



## Planning & Development Services

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# 1

## Planning Division Staff Report

<b>File Number</b>	DRH08-00094
<b>Applicant</b>	Bryant Kuechle
<b>Property Address</b>	1519 North 8 <sup>th</sup> Street
<b>Public Hearing Date</b>	April 28, 2008
<b>Heard by</b>	Historic Preservation Commission
<b>Analyst</b>	Julie Archambeault
<b>Checked By</b>	Sarah Schafer

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### Public Notification

Radius notices mailed to adjacent properties: **March 15, 2008**  
Staff posted notice on site on: **March 11, 2008**

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## 1. Project Data and Facts

<b>Applicant/Status</b>	Bryant Kuechle / Owner
<b>Architect/Representative</b>	Chad Vincent / Renaissance Remodeling
<b>Location of Property</b>	1519 North 8 <sup>th</sup> Street
<b>Size of Property</b>	5,520 sq. ft.
<b>Present Zoning and Land Use</b>	R-1CH (Single-Family Residential)
<b>Historic District</b>	North End
<b>Date of Construction</b>	1901
<b>Style</b>	Wood frame dwelling
<b>Status</b>	Non-contributing
<b>Square Footage of Existing House</b>	1,380 sq. ft.

### Description of Applicant's Request

The applicant is seeking a Certificate of Appropriateness to demolish a rear addition, construct a two-story rear addition with dormers, remove a tree and change a window to a door.

## 2. Land Use

### Description and Character of Surrounding Area

The surrounding area is characterized by other historic homes of various sizes and styles. Landscaping consists of trees, lawn and smaller plantings.

### Site Characteristics

The site consists of a single family structure, a garage and a small structure. It is a small corner lot.

### Special Considerations

None

### History of Previous Actions

1901-Construction of home  
1966-Close in back porch on three sides. Install window.  
1974-Repair dwelling  
1995-Rear 2 story addition

### 3. Project Proposal

#### Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	24%	30%
Percentage of the site devoted to paving:	6%	6%
Percentage of the site devoted to landscaping:	70%	64%
TOTAL	100%	100%

#### Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (east)	15' (bldg.) 20' (garage)	No change	No change
Side Street (north)	15' (bldg.) 15' (garage)	15' 2"	No change
Side (south)	5' (bldg.) 5' (garage)	9'	No change
Rear (west)	15' (bldg.) 0' (garage)	44'	No change

#### Fencing

A wood fence lines the rear yard.

#### Structure(s) Design

Number and Proposed Use of Buildings	Three buildings exist-the single-family dwelling, a garage and a small shed.
Maximum Building Height	21'-this height will not change.
Number of Stories	Existing-1 ½; Addition-2

## 4. Ordinance / Standards

Section	
11-04-04.01	General Standards
2-18-09	Historic Preservation Ordinance
4.1	Guidelines for Residential Historic Districts
	Secretary of the Interior's Standards for the Treatment of Historic Structures

## 5. Analysis/Findings

### Section 2-18-9 (A) (1) (c) Confirmation of Classification

*As part of the application process for a Certificate of Appropriateness, the Planning Staff shall confirm the contributing or non-contributing classification of the property based on the criteria set forth in the definitions of Section 2-18-02.*

- A. A property is contributing if
1. it was present during the period of significance, AND
  2. it possesses historic integrity reflecting its character at that time
    - i. Location-the location of the property has not changed.
    - ii. Design-the design of the property was changed by 1940. However, it is a unique design for that time period and has not significantly changed since that time.
    - iii. Setting-The setting has retained its integrity. The street grid, the landscaping and the historic homes, most of which retain their own integrity, are still intact.
    - iv. Materials-The materials also date from the late 1930s to early 1940s. The scalloped vertical siding under the eaves is particularly reminiscent of this time period. The foundation and window frames date from the earlier construction of the home.
    - v. Workmanship-The workmanship required to construct the house and install the siding, foundation and windows remains.
    - vi. Feeling-The house has the feeling of a 1940s structure.
    - vii. Association-The property retains its link to 1940s architecture.
  3. it is capable of yielding important information about the period OR
  4. it individually meets the National Register eligibility criteria
- B. A property is noncontributing if
1. it was not present during the period of significance,
  2. due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity reflecting its character at that time OR
  3. it is incapable of yielding important information about the period OR
  4. it does not individually meet the National Register eligibility criteria

Although the house was altered in the 1940s, these changes have retained their own integrity and the house is now contributing.

**Section 2-18-9 (C) Demolition or Relocation.**

*Findings: In order for the Commission to approve a demolition or relocation request at least three (3) out of the five (5) following Findings must be met:*

- A. That the building, project, site or structure is not classified as contributory to the District.

The site is not currently classified as contributory to the District. The applicant has met this Finding.

- B. That the building, object, site or structure cannot reasonably meet National, State or Local criteria for designation as an historical or architectural landmark.

The site does not have enough architectural or historical significance to reasonably meet National, State or Local criteria for designation as an historical or architectural landmark. The applicant has met this Finding.

- C. That demolition of the building, object, site or structure would not adversely affect the character of the District and/or the adjacent properties.

The addition that will be removed is very modern in its design. Its demolition will not adversely affect the character of the District or the adjacent properties. The applicant has met this Finding.

- D. That the owner has reasonably demonstrated that rehabilitation of the building, object, site or structure would not be economically feasible.

This alternative has not been explored. The applicant has not met this Finding.

- E. That plans have been submitted to redevelop the property if the demolition proceeds and such plans will have a positive effect on the District and/or adjacent properties.

Plans have been submitted to replace the existing garage with a new, more congruous addition. These plans will have a positive effect on the District. The applicant has met this Finding.

**The applicant has met four out of five Findings.**

**Section 11-04-14.03 Development Standards for Substandard Original Lots of Record**

- A. Setbacks

1. Front Setbacks: The front yard setback for livable space and porches shall be within five (5) feet of the average of the front yard setbacks of adjoining properties. However, in no case shall the front setback be less than 10 feet or

more than 20 feet. The front setback for parking is 20 feet. Maximum setbacks are required in order to provide a visual and physical relationship to the street and retain room for an open back yard area. If the applicant has multiple contiguous lots, the front setbacks should provide modulation in order to avoid a uniform line of dwellings with identical front setbacks.

2. Side Setbacks: Interior side setbacks shall be in accordance with the applicable zone; street side yard setbacks shall be 15 feet for livable space and porches and 20 feet for parking, unless one of the following is applied:
  - a. Common Lot Line Attached Units – Up to three (3) units may be attached at the common lot line, provided that the exterior setbacks (unattached side setbacks) adhere to those required by the zone.
  - b. Detached Units on Contiguous Lots – When two (2) or more single family units are proposed on contiguous lots, the interior side yard setbacks may be reduced to three (3) feet provided that the exterior setbacks to the development adhere to the setbacks that are required by the zone.
3. Rear Setbacks: Rear yard setbacks shall be as required by the zoning district in which the substandard lot is located.
4. Garage: A single story detached garage accessed off of an alley may have a three (3) foot interior side setback.
5. The first story of a two story attached building shall be setback a minimum of five (5) feet from the side property line. The second story of a two story attached building shall be setback a minimum of eight (8) feet from the side property line; provided, bay windows, pop-outs or other architectural appurtenances may be allowed at the five (5) foot setback line in the R-1C zone. All other zones must meet their side yard setback requirements. (See also Section 11-05-05 Boise Municipal Code)

The setbacks for the zone have been met.

**This Finding has been met.**

- B. Building height shall not exceed the width of the lot or the maximum height allowed by the zone, whichever is most restrictive.

The maximum height allowed by the zone is 35'. The lot is 48' wide. The house is 21' tall.

**This Finding has been met.**

- C. Building Size: Residential floor area shall not exceed 55% of the effective lot area on lots with less than 5,000 square feet. "Effective Lot Area" is the gross horizontal area of a lot minus any portion of the lot encumbered by a recorded driveway or road easement. "Residential Floor Area" is the amount of all livable space including basements and bonus rooms.

The lot has 5,520 sq. ft.

**This Finding is not relevant.**

- D. Private Open Space: All substandard lots must provide a minimum of 375 square feet of private open space in the rear yard. This open space must be configured as a 15 foot by 25 foot rectangle and must have a minimum rectangular dimension of 10 feet by 15 feet that is open to the sky. Covered rear porches are allowed to be calculated as part of the private open space area.

The private open space is a 48' x 25' rectangle in the rear yard open to the sky between the house and the garage and is screened by a privacy fence.

**This Finding has been met.**

- E. Landscaping: A landscape plan shall be required. All areas that are not developed with structures, driveways, parking lots, streets, pathways, patios and similar useable areas shall be landscaped. The landscaping shall accomplish the following objectives:
- shading of parking areas and walkways;
  - ground cover consisting of predominantly live planted materials shall be used;
  - erosion control;
  - and attractive streetscapes and common areas.

Some useable hard scape features (such as pavers, planters, stonework, decks, etc) may be allowed up to 25% of the entire landscaped areas. Plastic or other artificial materials are not allowed. The landscape plan shall include an irrigation system. Xeriscape plans that are consistent with Public Works standards shall be considered acceptable.

Landscaping includes lawn, shrubs, trees and large trees in the planting strip.

**This Finding has been met.**

- F. Parking

1. Each dwelling shall be provided with two (2) off street parking spaces.
2. Vehicular access and parking shall be provided according to the following standards:
  - a. Access to an alley:

1. All access shall be taken from the alley. Two spaces shall be provided with 22 feet of backup space in accordance with Section 11-10-04.04, Table 12, Boise City Code.
- b. No access to an alley:
  1. Interior lots with no alley access shall be required to provide a two (2) car attached garage. The applicant shall include design elements that will provide varied rooflines, dormers within the roofline or other architectural treatments that will avoid the appearance of garage domination. The setback of the garage face shall be 20 feet. Driveways for a two car attached garage may not exceed 20 feet in width.
  2. The use of a 10 foot wide shared driveway providing access to rear yard garages that are attached with a common wall on the property line is allowed.

This property is grandfathered in with no parking. The parking situation is not proposed to change.

**This Finding may be waived.**

G. Right-of-Way Improvement

1. All developments shall provide curb, gutter and sidewalk on the adjacent roadway(s) and, if applicable, the applicant shall provide a paved driveway apron that extends to the edge of the pavement. Waivers or variations to some or this requirement may be granted by the Planning Director based upon local conditions such as the lack of adjacent improvements and/or documented drainage problems that may result from the improvement of the roadway. Any alternative granted through a waiver shall include a curb line or physical barrier to prevent parking adjacent to the right-of-way. If a waiver is granted, the value of the improvements, as estimated by the City of Boise, shall be placed in a Public Rights-of-Way Road Trust deposit for up to ten (10) years to be held by the City of Boise for later improvement of the curb, gutter and sidewalk abutting the site.
2. Dirt or gravel strips in the front yard or undeveloped street right-of-way shall not be permitted. Irrigated landscaping shall be provided in these areas through license agreements with the ACHD. Bonding for landscape improvements may be allowed based on weather related constraints. If ACHD denies the necessary license agreement, the requirement for landscaping shall be waived.
3. If full right-of-way improvement is not feasible and ACHD determines that there is insufficient pavement width for travel lanes with on-street parking, a non-landscaped ACHD-approved shoulder shall be installed that is the minimum width necessary to accommodate parallel parking. Landscaping shall still be required to the edge of the parking shoulder.



4. All right-of-way improvements, license agreements and bonding shall be completed prior to issuance of a Residential Certificate of Occupancy permit for the structure.

The streets adjacent to the property have been improved with curb, gutter and sidewalk.

**This Finding has been met.**

H. Alternative Building Arrangements

1. Attaching single family units in multiples of two (2) or three (3) on common lot lines is encouraged as a means of creating more substantial structures that will be imitative of standard width single-family homes. Such units remain subject to the general design criteria stated in this Chapter and do not require a planned unit development application.
2. Additional requirements for attached buildings:
  - a. Attached buildings shall be constructed to comply with townhouse construction standards in accordance with the Boise City Building Code.
  - b. The Office of the City Attorney shall review and approve all easement agreements an applicant or builder seeks to obtain for the use and maintenance of common facilities such as driveways, parking sites and common party walls. All such easements shall be recorded in the records of Ada County prior to an applicant or builder seeking a building permit under this ordinance.
  - c. Adjustments to lot lines and reduction in the number of lots within the same parcel are subject to review and approval pursuant to all applicable Boise City subdivision and zoning regulations. The applicant shall obtain approval from Boise City and record any lot line adjustments or reduction in lots with the Ada County Recorder prior to submission for a building permit.

No alternative building arrangements are proposed with this application.

**This Finding has been met.**

Section 11-04-14.04 Design Guidelines for Substandard Lots

- A. In addition to the development standards described in Section 11-04-14.03 of Boise City Code, the following general design guidelines shall apply to substandard lots. The Design Review Committee and Design Review staff shall take into account the location and design of adjacent buildings, landscaping and right-of-way improvements, and shall apply the following criteria as appropriate:

1. Full-length two story structures are not allowed;
2. One and a half story structures are the preferred form of development on substandard lots. One and a half story structures will be required when the existing structures adjacent to the proposed development are one story in height.

A one and a half story structure can be defined as:

- a. A structure that has a maximum building height of 18 feet (to the midline of the roof) and includes a daylight basement that is sunk into the ground a minimum of four (4) feet.
  - b. A structure that has a maximum building height of 18 feet (to the midline of the roof) and contains the second story within the pitched roofline.
3. Partial two story structures may be allowed when the surrounding properties will not be adversely impacted by such height. The circumstances to be considered shall include: the size and height of the adjacent dwelling units; privacy impacts on adjacent properties; the height, mass, window placement and roofline pitch of the proposed structure; and the overall design of the upper story of the proposed structure. Upper story limitations or setbacks on the new building may be an acceptable means of ensuring compatibility with adjacent structures of smaller size.
  4. Front Façade Design Requirements.
    - a. Homes shall have a front door that faces the street. When a unit is built on a corner lot, the door shall face the dominant street.
    - b. In lieu of a street facing front door, the applicant may construct a prominent front porch that is a minimum of six (6) feet in depth and the dwelling shall have a minimum of 25% of the front facade comprised of windows and/or door openings. For homes with front-loaded garages, a garage door shall not count toward the window opening requirements. The garage door shall include design elements such as: panels, windows, trim features, cross members, or other architectural features as determined by the Design Review Committee or Design Review Staff.
    - c. Detached dwelling units shall provide a façade that substantially differs from the façade of adjacent structures. Variations in materials alone will not be considered sufficient. The unique façade may be obtained through the use of structural changes or through the use of substantial design elements. In addition to complying with the preceding design guidelines, the front façade shall include multiple design elements such as: multi-paned windows, varied roof lines, dormers, bay windows, wainscoting, a covered front door, a usable front porch or other elements as approved by

the Design Review Committee or staff that create a unique façade. Articulated designs may repeat on non-contiguous lots.

- d. Attached units shall provide modulation and architectural design features to prevent flat façade wall planes.
  - e. Building design shall incorporate quality materials such as brick, stone, stucco, tile, and wood for a significant (35% or more) portion of the façade and second story elements. The presence of such materials on nearby homes shall be reviewed as a guide for appropriate materials to be used on the new dwelling.
- 5. All buildings shall be oriented toward a public street. When buildings cannot be oriented toward a public street due to inadequate street frontage or similar circumstances, the buildings shall be oriented toward a private street or lane that conforms to City standards.
  - 6. Where front yard driveways are permitted for access, the driveway may be designed with concrete wheel strips or grass pavers that are separated by vegetation.

**As the subject parcel is located within a recognized historic district, the Design Guidelines for Residential Historic Districts supersede §11-04-14.04 of the Boise City Code, outlined above.**

## **6. Conclusion and Recommended Conditions**

**Pursuant to Boise City Code 2-18-9 A and B of Boise Municipal Code, the request to construct a two-story addition on the rear of the dwelling is congruous with the historical, architectural, archeological, educational or cultural aspects of the Historic District because:**

The Secretary of the Interior's Standards for the Treatment of Historic Properties (1995 Edition), the Boise City Design Guidelines for Residential Districts, the North End Plan and the Boise City Comprehensive Plan are references often utilized by the Historic Preservation Commission to determine whether a change is congruous with the historic and architectural qualities of the Historic District.

- 1. In order for the Commission to approve a demolition or relocation request at least three out of the five Findings must be met. (2-18-9C) Four of the five Findings have been met. The site is not classified as contributing, it cannot meet landmark status, the rear section's demolition will not adversely affect the District or the adjacent properties, and the submitted plans will have a positive effect on the District and the adjacent properties.

2. The Commission's decision in regard to Certificates of Appropriateness for alterations, as described in 2-18-09 (A), shall be based on six Findings as applicable to that property. (2-18-11 01)
  1. BCC Section 2-18-11.01 A states that the request shall be consistent with the Design Guidelines for Boise City's Historic Districts. This application is not in a commercial district. This Finding does not apply.
  2. BCC Section 2-18-11.01 B states the request shall be consistent with the Boise City Design Guidelines for Residential Historic Districts. This application complies with the following guidelines.
    - i. "Set back a new addition from the primary façade of the original building to maintain original proportion, massing, size, and scale." (4.1.2) The addition will be set 35' from the front elevation.
    - ii. "Relate rooflines, the pitch, and orientation of the new addition to the primary building." (4.1.3)
    - iii. "Use similar materials as found on the original building." (4.1.6) The addition will bring materials similar to those found on the existing building including metal clad wood windows and Hardiboard siding.
    - iv. "Maintain proportional lot coverage as found on the neighboring properties of the same block; maximum lot coverage of all buildings should not exceed 30% of the total lot area. Minimum open space should be 40% of the total lot area. Any exceptions to these percentages will be closely scrutinized." (4.1.10) The addition will bring the lot coverage up to 30%.
  3. BCC Section 2-18-11.01 C states the request shall be consistent with The Secretary of the Interior's Standards for Rehabilitation, or other standards as applicable (preservation, restoration or reconstruction.) This application is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties. This application complies with the following requirements.
    - i. "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment." (pg. 62) The new addition will be differentiated from the existing building through broken wall planes. It will be compatible through compatible forms and materials.
    - ii. "Placing a new addition on a non-character-defining elevation and limiting the size and scale in relationship to the historic building." (pg. 113) The addition will be placed on the rear elevation and be limited in height and width to that of the original structure.

- iii. “The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.” (pg. 62) The area to be removed does not characterize the property-it is a modern intrusion on the form of the historic property.
  4. BCC Section 2-18-11.01 D states the request shall support the goals, objectives and policies of the Boise City Comprehensive Plan and the plans referenced therein. The application is in compliance with the following goals and objectives of the Comprehensive Plan and the North End Plan.
    - i. The proposed use or design of the property should reflect the character of the adjacent neighborhood and be compatible with it. (p. 17) The design of the addition reflects the character of the adjacent neighborhood with its compatible materials and forms and is compatible with the neighborhood.
    - ii. The unique character of the neighborhood should be maintained, including architectural style, sitting on the lots, orientation of the units and landscaping characteristics. (p. 18) The new addition maintains the character of the neighborhood through its compatible materials and design.
  5. BCC Section 2-18-11.01 E states that based on the adopted design guidelines the request will not be incongruous with the historical, architectural, archaeological, educational or cultural aspects of the district. The project is congruous with the historical, architectural, archaeological, education or cultural aspects of the district because it complies with the Secretary of the Interior’s Standards for Rehabilitation, the Design Guidelines for Residential Historic Districts and the North End Plan.
  6. BCC Section 2-18-11.01 F states that the request must comply with the dimensional standards and other applicable requirements of Title XI (Zoning Ordinance) including, but not limited to setbacks, height restricts and parking requirements unless the Commission finds that modifying the standards is necessary to protect the overall characteristics of the district and to comply with the adopted design guidelines. This application complies with all of the dimensional requirements of the underlying zone as laid out in Title XI without the request for any variances.
3. A contributing building, site, structure or object adds to the historic architectural qualities, historic associations, or archeological values for which a property is significant because (a) it was present during the period of significance, and possesses historic integrity reflecting its character at that time or is capable of yielding important information about the period, or (b) it individually meets the National Register eligibility criteria. The structure’s 1940s changes have gained their own significance. The site is contributing.

### **Site Specific Conditions of Approval**

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received March 27, 2008.

### **Standard Conditions of Approval**

2. The applicant shall comply with the Boise City Fire Code.
3. Prior to a Building Permit and prior to any construction on the site, an Erosion and Sediment Control Permit must be obtained from the Building Division of the Planning and Development Services Department.
4. No change in the planned use of the property by the applicant shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of the City of Boise. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon the City of Boise.
5. Any change in the planned use of the property by the applicant shall require the applicant to comply with all rules, regulations, ordinances, plans or other regulatory and legal restrictions in force at the time the applicant or successors in interest advise the City of intent to change the planned use of the property described herein unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
6. If the applicant does not act on the Certificate of Appropriateness through the commencement of construction, or extended pursuant to the Boise City Code, within eighteen months, it will become null and void without further notification from this department.
7. The applicant shall be required to obtain a Building Permit prior to the start of construction.

### **Construction Site Requirements**

8. The practices required below are intended to mitigate the impact and disturbance of residential property owners during the construction of adjacent buildings or structures. The following conditions apply to all construction-related activities ranging from grading and demolition activities to final occupancy on any land or parcel falling under the proprietary ownership of the permit applicant.
  - a) Prior to the issuance of a building permit and prior to the commencement of any construction on-site, an Erosion and Sediment Control (ESC) permit must be obtained from the Planning and Development Services Department. No grading, demolition or earth disturbing activities may start until an approved ESC permit and the associated site work or grading permits have been issued.

- b) Measures shall be taken to manage construction debris and trash on the construction site and efforts shall also be made to provide reasonable controls to minimize fugitive dust on the construction site. Such measures shall include, but are not limited to:
  - Provide suitable containers for solid waste generated by construction activity;
  - Wet demolition of existing buildings;
  - Watering of driving surfaces and earth moving activities;
  - Installation of wind screening around property and each open floor above grade; and
  - Daily broom cleaning of above grade floors, adjacent streets and sidewalks.
- c) To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.
- d) A minimum height of six foot (6') rigid security fencing, either wood or metal, shall be installed around the construction site within 30 days of the date when the first city permit is issued on projects where construction activity shall exceed 90 days.
- e) Exterior lighting and other illuminating equipment or materials shall be positioned, shielded, directed and located to not reflect or impact adjacent residential property and streets.
- f) Applicant shall comply with Boise City Fire Department requirements for water, access, and/or other requirements as determined by the Fire Marshal.
- g) Any conditions to be enforced during construction shall remain posted at each street abutting the construction site for the duration of the project. In addition to the posted conditions the permit holder shall also post an 11"x 17" laminated sign containing a project contact phone number, name of project contact and the Boise City contact number, 384-3845, to address issues as they arise. Failure to abide by any conditions set forth shall be grounds for revocation of Conditional Use Permit and/or Building Permits and may be subject the owner or owner's agents to fines and criminal citations.