

**Slide 1**  
**HP Makes Economic Cents (\$)**

State of Florida has determined that Heritage Tourism is a key part of the FL Tourism with direct economic benefits totaling 4.2 Billion dollars annually. (Economic Impacts of Historic Preservation in Florida, 2007).

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

**Discussion:** The National Main Street Center, a program that uses historic preservation to revitalize town centers and neighborhood commercial districts, has actually tracked economic results in 1,700 Main Street communities nationally. These preservation-based programs have created over 231,000 new jobs and resulted in over \$17 billion in reinvestment to date, with every dollar spent on a Main Street program yielding \$40 in economic return.

**Slide 2**  
**Historic Preservation Makes Legal, Local, and Economic Sense**

Historic Preservation is an NOT an un-American violation of property rights

- 1) A finding of historic” is a finding of fact, not a term of art, & means 50 years old
- 2) A “historic” finding is not a taking. Penn Central.
- 3) Residents and visitors identify Winter Park as the city's historic downtown and neighborhoods.
- 4) And residents seek this value and history; WP's median household income in 2011 was \$57,432, while Florida’s mean was \$47,821. That’s more than one standard deviation, so WP is in 95% percentile!

**Discussion:** Historic preservation laws no more infringe on property rights than do other laws and even private rules that we have long accepted. Though everyone likes to believe “my home is my castle and I can do whatever I want,” this statement simply doesn’t reflect reality. Zoning laws, street speed limits, structural building codes, fire codes, electrical codes, and local ordinances all prevent your neighbor from replacing their single-family home with an metal scrap-yard, a landfill, or a skyscraper behind your own back fence. If you live in gated community, your property rights are limited by Covenants and Restrictions, documents that can legally prevent you from owning a pet,

washing a car in your driveway, or having a basketball hoop over the garage. CC &R's restrictions are far more onerous than historic preservation laws, and are commonly accepted.

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#### **Preservation and Growth are friends, not rivals.**

- 1) Growth does not necessarily equate to economic development or "bad" change.
- 2) Historic buildings have value and need protection.
- 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.

**Discussion:** To stereotype, growth advocates see preservationists as a bunch of NIMBYs, and preservationists see growth advocates as people who want to tear down neighborhoods wholesale and put up giant high rises. The truth is in between: Historic buildings have value and need protection, and good urban design is much better for our communities and the environment than bad.

However, altering mindsets about these notions is difficult, and dialogue and education about the balance between growth and historic preservation is the course of action at this time. So, quickly, let us approach a few minds-sets which pose barriers to useful dialogue.

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#### **Mindset #1: "If a property gets designated as a historic landmark, it's protected forever and can never be demolished."**

**Discussion:** While designation ensures a more thorough review of demolition proposals, but it does not prohibit demolition outright. Even listing in the NRHP, which is more elevated than a "mere" local listing, does not provide for more iron-clad protection. Although demolition of a designated landmark additionally requires preparation of a report to assess the feasibility of alternatives to demolition, and to mitigate the demolition, a property owner may be able to obtain approval to destroy landmark if it is unsafe, unsalvageable, etc. A well-designed system is reasonable.

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#### **Mindset #2: "Historic preservation only benefits affluent communities, and is only for high-style buildings."**

**Discussion:** The purpose of historic preservation is to accurately reflect and celebrate the unique story of a community and its people through its built environment. Historic preservation is guided by the American principle of diversity, and the full range of the

American experience is reflected in our historic landmarks. The preservation movement is diverse.

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##### **Mindset #3: “Historic designation will reduce my property values.”**

**Discussion:** Study after study has conclusively demonstrated that historic designation and historic districts actually increase property values. Designation gives a neighborhood or an individual historic site a cache’ that sets it apart from ordinary properties. Buyers seek out the unique qualities and ambiance of a historic property. Historic district designation gives potential homebuyers two rare and economically valuable assurances: that the very qualities that attracted them to their neighborhood will actually endure over time, and that they can safely reinvest in sensitive improvements to their home without fear that their neighbor will undermine this investment with inappropriate new development.

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##### **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.”**

**Discussion:** Owners of designated historic structures can make very significant changes to their structures, especially so to the interiors. Historic preservation laws are not meant to prevent change, but, only to manage change. This management is almost exclusively focused on the exterior, and provisions are made for things such as handicapped access.

The tool to manage change is the Secretary of Interior’s (SOI) Standards for Rehabilitation, the nationally accepted benchmark for evaluating changes to historic structures, and/or your local ARB guidelines. Such standards don’t require that every element of a historic site remain intact, only the most significant, or “character-defining,” historic elements of a property should be retained. New additions to the historic property can be allowed, but should be compatible with the site’s historic architecture.

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##### **Mindset #5: “Historic preservation is bad for business.”**

**Discussion:** Historic preservation is at the very heart of our nation’s most vibrant economic development and business attraction programs. From Miami to traditional historic southern cities such as Charleston or Savannah, to the recent boom in “heritage tourism,” today’s economic development strategies no longer see preservation and business development as competing values. There is no denying the power of historic preservation; Charleston has been ranked No. 1 tourist destination in the world for the last three consecutive years.

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#### **Mindset #6: “Preservation is more expensive than new construction**

**Discussion:** This can be true at times, but in many cases historic preservation is typically more cost effective than new construction. Why? Historic buildings certainly do sometimes need upgrades, but these are usually less expensive than the costs of building all-new foundations, structural systems, roofs and building finishes.

In one study, the NTHP reports that in Chicago, where the public school system is now spending \$2.5 billion to upgrade facilities, bare-bones new construction costs \$155 per sf, while renovation is costs just \$130 per sf. Currently, it is cheaper to build new construction locally due to the recent downturn, but construction costs are rising as the economy recovers.

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#### **Mindset #7: “If I buy a historic property, there’s lots of government money available to help me fix it up.”**

**Discussion:** While it doesn’t necessarily cost more to renovate a historic structure than to build anew, few large government or foundation grants are available to owners of historic properties, and even those few typically limit eligibility to government agencies or non-profits. There is no vast pool of government money for HP, but there is also no vast pool of government money for new construction either.

What **is** available for historic properties versus new construction tends to be tax incentives for private owners of historic buildings. Owners of sites listed in or eligible for the NRHP may take advantage of a Federal Rehabilitation Tax Credit that provides a 20% tax offset for the cost of rehabilitation. National Register properties are also eligible to benefit from “conservation easements”– binding legal agreements with preservation that can allow owners to claim a charitable deduction on their Federal income taxes.

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#### **Mindset #8: “Old buildings are less safe.”**

**Discussion:** Although historic structures do sometimes require structural retrofits or the addition of fire sprinklers to enhance their safety, historic buildings typically perform better than newer construction in earthquakes and other natural disasters. What determines the safety of buildings is the quality of construction, not age, and, in many ways, “they just don’t build them like they used to.”

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**Mindset #10: “Preservationists are always fighting new development and only care about the past.”**

**Discussion:** Historic preservationists do care deeply about the past, primarily as a way of anchoring themselves and their community as it move forward confidently into the future. Historic preservation is not about stopping change and is certainly not about preventing exciting new architecture and development. Preservation allows us to retain the best of shared heritage to preserve sites of unique quality and beauty, revitalize neighborhoods, spur economic revitalization

**Summary: Only through putting aside these mindsets, can WP move forward. Moving forward....**

### **Slide 13**

#### **Recommendation No. 1**

**Start at the Beginning & Add an HP Element to the Comprehensive Plan**

**Discussion:** 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.

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#### **Recommendation No. 2**

**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 has been largely absent since 2009 and 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. 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. Without funding, there is no HP.

These grants can be used for a variety of historic preservation projects, including historic structure surveys, the development of guidelines and ordinances, the preparation of individual NRHP nominations, the preparation of NRHP district nominations, and community history projects.

However, even if CLG status is obtained, WP must allocate time and resources (adequate staffing support) for its local planning department/historic preservation officer to complete the grant applications, or sub the grant application process out; improper or incomplete grant applications will not win awards. Rest assured that other cities are more than happy to seriously compete for these funds with WP.

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#### **Recommendation No. 3**

#### **Use Whatever the State-Level Programs That Are Still Funded**

1) The Florida Historical Marker Program makes available highway and street markers to identify historical events and historic places. These markers are another tool that contributes to historic preservation education programs. Typically, markers appear in the form of bronze or composite signs with a standardized, but distinctive shape employed by the Florida Department of State. Likewise, the exact, detailed, requirements a resource to can be considered either a Florida Heritage Site or a Florida Heritage Landmark, with appropriate signage ([www.flheritage.com/preservation/markers](http://www.flheritage.com/preservation/markers)). The BHP will match fund these projects, which run about \$ 3-4 K in toto.

(Side-note: The WP local plaque design program needs to be expanded to more than \$2-3K per annum, standardized, and codified to make it official).

2) FDOT projects. Although they can take a long time to come to fruition, road improvement projects, specifically downtown street-scaping projects, are another way to back into historic preservation funding. The City of Mount Dora has been highly successful with this program.

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#### **Recommendation No. 4**

#### **Revise, Refine, and Update the Technicalities of the Current Code - Demolition**

The current code, specifically Chapter 58 of the Land Development Code, Article VIII Historic preservation, need to be fully revised.

- 1) There is a full laundry list of “housekeeping” amendments needed. For example, the technical definition of “historic” is not listed on the FMSF or locally designated, but rather “50 years old.”

- 2) There must be a process under Code Section 58-446 (1) for the demolition review of all “historic” (50 years older) properties, not just locally designated buildings or FMSF listed structures.
- 3) A demolition review form is recommended. This form would be required by the Historic Preservation Board before a demolition permit would be issued for any structure that is over 50 years old. Permit issuance would be guided by the Planning Department of the City of Winter Park, who would conduct a file review and make a guidance recommendation to the Board.
- 4) In regard to demolition permits, an economic hardship provision with specific evidence requirements should be added under Code Section 59-479, Guidelines For Issuance.
- 5) Maintain the use of a Certificate of Review form (COR) for additions/alterations to historic buildings
- 6) Consider a signage/mural for downtown if it becomes a local district.
- 7) Currently, the COR goes through a fully administrative system of steps, with no elected official involved, only City staff and board, unless there is an appeal; this division should be maintained.

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#### **Recommendation No. 5**

#### **Revise, Refine, and Update the Technicalities of the Current Code - Designation**

- 1) As the in-depth analysis conducted by the City has indicated, there are many cities in Florida 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.
- 2) 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.
- 3) In WP, individual historic landmarks also require property owner authorization, with the result that many landmarks are unprotected.
- 4) Given the essentially voluntary nature of historic designation in WP, the board is then forced into a reactive rather than proactive position. Given a clearer mandate from the code about their role, the board would be willing to be more active.
- 5) Many cities have no public voting element, and none have a 66% voting requirement. Voting is not the norm, is quite odd, and certainly counterproductive to historic preservation; it is analogous to allowing public determination of residential speed limits.

- 6) **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.
- 7) 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.

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#### **Recommendation No. 6**

#### **Revise, Refine, and Update the Technicalities of the Current Code - Other**

- 1) There are some other revisions and points we shall also touch on in the code, as this presentation proceeds.
- 2) Some old text needs to be deleted. Fore example, the Inordinate Burden text of Section 58-449 is non-standard for HP codes, and somewhat dated – could be stricken.
- 3) The 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.
- 4) 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.

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#### **Recommendation No. 7**

#### **HPB Qualifications Need to be Returned to Current Version of the Code**

The professional standards for the Historic Preservation Board (HPB) were inadvertently removed during the last code revision. These qualifications should be re-established within the current code, specifically Section 58-445, and further fully revised. Examples of qualifications include:

- 1) Qualified elector and full-time resident of the city at the time of appointment and during entire incumbency; there should be an application process;
- 2) 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);



- 3) As to composition, one member must be 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);
- 4) There needs to be an ironclad conflict of interest (COI) provision, covering 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; and,
- 5) In the event that a vacancy occurs in a seat, and for which there is no application from a qualified resident, the City Council should appoint said vacating member. This appointment shall be temporary. Upon appointment of a qualified resident to the vacancy, the temporary appointment shall terminate.
- 6) Must have strict qualifications if WP is going to apply for CLG status.

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#### **Recommendation No. 8**

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

While acknowledging the current WP downtown façade regulations guidelines, for the most part, the current code just weakly refers to the Secretary of the Interior (SOI) standards. Comprehensive architectural designs are needed which cover the whole City.

- 1) The purpose of Design Guidelines is to define certain standards of architectural design and site development relative to the development, construction, and life cycle modifications to structures within a defined zone;
- 2) Adherence to these Guidelines will result in orderly, aesthetically pleasing development that preserves and enhances property values for all owners, and upholds the values of traditional neighborhood development;
- 3) The guidelines need to be well illustrated in terms of graphics and thorough in terms of recognized architectural styles - the goal is consistency;
- 4) To codify / link to these guidelines, the addition of a standardized list of ten, local, non-fanciful, standards under Section 58-469 (1) of the WP Code is recommended.
- 5) This could be a CLG grant project, based on established DHR funding cycles.

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**Recommendation No. 9**  
**Archaeological Ordinance and GIS Predictive Model**

Many cities in Florida (Sarasota, Jacksonville, St. Augustine, Indian Beach, Fernandina Beach, etc.) have both an archaeological ordinance and an archaeological predictive model. Archaeological ordinances and GIS predictive models are vital for underground utilities work which happens every few decades, construction zones adjacent to cemeteries, and Native American issues.

- 1) Formalizes the City's commitment to identify and protect, and recover when necessary, significant archaeological resources on public and private projects in the City;
- 2) Add a new article to the City Code dealing with Archaeological Resources, with standards tied to a specific probability zones;
- 3) Specific zones of archaeological probability (ZAPs) are classified in a Geographical Information Systems (GIS) overlay as high, medium, low, and known archaeological site probabilities;
- 4) Sets up procedures for identifying and preserving significant archaeological resources City-wide;
- 5) Defines criteria to determine which sites are significant and focuses on protecting significant sites in place and/or mitigating development impacts on significant sites
- 6) provides for staff approvals with a letter of concurrence if development will not impact any identified significant archaeological sites (this can be tied to DHR with an MOA and thus reduce review time and save builders money);
- 7) set up procedures for the preparation and implementation of a mitigation plan by the applicant when the development will impact a significant archaeological site.
- 8) this could be a CLG grant project, based on established DHR funding cycles.

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**Recommendation No. 10**  
**Historic Structure Survey Updates and Survey of Unexamined Areas**

For over thirty-five years, various property owners, organizations, and municipal officials have expressed an interest in documenting, recognizing, and preserving the heritage of Winter Park. Since 1978, various spot surveys have been conducted in the downtown, each of those recording a sampling of historic architecture in the downtown. In at least five previous instances between 1978 and 2005, agencies, organizations, and consultants have surveyed only select buildings and sites in Winter Park's downtown

- 1) The next Comprehensive Plan update is due in 2016, so the City should update as fully as possible before then.

- 2) There 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 - and areas need to be tied up.
- 3) Of note, some updating has been done by the City to remove demolished (too many) properties and added a few previously overlooked buildings.
- 4) The databases of what has been recorded previously must be geo-rectified and corrected. This is a serious problem (i.e., the USGS map so many people used pre-GIS has the WP city street names wrong, so addresses are often wonky).
- 5) This is a lot of work, but could be a CLG grant project, based on established DHR funding cycles.

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**Recommendation No. 11**  
**Encourage Historic Preservation Activities**

- 1) Respectfully leverage local groups such as the Winter Park Chamber of Commerce, the Winter Park Historical Society, Friends of Casa Feliz, etc.;
- 2) Public education through a historic preservation day, week, or month;
- 3) Public speaking events and conferences at the local library;
- 4) Use state resources like DHR, BHP, FDOT, and non-profit resources like the Florida Trust;
- 5) Recognition awards for home restoration of year, historic garden of the month, publications, fundraising, and individual contributions;
- 6) Public relations material such as low frequency AM broadcasts, maps and brochures, websites, and signage;
- 7) However, recognize that these activities are secondary to the serious and fundamental, primary HP problems which WP faces.

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**Conclusion**  
**Time is Running Out for Winter Park**

Winter Park is among the most historic cities in Florida. And Winter Park's elected officials, property owners, merchants are at an important crossroads in the City's preservation history.

- 1) Only two historic districts have been established to date, and relatively few NRHP individual nominations.
- 2) 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 contiguity. And if there is too much destruction in an existing district, it can be de-listed by the Keeper.

- 3) WP needs to fund, substantially, HP every year, 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 HP program lags behind its neighboring municipalities.
- 4) Use it or lose it – management of historic resources need to become preservation of historic structures. Historic resources are non-renewable and once they are gone they can not be replaced.
- 5) Tear down all the historic structures, and your tax base, both property and income, will most assuredly follow.
- 6) This is grim trend which must be reversed.