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3 **ORDINANCE NO. 110168**

4 **An ordinance amending the City of Gainesville Comprehensive Plan**
5 **Historic Preservation Element by updating and amending Objectives**
6 **and Policies as more specifically set forth in this Ordinance; providing**
7 **directions to the city manager and the codifier; providing a**
8 **severability clause; providing a repealing clause; and providing an**
9 **effective date.**

10 **WHEREAS**, publication of notice of a public hearing was given that the Historic
11 Preservation Element of the City of Gainesville Comprehensive Plan be updated and amended,
12 as more specifically described in this ordinance; and

13 **WHEREAS**, notice was given and publication made as required by law and a public
14 hearing was held by the City Plan Board on March 24, 2011; and

15 **WHEREAS**, notice was given and publication made as required by law of a public hearing
16 which was then held by the City Commission on August 9, 2011; and

17 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10
18 inches long was placed in a newspaper of general circulation notifying the public of this
19 proposed ordinance and of the public hearing to be held at the transmittal stage in the City
20 Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7)
21 days after the day the first advertisement was published; and

22 **WHEREAS**, pursuant to law, after the public hearing at the transmittal stage, the City of
23 Gainesville transmitted copies of this proposed change to the State Land Planning Agency and any
24 other local government unit or state agency that requested same ; and

25 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long
was placed in the aforesaid newspaper notifying the public of the second public hearing to be

1 held at the adoption stage at least five (5) days after the day the second advertisement was
2 published; and

3 **WHEREAS**, the public hearings were held pursuant to the published notices described
4 above at which hearings the parties in interest and all others had an opportunity to be and were,
5 in fact, heard; and

6 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered
7 written comments, if any were received, concerning this plan amendment.

8 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
9 **CITY OF GAINESVILLE, FLORIDA:**

10 **Section 1.** The Historic Preservation Element of the City of Gainesville Comprehensive
11 Plan is amended by updating and amending the Objectives and Policies as follows:

12 Historic Preservation Element

13 GOAL 1 PRESERVE, PROTECT, ENHANCE AND SUPPORT THE HISTORIC,
14 ARCHAEOLOGICAL AND CULTURAL RESOURCES WITHIN THE CITY
15 OF GAINESVILLE.

16 Objective 1.1 The City shall continue to update the historic, archaeological and cultural
17 resource base survey.

18
19 Policy 1.1.1 The City shall continue to expand its inventory of historic properties by
20 preparing new Florida Site Files for previously undocumented properties and
21 updating existing site files for properties that have undergone alterations or
22 demolitions.

23
24 Policy ~~1.1.2~~ ~~The City shall identify archaeologically sensitive areas within the City of~~
25 ~~Gainesville.~~

26
27 1.1.2 The City shall seek funding to develop a city-wide archaeological sensitivity
28 map to indicate the probability of archaeological sites. This map will be used to
29 review the possible impact of both public and private projects upon
30 archaeological resources.
31

- 1 Policy 1.1.3 ~~The City shall coordinate with groups that are surveying and identifying~~
2 ~~cemeteries in Gainesville.~~
3
- 4 Objective 1.2 The City shall increase the number of historic resources listed in the Local or
5 National Register of Historic Places.
6
- 7 Policy 1.2.1 The City shall continue to study and re-evaluate the levels of significance of
8 potential historic districts for listing in the Local or National Register of Historic
9 Places.
10 Policy 1.2.2 The City shall continue to evaluate the eligibility of individual historic resources
11 for listing in the Local or National Register of Historic Places.
12
- 13 Policy 1.2.3 ~~By 2003, †~~The City shall continue to survey and nominate to the National
14 Register of Historic Places Gainesville's "native stone" buildings.
15
- 16 Objective 1.3 The City shall reduce the number of historic resources in need of stabilization
17 and rehabilitation on an annual basis.
18
- 19 Policy 1.3.1 The City shall continue to study and, where necessary, amend its land
20 development regulations to include incentives that encourage historic
21 preservation.
22
- 23 Policy 1.3.2 The City shall study the use of other legal and financial tools, such as preservation
24 easements, to protect historic and archaeological resources.
25
- 26 Policy 1.3.3 The City shall continue to review building, fire and housing codes to identify
27 regulations that restrict the use and rehabilitation of historic structures. Where
28 possible, the City shall amend codes to encourage: ~~the~~ use and rehabilitation,
29 relocation to another site for reuse, selective dismantling for reuse, and, only as a
30 last resort, demolition of historic structures.
31
- 32 Policy 1.3.4 The City shall continue to ensure enforcement of the Historic
33 Preservation/Conservation Ordinance which is adopted in the Land Development
34 Code. ~~by procedures such as requiring the posting of a copy of an approved~~
35 ~~Certificate of Appropriateness (COA) application along with a building or~~
36 ~~demolition permit, and requirement of an after-the-fact COA for fee, according~~
37 ~~to a schedule.~~
38
- 39 Policy 1.3.5 ~~By 2003, †~~The City shall prepare a conservation district overlay ordinance and
40 identify distinctive neighborhoods in Gainesville for inclusion. The conservation
41 overlay shall seek to preserve those neighborhoods from significant alterations of
42 architectural features through adoption and implementation of policies to be
43 placed in the Land Development Regulations.
44

- 1 Policy 1.3.6 The City shall continue to inventory threatened historic structures in the Pleasant
2 Street, Northeast, Southeast and University Heights Historic Districts.
3
- 4 Policy 1.3.7 The City shall target a portion of its Community Development Block Grants
5 (CGBG) toward historic districts such as the Pleasant Street and NW Fifth
6 Avenue neighborhoods to better leverage existing resources.
7
- 8 Policy 1.3.8 The City shall seek funding to promote the improvement of deteriorated
9 structures in designated historic districts.
10
- 11 Policy 1.3.9 The City shall pursue alternatives that will lead to the preservation of City owned
12 significant historic structures 45 years or older. Significance shall be defined by
13 the National Park Service.
14
- 15 Policy 1.3.10 Any project sponsored by, or under the authority of, the City, either financially
16 or administratively, which involves rehabilitation or new construction within a
17 designated historic district or on the Local or National Register of Historic Places
18 shall adhere to appropriate historic preservation standards for such activity.
19
- 20 Objective 1.4 Ensure that the City's land use, housing, transportation, and economic
21 development policies are consistent with and facilitate historic preservation.
22
- 23 Policy 1.4.1 ~~By 2004,~~ The City shall identify commercial areas in Gainesville appropriate for
24 designation as a "Florida Main Street" community."
25
- 26 Policy 1.4.2 The City shall encourage Santa Fe Community College to develop a master plan
27 for its downtown campus to ensure that future development is sensitive to the
28 historic character of the Pleasant Street Historic District.
29
- 30 Policy 1.4.3 The residential character of an historic district, as defined by the National
31 Register jurisdictional line, shall be protected from encroachment of by
32 incompatible non-residential uses.
33
- 34 Policy 1.4.4 The character of an historic district shall be protected from encroachment of
35 incompatible uses.
36
- 37 Policy 1.4.5 Street, sidewalk, utility and other improvements undertaken by the City in
38 designated historic districts shall be consistent, where practical, with the historic
39 character of those districts.
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- 41 Policy 1.4.6 Within one year after the designation of each historic district, the City shall
42 coordinate with the responsible agencies to evaluate traffic circulation patterns
43 and plans in order to slow and limit traffic impacts in designated historic
44 districts, as feasible.

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Policy 1.4.7 The City shall continue to improve and develop parks in designated historic districts.

Objective 1.5 The City shall ~~develop~~ maintain a program that increases public and private involvement in the preservation, protection, enhancement and support of historic, archaeological and cultural resources.

Policy 1.5.1 The City shall coordinate with for-profit and not-for-profit organizations to help defray the cost of preserving historic and archaeological resources.

Policy 1.5.2 The City shall increase public awareness that parks, landscapes and gardens may constitute historic resources.

GOAL 2 SECURE PUBLIC SUPPORT AND AWARENESS FOR HISTORIC PRESERVATION/CONSERVATION EFFORTS.

Objective 2.1 The City shall provide education to citizens on awareness, value, use and protection of historic and archaeological resources.

Policy 2.1.1 The Historic Preservation Board shall coordinate with other historic preservation organizations to conduct annual informational workshops on historic preservation.

Policy 2.1.2 The City shall produce, and make accessible, educational materials on the preservation of historic and archaeological resources.

Policy 2.1.3 The City shall work with state and local governmental organizations, the University of Florida and other interested parties to promote historic preservation.

Policy 2.1.4 The City shall ~~Develop~~ and maintain a list of historic properties that are threatened by demolition by neglect.

Objective 2.2 The City shall develop a program that supports, enhances and encourages public awareness of historic tourism as an economic benefit to Gainesville.

Policy 2.2.1 The City shall work with the Gainesville Area Chamber of Commerce, the Alachua County Office of Tourist Development, ~~the Downtown and Community~~ Redevelopment Agency, other local governments, and other organizations to promote ~~historic~~ heritage tourism.

Petition No. PB-11-6 CPA
CODE: Words ~~stricken~~ are deletions and words underlined are additions.

1 The City shall revise the Historic Preservation/Conservation Ordinance to include
2 ~~historie~~ heritage tourism as a part of the City's historic preservation program.
3 Plan is amended by amending Objective and Policies as stated below.
4

5 **Section 2.** The City Manager is authorized and directed to make the necessary changes
6 in the text, maps and other data in the City of Gainesville Comprehensive Plan, or element, or
7 portion thereof in order to fully implement this ordinance.

8 **Section 3.** It is the intent of the City Commission that the provisions of Section 1 shall
9 become and be made a part of the City of Gainesville Comprehensive Plan and that the sections
10 and paragraphs of this ordinance may be renumbered in order to accomplish such intentions.

11 **Section 4.** Within 10 days of the transmittal (first) hearing, the City Manager is authorized
12 and directed to transmit a comprehensive plan amendment package, including this ordinance, to the
13 Reviewing Agencies and to any other local government unit or state agency that has filed a written
14 request for same with the City. Within 10 days of the adoption (second) hearing, the City Manager
15 is authorized and directed to transmit a comprehensive plan amendment package, including this
16 ordinance, to the State Land Planning Agency and to any other Reviewing Agency, local
17 government unit or state agency that filed written comments with the City.

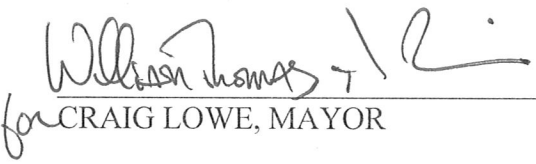
18 **Section 5.** If any word, phrase, clause, paragraph, section or provision of this ordinance
19 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
20 finding shall not affect the other provisions or applications of the ordinance which can be given
21 effect without the invalid or unconstitutional provisions or application, and to this end the
22 provisions of this ordinance are declared severable.

23 **Section 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of
24 such conflict hereby repealed.

1 **Section 7.** This ordinance shall become effective immediately upon passage on second
 2 reading; however, the effective date of this plan amendment, if the amendment is not timely
 3 challenged, shall be 31 days after the State Land Planning Agency notifies the City that the plan
 4 amendment package is complete in accordance with Chapter 163.3184, F.S. If timely challenged,
 5 this amendment shall become effective on the date the State Land Planning Agency or the
 6 Administration Commission enters a final order determining this adopted amendment to be in
 7 compliance in accordance with Chapter 163.3184, F.S. No development orders, development
 8 permits, or land uses dependent on this amendment may be issued or commenced before this plan
 9 amendment has become effective.

10 **PASSED AND ADOPTED** this 19th day of January, 2012.

11


 for CRAIG LOWE, MAYOR

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15 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

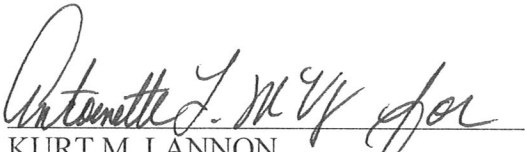
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 KURT M. LANNON
 CLERK OF THE COMMISSION


 MARION J. RADSON
 CITY ATTORNEY

JAN 19 2012

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22 This Ordinance passed on first reading on this 6th day of October, 2011.

23 This Ordinance passed on second reading this 19th day of January, 2012.