



Bland & Associates, Inc.

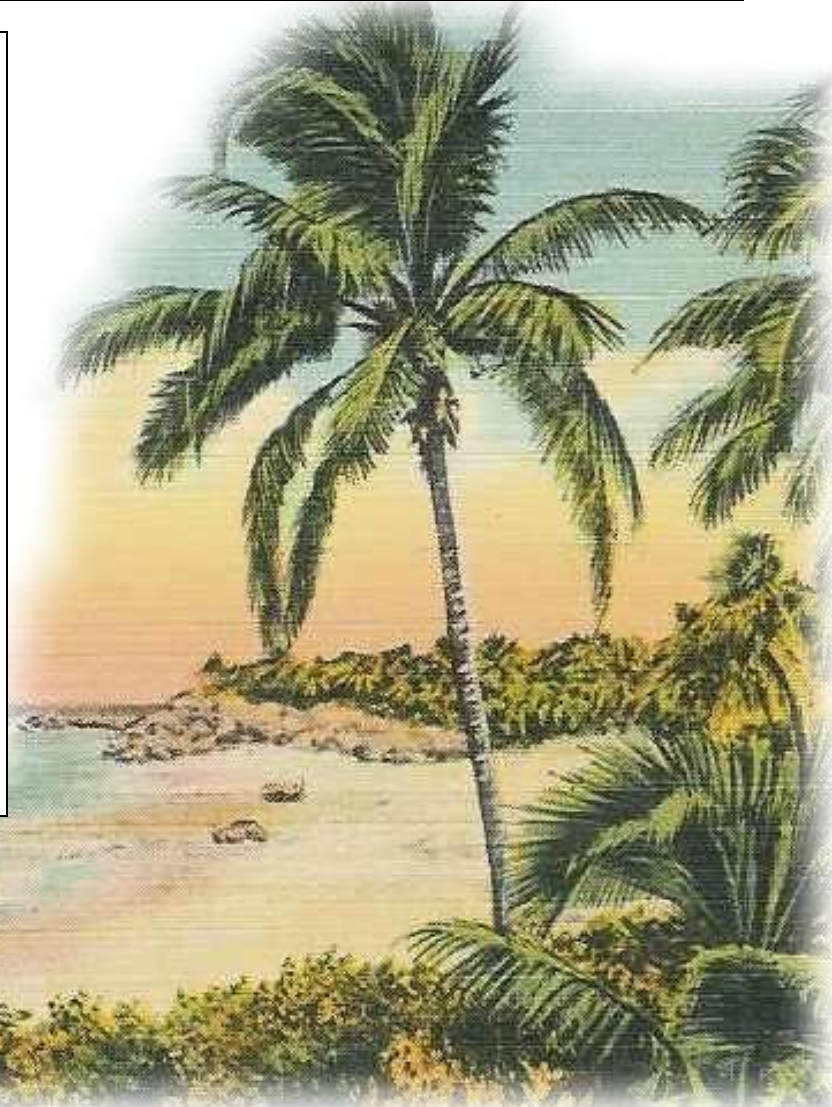
Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

Museum Services
Jacksonville, FL

Slide 1

City of Winter Park Code Review

14 November 2014





Bland & Associates, Inc.

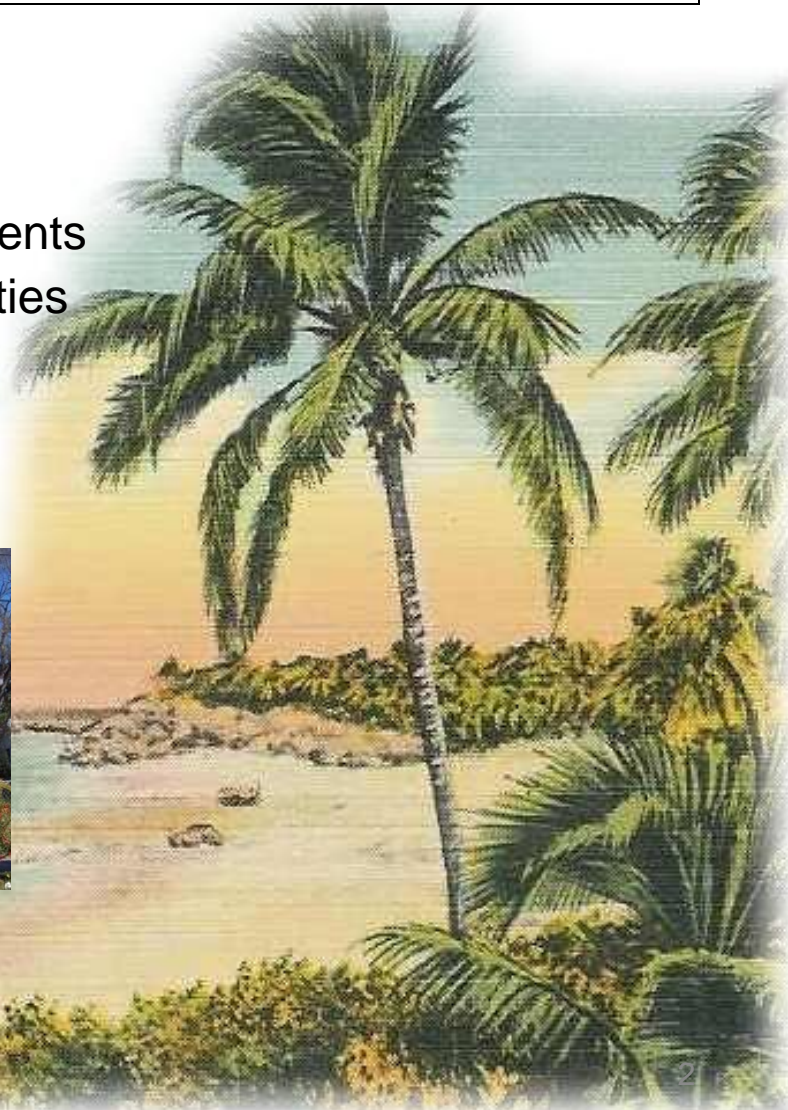
Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

Museum Services
Jacksonville, FL

Slide 2

- **Historic Resources are**

- Archaeological sites
 - Historic or prehistoric
- Historic objects, i.e. markers & monuments
- Sacred sites / traditional cultural properties
- Prehistoric burials
- Sunken or abandoned ships
- Treasure troves
- Historic structures
- Historic bridges
- Historic roads
- Historic cemeteries
- Battlefields
- Scenic by-ways





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

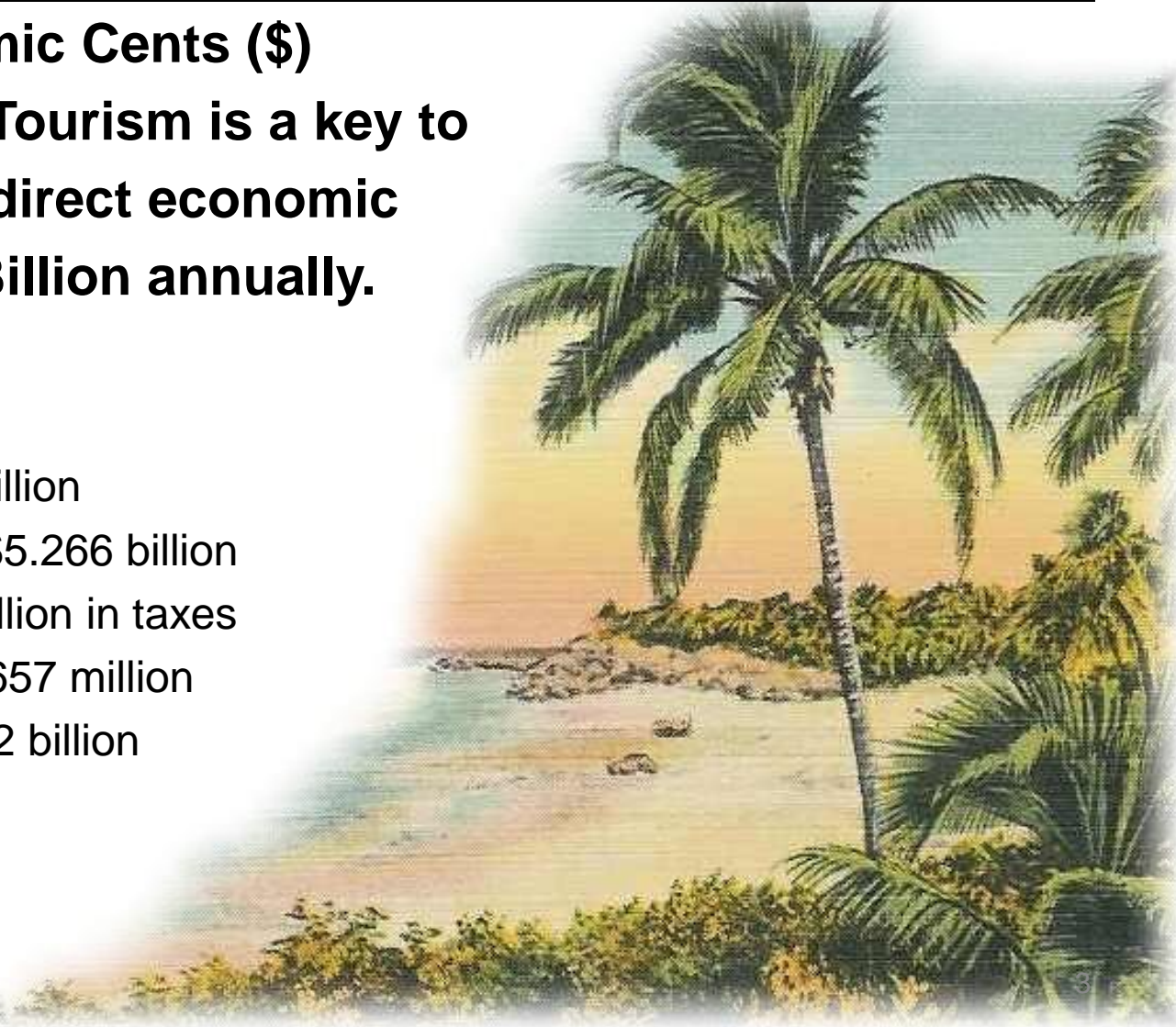
Museum Services
Jacksonville, FL

Slide 3

HP Makes Economic Cents (\$)

- Florida Heritage Tourism is a key to
- FL Tourism with direct economic
- benefits of \$4.2 Billion annually.

- Jobs - 123,242
- Job Income - \$2.766 billion
- Gross state product - \$5.266 billion
- Total Taxes - \$1.254 billion in taxes
- State & local taxes - \$657 million
- In-state wealth - \$4.672 billion





HP Makes Legal, Local, & Economic Sense

HP is NOT an un-American violation of property rights.

Finding of “historic” is a finding of fact, not a term of art, & means 50 years old.

A “historic” finding is not a taking. Penn Central holds that owners must be notified, have an opportunity to comment and retain a reasonable use.

Residents and visitors identify Winter Park as the city's historic downtown and neighborhoods.

Residents seek this value and history; WP's median household income in 2011 was \$57,432, while FL's mean was \$47,821. That's more than one STD, so WP is in 95% percentile!



Intent of Congress as Stated in the NHPA is that:

“the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.”

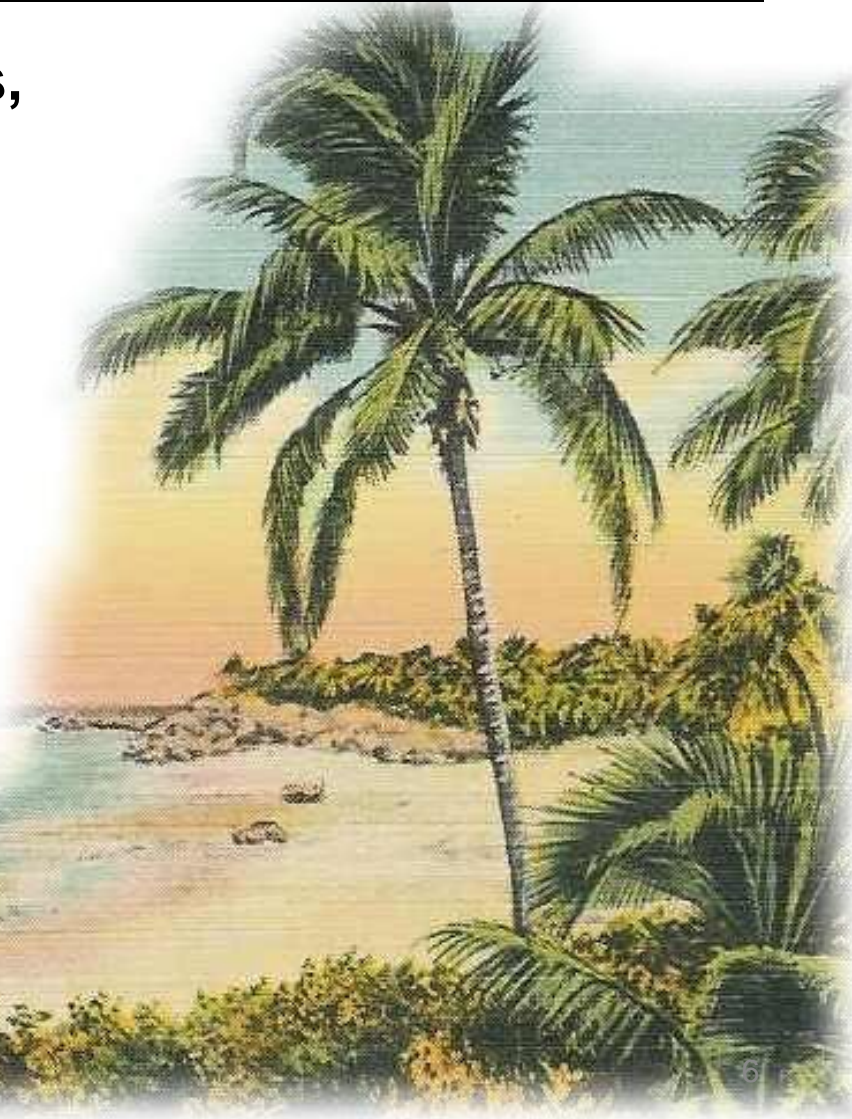
Further, it is public policy: “to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony.”





Preservation & Growth are friends, NOT rivals

- 1) Growth does not necessarily equate to economic development or "bad" change.
- 1) Historic buildings have value and need protection, and in WP represent a very small percentage of all buildings to begin with.
- 3) Good urban design is much better for our communities and the environment than bad.
- 4) HP grows the local tax base and promotes community character and livability.





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

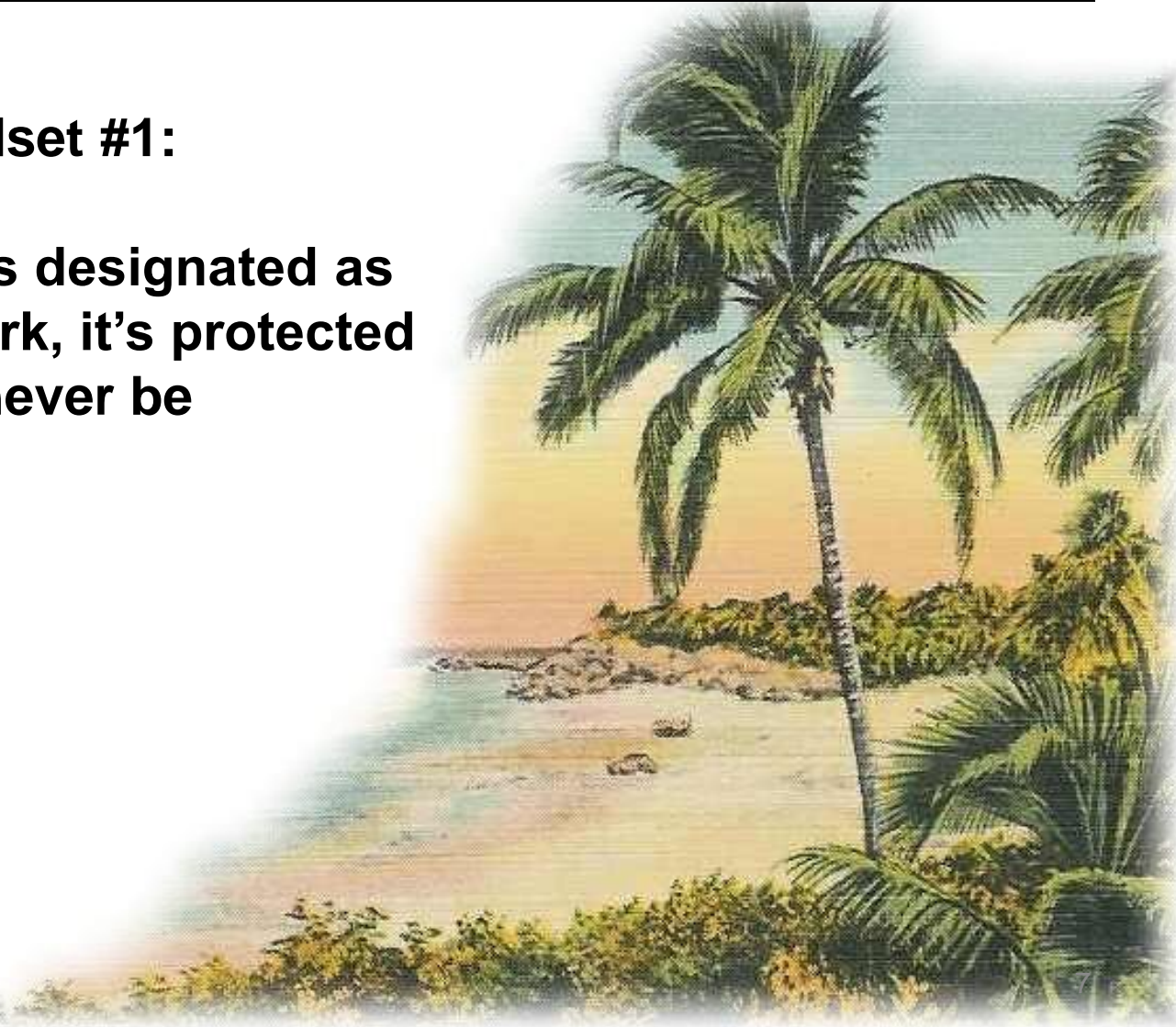
Museum Services
Jacksonville, FL

Slide 7

Mindset #1:

“If a property gets designated as a historic landmark, it’s protected forever and can never be demolished.”

Not true.....





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

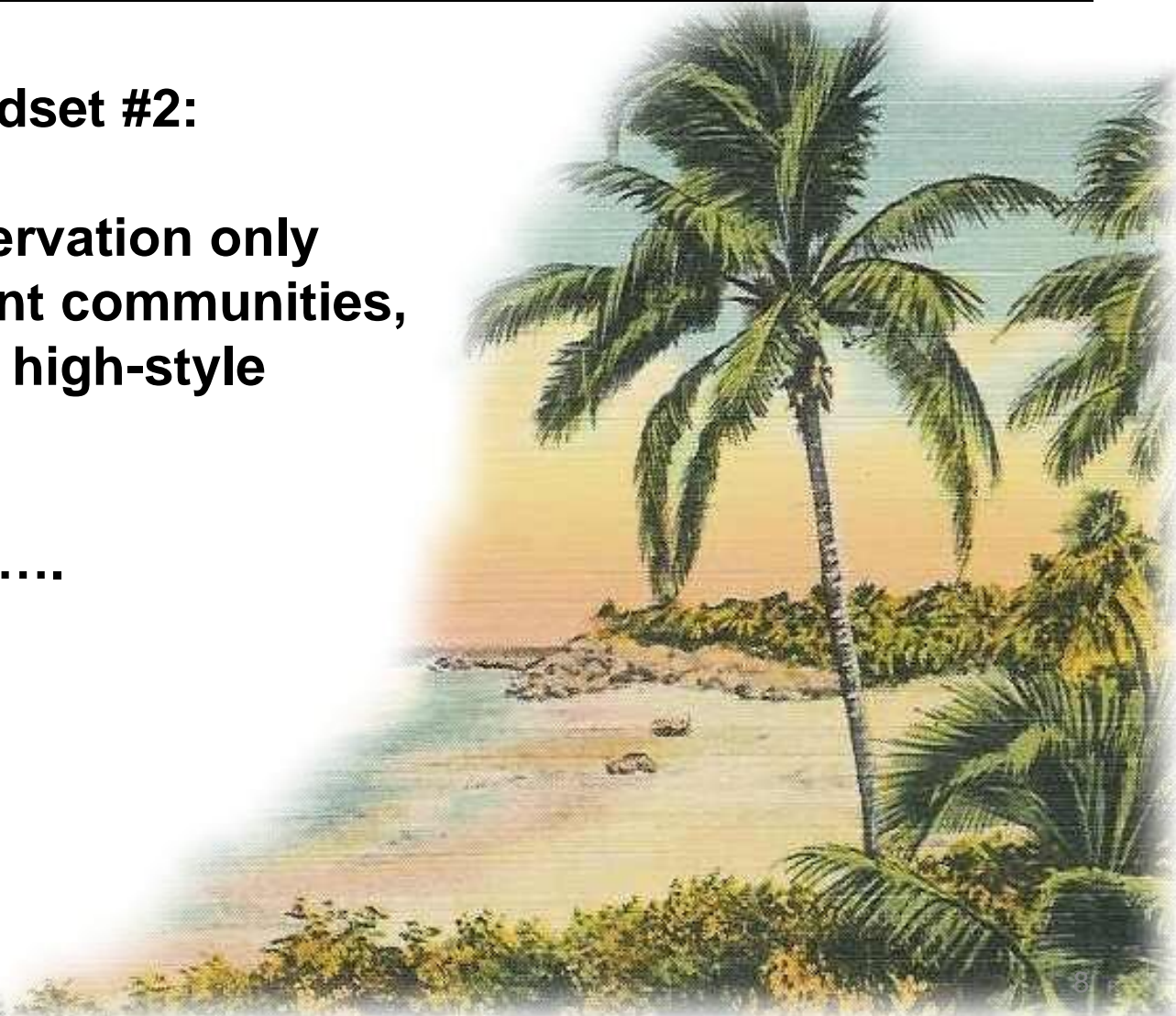
Museum Services
Jacksonville, FL

Slide 8

Mindset #2:

**“Historic preservation only
benefits affluent communities,
and is only for high-style
buildings.”**

Not true.....





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

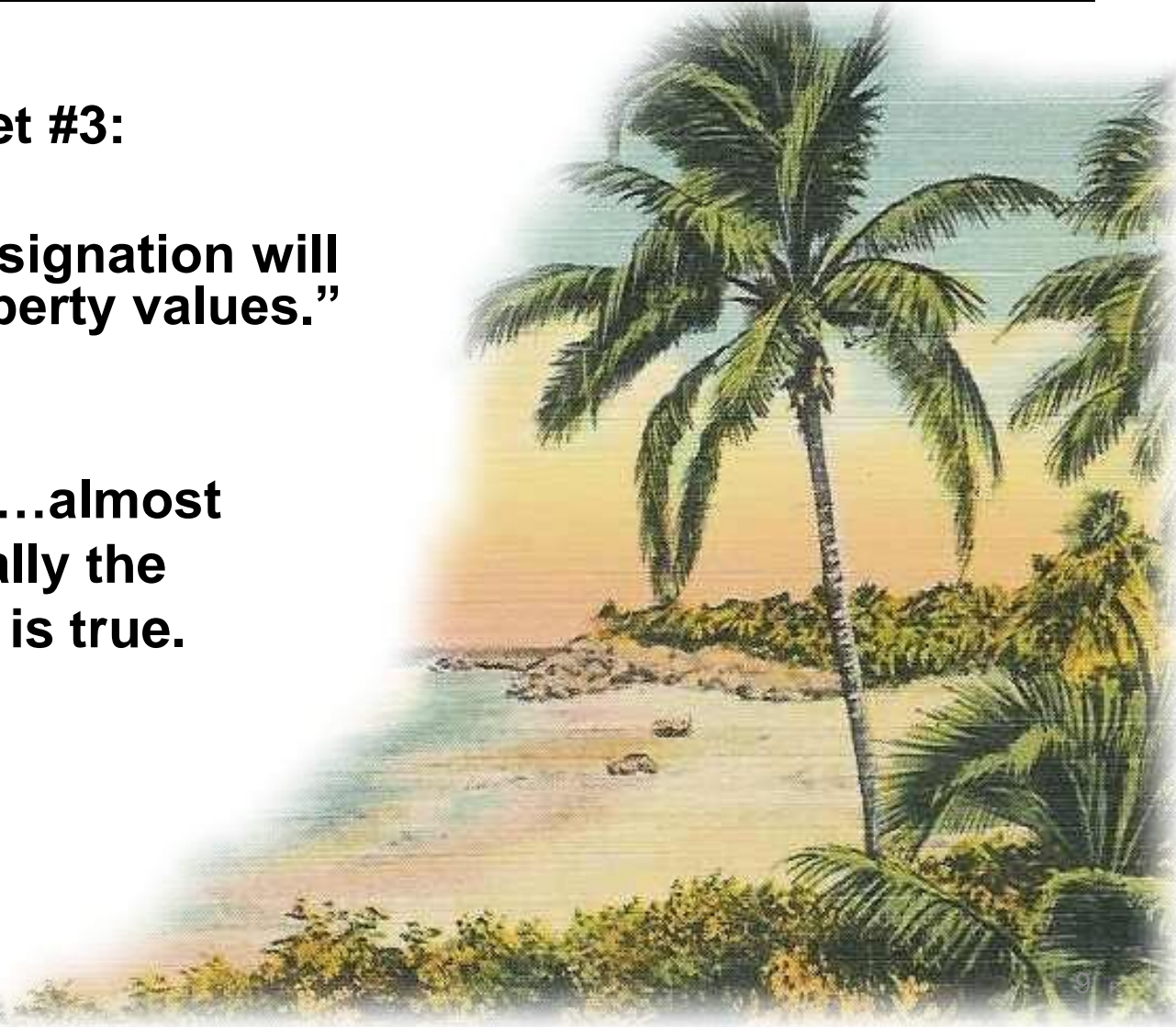
Museum Services
Jacksonville, FL

Slide 9

Mindset #3:

**“Historic designation will
reduce my property values.”**

**Not true.....almost
universally the
opposite is true.**





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

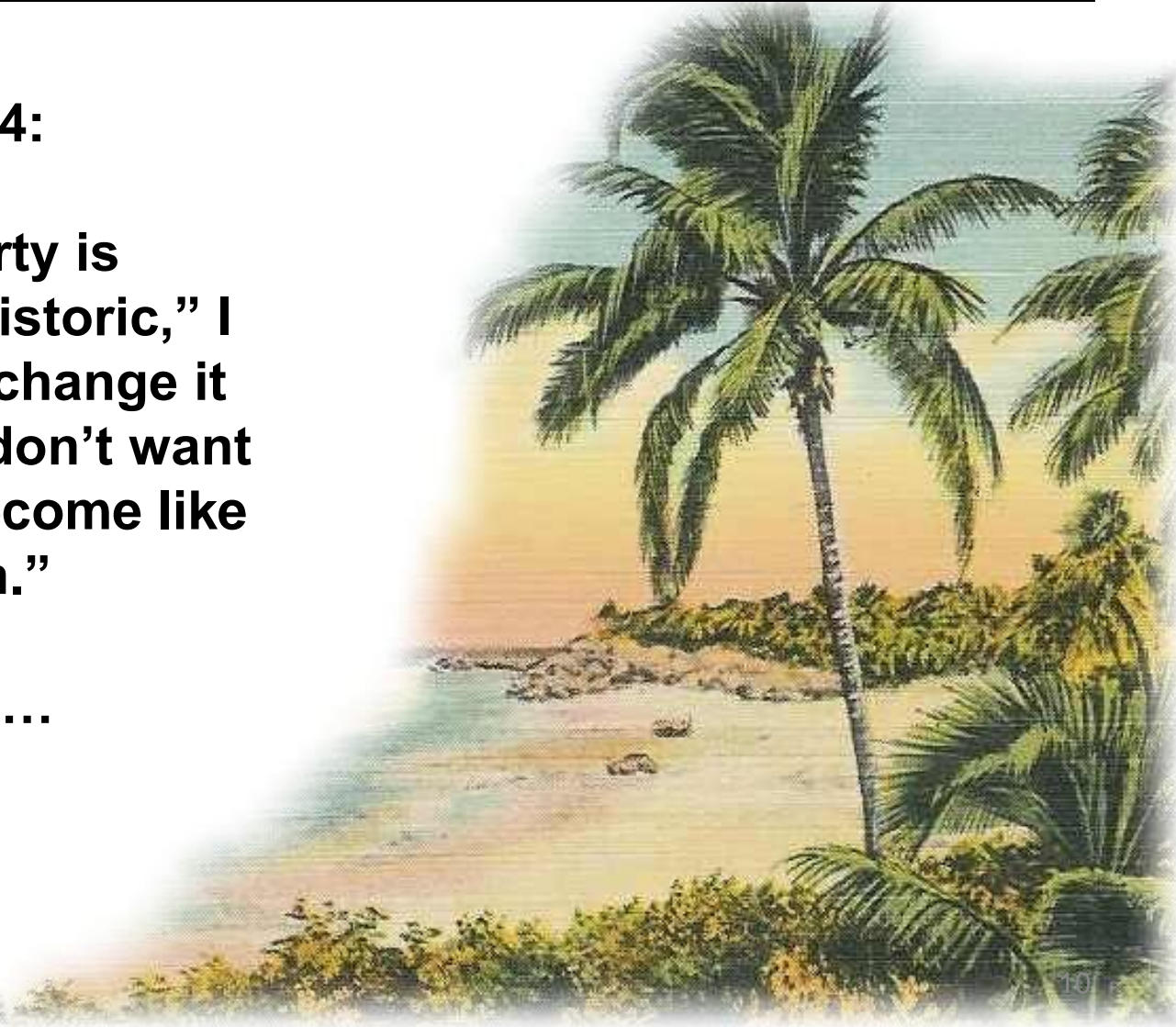
Museum Services
Jacksonville, FL

Slide 10

Mindset #4:

“If my property is designated as “historic,” I won’t be able to change it in any way, and I don’t want my property to become like a museum.”

Not true.....





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

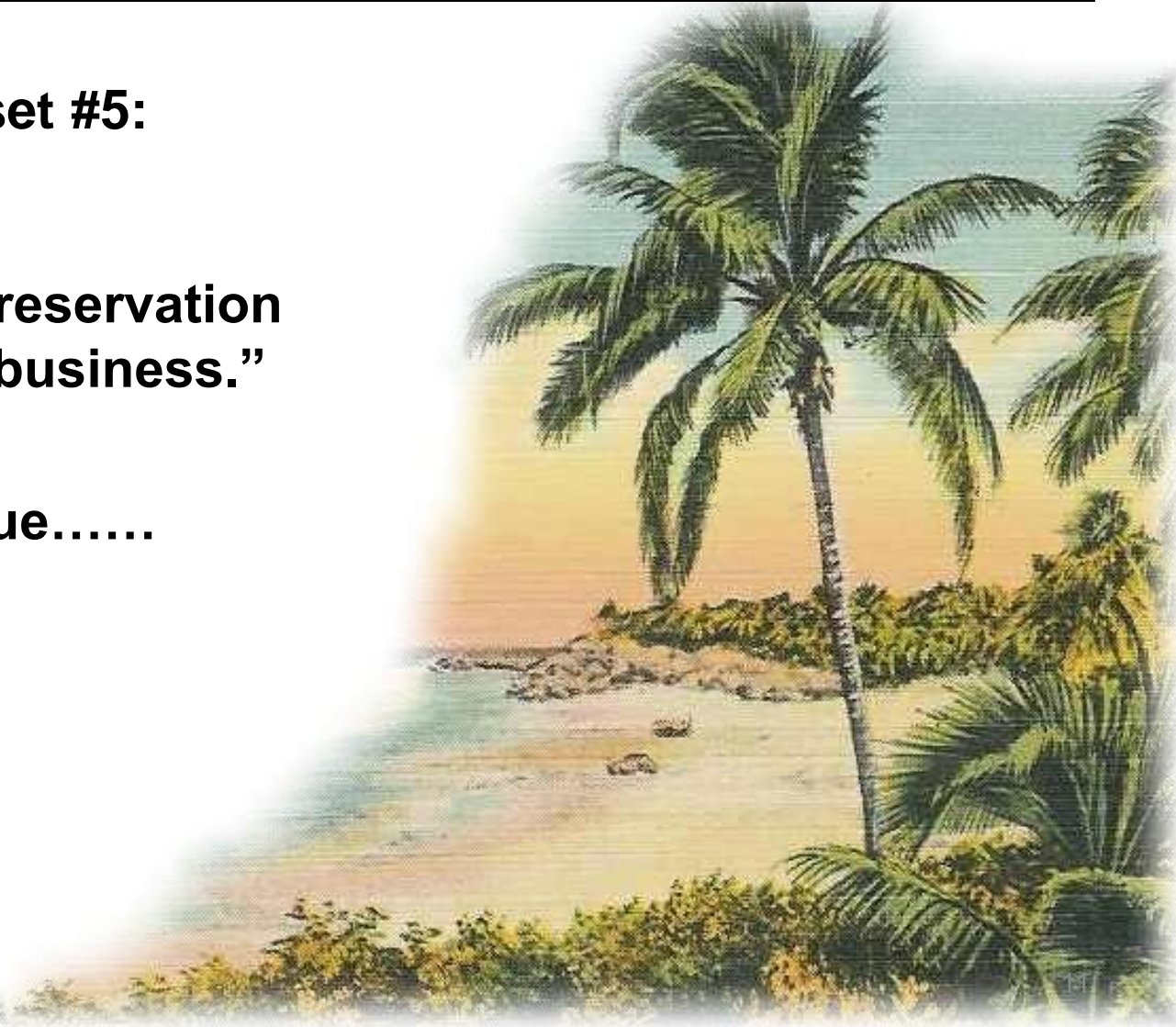
Museum Services
Jacksonville, FL

Slide 11

Mindset #5:

**“Historic preservation
is bad for business.”**

Not true.....





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

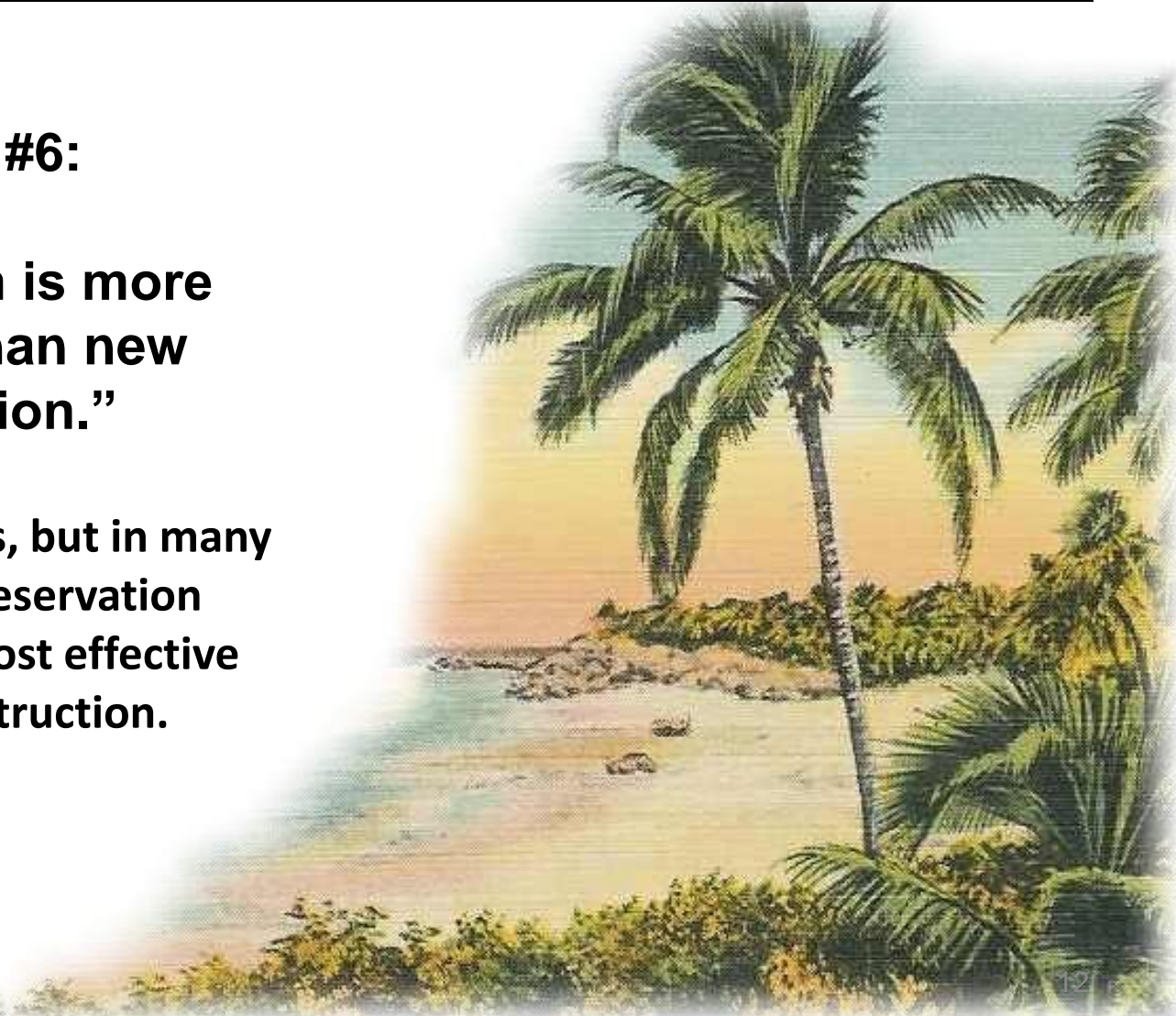
Museum Services
Jacksonville, FL

Slide 12

Mindset #6:

**“Preservation is more
expensive than new
construction.”**

**Can be true at times, but in many
cases historic preservation
is typically more cost effective
than new construction.**





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

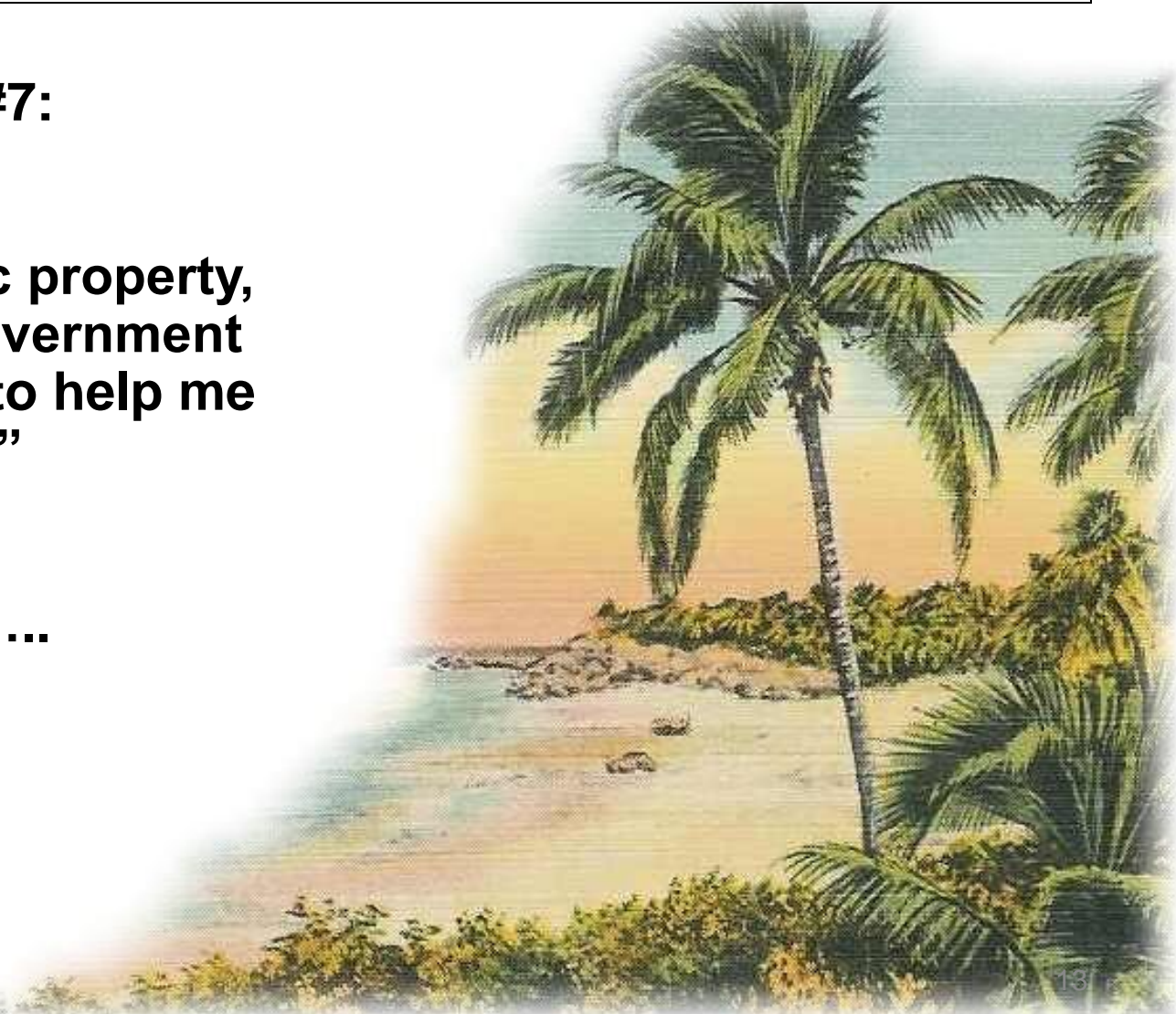
Museum Services
Jacksonville, FL

Slide 13

Mindset #7:

**“If I buy a historic property,
there’s lots of government
money available to help me
fix it up.”**

Not true.....





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

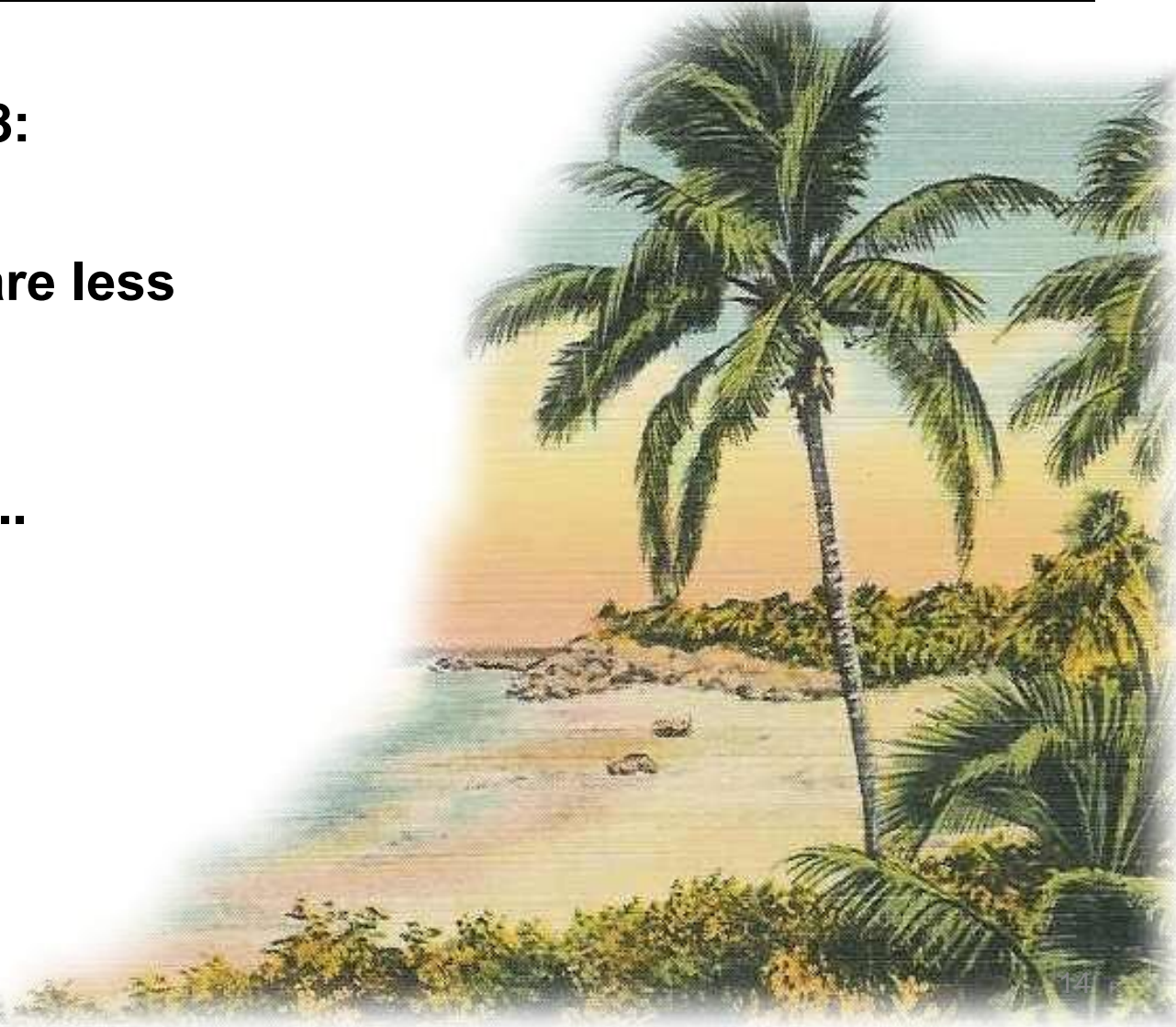
Museum Services
Jacksonville, FL

Slide 14

Mindset #8:

**“Old buildings are less
safe.”**

Not true.....





Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

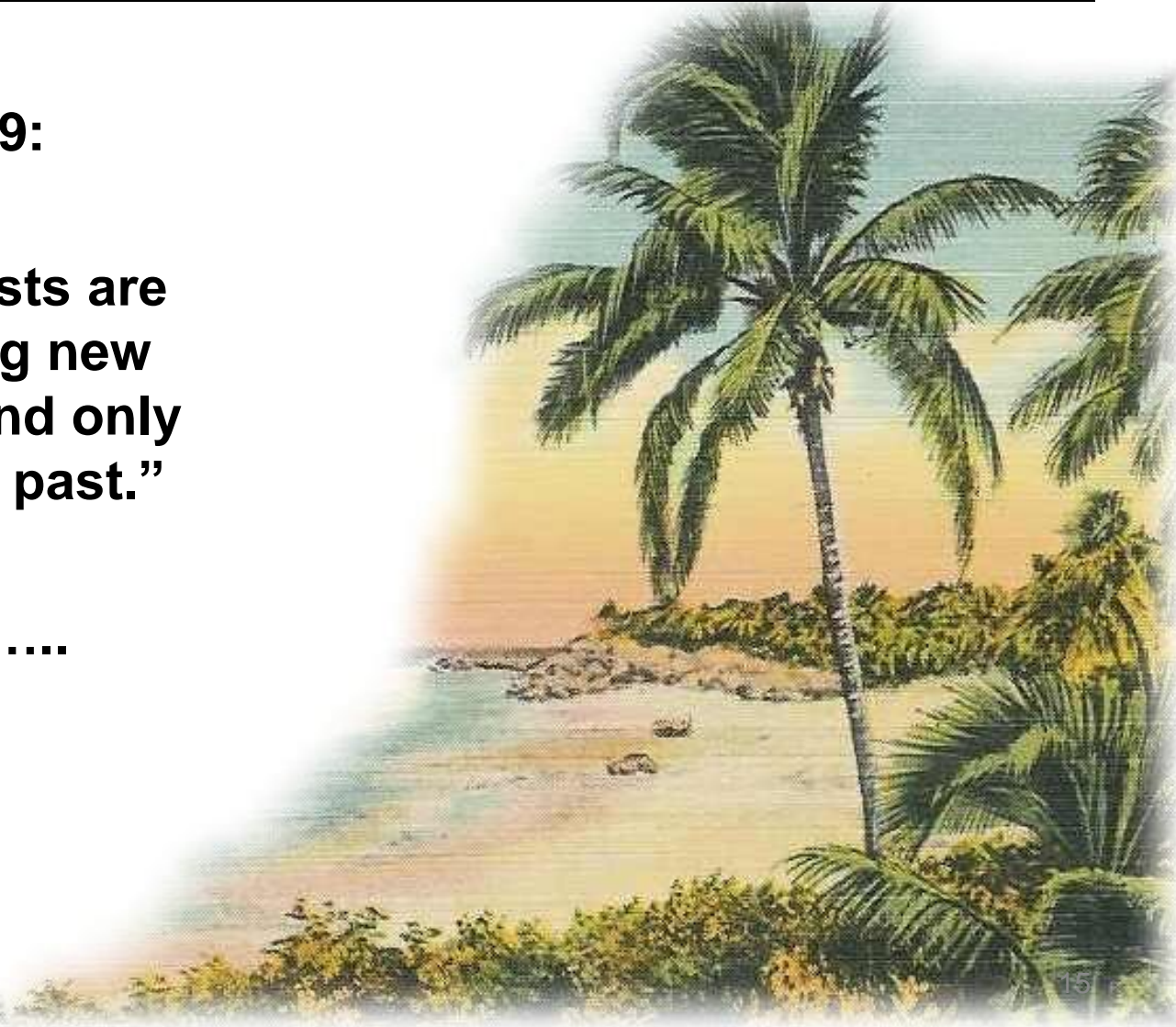
Museum Services
Jacksonville, FL

Slide 15

Mindset #9:

**“Preservationists are
always fighting new
development and only
care about the past.”**

Not true.....





Recommendation No. 1

Revise, Refine, & Update Current Code – Demolition

- Full laundry list of “housekeeping” amendments, i.e. definition of “historic.”
- Must be a process under Code Section 58-446 (1) for the demo review of all “historic” (50 years older) properties, NOT just locally designated or FMSF listed structures.
- A demolition review form is recommended.
- In re to demo permits, an economic hardship provision with specific evidence requirements should be added under Code Section 59-479.
- In re to demo permits, an imminent danger to the public safety provision should be added under Code Section 59-479, Guidelines For Issuance.
- Maintain the use of a Certificate of Review form (COR) for additions/alterations to historic buildings.
- Consider a signage/mural regulation for downtown if it becomes a local district.
- Currently, COR goes through fully administrative system of steps, with no elected official involved, only City staff and HPB, unless there is an appeal; this division should be maintained.



Recommendation No. 2

Revise, Refine, & Update Current Code – Designation

- As the in-depth analysis conducted by the City has indicated, there are many cities in FL that require no public voting element in an HP designation. While Sarasota has an NRHP- type request to opt out, this is a factor of the notification NRHP process in regard to the factor of total resources surveyed within a structure survey / district, not owner volition.
- In Winter Park, the ordinance requires 20% of the residents of a proposed district sign a petition in favor of district formation. Then, a threshold of at least two-thirds of the property owners in the proposed district must submit a ballot in favor of its formation. In WP, this public voting element requiring a 2/3's vote for the historic designation process [Code Sec. 58-456 (c)] turns the historic designation process into a social affair which pits neighbor against neighbor, and historic boundaries end up defined on the basis of pro-and anti-designation factions; the historic districts are in essence defined by modern social structure.
- In WP, individual historic landmarks also require property owner authorization, with the result that many landmarks are unprotected.



Recommendation No. 2 (cont'd)

Revise, Refine, & Update Current Code – Designation

- Given the essentially voluntary nature of historic designation in WP, the board is then forced into a reactive rather than proactive position.
- Many cities have no public voting element, and none have a 66% voting requirement. Voting is not the norm, quite odd, and certainly counterproductive to historic preservation; it is analogous to allowing public determination of residential speed limits.
- **This voting element of the code is the crux of WP's historic preservation problem.** Unless a property has been designated with owner permission or is in a district created with the two-thirds vote, any historic property can, has been, and will continue to be torn down.
- Data and public hearings should be used establish districts, not public voting. Most people love historic preservation, until it is their history they are being told they must preserve.



Recommendation No. 3

HPB Qualifications Returned to Current Version of the Code

- Qualified elector and full-time resident of the city at the time of appointment and during entire incumbency; there should be an application process;
- Possess graduate qualifications from qualified institutions evidencing expertise in architecture (licensed architect), history (Master's level or Ph.D.) archaeology (Registered Professional Archaeologist, Master's level or Ph.D.), law (Juris Doctor), planning (AICP), construction or building rehabilitation (Florida licensed, bonded, general contractor), civil or structural engineering (PE), landscape architecture (RLA), environmental preservation or conservation (Master's level in life sciences), accountant (CPA), or business/finance person (MBA);
- As to composition, one member must be a licensed architect, there must be an avoidance of overlapping specialized categories, and members from a geographically diverse cross section would be ideal (all neighborhoods represented);



Recommendation No. 3 (cont'd)

HPB Qualifications Returned to Current Version of the Code

- There needs to be an iron-clad conflict of interest (COI) provision, recusal of HPB members from any review of property they own, and no HPB member or their firm can receive City funds, bid on historic preservation-related contracts in the City, etc. for a two years prior to, or subsequent to, their 3 year terms of incumbency, which are also term-limited;
- In the event that a vacancy occurs in a seat, and for which there is no application from a qualified resident, the City Commission should appoint said vacating member. This appointment shall be temporary; and,
- **Must have these strict qualifications if WP is going to apply for CLG status.**



Recommendation No. 4

Winter Park Needs to Become a Certified Local Government (CLG), As Soon As Possible, Because CLG Status Will Help Pay For Needed HP Items

- State level HP funding largely absent since 2009 - is unlikely to return; projects and grants are applied for, and awarded, but the projects are never actually funded.
- Winter Park needs to obtain Certified Local Governments (CLG) status as written into the existing code. Many of Central Florida areas are already CLGs, including Daytona Beach, Deland, Eatonville, Eustis, Kissimmee, Orlando, New Smyrna Beach, and Windermere.
- Grant funding is available on a matching basis, typically up to a level of about \$25,000, which makes up to \$50,000 a year available for HP.
- This is real money: The City of Fernandina Beach has taken 40-50 K a year in CLG funding every year of the current recession.
- Must prepare grant applications to get funding; without proper applications, there is no chance of HP funding.



Recommendation No. 5

Revise, Refine, & Update Technicalities of Various Sections of the Current Code

- Some old text needs to be deleted. For example, the “Inordinate Burden” text of Section 58-449 is non-standard for HP codes, and somewhat dated – could be stricken.
- The HPB and City attorney has proposed some excellent modifications, which should be largely adopted. The clarifications between standard and special certificates of review are a good example.
- The code must be updated regularly; some boards update their guidelines every 2-3 years, and most do so every 5-10 years. WP’s current HP code was promulgated in 2001.



Recommendation No. 6

Use Whatever State - Level Programs That Are Still Funded

- The Florida Historical Marker Program.
- Florida Heritage Site or a Florida Heritage Landmark Program.
- FDOT projects.



Recommendation No. 7

Archaeological Ordinance and GIS Predictive Model

- Formalizes the City's commitment to identify and protect, and recover when necessary, significant archaeological resources on public and private projects in the City;
- Add a new article to the City Code dealing with Archaeological Resources, with standards tied to a specific probability zones;
- Specific zones of archaeological probability (ZAPs) are classified in a Geographical Information Systems (GIS) overlay as high, medium, low, and known archaeological site probabilities;
- Sets up procedures, criteria, and procedures for identifying and preserving significant archaeological resources City-wide;
- vital for underground utilities work which happens every few decades, construction zones adjacent to cemeteries, and Native American issues; and,
- This could be a CLG grant project, based on established DHR funding cycles.



Recommendation No. 8

Historic Structure Survey Updates & Survey of Unexamined Areas

- Next Comprehensive Plan update is due in 2016, so the City should update as fully as possible before then.
- Must be more survey on the ground, since it is not possible to manage what you do not know is there. There are large voids in survey coverage areas – whole neighborhoods are omitted - areas need to be tied up.
- Of note, some updating has been done by the City to remove demolished (too many) properties and added a few previously overlooked buildings.
- The databases of what has been recorded previously must be geo-rectified and corrected.
- This is a lot of work, but could be a CLG grant project, based on established DHR funding cycles.



Recommendation No. 9

City-Wide Architectural Review (AR)/Design Guidelines Need to be Developed

- Design Guidelines define standards of architectural design and site development relative to the development, construction, and modifications to structures within a defined zone;
- Different zones of the city would have standards appropriate for the uses therein;
- Adherence to these Guidelines would result in orderly, aesthetically pleasing development that preserves and enhances property values for all owners, and upholds the values of traditional neighborhood development;
- Guidelines need to be well illustrated in terms of graphics and thorough in terms of recognized architectural styles - the goal is consistency;
- To codify / link to these guidelines, at a minimum the addition of a standardized list of ten, local, non-fanciful, standards under Section 58-469 (1) of the WP Code is recommended;
- HPB in concert with Planning Department would act as the architectural review body; and,
- This could be a CLG grant project, based on established DHR funding cycles.



Recommendation No. 10

“Go Back to the Beginning” and Add an HP element to Comprehensive Plan During the 2016 Update

- The current comprehensive plan was adopted in 2009 (Ordinance No. 2762-09), while Amendments to the Future Land Use and Intergovernmental Coordination Elements were adopted in October 2010, and the Capital Improvements Element was amended in September 2011.
- While there is an HP section in the Future Land Use section, when the city considers a full plan update in 2016 in compliance with the amended requirements of Chapter 163, F.S., the city should incorporate a new historic preservation element in the comprehensive plan.



Recommendation No. 11

Continue to Encourage Historic Preservation Activities

Respectfully leverage local groups such as the Winter Park Chamber of Commerce, the Winter Park Historical Society, Friends of Casa Feliz, and many others, etc.;

- Public education through a historic preservation day, week, or month;
- Public speaking events and conferences at the local library;
- Use state resources like DHR, BHP, FDOT, and non-profit resources like FTHP;
- Recognition awards for home restoration of year, historic garden of the month, publications, fundraising, and individual contributions;
- Public relations material such as low frequency AM broadcasts, maps and brochures, websites, and signage;
- However, recognize that these activities are secondary to the serious and fundamental, primary HP problems which WP faces; and,
- Acknowledge that this technical HP work can not all be done by volunteers, no matter how well intentioned or civic-minded they might be.



Recommendation No. 12

Act Now - Time is Running Out For Winter Park

- Only 2 historic districts, and relatively few NRHP individual nominations established.
- Historic structures were sparse to begin with in WP, and are being lost at a staggering rate; about 1.2% of the NET, known historic structures are leveled each year, and this rate is accelerating. If the historic structure density drops too low, then historic districts can never be formed due to loss of spatial continuity.
- WP needs to fund HP every year, and soon; many cities have a full-time HP department or at least a staff member and they are competing successfully for limited HP funds. Although the planning department does a huge amount with a little bit, WP's lags behind its neighboring municipalities.
- Use it or lose it – management of historic resources needs to become preservation of historic structures. Historic resources are non-renewable and once they are gone they can not be replaced.
- Tear down all the historic structures, and your tax base, both property and income, will most assuredly follow. This is a grim trend which must be reversed.



Bland & Associates, Inc.

Archaeology / Historic Preservation /
Charleston, SC www.bland.cc

Museum Services
Jacksonville, FL

Slide 30

Please Ask Questions.

Notes: _____

