

**REGULAR MEETING OF THE WALLACE PLANNING, ZONING
AND HISTORIC PRESERVATION COMMISSION
October 6, 2021**

Chairman Sherman called the meeting to order at 6:00 pm at Wallace City Hall in the Council Chambers.

Roll Call: Commission members present: Sarah Murphy, Emma Stayduhar, Dave Kuns, David Sherman, Courtney Friehe, Katie Watterson & Scott Lewis. Absent Commission members: None.

Minutes:

E. Stayduhar made a motion to approve the minutes of the September 1, 2021 meeting. S. Lewis seconded the motion. All were in favor, motion carries. No further discussion.

422 High Street-Lean-to East Side of house, garage door on carport

Keith Teeters, owner of 422 High Street, is requesting a certificate of appropriateness for a 10'x30' lean-to off the east side of his house and a 10'x8' garage door on an existing carport. Discussion was held. Sherman stated he talked to K. Teeters on the phone pertaining to the application. D. Kuns asked if it was K. Teeters intention of fully enclosing the carport. K. Teeters stated he was not at this time. C. Friehe asked what was the purpose of the lean-to. He stated it was to prevent snow and ice piling up against the house and to prevent moisture from coming into the basement. Chuck Jones spoke and stated he is in favor of the proposed improvements. C. Friehe made a motion to approve the garage door install on the existing carport. E. Stayduhar seconded the motion. Roll call vote: Murphy; aye, Stayduhar; aye, Kuns; aye, Sherman; yes, Friehe; yes, Watterson; yes, Lewis; yes. All in favor motion carries. C. Friehe made a motion to approve the 10'x30' lean-to off the east side of the house to protect the door from rain and snow. K. Watterson seconded the motion. Roll call vote: Murphy; aye, Stayduhar; aye, Kuns; aye, Sherman; yes, Friehe; yes, Watterson; yes, Lewis; yes. All in favor, motion carries. No further discussion.

611 Cedar Street-removal of stone façade and metal from building

Courtney Friehe, owner of 611 Cedar Street, is requesting a certificate of appropriateness for the removal of the stone façade and metal on the front of the building. Discussion was held. S. Lewis made a motion to approve a certificate of appropriateness for the removal of the stone façade and metal from 611 Cedar Street. Seconded by K. Watterson. Roll call vote: Murphy; yes, Stayduhar; yes, Kuns; yes, Sherman; yes, Friehe; abstained; Watterson; yes, Lewis; yes. All in favor, motion carries. No further discussion.

410 High Bank-replacement of exterior stairs

Carina Antilla, owner of 410 High Bank Street, is requesting a certificate of appropriateness for the replacement of exterior wood stairs to concrete stairs. Sherman stated that he spoke with Carina prior to the meeting regarding the application. Discussion was held. Carina also stated that she will need to move the garage door 3' to allow for the stairs to fit. Sherman stated that the application only states replacement of stairs. C. Friehe made a motion to approve the concrete stairs. D. Kuns seconded the motion. E. Stayduhar stated that the moving of the door is in two places in the submitted application, and that approving that tonight as well seems appropriate. Sherman was in agreement. C. Friehe asked to amend her original motion to include moving the door 3' to accommodate construction of the stairs. D. Kuns seconded motion. Roll call vote: Murphy; yes, Stayduhar; yes, Kuns; yes, Sherman; yes, Friehe; yes, Watterson; yes, Lewis; yes. All in favor, motion carries. No further discussion.

Discussion on the designation of zone type for areas within City Limits designated as “holding District” per the zoning map and City Code for the purpose of making recommendations to the City Council

Discussion was held with regards to the need and designation of those area’s labeled “H” on the City Zoning Map. C. Frieh read for the record what the “HOLDING DISTRICT” is in the zoning code 13-6-2-2: *The purpose of a Holding district is to maintain the current vacant character of the site until such time as logical development will occur in that area.* C. Frieh continued and stated under the current zone, the land has to stay vacant. And tonight’s meeting is to review the other designations in the code and determine which best suits that area to then make a recommendation to the City Council. Discussion was held as to the “NATURAL RESOURCE DISTRICT” and if that could be applied. C. Frieh read for the record the definition. 13-6-2-1: (A) *Purpose: the purpose, as earlier stated, of the Natural Resource District is to preserve and maintain the rural character of the land. This District is also established to allow uses as designated for by the City Comprehensive Plan in areas where commercial, industrial and residential uses can exist side by side, and where the establishment of a separate district for a single use would not be desirable.* S. Murphy asked if you could use multiple designations for the “H” district. Keisha Oxendine, City of Wallace Attorney, spoke and stated that you could have multiple designations. Also, Keisha stated that this discussion with the “HISTORIC DISTRICT” is the first of many discussions that will take place at the P&Z level as well as City Council level. More discussion was held. Kevin Pickolick asked “if something is zoned ‘INDUSTRIAL’, or ‘MANUFACTURING’, could you get a variance and ask for ‘RESIDENTIAL?’” Sherman stated that there were recent changes in the City Code that allowed “RESIDENTIAL” uses in the “COMMERCIAL” and “MANUFACTURING” Districts. Kevin stated that it is his opinion that the “HOLDING DISTRICT” be labeled “RESIDENTIAL” because that is what is needed. Ed Chilgren stated that he agrees that most of the “H” district should be “RESIDENTIAL”, but he’s not convinced that all of it should be. Discussion was held regarding street development and who has jurisdiction and design standards and etc. Keisha stated that there are many other agencies who will have authority beyond the City of Wallace Code, including the IRC and IBC which is overseen by the Building Inspector and many other agencies that may or may not come in to play. More discussion was held. R. Shaffer asked for clarification of the zoning map and the designated districts. Ryder Gauteraux stated he believes that there should be some areas designated as “COMMERCIAL” due to the already established businesses. After much discussion, Keisha stated that the Commission is not even close to making a recommendation to Council. E. Stayduhar made a motion to table “H” zone designation until the November 3, 2021 Planning and Zoning Meeting. S. Lewis seconded the motion. Roll call vote: Murphy; yes, Stayduhar; yes, D. Kuns; yes, D. Sherman; yes, Frieh; yes, Watterson; yes, Lewis; yes. All in favor, motion carries. No further discussion.

Discussion and Decision Re: Amended Site Disturbance Ordinance for Recommendations to City Council

D. Sherman addressed the Commission and asked if they were all in agreement with the language added by legal for recommendation to the City Council. Discussion was held. C. Frieh suggested revised wording pertaining to requiring a survey in 11-1-4 A (4. A.) to state that if neighboring parties are in agreement with the property line, with a written agreement from all parties, no survey would be required. More discussion was held. C. Frieh made a motion to amend and add language in 11-1-4 A. (4. A.) to include “or the applicant shall provide a written verified statement of adjacent property owners agreeing to the property line.” S. Murphy seconded motion. Roll call vote: Murphy; yes, Stayduhar; yes, Kuns; yes, Sherman; yes, Frieh; yes, Watterson; yes, Lewis; yes. All in favor, motion carries. No further discussion.


Executive Session with City Attorney per Idaho Code I.C. § 74-206(1)(d) to consider records exempt from disclosure as attorney-client privileged communications pursuant to I.C. § 74-104(1) and established

federal and state authority protecting the same and per I.C. §74-206(1)(f) - To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated

E. Stayduhar made a motion to enter into executive session at 7:15 pm. Seconded by S. Murphy. Roll call vote: Murphy; yes, Stayduhar; yes, Kuns; yes, Sherman; yes, Frieh; yes, Watterson; yes, Lewis; yes. Carried. E. Stayduhar made a motion at 8:05 pm to enter into regular session. Seconded by S. Murphy. Roll call vote: Murphy; yes, Stayduhar; yes, Kuns; yes; Sherman; yes, Frieh; yes, Watterson; yes, Lewis; yes.

Informational:

There being no further business to come before the Commission, S. Murphy made a motion to adjourn. E. Stayduhar seconded the motion. All in favor, motion carries. Adjourned at 8:06 pm.



David Sherman, Chairman of Commission

Attest:



Amanda Trogden, Deputy City Clerk