 1 above, shall be acquired in the name of the City and such historic properties or landmarks shall be maintained by or under the supervision and control of the City.

2-18-14: ACQUISITION OF HISTORIC EASEMENTS: The City may acquire, by purchase or donation, historic easements in any area within the jurisdiction of the City wherever and to the extent the Council determines that the acquisition will be in the public interest.

2-18-15: MAINTENANCE AND REPAIR REQUIRED: Neither the owner of nor the person in charge of a building, structure, area or site within a designated historic district or of a designated historic property or landmark shall permit such building, structure, area or site, property or landmark, to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce, in the judgment of the Commission, a detrimental effect upon the character of the district as a whole or the life and character of a building, structure or landmark in question, including but not limited to:

- (A) The deterioration of exterior walls or other vertical supports;
- (B) The deterioration of roofs or other horizontal members;
- (C) The deterioration of exterior chimneys;
- (D) The deterioration or crumbling of exterior plaster or mortar;
- (E) The ineffective waterproofing of exterior walls, roofs, and foundations including broken windows or doors; and

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- (F) The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

2-18-16: EXEMPTION FROM FIRE OR BUILDING CODES: The Council, in order to promote the preservation and restoration of any historic properties, landmarks or property within a historical district may, upon the recommendation of the Commission, exempt a historic property, landmark, or property within a historic district from the application of the City Fire or Building Codes upon compliance with the criteria for exemption set forth in said codes and upon a finding that non-exemption would prevent or seriously hinder the preservation or restoration of said historic property, landmark or property in a historic district. Upon rescision of a historic designation, any code exemption herein granted shall be revoked effecting the date of rescision.

2-18-17: NOTICE TO CITY DEPARTMENTS AND OTHER AGENCIES; REGISTER OF HISTORIC DISTRICTS, PROPERTIES AND LANDMARKS: In addition to all other transmittals and notices required by this ordinance, the Commission shall notify the departments of Boise City and other agencies regarding the designation of historic districts, properties, and landmarks and shall maintain a register of such districts, properties and landmarks.

- (A) Within five (5) days after the designation by ordinance of any historic district, property or landmark, the Commission shall notify all departments of Boise City and other governmental agencies having a regulatory or legally prescribed duty affecting such district, property or landmark. The notice shall state the fact of such designation, identify the boundary of the district, or the address of the property or landmark, and shall summarize the effect such designation will have.
- (B) The Commission shall maintain a current register and map of all historic districts, properties and landmarks which have been designated by ordinance. Such register and map shall be made public and available to the city departments, other governmental agencies and any interested person.

2-18-18: AMENDMENT OR RESCISION OF HISTORIC DESIGNATION.

- (A) The City Council, upon the recommendation of the Commission, may amend the boundary of a designated historic district or rescind the designation of a historic district, historic property or historic landmark. All amendments or rescisions or historic designations shall be by ordinance.
- (B) If, in the judgment of the Commission, when any building, structure, feature, site or object included within a designated historic district, or any building, structure, or site designated as a historic property or historic landmark, has ceased

to comply with the designation criteria or no longer exhibits the characteristics which qualified the property for inclusion within a historic district or for designation as a historic property or landmark, such property or properties may be recommended for exclusion from the boundary of such district, or if the district, as a whole, no longer complies with such criteria, it may be recommended for rescision of its historic designation, or such property or landmark may be recommended for rescision of its historic designation.

- (C) The procedure of the Commission with respect to a recommendation for amendment or rescision of historic designation shall be effected in the same manner as required for the original designation as prescribed in Sections 7 and 8.

2-18-19: PENALTIES:

- (A) Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not more than three hundred dollars (\$300.00).
- (B) Any person who files with the Commission an application or request for a Certificate of Appropriateness who wilfully makes any false statement in such application or request, or who, upon demand, wilfully furnishes false information to the Commission, shall be guilty of a misdemeanor and shall be punished by a fine or not more than three hundred dollars (\$300.00).
- (C) For the purpose of this ordinance, each day during which there exists any violation of any provision herein will constitute a separate violation.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication hereof.

PASSED By the Council of the City of Boise City, Idaho,
this 4th day of September, 1979.