

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: August 18, 2023

RE: **Ordinance 2023-24 – Amending the Land Development Code, Chapter 28 of the Zoning Code to Add Definitions and to Update the Historic Preservation Section and Clarify the Code Related to Partial Demolition – Second Reading and Public Hearing**

Please find attached Ordinance 2023-24. This ordinance proposes to amend the historic preservation section of the Zoning Code, which are specific sections in Chapter 28. The ordinance also includes the adoption of an “addendum” to the Architectural Guidelines for Historic Preservation (AGHP).

The amended language for the code is presented in a “redline” format, underlining proposed language and ~~striketrough~~ for language to be removed. Many of the proposed changes are housekeeping in nature, but there is also language to add clarification to review procedures and requirements as well as clarification related to the demolition and partial demolition process.

The demolition and “partial demolition” of historic structures has been a difficult issue over the years. These issues have become more difficult since Hurricane Matthew in 2016 and recently during a period of time where it seems that there has been a high rate of turnover in property ownership. The proposed ordinance and addendum are an attempt to define and quantify more clearly the thresholds of demolition and when proposed work becomes defined as meeting a demolition threshold.

Staff concerns have been related to the integrity of structures and neighborhoods that can be considered historic. For proposed partial demolitions this ordinance does remove the 50 year or older reference for buildings and applies the code to contributing structures in the National Register Districts outside of the city’s local historic districts. This would be a reduction of the applicability of the partial demolition section of the code from approximately 4,000 structures to approximately 1,650 structures.

The Planning and Zoning Board (PZB) made a positive recommendation regarding this proposed code language and addendum to the City Commission on June 27, 2023.

The City Commission discussed this Ordinance at their July 10th meeting and passed it on First Reading. However, the City Commission did provide feedback and suggested several items for reconsideration.

The City Commission requested that:

- Existing language regarding review of interior spaces remains in the Code.
- Add language that corner windows are an important feature of midcentury structures.
- That language should be included to emphasize and prioritize historic replacement materials versus substitute materials, and that any replacement materials follow the same look and pattern of the existing structure.
- That the issue of balance between old and new materials be emphasized to maintain the character of historic structures.

Additionally, the City Commission requested that a map of contributing properties be highlighted on the City website, and that more information is available to guide property owners related to these issues, including a list of potential materials. The staff is in the process of working with a consultant to update the City's Architectural Guidelines for Historic Preservation (AGHP). This is an extensive update and staff will continue to work to make information clearer and provide more detail regarding the city's historic preservation goals and priorities. This update will be reviewed by the city's citizen boards and the City Commission in the near future.

Attached you will find the Ordinance, and the proposed addendum to the AGHP. The changes requested by the City Commission are also included in the proposed ordinance in blue, underlining proposed language and ~~strikethrough~~ for language to be removed.

Please place Ordinance 2023-24 on the August 28, 2023, City Commission Agenda for Second Reading and Public Hearing. If you have any questions, please let me know.



Amy McClure Skinner, AICP
Director
Planning and Building Department

Proposed Ordinance 2023-24 with Attached Addendum

The amended language for the code is presented in a “redline” format, underlining proposed language and ~~strikethrough~~ for language to be removed.

Additionally, the changes requested by the City Commission are included in blue, underlining proposed language and ~~strikethrough~~ for language to be removed.

ORDINANCE NO. 2023-24

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 ADDING DEFINITIONS RELATED TO ARCHITECTURAL TERMS, DEMOLITION AND RELOCATION; AMENDING CHAPTER 28, SECTION 28-87 CLARIFYING THE CRITERIA FOR HISTORIC LANDMARK AND PROVIDING FOR REVIEW OF PARTIAL DEMOLITION PERMITS; SECTION 28-88 CLARIFYING PROCEDURES AND APPLICATION REQUIREMENTS; SECTION 28-89 REVISING AND CLARIFYING CRITERIA FOR THE REVIEW OF CERTIFICATE OR OPINION OF APPROPRIATENESS, RELOCATION OR DEMOLITION; SECTION 28-90 ADDING REFERENCE TO PARTIAL DEMOLITION AND CLARIFYING DEPARTMENT REFERENCES; SECTION 28-91 ADDING REFERENCE TO HISTORIC LANDMARK OR LOCAL LANDMARK AND RELOCATION, DEMOLITION OR PARTIAL DEMOLITION; SECTION 28-92 ADDING REFERENCE TO PARTIAL DEMOLITION; ADOPTING EXHIBIT “A” AS AN ADDENDUM TO THE ARCHITECTURAL GUIDELINES FOR HISTORIC PRESERVATION (AGHP); PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the City of St. Augustine is recognized as the Nation’s Oldest City; and

WHEREAS, the intent of the City’s Comprehensive Plan, Historic Preservation Master Plan, and implementing land development codes and architectural guidelines are to preserve and protect historic structures, and the nature and character of the City’s historic neighborhoods; and

WHEREAS, the City Commission, the Historic Architectural Review Board, and the Planning and Zoning Board are aware that new development, code requirements, full and partial demolitions, and relocations of structures can contribute to a change in the character of the historic downtown and historic neighborhoods of the city; and

WHEREAS, the historic assets of the city contribute to the character of residential neighborhoods, quality of life, and equate to an economic value of \$2.9 billion dollars according to the 2020 publication *Resilient Heritage in the Nation's Oldest City*; and

WHEREAS, on June 27, 2023, the Planning and Zoning Board acting as the designated land planning agency for the City of St. Augustine recommended the included additions and revisions to Chapter 28, the Zoning Code to the City Commission; and

WHEREAS, the intent of the partial demolition ordinance as it relates to structures outside the designated Historic Preservation Districts is to ensure that structures are modified in a way that is generally consistent with the historic visual character of the structure's key visible architectural elements and maintain the integrity of National Register Districts and their contributing structures. It is not intended that these structures be held to the same level of detailed architectural design criteria as structures in the Historic Preservation Districts; and

WHEREAS, during the 2022 legislative session House Bill 423 was enacted into law (codified as Chapter 553.79(25), Florida Statutes) in the context of building construction standards and the specter of recurring losses for single-family residential structures in a flood plain and constructed below FEMA finished floor elevations ("qualifying single-family residential structures"). The intent of the bill was to address complete demolitions of qualifying single-family residential structures, not to regulate partial demolitions, especially those that were needed to elevate buildings from the flood plain; and

WHEREAS, pursuant to the 2022 statutory regulations these qualifying single-family residential structures must be reviewed for demolition approval by staff without a public hearing, and any replacement single-family residential structure can only be required to meet the same local regulations as apply to similarly situated vacant parcels; and

WHEREAS, under the 2022 law, for example, a new structure that is built in a Historic Preservation District following the complete demolition of a qualifying single-family residential structure, must comply with AGHP architectural guidelines because these design guidelines apply equally to all similarly situated vacant parcels; and

WHEREAS, replacement structures for qualifying single-family complete demolitions located outside of the Historic Preservation Districts can only be required to meet design guidelines if those guidelines apply to similarly situated vacant parcels; and

WHEREAS, House Bill 423 (2022) does not apply to partial demolitions nor does it prohibit design guidelines for partial replacements; and

WHEREAS, the bill provides an exemption for all structures designated at any time on the National Register of Historic Places (“exempt structures”), and the National Park Service does not differentiate between structures that are individually listed versus those that are contributing to a National Register District, both are deemed “designated” historic in the National Register of Historic Places and therefore exempt from the regulations of this new law; and

WHEREAS, the bill also provides for an exemption for privately owned single-family residential structures with a local historic designation or other agency historic designation prior to January 1, 2022, or with the owner’s consent thereafter; and

WHEREAS, the City Commission intends for its ordinances to be interpreted consistent with State of Florida law; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amendment to Chapter 28, Article I, Section 28-2. Chapter 28, Article I, Section 28-2 is hereby amended, as follows:

“Sec. 28-2. - Definitions.

For the purpose of this chapter, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory; the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied." The word "lot" includes the word "plot" or "parcel." The word "structure" includes the word "building" as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word "land" includes the word "marsh," "water" or "swamp." The word "map" shall mean the "Zoning Maps of the City of St. Augustine, Florida" and the "city" shall mean the City of St. Augustine, Florida, a corporation of the State of Florida.

...

Archaeological preservation ordinance refers to Chapter 6 of the St. Augustine Code of Ordinances which identifies archaeological zones that require archaeological review when the threshold of ground disturbance activity is met or exceeded with development and utility permits.

...

Architectural feature includes but is not limited to the following: architectural style, scale, massing, siting, general design, and general arrangement of the exterior of the building or structure; type and texture of exterior materials; size, type, placement, and patterns of roof(s), windows, doors, and all attached appurtenances including porches, stairs and stoop features, dormers, additions, trim details, balconies and railings or other decorative attachments.

Architectural feature limited review consists of the architectural review of limited physical elements of a regulated structure to be replaced after partial demolition ~~and does not include material type or material colors.~~ This limited review will focus on the overall character of the key elements of the structure visible from the street. Key elements that will be reviewed will be roofs (shape, size, placement), exterior windows and doors (number and placement of openings, shape and pattern of panes or lites, and design features visible from outside the regulated structure such as the exterior muntin with a raised profile), porches, stoops, and balconies (shape, size, placement), exterior siding (vertical, horizontal, or diagonal placement of similar sized boards, siding profile and pattern). The review is for exterior elements ~~only and does not~~ may include the interior works or features of architectural elements ~~(for example, this does not include window latch mechanisms or counterweights).~~ Applications that match the replacements after a partial demolition to these existing key architectural elements or use in-kind features or materials as existing will be deemed in compliance with this limited architectural review and can be approved administratively. Applicants who do not want to use in-kind features or materials

as existing nor match the replacements to these key architectural elements after partial demolition will be heard at a public hearing before the HARB or other designated reviewing agency. This category of limited review does not apply to properties in the Historic Preservation Districts of the City. The criteria applied for either HARB or administrative review will be as described in Sec. 28-89(3). See *Regulated structure*.

...

Architecturally similar means having substantially the same façade design or exterior appearance using like characteristics in terms of height, mass, scale, footprint, arrangement of openings, pattern.

...

Contributing property is a building, site, structure or object which adds to the historical architectural qualities, historic associations or archaeological values for which a district is significant because (a) it was present during the period of significance of the district and possesses historic integrity reflecting its character at that time; (b) is capable of yielding important information about the period; (c) it independently meets the National Register of Historic Places criteria for evaluation; or (d) have yielded or may be likely to yield information important in history or prehistory.

...

Design compatibility refers to new construction or alterations to a historic building or setting that preserves significant materials, features and form, and preserves the building’s historic character. For alteration to a historic building, repairs using historic materials is preferred; however, there are circumstances where *compatible* substitute materials that imitate historic materials and follow the same look and pattern may be used if the appearance and properties of the historic materials can be matched closely and no damage to the remaining historic fabric will result.

...

Façade includes the face of a building and is most commonly referred to as a street façade and/or visible façade.

...

Historic character refers to all visual aspects and physical features that comprise the appearance of historic properties and extends to the setting of historic properties to include a building’s relationship to the environment and adjacent streets and buildings, landscape plantings, views, and the presence of accessory features.

Historic integrity is the authenticity of a property’s identity, evidenced by the survival of physical characteristics that existed during the property’s historic period including evaluation of

any changes that may have occurred through time which could contribute to the building’s later-acquired historic character and significance. An overall sense of past time and place are evident in the composite of seven qualities: location, design, setting, materials, workmanship, feeling and association.

Historic period is the primary timeline for which the historic building derived its historic association with an event, person, place, pattern of development or other context.

...

Historic structure including contributing properties as defined for demolition and partial demolition purposes is a structure that is 50 years old or older, in a locally established historic preservation district, individually listed as historic locally or nationally, a contributing property in a designated National Register District or a potentially contributing property surveyed, but not recognized or not in a designated National Register District. But see *Regulated structure*.

...

In-kind features or materials means using architecturally similar material and design to convey the visual appearance of the remaining parts of the feature and finish.

...

Material deficiency refers to the inability of the building material, or a majority of building materials that comprise a feature or structure, to serve its purpose and documented as beyond repair.

...

National Register of Historic Places is the list of historic properties significant in American history, architectural, archaeology, engineering and culture maintained by the Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as amended. May be significant at the local, state or federal level.

...

Partial demolition a partial demolition for purposes of proposed work on a historic structure or a regulated structure within the City of St. Augustine is considered the permanent removal of 50% of the appraised value or more of historic, individual elements of the building envelope (roof, walls, porches, windows, foundations). It also includes the removal of these historic features regardless of the percentage of the appraised value when they are on visible the sides of the building (visible from the street). See *Architectural feature limited review*.

...

Preservation the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

...

Reconstruction the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

...

Regulated structure is a building or a part of a building that is the subject of a partial demolition and that is not located in the City's Historic Preservation Districts but meets the following criteria of a Historic structure: it is individually listed as historic locally or nationally, or it is a contributing property in a designated National Register District, or it is a designated historic landmark. See *Architectural feature limited review* and see *Partial demolition*.

...

Rehabilitation the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, cultural and archaeological values.

...

Relocation the act of moving a building from its original location to another site, either on the same property or to another location entirely.

...

Restoration the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work.

...

Routine maintenance and repair in terms of historic preservation means using the same materials in a way that matches the architectural style of the existing building.

...

Significant architectural feature is an architectural feature(s) that comprises the historic character of the structure and built near the same time as the building or added features and alterations that maintain the historic character of the building.

...

Technical requirement refers to performance mandates established by local, state or federal governments and their supporting regulatory documents.

...”

Section 2. Amendment to Chapter 28, Article II, Section 28-87. Chapter 28, Article II, Section 28-87 is hereby amended, as follows:

“Sec. 28-87. - Responsibilities.

The members of the historic architectural review board herein created shall have the following responsibilities:

...

- (3) The review of all applications for demolition or partial demolition permits for ~~historic or regulated structures for structures that are fifty (50) years old or older, which are listed on the Florida Master Site File maintained by the State of Florida Division of Historic Resources, or which have been designated as an historical landmark.~~ Also, review all applications for demolition or partial demolition permits for primary structures within historic preservation zoning districts and National Register districts for potential designation as an historic landmark, and review of partial demolition permits for regulated structures not eligible for administrative approval. Privately owned single-family residential structures that qualify for complete demolition by statute and are not otherwise exempt pursuant to Chapter 553.79(25), Florida Statutes, will be processed consistent with State law.

...

- (10) Designate historic landmarks. As utilized herein the term "local historic landmark" shall mean a building, object, site, or structure of the highest historical, architectural, cultural, or archaeological importance and whose demolition, removal, relocation, or alteration would constitute an irreplaceable loss to the character and quality of the city. In the event the historic architectural review board desires not to issue a demolition or partial demolition permit for a structure that it finds could meet the criteria for a historic landmark is not fifty (50) years old, or older, the historic architectural review board shall initiate proceedings for designation of the structure as ~~a~~ historic landmark. In the designation of a historic landmark, the historic architectural review board shall evaluate the subject property using criteria and standards established by the National Register of Historical Places for national landmarks, or if evaluating the structure as a potential local historic landmark substituting the importance of the resource to the city and state rather than the nation as a whole. No property shall be designated as ~~a~~ historic landmark without first providing the owner of the proposed historic landmark with notice and an opportunity to be heard in the same manner as that provided for a rezoning of property. In addition, consistent with Chapter 553.79(25), Florida Statutes, a local landmark

designation for a privately owned single-family residential structure that qualifies for complete demolition by statute must include the consent of its owner. Any determination of the historic architectural review board shall be subject to appeal by any affected person to the city commission without any fee being charged or levied.

...

Section 3. Amendment to Chapter 28, Article II, Section 28-88. Chapter 28, Article II, Section 28-88 is hereby amended, as follows:

"Sec. 28-88. – Procedures and Application Requirements.

The historic architectural review board shall follow the following procedures for certificate or opinion of appropriateness, relocation, or demolition or partial demolition review:

- (1) The board shall adopt rules prescribing the procedure for making and reviewing applications for a certificate of appropriateness or request for opinion of appropriateness.
- (2) Applications ~~for a certificate of appropriateness or request for opinion of appropriateness~~ shall be initiated with the ~~building official or planning director~~ Planning and Building Department.

...

- (5) The ~~certificate of appropriateness application and a final order~~ shall describe the project for which is issued and the type of work to be done. The board may require certain terms or conditions as a prerequisite for the approval of an application ~~certificate of appropriateness~~, which shall be clearly stated thereon the final order.

(6) Additional application requirements:

- 1 (a). The owner shall permit access to the subject property for the purpose of inspections and/or appraisals required by the board or preservation officer.
- 2 (b). Signs required: The planning and building department shall cause a sign or signs to be posted on any land upon which an application with respect to relocation or demolition or partial demolition has been made not less than seven (7) days in advance of the date of the public hearing at which such application is to be considered. Such sign shall show the date of construction of the existing building and be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land concerning which a public hearing is scheduled. Such sign shall be posted in full view of the public and shall be maintained by the applicant until final determination has been made by the board or city commission.
- 3 (c). Mailed notices: Not less than ten (10) days in advance of the date of the required public hearing(s) at which an application for a certificate of demolition or partial

demolition is to be considered, the time and place of the public hearing shall be posted by United States mail by the applicant to all owners of real property within one hundred fifty (150) feet of the boundaries of the land upon which the application is made. For the purpose of notice requirements to adjoining owners within one hundred fifty (150) feet, the names and addresses shall include information obtained from the St. Johns County Property Appraiser records within ninety (90) days prior to the application date. Such list prepared for any required public hearing with the historic architectural review board, if appealed, shall also be used for a required public hearing with the city commission. A record of the date on which the list was compiled shall be provided to and maintained by the planning and building department.

4 (d). Applications: ~~for a certificate of demolition~~ shall be presented to the historic architectural review board by the property owner or representative authorized by the owner with a completed authorization form.

~~7-(e). If an owner/applicant fails to appear for three (3) historic architectural review board meetings, the application may be considered as withdrawn.~~

Section 4. Amendment to Chapter 28, Article II, Section 28-89. Chapter 28, Article II, Section 28-89 is hereby amended, as follows:

“Sec. 28-89. - Criteria for certificate or opinion of appropriateness, relocation or demolition or partial demolition review.

The criteria for opinion of appropriateness, certificate of appropriateness, certificate of relocation, certificate of demolition or partial demolition review will be determined as follows:

(1) In reviewing an application ~~for a certificate of appropriateness, for structures within historic preservation zoning districts~~ the board or Planning and Building Department shall consider the design and appearance of the structure, including the interior visible from the outside, front, sides, rear and roof; materials, textures and colors; plat plan or site layout, including features such as walls, walks, terraces, plantings, accessory structures, signs, lights, awnings, canopies, and other appurtenances. The decision to approve or deny the proposed application ~~issue or not to issue the certificate~~ shall be based on the conformance of the proposed work to the Architectural Guidelines for Historical Preservation (AGHP) and adopted addendums of the City of St. Augustine as from time to time promulgated by the historic architectural review board or the city commission and approved by ordinance of the city commission, hereinafter referred to as 'AGHP,' Albert Manucy's Houses of St. Augustine - 1565-1821, and other architectural guidelines as may be adopted from time to time. ~~When reviewing a certificate of relocation of a structure, consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located.~~ The board shall not exercise any control over land use, such as governed by this chapter, or over construction, such as is governed by the building code, unless such control is within the intent and scope of this chapter.

a. In the case of an opinion of appropriateness: HARB shall make a determination that the general concept, preliminary construction plans, details or specifications of a project meet the architectural requirements of the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guidelines, but that the information

may be insufficient to meet the requirements of a certificate of appropriateness or to obtain a building permit.

b. In the case of a certificate of appropriateness: HARB shall make a final determination that the material details are sufficient, construction plans are complete, and architectural details and specifications for a project meet the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guideline requirements. A certificate of appropriateness is required before a building permit may be issued. Only those plans and details approved by HARB may be reviewed by the Planning and Building Department during the building permit review process.

c. In the case of a certificate of relocation of a structure: consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located, that the relocation of the structure will not adversely impact the city's historic preservation efforts or negatively affect the streetscape. If the building will be relocated on the same site, or moved to a new site in a locally designated historic preservation zoning district, then the process and plan requirements for a certificate of appropriateness also apply to the building's new location.

d. In the case of a certificate of demolition or partial demolition: a determination is made that the demolition or partial demolition of the structure will or will not adversely impact the city's historic preservation efforts. The applicant may also be required to submit information on the structural condition of the building from an engineer or architect to justify the need for the demolition or the partial demolition of the structure, and all other requirements of this code.

(2) Before approving the plans for any proposed structure or signs located or to be located in a historic preservation zoning district, the board shall find:

a. In the case of a proposed alteration or addition to an existing structure, that such alteration or addition will not materially impair the architectural or historic value of the structure.

b. In the case of a proposed new structure, that such structure will not, in itself or by reason of its location on the site, materially impair the architectural or historic value of a structure on adjacent sites or in the immediate vicinity.

c. In the case of a proposed new structure, that such structure will not be injurious to the general visual character of the district or districts in which it is to be located.

d. In the case of the proposed demolition of an existing structure, or a project that constitutes partial demolition that the removal of such structure or architectural features will not be detrimental to the historic and architectural character of the city or that, balancing the interest of the city in preserving the integrity of the city and interest of the owner of the property.

1. Approval of the plans for demolition in the latter event the board may issue an order ~~to~~ postponing demolition for a period of not to exceed twelve (12) months after which the owner must reapply. The board may issue a second postponement with the total postponement period not to exceed two (2) twelve (12) month periods. If the board concludes that the demolition should be postponed, it shall, before issuing any final order with respect to such postponement, afford the applicant an opportunity to appear before the board to offer any evidence ~~he~~ they may desire to present concerning the proposed order. Within the period of postponement, the board shall ascertain what the city or other

agency or organization may do to preserve such structure and shall make recommendations to that effect to the city commission or otherwise cause the structure to be preserved. This section shall not apply to any permit for demolition which has been applied for, in proper form, prior to the effective date of this section.

2. If the building or structure is of exceptional significance including a local historic landmark, is a contributing property to a National Register of Historic Places District or has been individually listed on the National Register of Historic Places, the board can deny the demolition if the board finds the removal of such building or structure will be detrimental to the historic and architectural character of the city and the applicant has not proven the denial will cause an undue economic hardship.

3. The ~~demolition destruction~~ of colonial buildings listed on the Florida Master Site File, or colonial buildings designated local historic landmark ~~Local Landmarks~~, or colonial buildings meeting the criteria for eligibility on the National Register of Historic Places must be approved by the city commission.

4. In the case of a partial demolition: the board shall find that the proposed replacement materials including historic materials as well as compatible substitute materials maintain the historic character and integrity of the structure and are compatible with the historic structure's building envelope or the removal will not compromise the overall historic character and integrity of the structure.

(3) Criteria for regulated structure. Replacement elements for regulated structures as defined in this code will be reviewed consistent with the procedures for architectural feature limited review. The board will apply the adopted design criteria if any for the area or AGHP if applicable to the regulated structure, if any. If no design criteria have been adopted, the board will accept evidence and testimony to establish relevant architectural features. Some regulated structures may have architectural features that support its historic character and historic period, as well as modifications or additions over time. The board will accept evidence and testimony to establish whether the architectural features should meet preservation or reconstruction standards.

~~Additional application requirements for Sec. 28-89(1)-(3):~~

- ~~1. The owner shall permit access to the subject property for the purpose of inspections and/or appraisals required by the board or preservation officer.~~
- ~~2. Signs required. The planning and building department shall cause a sign or signs to be posted on any land upon which an application with respect to relocation or demolition has been made not less than seven (7) days in advance of the date of the public hearing at which such application is to be considered. Such sign shall show the date of construction of the existing building and be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land concerning which a public hearing is scheduled. Such sign shall be posted in full view of the public and shall be maintained by the applicant until final determination has been made by the board or city commission.~~
- ~~3. Mailed notices. Not less than ten (10) days in advance of the date of the required public hearing(s) at which an application for a certificate of demolition is to be considered, the time and place of the public hearing shall be posted by United States mail~~

by the applicant to all owners of real property within one hundred fifty (150) feet of the boundaries of the land upon which the application is made. For the purpose of notice requirements to adjoining owners within one hundred fifty (150) feet, the names and addresses shall include information obtained from the St. Johns County Property Appraiser records within ninety (90) days prior to the application date. Such list prepared for any required public hearing with the historic architectural review board, if appealed, shall also be used for a required public hearing with the city commission. A record of the date on which the list was compiled shall be provided to and maintained by the planning and building department.

4. ~~Applications for a certificate of demolition shall be presented to the historic architectural review board by the property owner.~~

5 (4). Applications for partial demolition of buildings listed on the National Register of Historic Places, contributing or potentially contributing to a historic district in the National Register of Historic Places, listed as a local historic landmark pursuant to this code, listed as a potential landmark identified in the Historic Preservation Element of the Comprehensive Plan, Master Plan or identified by historic preservation planning staff as culturally significant within the recent past, may apply for the demolition of additional components of the building as part of a more comprehensive rehabilitation plan. Staff may require that the application be reviewed as a full demolition with required documentation, appropriate condition assessment and a rehabilitation plan, recognizing that applicants may encounter unforeseen building damage, site conditions, flood mitigation obstacles, or other significant and demonstrable reasons justifying a more extensive partial demolition as part of the rehabilitation. As a condition of In issuing a certificate of demolition or partial demolition, the board may include approval of both the partial demolition and potential related additional demolition and its require the rehabilitated replacement design under one application be approved by the board and that no permit be issued for the demolition of said structure until This will allow the approval of drawings sufficient for a building permit and that all necessary requirements for the new construction of a new building related to the demolition or partial demolition have been are submitted for the new construction permitting review and approval by staff.

6 (5). As a condition of issuing a certificate of demolition, including partial demolition, the board may require, at the applicant's expense, salvage and preservation of significant building materials, architectural details and ornaments, fixtures, and the like for reuse in restoration of other historic properties. The board may also require at the applicant's expense the recording of the structure for archival purposes prior to demolition or partial demolition. The recording may include, but shall not be limited to, photographs and measured drawings.

7. ~~If an owner/applicant fails to appear for three historic architectural review board meetings, the application may be considered as withdrawn.~~

e. ~~In the case of any proposed new or altered sign, that the sign will not materially impair the architectural or historic value of any structure to which it is attached, nor any adjacent structure, and that such sign is consistent with the architecture of the building and the historical character of the area.~~

f. ~~The board shall not have the authority to consider interior arrangements.~~

...

(36) Applications for certificate of demolition of a building or structure that is of exceptional significance including a local historic landmark, has been a contributing property to a National Register of Historic Places District or has been individually listed on the National Register of Historic Places shall require the following with the burden of proof to be on the applicant. The board may also require the following of structures considered to be contributing to the historical character of the city:

- a. A report from an architect or structural engineer licensed in the State of Florida with demonstrated experience in restoration, rehabilitation or renovation as to the structural soundness of the building and its adaptability for continued use.

...

e (7). In the case of any proposed new or altered sign, that the sign will not materially impair the architectural or historic value of any structure to which it is attached, nor any adjacent structure, and that such sign is consistent with the architecture of the building and the historical character of the area.

f (8). The board shall not have the authority to consider interior arrangements.

(49) The ~~building official and/or planning director~~ Planning and Building Department may, based upon the AGHP and consistent with this article, make the decision to issue or not to issue the ~~certificate~~ a required permit for the following work:

- a. Placement of utility service.
- b. Repainting with the same color if previously approved for painting with an appropriate color selected from the AGHP guidelines.
- c. Structural maintenance and repair utilizing the same materials and architectural character.
- d. Any other structural maintenance consistent with the AGHP. ~~repair or remodeling which does not exceed two hundred fifty dollars (\$250.00).~~
- e. Exterior construction or equipment not visible.
- f. All signs and graphics.
- g. Landscape features, including fences, walls, walks, patios, decks, driveways, plant materials and ornamentation ~~that does not exceed one thousand dollars (\$1,000.00).~~
- h. Placement of exterior utility support equipment, including air conditioning compressors, gas tanks, etc.

...

(510) Appeals from decisions of the ~~building official and/or planning director~~ Planning and Building Department under subsection (3 9) of this section may be taken to the board within fifteen (15) days from such decision.

...”

Section 5. Amendment to Chapter 28, Article II, Section 28-90. Chapter 28, Article II, Section 28-90 is hereby amended, as follows:

“Sec. 28-90. – Administration, ~~and records, and appeals.~~

(a) Any necessary building or demolition (full or partial) permit and/or certificate of occupancy shall not be issued unless the Planning and Building Department reviews the application for compliance and/or the historic architectural review board approves ~~the application for a certificate of appropriateness an application as outlined under 28-88~~. Such permit shall be subject to the terms of such approval as well as other necessary provisions of this Code.

(b) Applications ~~for certificates of appropriateness~~ shall be submitted through the ~~office of the building official and/or planning director~~ Planning and Building Department and shall include, in duplicate if requested, all plans, elevations and other information necessary to determine the appropriateness of the features to be passed upon.

(c) Prior to issuance or denial of a certificate of appropriateness, relocation, demolition, or partial demolition required by the board, the board shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard. The board shall hold a public hearing concerning each application.

(d) Every decision of the board and/or ~~building official and/or planning director~~ Planning and Building Department in passing upon plans for structures or signs located or to be located in the district shall be in the form of a written order or permit as appropriate stating the finding of the board, its decisions and reasons therefor.

(e) The board shall not disapprove any plans without giving its recommendations for changes necessary to be made before the plans will be reconsidered. Such recommendations may be general in scope, and compliance with them shall qualify the plans for reconsideration by the board.

(f) An appeal may, within thirty (30) days thereafter, be taken by any aggrieved person to the city commission from the board's action in granting or denying an opinion or certificate of appropriateness, relocation or demolition or partial demolition. The appeal shall be as prescribed in section 28-29(g). Any appeal from the decision of the city commission shall be heard by the circuit court of the county, on writ of certiorari, as in the case of any other zoning decision from the city commission. All orders to approve certificates of demolition, except for partial demolition, shall become effective on the 31st day following the date of the rendered order, unless this waiting period is specifically granted a written waiver by the city commission or city manager. The owner-applicant of an order to approve a demolition certificate may request a hardship waiver to the city manager for emergency humanitarian reasons including the health and safety of the occupants of a structure in need of immediate emergency repairs, renovation or reconstruction. In the alternative, the owner-applicant of an order to approve a demolition certificate may request a waiver from the city commission if the delay in demolishing the structure would create an undue burden on the owner-applicant that would be greater than the

public interest served in preserving the thirty-day waiting period. All decisions to grant or deny the waiver shall be rendered in writing within five days of the decision, mailed by standard U.S. mail to the owner-applicant and posted on the city's website. The decision of the city manager or city commission shall serve as the final administrative appeal of the waiting period.

(g) Any decision of the historic architectural review board certified by the ~~planning director~~ Planning and Building Department to be in conflict with a determination or decision of the planning and zoning board or of the board of adjustments and appeals; shall be reviewed by the city commission in the same manner as an appeal and the commission shall review the determination of the historic architectural review board, and the decision of the planning and zoning board or board of adjustments and appeals as to which it is certified to be in conflict and shall determine whether the decision of the historic architectural review board should be affirmed, modified or reversed and the decision of the commission shall supersede the decision reviewed. All affected persons shall be notified of the hearing by the city commission in the same manner as that provided for appeals from decisions of the planning and zoning board. The hearing before the commission shall be de novo.”

Section 6. Amendment to Chapter 28, Article II, Section 28-91. Chapter 28, Article II, Section 28-91 is hereby amended, as follows:

Sec. 28-91. - Enforcement.

“Enforcement of this division shall be as follows:

- (1) Neither the owner of nor the person in charge of a structure of exceptional significance including a local historic landmark or within an historic district shall permit such structure to fall into a state of disrepair which may result in the deterioration of exterior appurtenance or architectural feature so as to produce or tend to produce, in the judgment of the historic architectural review board, a detrimental effect upon the character of the district as a whole or the life and character of the structure in question.
- (2) A stop work order shall be issued by the building official in any case where work has commenced or preparation for work has commenced, if no certificate of appropriateness, relocation, demolition, or partial demolition has been obtained where one is required by section 28-90. The stop work order shall be issued to the owner, the occupant, or any person commencing work or preparation for work in violation of this division. The stop work order shall remain in full force and effect until a certificate of appropriateness, relocation, demolition, or partial demolition has been obtained or it has been determined by the board that no certificate of appropriateness, relocation, demolition, or partial demolition is required.
- (3) Any person who violates any provision of this division shall be punished as provided by section 28-35.
- (4) Any person who files with the board and/or Planning and Building Department ~~building official and/or planning director~~ any application or request for an opinion of appropriateness or a certificate of appropriateness, relocation, demolition, or partial demolition and who refuses to furnish, upon demand by the board and/or building official and/or planning director, any information relating to such application or request, or who

willfully makes any false statement in such application or request, or who, upon such demand, willfully furnishes false information to the board and/or Planning and Building Department building official and/or planning director shall be punished as provided by section 28-35.

...”

Section 7. Amendment to Chapter 28, Article II, Section 28-92. Chapter 28, Article II, Section 28-92 is hereby amended, as follows:

“Sec. 28-92. - Termination of certificates of demolition or partial demolition.

The historic architectural review board shall include a time limitation in its certificates of demolition or partial demolition, utilizing the following procedures:

- (1) The board shall include a provision in its orders for certificates of demolition or partial demolition that the certificate expires one (1) year from the date of the order.
- (2) The owner of the property described in the certificate of demolition or partial demolition may request an administrative six-month extension from the planning and building director. The request for administrative extension must be filed in writing with the planning and building department during regular office hours no later than thirty (30) days before the expiration of the certificate of demolition or partial demolition. The administrative extension is a ministerial act and shall be available for one extension only.
- (3) In the alternative, the owner of the property described in the certificate of demolition or partial demolition may request a one-year extension from the board. The request for board extension must be filed in writing with the planning and building department during regular office hours no later than thirty (30) days before the expiration of the certificate of demolition or partial demolition. The application for board extension shall be heard at the next available board meeting. A board extension cannot be applied for property that has already been granted an administrative extension.
- (4) If the property owner has received either an administrative extension or a board extension of time on a certificate of demolition or partial demolition, the property is not eligible for further consecutive extensions and upon the expiration of the extension the property owner must reapply for a certificate of demolition or partial demolition.
- (5) Valid certificates of demolition or partial demolition issued prior to the effective date of this section shall be honored by the ~~p~~Planning and ~~b~~Building ~~d~~Department and no further action is needed by the property owner other than compliance with life safety procedures and application for a demolition permit or partial demolition from the building department.”

Section 8. Adopting attached Exhibit “A”. The attached Exhibit “A”, “5 Critical Elements of the Historic Building Envelope” is adopted as an addendum to the Architectural Guidelines for Historic Preservation (AGHP).

Section 9. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that repealed language shall be removed and that the sections of this ordinance may be re-numbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 10. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 12. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2023.

ATTEST: _____
Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

Exhibit “A”

The attached Exhibit A to Ordinance 2023-24 includes an Addendum to the Architectural Guidelines for Historic Preservation (AGHP) that outlines the process and defines the limits of work to a building envelope and the five (5) critical elements that relate to the defining features of an historic structure for proposed demolition and partial demolition.

This is intended to provide guidance and direction to the Historic Architectural Review Board (HARB), staff and the public as to what is considered demolition, partial demolition and what Historic Preservation Staff can approve administratively, and what needs to be reviewed by the HARB.

This is in an effort to provide a framework for consistency and maintain the character and integrity of the City’s historic neighborhoods.

EXTERIOR BUILDING RENOVATIONS FOR HISTORIC PROPERTIES IN ST. AUGUSTINE

How the City Preserves Historic Buildings and Neighborhoods

If you own a building that is a local historic landmark, listed in the National Register, or is a contributing property to a National Register Historic District and you are doing demolition work, the attached standards will guide you through the process. These review standards work to clarify potential demolition or partial demolition work on structures, to safeguard the enduring economic benefits of historic properties, and maintain quality of life for residents and visitors.

A "HISTORIC PROPERTY" MEETS ONE OR MORE OF THESE CRITERIA:

LOCAL HISTORIC LANDMARK...

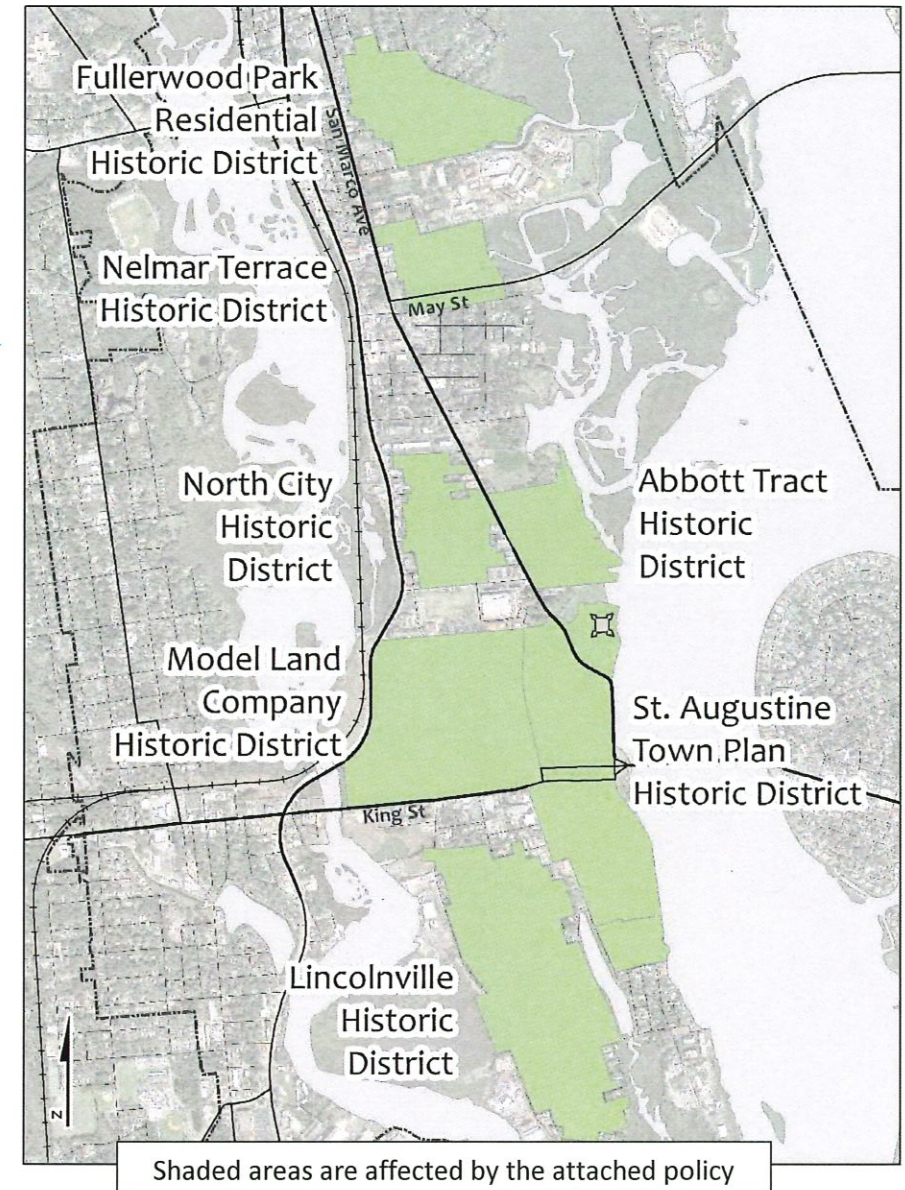
A building, object, site, or structure of the highest historical, architectural, cultural, or archaeological importance and whose demolition, partial demolition, removal, relocation, or alteration would constitute an irreplaceable loss to the character and quality of the city. A list of these resources is on file with city staff and available on the city's website.

NATIONAL REGISTER...

The official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources. Designated historic resources may be a building, district, object, site, or structure that meets the criteria of significance and integrity. A list and a map of these buildings is on file with city staff and available on the city's website.

CONTRIBUTING STRUCTURE...

Adds to the historical or traditional cultural associations, historic architectural qualities, or archeological values for which a property or district is significant. Each of the city's National Register Historic Districts has a list and a map of contributing and non-contributing resources. Buildings marked Contributing and/or Contributing but Altered are considered designated buildings. These records are on file with city staff and available on the city's website.

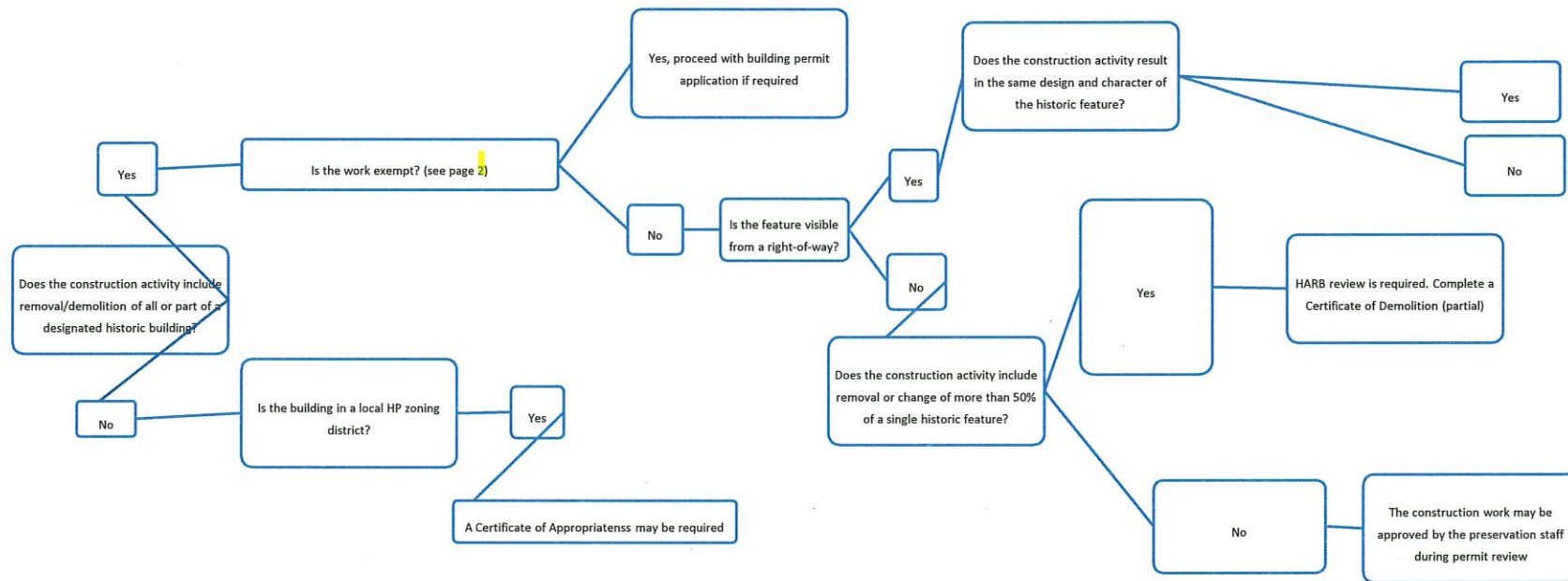
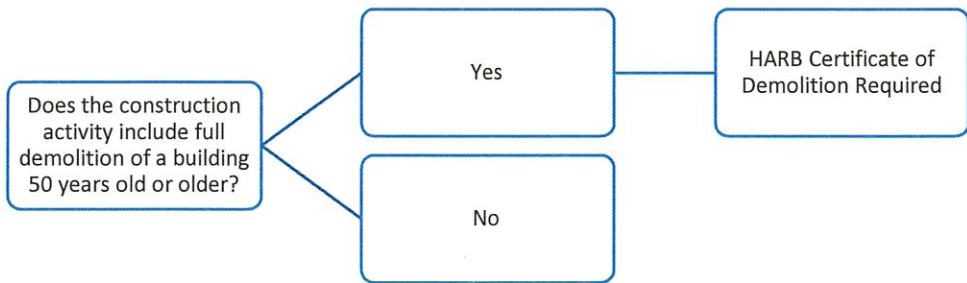


SCOPE OF WORK EXEMPTED FROM THIS REVIEW PROCESS:

Certain construction work is considered routine repair and maintenance or is not a type of improvement subject to this addendum

Note that if the property is zoned Historic Preservation 1, 2, 3, 4, or 5 or situated in an entry corridor, on Anastasia Boulevard, King Street, or San Marco Avenue, the property is not given these exemptions because they are regulated by the full extent of the Architectural Guidelines for Historic Preservation or the Design Standards for Entry Corridors.

- ✓ *Landscaping materials or other yard elements*
- ✓ *Sidewalks and driveways*
- ✓ *Fences*
- ✓ *Pools*
- ✓ *Paint color*
- ✓ *Adding screening or other porch enclosures when the historic porch will remain intact*
- ✓ *Alterations to detached accessory structures (garage, mechanical, or storage structures)*
- ✓ *Installation or removal of any utility or mechanical systems*
- ✓ *Repair of damaged building elements with the same character of design even if using the same material is not available or feasible*
- ✓ *Removal of porches, foundations, and chimneys required for a flood mitigation project if they will be replaced in similar character*
- ✓ *Removal of non-historic elements (ex: a building feature that is not 50-years old or older)*
- ✓ *Any new construction not associated with demolition work on a historic building*
- ✓ *Constructing any accessibility features when not associated with the full or partial demolition of a historic building*
- ✓ *Construction or partial demolition on properties in undesignated areas such as West Augustine, Lighthouse Park, and Davis Shores unless locally landmarked or listed individually in the National Register*

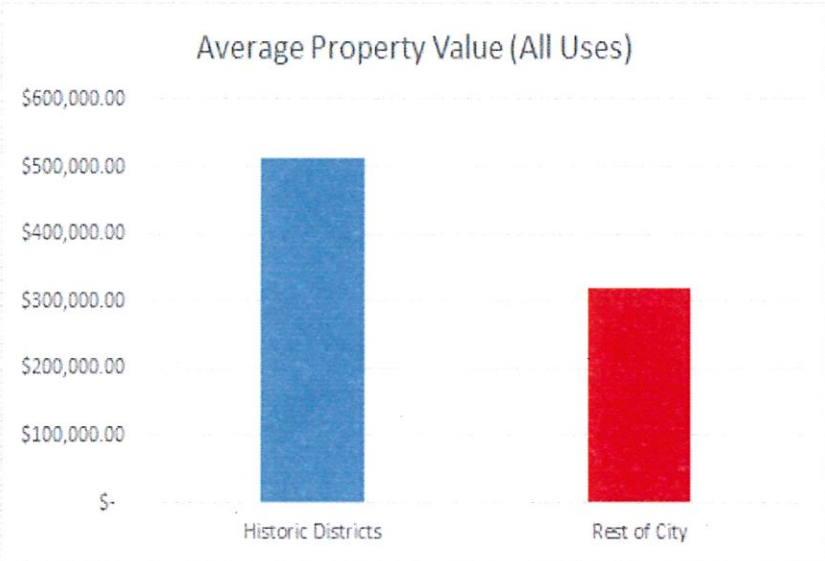


PURPOSE AND OBJECTIVE:

To encourage the preservation of the historic building envelope which characterizes the St. Augustine citywide landscape.

In some cases, partial demolition is warranted, and when combined with standards of review, the construction work can result in an improved appearance that balances the existing historic character of the building. To accomplish this, City staff of the HARB will have ability to review the design of the replacement features within the scope of the partial demolition work. This applies only to designated historic structures. It does not apply to undesignated buildings and in-fill development on vacant or developed lots, regardless of location, except for HP zoning districts and entry corridors. This process is an opportunity for staff and the HARB to encourage property owners to recognize and celebrate the unique and original features of their historic building.

The standards for review apply to designated buildings including local historic landmarks, contributing buildings to a National Register Historic District, and buildings individually listed in the National Register. This is a small minority of the buildings in the city, and the property owners of these structures are valued for their stewardship. Currently there is a total of 1,659 designated buildings which is about 20% of the buildings in the city. The historic districts are only 7% of the city’s land mass. These districts currently include the St. Augustine National Register Historic District, Model Land Company, Lincolnville, Abbott Tract, North City, Nelmar Terrace, and Fullerwood Park.



PlaceEconomics in *Resilient Heritage in the Nation’s Oldest City*, 2020

Incremental demolition of historic buildings or reconstruction of historic buildings from the inside out can eventually threaten the validity of the National Register Historic Districts. For example, Lincolnville has gone from a concentration of 81% of historic buildings to 67% when just considering full demolition, which could be greater if buildings that have lost integrity through partial demolition are included. The purpose of these review standards is to increase the city’s ability to protect and preserve the historic resources of the city’s built environment, enhance the city’s historic integrity, and promote an authentic and livable community amid changing economic and environmental circumstances.

(City of St. Augustine Comprehensive Plan, Historic Preservation Goal)



127 Oneida Street before and after rehabilitation which used the 10-yr historic property tax exemption to reduce the taxable value by almost \$150,000

Property values in the historic districts account for 41% of the city's assessed property values, and these property values increase more than other areas of the city. Therefore, preserving the historic character of these buildings is in the building owner's best financial interest.

The Historic Preservation Master Plan includes specific tasks related to the goal to minimize demolition of historic buildings and provide clear guidance to applicants of the review process. Designated historic properties and contributing properties to a district are eligible for tax benefits. If the building

or district is no longer historic, this incentive would not be available to current and future property owners across the city. Nearly every segment of our local economy is dependent upon tourism industry revenue. Also, A 2020 economic study in *Resilient Heritage in the Nation's Oldest City* found that heritage tourism is driven largely by the volume of historic resources. A reduction of 10% of historic buildings in the city results in a 2% loss of visitor parties, and a reduction of 50% of historic buildings in the city results in 34% loss of visitor parties. The quality of life for residents and visitors alike would be negatively impacted without the community's commitment to historic preservation.

Recognizing and celebrating significant features of a building discourages loss of integrity from incompatible alterations on designated historic buildings, protects the validity of the city's historic districts, contributes to the unique character of the city, and preserves their contribution to the local economy.

REVIEW CHECKLIST

If you own one of St. Augustine's historic buildings and are proposing to make exterior changes, this process provides guidance to encourage preservation of the historic character that makes your building and our city unique. Preservation standards accepted nationally and recognized in the St. Augustine Architectural Guidelines for Historic Preservation were used to establish protocols in this addendum. Emergencies and damage from natural disasters will be handled on a case-by-case basis with officials.

- ☐ Confirm the property is a local **historic** landmark, contributing to a National Register District, or individually listed in the National Register
- ☐ Preservation staff will confirm the scope of work using photos, a sketch building and site plan, and material details submitted by the owner or applicant
- ☐ If the work is routine repair and maintenance, or otherwise exempt, no additional paperwork beyond the building permit is required
- ☐ If the work is a demolition activity that requires the HARB approval, a Certificate of Partial Demolition is required
- ☐ Administrative reviews are described in this document and general guidance for approvable alterations is provided
- ☐ HARB reviews will require a Certificate of Appropriateness for properties in the local HP zoning districts or a Certificate of Demolition
- ☐ HARB meetings are public hearings and comprised of City Commission-appointed volunteer experts in related fields of historic preservation. Meetings are held once per month and application deadlines occur once per month, generally a month prior to the hearing. A staff report will supplement the application materials and be presented to the HARB for its review
- ☐ The HARB will approve, approve with conditions, deny, or continue the application to an additional hearing date if additional information is requested
- ☐ After a building permit is submitted, the proposed changes to the building must be administratively approved or approved by the HARB. Once approved by staff or the HARB, the permit will proceed through the regular review process. Any conditions set by ordinance or the HARB must be satisfied prior to issuance of the building permit
- ☐ As an incentive to encourage preservation strategies, historic preservation staff may assist with an ad valorem tax exemption application
- ☐ The applicant is responsible for obtaining all other necessary approvals related to the project such as zoning requirements related to lot coverage, building setbacks, height, tree removal, etc. as well as any archaeology review, building, fire, right-of-way, and utility codes
- ☐ The administrative decision (staff reviews) and/or the HARB determination on an application may be appealed as per city ordinance

***If a property is being restored, rehabilitated, or renovated according to preservation guidelines, an ad valorem tax exemption for the dollar value of qualifying improvements may be applied that results in a reduction to the property's taxable value for a period of ten years. Improvements must meet a minimum threshold and can include a full or partial rehabilitation.**

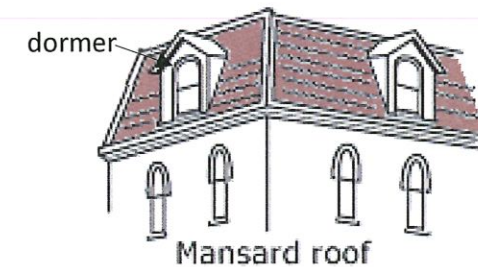
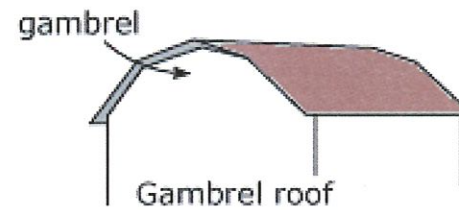
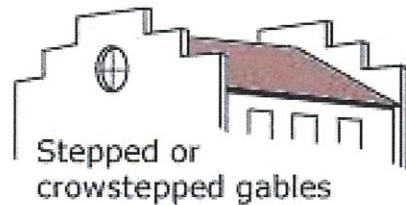
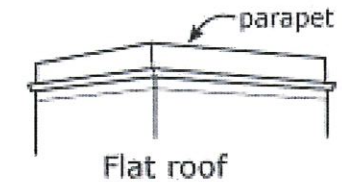
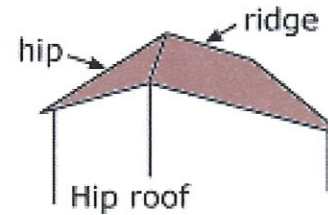
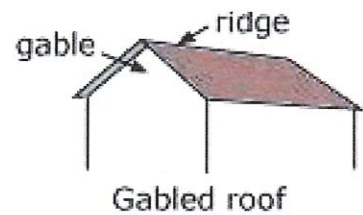
5 CRITICAL ELEMENTS OF THE HISTORIC BUILDING ENVELOPE

FOR **LOCAL HISTORIC** LANDMARK, NATIONAL REGISTER, AND CONTRIBUTING BUILDINGS TO DESIGNATED NATIONAL REGISTER HISTORIC DISTRICTS

*Feature descriptions are taken from the National Park Service Technical Preservation Services publication
of the Secretary of the Interior's Standards for Rehabilitation*

1. **Roofs and appurtenances like cupolas, parapets, chimneys, dormers and soffit elements**
2. **Windows**
3. **Exterior Finishes**
4. **Porches, Balconies, Stoops, Loggias**
5. **Foundations**

Roof: The form of the roof (gable, hipped, gambrel, flat, shed, mansard, etc.) is significant as are its decorative and functional features (appurtenances like cupolas, parapets, chimneys, dormers, and soffit elements), roofing material, and size, color, and patterning.



When the current exterior feature has existed on the building for more than fifty years, HARB approval is required to:

- ❖ Remove and change the following traditional roof coverings: clay or concrete tile, stamped metal shingle or diamond-patterned shingle systems
- ❖ Remove decorative or functional features visible from a right-of-way
- ❖ Change the configuration, shape and/or pitch on facades visible from a right-of-way
- ❖ And/or to remove 50% or more of the total roof structure (excluding roof sheathing)
- ❖ Use a colored metal roofing material (ex: blue metal roof)

If required, HARB approval will be based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place?
- ✓ Is the roof or roof feature significant enough that it should not be altered unless proven technically and/or materially required?

Sample historic roofing materials:



Wood shingle roof



Diamond-patterned roof



Stamped metal shingle roof



Clay tile roof

- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the historic roof still the dominant visible feature; is there subtle but visible distinction of the new roof feature/element from the historic roof feature; does the new element match the size, scale, material/pattern of the historic roof?

Historic Preservation Staff will have the ability to approve the following during regular permit review:

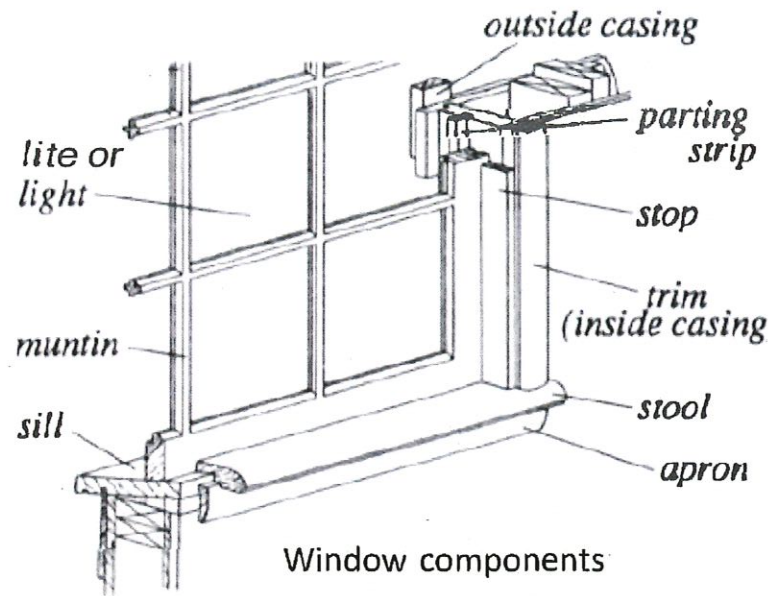
- ✓ Routine roof and trim repairs not meeting the above thresholds
- ✓ Removal of a decorative or functional feature not visible from a right-of-way
- ✓ Replacement of roof sheathing up to 100% of the roofed areas for existing asphalt shingle roofs, galvalume/sheet metal type roof, and other modern roof cladding

Example: Full replacement of any asphalt shingle or metal roof with a new asphalt shingle roof or metal roof (respectively) using a traditional color will be approved administratively



Historically this building had a clay barrel tile roof matching the barrel tile still evident on the lower parapet roof.

Windows: Window materials and how the window operates (e.g. double hung, casement, awning, **jalousie (louvered)**, or hopper) are significant as are its components (sash, muntins, pane configuration, sills, mullions, casings, or brick moulds) and related features such as historic shutters or awnings.



When such features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ Remove and change window design, or change their operational direction (ex: up/down sash to swing) on facades visible from a public right-of-way
- ❖ And/or to remove 50% or more of all the building's windows (visible or not), unless the replacement window matches the character and design of the existing window (regardless of material)

If required, HARB approval will be based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place?
- ✓ Is the window feature or design significant enough that it should not be altered unless proven technically and/or materially required?
- ✓ Window condition assessment and consideration of replacement cost and life service of the replacement window versus the repair cost and life service of the original window (see photo caption next page)
- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value



The window design is described by the number of glass panes called 'lites' as shown in these examples. These patterns are not interchangeable because they are unique to the style of the building.

Traditional wood, vertical sash windows:

6/6 divided lite (Left)

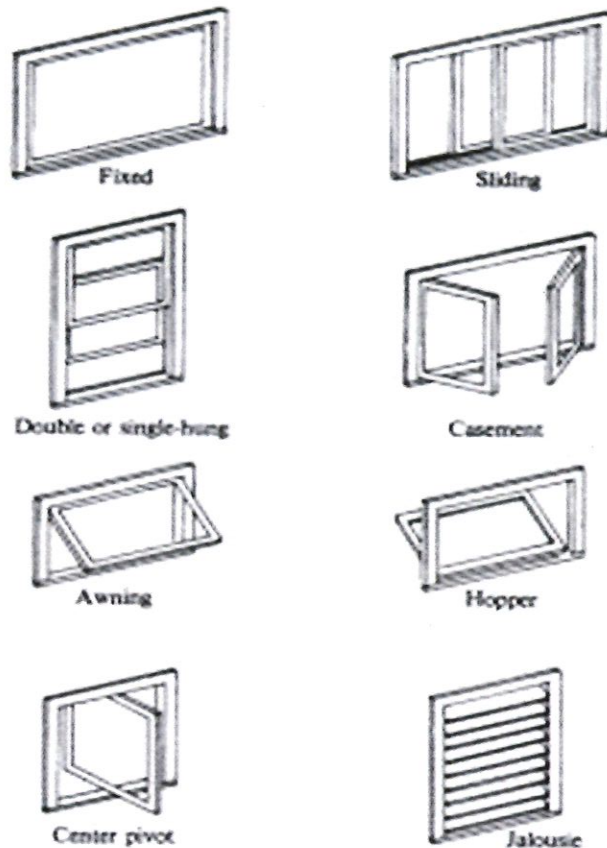
2/2 divided lite (Right)

Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ✓ Repair and maintenance of windows not meeting the above threshold
- ✓ Replacement of windows with windows that match the historic design and character (regardless of materials)
- ✓ Replacement of windows on facades not visible from a right-of-way under the 50% threshold
- ✓ Replacement of non-historic windows with windows that match the design character of the building

Example: *Removing a ranch-style picture window on a historic frame vernacular house and installing any vertical sash-type window will be approved by Historic Preservation Staff*

Example: *Window replacements that use characteristic exterior molding and muntin profiles may be approvable even if using different materials*



Window operation types



Hands-on training for DIY-ers

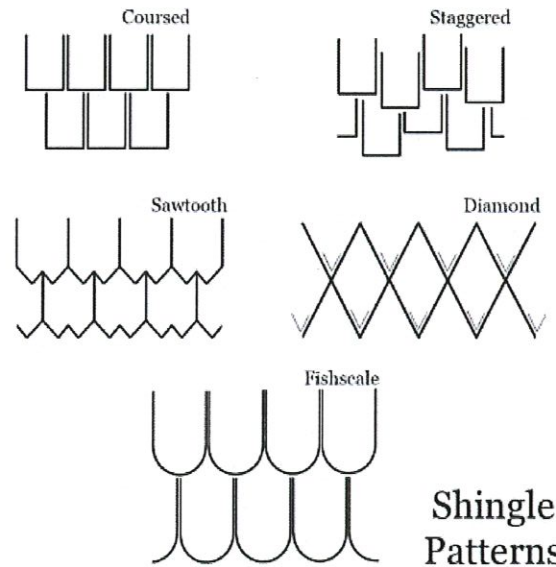
*For data and analysis, see <https://savingplaces.org/stories/preservation-tips-tools-retrofitting-historic-windows#.X-4YhNhKh3A> and <https://austinhistorical.com/services/residential-window-restoration/>.

Historic windows can be repaired and restored to last longer than the average replacement window. Therefore, when considering the lifetime cost of a window, the original will be less expensive. Prices can range from \$500 to over \$1000 for restoration, comparable to replacement windows with a negative economic and historic impact.*

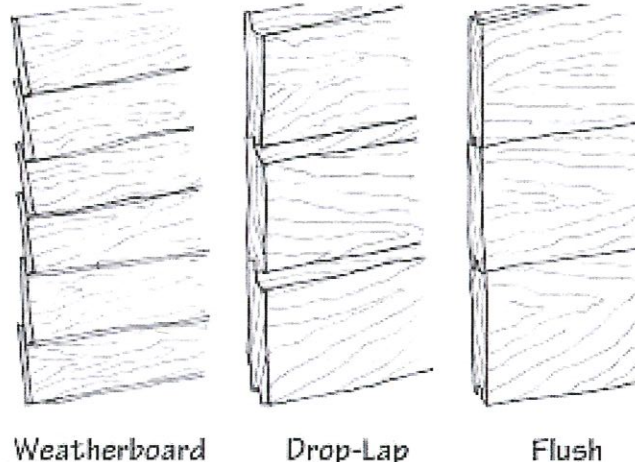


If original 3/1 and 4/1 lite vertical sash windows are proposed to be replaced with 1/1 across the entire building, HARB approval would be required if the building is designated historic.

Exterior Finishes: Wood and masonry exterior features (walls, siding, brackets, railings, cornices, window and door surrounds, steps, and columns) and repetitive exterior detailing are important in defining the overall historic character of a building.



Sample wood siding profiles that contribute to the unique scale and pattern on a historic building:



When the current exterior features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ Remove and change wood and/or masonry wall finishes on facades visible from a public right-of-way
Example: *Removing wood horizontal siding, brick or brick veneer, stucco, coquina/coquina concrete and changing to a different material/pattern requires HARB approval*
- ❖ And/or to remove 50% or more of these exterior features, unless the replacement matches the character and design of the existing feature (regardless of material)

If required, HARB approval will be based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place?
- ✓ Is the window feature or design significant enough that it should not be altered unless proven technically and/or materially required?
- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the exterior still the dominant visible feature and does it match the size, scale, material/pattern of the historic exterior?

Historic Preservation Staff will have the ability to approve the following during regular permit review:

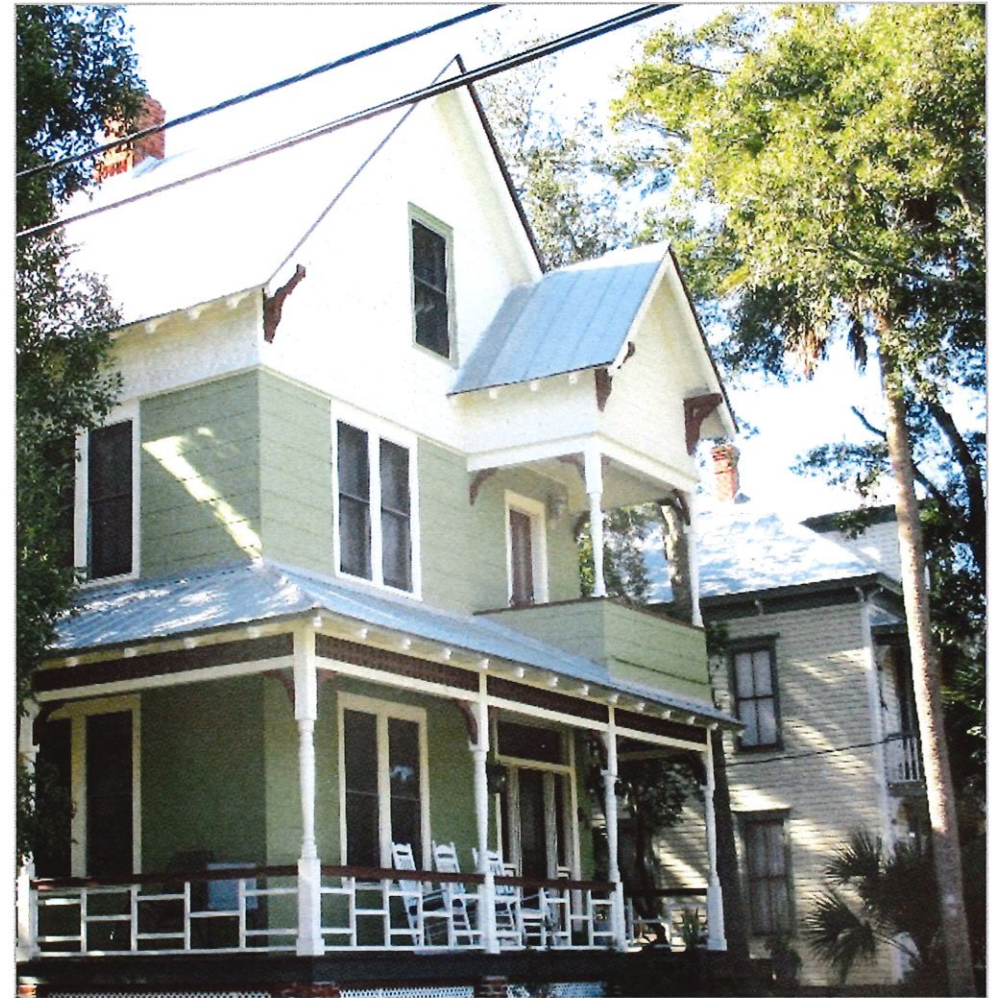
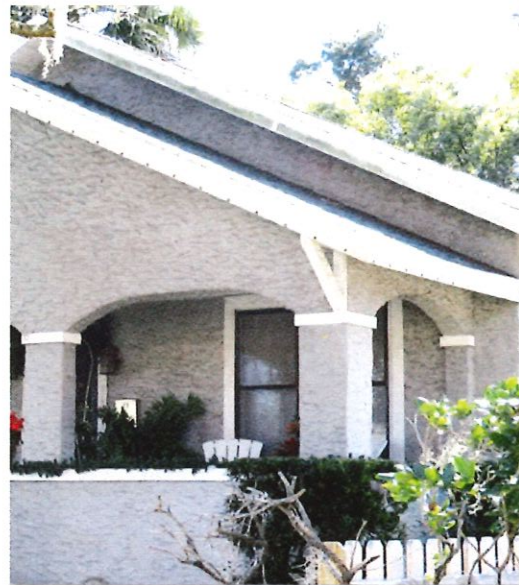
- ✓ Repair and maintenance of wall cladding when it does not meet the above threshold
Example: *Removing singular elements/portions of the exterior finish that is deteriorated beyond repair and replacing it with the same design will be approved administratively even if not using the same material.*
- ✓ Repair or replacement of features on facades not visible from a right-of-way
- ✓ Replacement of non-historic exterior features that match the design character of the building
Example: *Removing asbestos siding and restoring/replacing traditional horizontal siding underneath will be administratively approved if it does not compromise the structural stability of the building*



Traditional wood, coursed shingle finish. Changing the shingle pattern to a staggered design would change the character of the historic building from Shingle Style to a Bungalow or Arts and Crafts style.



Historic masonry finishes can be simple or highly detailed and have unique stucco texture



The siding on this building was altered (ca. 1930-50s) and shows the impact of replacement finishes that change the scale and detail of the building's historic character. Restoring the Queen Anne siding would be a staff-approvable request. Also note for reference the scale of historic horizontal siding shown on the adjacent historic building.

Porches, Balconies, Stoops, Loggias: These functional and decorative features along with their materials and features (doors, transoms, pilasters, columns, balustrades, stairs, roofs, canopies) are important in defining the overall historic character of a building.



Wrap-around porch with columns and balusters (Above)

Front entry porch with columns and steps symmetrically aligned with front door (Below)



When such features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ Remove a historic porch, balcony, or stoop
- ❖ And/or to remove 50% or more of their materials and features
- ✓ *Exception: See staff approval for flood mitigation project*

If required, HARB approval will be based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place?
- ✓ Is the window feature or design significant enough that it should not be altered unless proven technically and/or materially required?

Example: Reconstructing a balcony or porch that is deteriorated beyond repair with matching materials and design may be approvable and recommended for an expedited hearing.

- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the existing porch/balcony/stoop still the dominant visible feature and do changes match the size, scale, material/pattern of the historic feature?

Example: Removing a balcony and constructing a larger balcony that maintains scale, design, and materials of the building may be approvable.



Centered porch with simple balustrade and folk-style bracketed posts

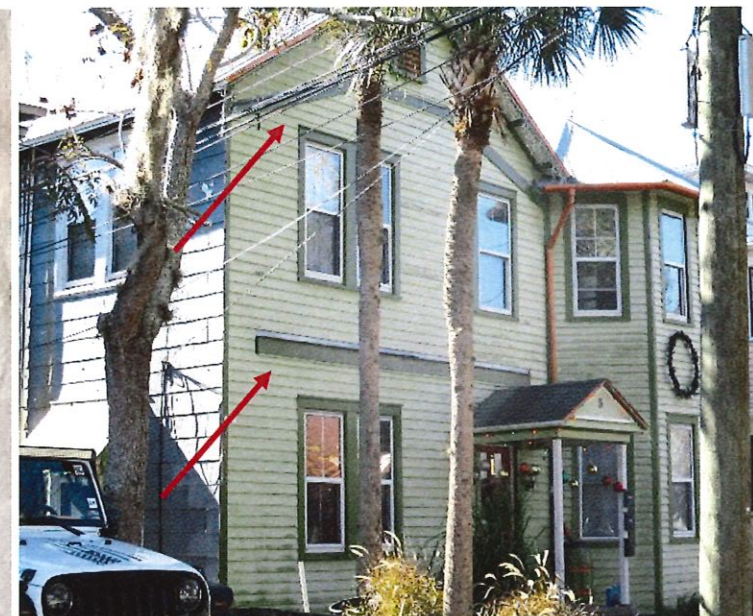
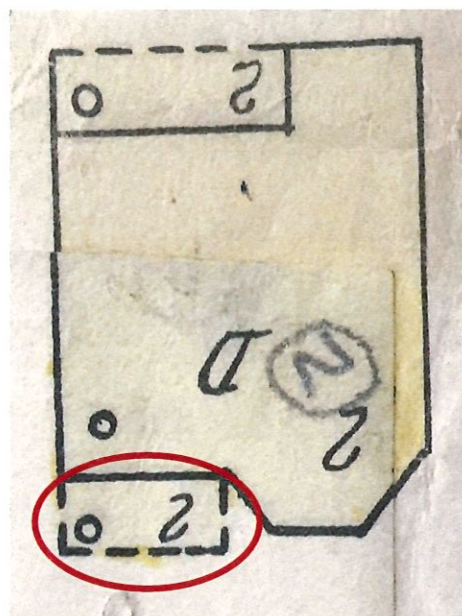


Two-story front porch undergoing repairs that are in-kind with its historic character which could be approved by staff

Historic Preservation Staff will have the ability to approve the following during regular permit review:

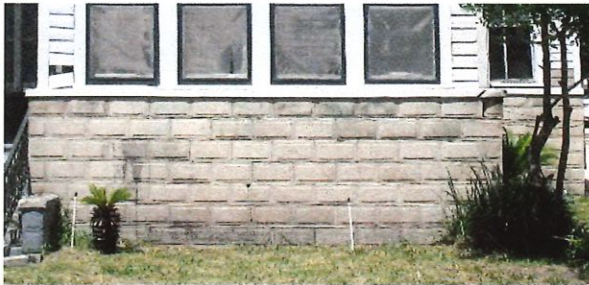
- ✓ Repair and maintenance of porches/balconies/stoops when it does not meet the above threshold
- ✓ Repair or replacement of porches/balconies/stoops facades not visible from a right-of-way
- ✓ Replacement of non-historic exterior features that match the design character of the building
Example: *Restoring an enclosed porch to an open/screened porch will be staff approved if using the porch's historic elements or reinforcing the historic character of the building.*

- ✓ Removal of porches or stoops when necessary for a flood mitigation project if using a best-practice approach
Example: *Constructing a new but similar porch at the elevated location will be staff approved if it is context-sensitive and uses compatible materials.*



Evidence on the Sanborn map (left) and the building shows there used to be a historic two-story frame porch likely removed ca. 1930-1950s when asbestos siding was added. Reconstructing a compatible porch could be approved by staff.

Foundations: Structural systems and visible features of such systems are important in defining the overall historic character of a building including the materials (wood, metal, and masonry), the type of system, and its features such as posts and beams, masonry columns, above-grade stone or masonry foundation walls or piers.



Coquina concrete block is a material unique to St. Augustine



A new brick pier foundation matches historic materials and scale, as seen above

When such features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ Removing and changing the foundation type (ex: brick pier to stem wall) or exterior material (ex: brick to concrete masonry unit/block)
- ❖ And/or to remove 50% or more of the above-grade foundation system
- ✓ *Exception: See staff approval for flood mitigation project*

If required, HARB approval will be based on:

- ✓ An evaluation of how removal of the foundation impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the original foundation significant enough that it should not be altered unless proven technically and/or materially required?
- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the historic foundation still the dominant visible feature and do changes match its size, scale, material/pattern?

Example: Constructing a replacement brick pier foundation that restores structural soundness and matches the original design may be approvable and may be recommended for expedited hearing.

Historic Preservation Staff will have the ability to approve the following during the regular permit review:

- ✓ Repair and maintenance of foundations that do not meet the above threshold
Example: Replacing a singular, deteriorated brick pier with a matching brick pier in the same basic location will be staff approved.
- ✓ Removal of a foundation when necessary for a flood mitigation project if using a best practice approach



A building elevation project revealed unique coquina stone piers (background) along with traditional brick piers (foreground)

Example: Constructing a new but similar foundation using the same materials and scale will be approved by staff.

NOTE: Archaeological review may be required before any work begins that includes ground disturbances, consult the City Archaeologist and Archaeological Preservation Ordinance for more information.



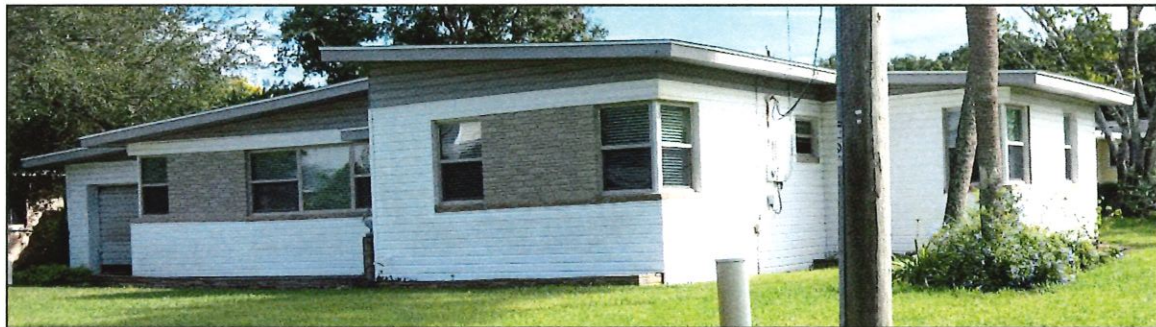
Foundation (and porch) was removed to allow for the building to be elevated to a new floor height for a flood mitigation project.

The following information is presented as a reference to assist property owners in identifying the unique characteristics of their historic building. It is not a full representation of the types of buildings in St. Augustine but rather a set of limited examples with features that are easily identifiable and referenced in this document.



Character defining features:

- *Asymmetrical two-story front building face façade with multiple roof pitches*
- *Opening patterns: Paired wood, 2/2 vertical sash windows and single doors*
- *Novelty wood horizontal siding mixed with coursed shingle siding*
- *Note porch locations, size/scale, form*
- *Porch posts that are a combination of turned and bracketed design*
- *Porch railing design*
- *Stoop location and materials*
- *Foundation is obscured by contemporary screening but is likely a pier system*
- *(Roof cladding is not historic so other materials could be allowable)*



Character defining features:

- *Asymmetrical one-story form*
- *Shed roofs in opposing position*
- *Horizontal lines and brick stamped finish*
- *Metal 1/1 vertical sash windows and corner windows*
- *Likely a slab on grade foundation*
- *(Roof cladding is not a prominent visual character)*



Character defining features:

- *Three-block massing with central vertical chimney*
- *Gable and parapet roof types with clay tile exterior*
- *A unique stucco finish and texture*
- *Arched windows with fanlights on top*
- *Open entry porch and stoop framed with square piers*
- *Plaster detailing along top of building face/facade*
- *Likely a stem wall foundation*



Character defining features:

- *Front face of the building is divided in three-bay in a symmetrical fashion*
- *A large shed roof dormer sits on the second floor and the overall roof is a gable roof with metal crimp exterior finish*
- *Front porch (historically enclosed) with knee-wall under a shed roof supported by block columns (the porch could be fully opened with minimal impact)*
- *Simple single pane windows with no dividers*
- *Horizontal siding*
- *Stoop has been altered to accommodate a ramp and is easily reversible*
- *Pier foundation*



Character defining features:

- *Symmetrical design under single gable roof with composition shingles*
- *Wood 6/1 vertical sash windows with operable louvered shutters*
- *Entry stoop is a classical design*
- *Brick façade is in a running bond pattern (unpainted) with distinguishable window lintels using a different brick pattern*
- *Likely a continuous wall foundation*



Character defining features:

- *Asymmetrical façade pattern under single hipped roof with metal crimped roof*
- *Wood 1/1 vertical sash windows with inset of stained glass and arched lintel above*
- *Rough/rusticated, unpainted, concrete block exterior building elements*
- *Open porch is under the main roof and has wood brackets and trim at the top*
- *Entry stoop with matching block piers*
- *Likely a continuous wall foundation*

KEY TERMS AND PRESERVATION PRINCIPLES

Ad Valorem Tax Exemption: See Historic Preservation Property Tax Exemption

Archaeological Preservation Ordinance: Chapter 6 of the St. Augustine Code of Ordinances which identifies archaeological zones that requires archaeological review when the threshold of ground disturbance activity is met or exceeded with development and utility permits.

Architectural feature: Includes but is not limited to the following: architectural style, scale, massing, siting, general design, and general arrangement of the exterior of the building or structure; type and texture of exterior materials; size, type, placement, and patterns of roof(s), windows, doors, and all attached appurtenances including porches, stairs and stoop features, dormers, additions, trim details, balconies and railings or other decorative attachments.

Architecturally similar: Having substantially the same façade design or exterior appearance using like characteristics in terms of height, mass, scale, footprint, arrangement of openings, pattern, and compatible materials.

Contributing property: A building, site, structure or object which adds to the historical architectural qualities, historic associations or archaeological values for which a district is significant because (a) it was present during the period of significance of the district and possesses historic integrity reflecting its character at that time; (b) is capable of yielding important information about the period; or (c) it independently meets the National Register of Historic Places criteria for evaluation, or (d) have yielded or may be likely to yield information important in history or prehistory.

Design compatibility: New construction or alterations to a historic building or setting that preserves significant materials, features and form, and preserves the building's historic character. For alterations to a historic building, repairs using historic materials is preferred; however, there are circumstances where substitute materials that imitate historic materials may be used (i.e. unavailability of historic materials or skilled craftspeople, inherent flaws in the original material, or code-mandated changes) if the appearance and properties of the historic materials can be matched closely and no damage to the remaining historic fabric will result. For new construction and additions, the materials and form should be harmonious with the historic building with just enough differentiation from the historic building to not be jarringly out of place or too similar to be confused as part of the original historic fabric.

Façade: The face of a building; most commonly referred to as a street façade and/or visible façade, whereas the other sides are referred to as elevations

Historic character: All visual aspects and physical features that comprise the appearance of historic properties and extends to the setting of historic properties to include a building's relationship to the environment and adjacent streets and buildings, landscape plantings, views, and the presence of accessory features.

Historic integrity: The authenticity of a property's identity, evidenced by the survival of physical characteristics that existed during the property's historic period including evaluation of any changes that may have occurred through time which could contribute to the building's later-acquired historic character and significance. An overall sense of past time and place are evident in the composite of seven qualities: location, design, setting, materials, workmanship, feeling, and association.

Historic period: Primary timeline for which the historic building derived its historic association with an event, person, place, pattern of development or other historic context.

Historic Preservation Property Tax Exemption (Ad Valorem Tax Exemption): An exemption for qualifying properties (designated historic structures) from ad valorem taxes levied by the City of St. Augustine on 100% of the assessed value of the improvements to real property for 10 years. To qualify, the improvements must be at least \$20,000 or 50% of the assessed value of the structure before improvements, whichever is less. A minimum of 25% of the proposed improvements must be to the exterior or foundation of the structure. Flood mitigation projects, partial restoration projects, and full adaptive use projects may be eligible.

Material deficiency: Inability of the building material, or a majority of building materials that comprise a feature or structure, to serve its purpose and documented as beyond repair.

National Register of Historic Places: List of individually designated historic properties or historic districts that are significant in American history, architectural, archaeology, engineering and culture maintained by the Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as amended. May be significant at the local, state, or federal level.

Preservation: The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

Reconstruction: The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation: The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, cultural and archaeological values.

Relocation: The act of moving a building from its original location to another site, either on the same property or to another location entirely.

Restoration: The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work.

Routine maintenance and repair (in terms of historic preservation): Using the same materials in a way that matches the architectural style of the existing building.

Significant architectural feature: An architectural feature(s) that comprises the historic character of the structure and built near the same time as the building or added features and alterations that maintain the historic character of the building.

Technical requirement: Performance mandates established by local, state, or federal governments and their supporting regulatory documents.

See Chapter 28, Section 28-2 Definitions for other pertinent definitions

U.S. Department of the Interior: Secretary of the Interior's Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.