

From: Kevin Freeman
Sent: Thursday, May 4, 2023 11:00 AM
To: Dean Kubitschek
Cc: Jennifer Robinson; Paul Thomas; John Andrews; Nick Mimms
Subject: FW: LITTLE JIM ITEM - CONFERENCE AGENDA 5/8/23
Attachments: Sec_111_124.___Procedure_for_historic_designation. (1).docx

Procedure for Historic designation – summary of Sec. 111-124.

- Submission and acceptance of the complete historic designation application.
- Designation report
- Notification of owners
- Notification of public hearing
- Notifications to the building department and code compliance.
- Historic Preservation Board review of the designation report and recommendation for the City Commission final approval.
- City Commission decision and designation of the property by resolution.
- Notification of the City Commission action with a copy of the resolution sent to city clerk, building department, code compliance, owner of the property and appropriate county and state officials for certified local government requirements.

Hi Kev,
Please let me know if you need anything else.

Maria

From: Kevin Freeman <kfreeman@cityoffortpierce.com>
Sent: Wednesday, May 3, 2023 9:31 AM
To: Maria Lewicka <mlewicka@cityoffortpierce.com>
Subject: FW: LITTLE JIM ITEM - CONFERENCE AGENDA 5/8/23

Can you set out the procedure for Historic Designation for me please?

Thanks

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Sec. 111-124. Procedure for historic designation.

Properties which meet the criteria for local historic sites and local historic districts set forth in section 111-123 shall be designated according to the following procedures:

- (1) *Petition of the owner.* The owner of any property in the city may petition this board for designation of their property as an individual site, district or archaeological zone by submitting a preliminary application for historic designation to the historic preservation officer. Nothing in this subsection shall be deemed to restrict the power of the board to initiate the designation process pursuant to this section. If the board is initiating designation, the preliminary application may be submitted concurrently with the full application at the public hearing.
- (2) *Directive of the board.* The board shall either accept or deny the application. By accepting the application, the board must set a date for a public hearing and shall direct staff to complete the designation report and notify the proper parties of the public hearing.
- (3) *Designation reports.* Prior to the designation of an individual site, a district, or an archaeological zone, an investigation and designation report must be prepared by the historic preservation officer and filed with the board. All reports must address the following:
 - a. Legal description of the property.
 - b. The historical, cultural, architectural or archaeological significance of the property or how the property fulfills the criteria for designation.
 - c. Boundaries for individual historic sites and a recommendation of boundaries for districts and archaeological zones. When a district is recommended, the report must identify those properties which are not historically or architecturally contributing to the district. District boundaries should be drawn to include properties which individually do not contribute to the historic character of the district, but which require regulation in order to control potentially adverse influences on the character and integrity of the district. The standards for regulating such noncontributing properties shall provide that a certificate of appropriateness shall be required for alterations and new construction on such properties.
 - d. Zoning regulations. Every historic site and historic district designation report may include detailed zoning regulations made to be compatible with its designation. Such regulations may be designed to supplant or modify any element of existing zoning regulations, including, but not limited to, use, floor area, ratio, density, height, setbacks, parking, minimum lot size and transfer of development rights, or create any additional regulations provided for in this section. The zoning amendment may identify individual properties, improvements, landscape features, or sites or categories of properties, improvements, landscape features or sites for which different regulations, standards and procedures may be required.
 - e. All reports shall take into consideration current conditions of the property and how the owners have maintained the property.
 - f. The report shall also contain a location map and photographs of all exterior surfaces (and interior if applicable).
 - g. Optional designation of interiors. Normally interior spaces shall not be subject to regulation under this section; however, in cases of existing structures having exceptional architectural, artistic or historical importance, interior spaces which are customarily open to the public may be specifically designated. The designation report shall describe precisely those features subject to review and shall set forth standards and guidelines for such regulations.

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- h. Designation reports shall also include a copy of any survey materials related to such property, the property appraiser's records of such property, and a copy of the public hearing newspaper advertisement.
 - i. Moratorium. Upon the filing of a designation report by the staff, the owner of the real property which is the subject matter of the designation report or any individual or private or public entity shall not:
 - 1. Erect any structure on the subject property.
 - 2. Alter, restore, renovate, move or demolish any structure on the subject property until such time as final administrative action, as provided by this chapter is completed.
- (4) *Notifications.*
- a. Notification of owners. For each proposed designation of an historic site or historic district, the board is responsible for mailing a copy of the designation report and a notice of public hearing to all property owners of record whose properties are located within the boundaries of the designation. This notice shall serve as notification of the intent of the board to consider designation of the property at least 30 days prior to a public hearing held pursuant to this section. Such notice shall be by certified mail, return receipt requested, 30 days prior to any public hearing, and addressed to the owner of the property or properties in question at the address listed in the tax collector's office for tax notices, and at any other address furnished to the department by such owner, provided that if the notice is returned as unclaimed or refused, notice may then be provided by First Class mail with a properly executed proof of mailing or affidavit confirming the First Class mailing.
 - b. Notification of public hearing. For each historic site and historic district proposed for designation, a public hearing shall be held within 60 days from the date a designation report has been presented to the board. Such notice shall be given by publishing a copy thereof in a newspaper of general circulation in the city and the county at least ten days prior to the hearing. All interested persons shall be given an opportunity to be heard at the public hearing on the proposed designation.
 - c. Notification to community redevelopment agency. Upon initial receipt of a proposal for designation, notification of such proposal shall be furnished to the community redevelopment agency in the event the proposal involves properties within the existing community redevelopment area. The community redevelopment agency may submit comments or make recommendations to the historic preservation board concerning the designation of such property prior to the date of the public hearing.
 - d. Notification shall also be given to the building department and code compliance division.
- (5) *Decision of the board.* Within seven days of a public hearing on a proposed individual site or archaeological zone, the board shall make a decision to approve, deny or amend the proposed designation and shall forward their recommendation to the city commission for final approval.
- (6) *Recommendations of the board.* For the designation of a district, or for the designation of individual sites that require a modification or variance in the zoning, the board must first send its recommendations to the city planning board for their review. The city planning board shall then send their recommendations along with the preservation board's to the city commission for final approval.
- (7) *Decision of the city commission.* The city commission shall either approve, deny or approve with conditions the designation, and shall designate the property by resolution. The following parties shall be notified of its actions with a copy of the resolution:
- a. The building department and code compliance division;

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- b. The city clerk, so that they may provide the resolution to the circuit clerk of the courts office for the purpose of recording such designation in the public record;
 - c. Owners of the affected property and other parties having an interest in the property, if known; and
 - d. Appropriate county and state officials for certified local government requirements.
- (8) *Amendment or rescission.* The city commission may amend or rescind any designation provided it complies with the same manners and procedures used in the original designation.
- (9) *Appeal of designation.* A party aggrieved by a designation decision may appeal such decision to the city commission in the manner provided for in this chapter.

(Code 1983, § 23-37; Ord. No. K-72, § 2, 4-16-2001; Ord. No. K-467, § 1, 5-7-2007)