

LEGISLATIVE #

110168D

HISTORIC PRESERVATION ELEMENT DATA AND ANALYSIS

I. THE VISION

Gainesville is a place of long and rich history beginning as a railroad route stop halfway between Fernandina and Cedar Key and developing into a nationally recognized livable community. Historic preservation is recognized as a key component of the economy, character and appeal of the City and its neighborhoods. It has historically been integrated into the City's governance and builds upon its past historic preservation achievements by continuing to make conservation of the City's heritage an important priority.

Until recently, the historic preservation movement focused on saving individual sites and neighborhoods without concerning itself with the broader issues of regional development patterns, suburbanization of retail and urban sprawl in general. The specific focus on buildings and neighborhoods was an understandable response to staving off demolition of significant buildings or fighting insensitive policies that undermined neighborhoods.

As historic preservation efforts have thrived nationally and neighborhoods have revitalized, the focus has expanded. This includes a more holistic conception of concerns and issues that ~~interconnect~~ relate to downtown development, suburban sprawl, and environmental protection and sustainability. Historic preservation in a broader definition has become known by some as heritage conservation. This encompasses not just structures, sites, districts, neighborhoods and the prehistoric and historic archaeological sites but a more inclusive approach to history. Heritage conservation includes more intrinsic ideas like cultural landscapes and view sheds.

The United States recognizes the interrelationship and the interdependency between sustainable development and heritage conservation. The built environment is the most sustainable one, embodying the energy of each piece's creation.

Sustainability in preservation is retaining as much of the original historic fabric as possible, which maintains the cultural sustainability and character of the neighborhood. The tear down of one small building in a neighborhood not only results in loss of character but cancels the entire environmental benefit from the last 1,344,000 recycled aluminum cans. This is only the impact to the landfill and does not take into account the embodied energy involved in creating the materials, transporting of the materials and the constructing of the building.

Demolition of historic buildings results in many impacts to different parts of our culture. Our landfills are the recipients of thousands of dollars of embodied energy and the replacement products of new construction (plastic, steel, vinyl and aluminum) are more energy consumptive than the historic fabrics of brick, plaster, concrete and timber. According to the EPA, construction debris constitutes about one-third of all waste in the

U.S., and they estimate that 27% of our existing housing stock will be replaced between 2000 and 2030.

Newer does not necessarily equate to a longer building life and will probably not last as long as the historic counterpart's life of 100-200 years.¹ New construction is not environmentally conscious if historic existing housing is unused or demolished. Just as cans, paper and plastic are recycled in Gainesville, so should our housing stock and neighborhoods be recycled for the next generation of occupants. The most sustainable house is the one already built.

Heritage Tourism

Tourists worldwide are increasingly seeking destinations that offer a unique sense of place. Cultural, ecological and historical attractions are the most dynamic segments of the tourism industry. The National Trust for Historic Preservation defines cultural heritage tourism, "as traveling to experience the places, artifacts and activities that authentically represent the stories and people of the past and present. It includes cultural, historic and natural resources".

Heritage tourism contributes substantially to Florida's economy. In 2007, heritage tourism generated an estimated \$4.13 billion² in expenditures by creating jobs, income, taxes, state gross products and in-state wealth. (Preservation in Gainesville needs to have to capitalize on this trend of six out of ten tourists vacationing in Florida participating in history-based activities.) Public use and enjoyment of historic places is a powerful basis for encouraging appreciation of heritage, and cultural diversity. Heritage tourism offers significant community benefits of stimulating the local economy and revenue to maintain historic buildings. Most importantly, historic preservation perpetuates a sense of place while it maintains a community's unique character and identity. Vacationers are interested in exploring places that possess those individual qualities.

The Benefits of Historic Preservation

Historic Preservation and Economic Impact and Development

The latest updated study, *Economic Impact of Historic Preservation of Florida* from the University of Florida, Levin College of Law, includes information on economic benefits of preservation related activities such as rehabilitation, heritage tourism, history museums, grants and the Florida Main Street program. It also includes the comparison in relation to maintaining property value of neighborhoods in recognized districts and property out of

¹ Donovan D. Rypkema, March 10, 2007, Sustainability, Smart Growth and Historic Preservation Presentation at Historic Districts Council Annual Conference in New York City.

² Center of Governmental Responsibility, University of Florida, Levin College of Law, August 2010 *Economic Impacts of Historic Preservation in Florida*.

historic districts. During 2001 to 2009, which has experienced financial recession and decline of property values, twelve of the eighteen case study areas appreciated greater than their non-district counterparts.

Dollar for dollar, historic preservation generates as many if not more jobs than other traditional concentrations of economic development policies. In Florida, every \$1 million spent rehabilitating an older building creates 36.9 jobs – twenty in the construction industry and seventeen elsewhere in the economy, which are two more jobs than the same amount spent in new construction. Historic preservation is more labor intensive than new construction, with approximately 60 to 70 percent of the total costs going to labor instead of half as in new construction.³ Since construction workers such as electricians, plumbers, and carpenters are almost always hired locally, historic preservation is a boon to the local labor market. In turn, these individuals will spend their earnings locally.⁴

Historic preservation is an even more favorable job creator than other economic sectors. One million dollars in historic preservation creates nine more jobs than the same amount in manufacturing electronic equipment, 8 more jobs than a million dollars of wholesale activity or agricultural products.⁵

Nationally, as well as locally, planning departments have focused on New Urbanism principles, core redevelopment and creating density in cities. The investment of development in the University Heights Historic District, particularly the south historic district is a great example of neighborhood preservation, core redevelopment and partnering with developers to support the preservation effort in Gainesville. Seventeen large scale projects have been approved and are completed or in various stages of completion since the neighborhoods became historic districts.

³ Donovan Rypkema, May 20, 1999, Presentation at Annual Conference of the Florida Trust for Historic Preservation.

⁴ The job creating impetus of historic preservation surpasses that of traditional industries in other states as well: twelve more jobs per \$1 million than the auto industry in Michigan; twenty more jobs than the West Virginia coal mines; twenty-nine more jobs than the oil industry in Oklahoma; twelve more jobs than Pennsylvania steel and five more jobs than the manufacture of electronic equipment in California. Rypkema, *The Economics of Historic Preservation: A Community Leaders Guide*, [National Trust for Historic Preservation: Washington, D.C., 1994]: 13).

⁵ Deborah Ann Ford, “The Effect of Historic District Designation on Single-Family Home Prices,” *AREUEA Journal*, 17(1989): 353-362; Dennis Gale, “The Impacts of Historic District Designation: Planning and its Policy Implications,” *Journal of the American Planning Association* 57(Summer 1991): 325-339; Donovan Rypkema, “Virginia’s Economy and Historic Preservation: The Impact of Preservation on Jobs, Business, and Community” in *Dollars and Sense of Historic Preservation* (National Trust for Historic Preservation: Washington, DC) Article 1; Donovan Rypkema, *The Economics of Historic Preservation: A Community Leader’s Guide* (National Trust for Historic Preservation: Washington, D.C.): 65-72 and 87-96; and Government Finance Research Center, “The Economic Benefit of Preserving”.

Neighborhood Preservation

~~In addition to providing real life examples for new urbanism,~~ Historic preservation is at the forefront of neighborhood revitalization, as the architectural quality of the older neighborhoods and their proximity to downtown has spurred private reinvestment.

One of the commonly heard concerns of historic district listing is “Will being in this historic district adversely affect my property value?” Study after study throughout the United States has shown that historic district listing is increase to property values and by this measure provides important stability in neighborhoods adjoining older core areas threatened by disinvestment.⁶ Homebuyers are willing to pay for the assurance that the neighborhood surrounding their houses will remain unchanged over time and inappropriate additions will not be part of the neighborhood. While many of these studies have looked at communities where historic resources are a fundamental part of a community’s image and economy (Fredericksburg and Alexandria, Virginia, Galveston, Texas, Georgetown), a Georgia study of Rome, Tifton, and Athens provides more apt parallels with Gainesville. The study of these three towns found that property tax values for designated historic areas at least grew at the same level as non-designated neighborhoods (Tifton), but more frequently grew at higher *rates*.

Sustainable Development and Growth Management

~~Since the 1980s, planning has undergone a dramatic shift in emphasis towards the concept of “new urbanism,” an approach that seeks to create viable communities through mixed uses and design techniques which ensure a diversity of incomes and housing types within neighborhoods. Richard Moe, the President of the National Trust for Historic Preservation, elaborated on the crucial nexus between healthy cities and countryside preservation.~~ American planning has increasingly embraced the concept of “new urbanism,” an approach that seeks to create sustainable communities through mixed uses and traditional town planning design principals. New urbanism, ~~as reflected in such nationally known developments as Kentlands and Seaside and local examples such as Haile Plantation and the Town of Tioga,~~ draws on pre-World War II development patterns and designs.

Strategies to curtail disinvestment from cities to sprawl development must include revitalizing existing communities and neighborhoods and ~~state level land use management,~~ use of ~~such as the~~ Smart Growth initiatives. ~~in Maryland.~~ A key to this strategy is reinvesting in downtowns. ~~along the lines of the successes represented at the workshop:~~

⁶ Community Character: A Case Study from Galveston, Texas” in *Dollars and Sense of Historic Preservation* (Article 2 of National Trust for Historic Preservation Series).

~~Lowertown in St. Paul, Lower Downtown in Denver, downtown Portland, Ore., and Pittsburgh neighborhoods.~~

Large numbers of people prefer living in suburbs, regardless of the costly subsidies of suburban development. Thus, research and education are required so that people become informed of the true costs of development and can make informed choices as to public expenditures regarding development. Preservationists should be part of this research and education effort.

Gainesville is fortunate that many of its older neighborhoods reflect the desired designs of this new planning paradigm. The new urbanist plea for houses with porches and reduced front-yard setbacks, designed to spur interaction between neighbors and expand the public realm into the street, can find no better example than the Pleasant Street Historic District/N.W. Fifth Avenue neighborhood and the University Heights Historic Districts. In these nineteenth-century ~~predominately African American~~ neighborhoods houses are relatively close to one another and to the streets that they help frame the corridors.

Mixed housing types, another new urbanist tenet believed to diversify the income attributes of a neighborhood, ~~abound~~ are amply found in the Northeast Residential Historic District and in ~~some~~ the neighborhoods surrounding ~~adjacent to~~ the University of Florida. In the Northeast Residential Historic District, Victorian-era apartments are found next to duplexes and single-family houses while in the area around the campus contain single-family homes, garage apartments, duplexes, and two-story walk-up apartments. ~~The University Related Residential Thematic Area neighborhoods near the university campus include single family homes, garage apartments, duplexes, and two story walk up apartments.~~ Finally, the older portions of the city such as the Southeast, Pleasant Street, and Northeast Residential Historic Districts illustrate better than others the new urbanist ~~concept~~ desire for commercial and employment uses near housing to limit reliance on the automobile. Alleyways, as found in the University Heights Historic District-South, are as much a part of the historic districts as they are of new urbanist design. New urbanism ideas on the development patterns in neighborhoods have long been a part of historic neighborhoods that historic preservation has protected, historic preservation also depends on growth management and environmental protection.

Preservation of the Community's Unique Identity and Quality of Life

II. INTRODUCTION

The role of historic preservation in the comprehensive planning process is unique. Section 163 *et seq.* of the Florida Statutes requires the Future Land Use and Housing Elements to address historic resources. For the Housing Element, the statutes require that it consist of "standards, plans and principles to be followed in (the) provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement." Chapter 163 F.S. requires that historic district boundaries and designated historically significant properties be shown in the

statutes that it consist of principles, guidelines, standards, and strategies to be followed in (the) provision for relocation housing and identification of historically significant and other housing for the purposes of conservation, rehabilitation, or replacement.

Historic preservation is included as an additional optional element in the City's Comprehensive Plan. The Historic Preservation Element was first introduced in the City's 1991-2001 Comprehensive Plan and updated in the 2001-2011 Comprehensive Plan.

III. INVENTORY OF EXISTING CONDITIONS

Preservation of the Community's Unique Identity and Quality of Life

Archaeological Resources

An archaeological survey was prepared in the early 1980s by ERLA and The History Group and it summarizes patterns in previously identified sites within the City. The survey report and accompanying maps and documents were submitted to the City identifying 35 archaeological sites within the City of which seven were undisturbed based on a survey conducted in 1988 (Map 1). Additional ~~17~~ archaeological resources have been identified in the City since the first survey in the 1980s ~~1991~~. Additional archaeological sites have been annexed and are now under the stewardship of the City.

~~These sites are identified in Attachment 1 along with their cultural affiliation and site type. An archaeological study of the Hogtown Creek Greenway corridor was undertaken in 1997. Map 2 identifies areas of the corridor that were surveyed. The draft survey report indicates several new sites along the corridor.⁷ The first site, located within Alfred A. Ring Park, was denominated as 8AL 3418 and indicated as possibly a "prehistoric lithic workshop or quarry site associated with karst outcrops in the vicinity of Glen Springs and Hogtown Creek (32)." The archaeologists recommended limited additional surveying if the site was to be impacted by the proposed trail.~~

~~A site near the Loblolly Nature Center (8AL 3419) appeared to the archaeologists to have had a "more intense occupation than the Ring Park site...and due to the artifact density and the presence of culturally diagnostic artifacts [this] site merits further testing prior to impact (35)." In Green Acres Park, the report identified a site (8AL 3420) appearing to be "lithic workshops associated with the presence of karst outcrops adjacent to Hogtown Prairie" and recommended additional testing if subsurface impacts are anticipated in this area (37).~~

~~A number of previously recorded sites were identified in the Hogtown Prairie survey segment including the Henderson Mound which is a Hickory Pond/Alachua period burial mound (8AL 463). Within the test area, only one previous site (8AL 3406) was identified and considered to be a lithic quarry/workshop site (39). The survey report recommends~~

~~“that if the Greenway will have subsurface impacts on portions of the site to the north and south of SW 20th Avenue, additional testing should be completed to clarify site limits, cultural period and function (42).” The same recommendation was provided for a site also previously identified (8AL-387) lying south of SW 20th Avenue (41).~~

~~The Greenway survey report concluded that if trail development were to be limited to surface clearing activities, there will probably “be little or no impact to archaeological resources. However, if root raking by heavy equipment or other ground disturbing vegetation is undertaken, or if the trail is graded for paving deeper than approximately 20 to 30 cm (8-12 inches), there could be negative impacts to the archaeological resources which would need to be addressed by further testing and possibly data recovery excavations (43).”~~

Currently, within the city limits of Gainesville, ~~66~~ 122 archaeological sites and 2,202 structures have been identified, evaluated and recorded with the Florida Master Site File Office forms at the Division of Historical Resources, Florida Department of State, the State of Florida. (In the urban reserve, 350 archaeological sites and 2,491 historic structures have been identified and recorded).

Previously, in the earlier update, 66 archaeological sites were identified. This is an increase of nearly double in recorded archaeological sites and confirms that not all sites in the City have been identified, evaluated and recorded. The potential for disturbing archaeological sites during a redevelopment project are great. Awareness of archaeological information was not as well understood and recognized when city cores and suburbs were developed. Consequently, sites were paved over only to be discovered at a later date. The most recent discovery in Florida is the Miami Circle and the sunken wooden boats that were used as landfill to expand Manhattan Island’s land mass and are now the site of the Twin Towers Memorial.

Provisions for the protection/management of archaeological resources are included in the proposed Land Development Code amendments for Natural and Archaeological Resources Protection, which is currently being under consideration for adoption by the City Commission. These proposed regulations include provisions for required archaeological surveys associated with development proposals, where applicable and authorized by the state, and general prohibitions against activities involving ground disturbance on properties containing known or probable archaeological resources, and standards for protection, including the requirement for sequential avoidance, minimization, and mitigation. The City maintains and regularly updates a GIS archaeological and historic structures database that provides the Planning and Development Services department with resources information to administer the proposed code amendments.

The final step to identify, evaluate and record unknown archaeological sites is to seek funding to develop a city-wide archaeological sensitivity and probability map to indicate the probability of unidentified archaeological sites. This map could be used to review the possible impact of both public and private projects upon archaeological resources.

Architectural Resources

Properties Listed on the National Register of Historic Places

The following properties were listed on the National Register of Historic Places at the time of the adoption of the Historic Preservation Element in 1991. The table Table 2 includes properties located on the University of Florida campus, which are not under the planning jurisdiction of the City of Gainesville. The University of Florida Campus Historic District includes an expansion of the district in 2007 is shown on Map 6.

Table 1. Properties Listed on the National Register of Historic Places

Site	Address	Year Built/ Year Nominated	Florida Master Site File #
Bailey House	1121 N.W. 6 th Street	<u>1850/</u>	8AL00470
Baird Hardware Company Warehouse	619 S. Main Street	<u>1905/1985</u>	8AL01309
Boulware Springs	3400 S.E. 15 th Street		8AL02392
Epworth Hall	419 N.E. 1 st Street	<u>1884/1971</u>	8AL00472
Hippodrome State Theatre	25 S.E. 2 nd Place		8AL00485
Matheson House	528 S.E. 1 st Avenue	<u>1867/1971</u>	8AL00467
American Legion Post 16 (Haisley Lynch Post) Matheson Museum	513 East University Avenue	<u>1932/</u>	
McKenzie House	617 East University Avenue	<u>1895/1980</u>	8AL00476
Segal Building	408 West University Avenue		8AL00543
Hotel Thomas/Sunkist Villa (Thomas Center)	306 N.E. 6 th Avenue	<u>1906/1973</u>	8AL00456
Star Garage	119 S.E. 1 st Avenue	<u>1917/1985</u>	8AL02271
Northeast Gainesville Residential Historic District	See Map 1	<u>1985</u>	8AL00543
Southeast Gainesville Historic District	See Map 2	<u>1989</u>	8AL02495
Pleasant Street Historic District	See Map 3	<u>1991</u>	8AL02557
Edwards Rheater/Baird Theater (Cox Furniture Store)	19 S.E. 1 st Avenue	<u>1887/1993</u>	8AL00784
Cox Furniture Warehouse	602 S. Main Street	<u>1914/1994</u>	8AL01309
Masonic Temple Masonic Order Lodge #41	215 N. Main Street	<u>1909/1998</u>	8AL00488
Old Gainesville Depot	203 Depot Ave	<u>1907/1996</u>	8AL02042
Shady Grove Primitive Baptist Church	804 S.W. 5 th Street	<u>1935/2005</u>	8AL04983

Table 2. The University of Florida's properties listed on the National Register of Historic Places (Map 6)

Site	Address	Year Built	Florida Master Site File #
Buckman Hall	Buckman Drive	<u>1906</u>	<u>8AL00471</u>

Thomas Hall	<u>Fletcher Drive</u>	<u>1906</u>	<u>8AL00477</u>
Flint Hall	<u>Newell Road & W. University Avenue</u>	<u>1910</u>	<u>8AL00540</u>
Newell Hall	<u>Buckman Drive</u>	<u>1910</u>	<u>8AL00535</u>
Anderson Hall	<u>W. University Avenue</u>	<u>1912</u>	<u>8AL00534</u>
Floyd Hall	<u>Newell Road & Union Road</u>	<u>1912</u>	<u>8AL00539</u>
Peabody Hall	<u>Union Road</u>	<u>1912</u>	<u>8AL00537</u>
Bryan Hall	<u>S.W. 13th St. & W. University Avenue</u>	<u>1914</u>	<u>8AL00536</u>
Women's Gymnasium	<u>Fletcher Drive</u>	<u>1919</u>	<u>8AL00451</u>
Library East	<u>Plaza of the Americas</u>	<u>1925</u>	<u>8AL00538</u>
Rolfs Hall	<u>Buckman Drive</u>	<u>1927</u>	<u>8AL02393</u>
University Auditorium	<u>Newell Road & Union Road</u>	<u>1922-1925</u>	
<u>Leigh</u>	<u>Buckman Drive</u>	<u>1927</u>	
<u>Walker</u>	<u>Union Road</u>	<u>1927</u>	
<u>Sledd Hall</u>	<u>Fletcher Drive</u>	<u>1929-1930</u>	
<u>Infirmary</u>	<u>Fletcher Drive</u>	<u>1930-1931</u>	
<u>Dauer Hall</u>	<u>Fletcher Drive & Union Road</u>	<u>1935-1936</u>	
<u>Murphree Hall</u>	<u>Fletcher Drive & W. University Avenue</u>	<u>1939</u>	
<u>Fletcher Hall</u>	<u>Buckman Drive</u>	<u>1939</u>	
<u>The Florida Gymnasium</u>	<u>Stadium Road</u>	<u>1949</u>	
<u>Tigert Hall</u>		<u>1951</u>	
<u>Matherly Hall</u>		<u>1953</u>	
<u>Century Tower</u>		<u>1953-1956</u>	
<u>Carlton Auditorium</u>		<u>1954</u>	
<u>Plaza of the Americas</u>		<u>1906-1931</u>	
Old WUFT Radio Station			8AL2554
P.K. Yonge			8AL2553

Properties Listed on the Local Register of Historic Places

Eight buildings and structures are listed on the Local Register of Historic Places, as are ~~three~~ five historic districts. Three of these buildings -- McKenzie House, Matheson House and Thomas Center -- are also located within the Southeast and Northeast Residential Historic Districts.

Table 2.3. Individual Properties Listed on the Local Register of Historic Places

Site	Address	Year Nominated	Florida Master Site File # Ordinance Number
Hippodrome State Theatre	25 S.E. 2 nd Place	1984	8AL00485 / 2971
McKenzie House	617 E. University Avenue	1984	8AL00476 / 2972
Bailey House	1121 N.W. 6 th Street	1984	8AL00470 / 2973
Matheson House	528 S.E. 1 st Avenue	1984	8AL00467 / 2974
Thomas Center	306 N.E. 6 th Avenue	1984	8AL00456 / 2975
Northeast Gainesville Residential Historic District	See Map 1	1985	8AL00543 / 3141
Southeast Gainesville Historic District	See Map 2	1989	8AL02495 / 3522

Bethel Gas Station	104 S.E. 1 st Avenue	1989	8AL02293 / 3523
	8 S.W. 10 th Street	1990	8AL01180 / 3626
Seagle Building	408 W. University Avenue	1990	8AL01290 / 3643
Pleasant Street Historic District	See Map 3	1991	8AL02557 /
Northeast Gainesville Residential Historic District (Expansion)	See Map 1	1998	970564
<u>University Height Historic District –North</u>	<u>See Map 4</u>	<u>2002</u>	<u>001026</u>
<u>University Height Historic District-South</u>	<u>See Map 5</u>	<u>2002</u>	<u>001027</u>
<u>Baldwin House (Rush-Glassman Office)</u>	<u>11 S.E. 2nd Avenue</u>	<u>2009</u>	<u>080757</u>
<u>A. Quinn Jones House</u>	<u>1013 or 1019 N.W. 7th Avenue</u>	<u>Pending</u>	
<u>Old Gainesville Depot</u>	<u>203 Depot Ave</u>	<u>Pending</u>	<u>/8AL002042</u>

Districts listed on the Local Register of Historic Places

Three ~~Five~~ historic districts are listed on the Local Register of Historic Places and three are on the National Register of Historic Places. The ordinance number, as well as the dates of adoption, is included in the summaries below.

Northeast Gainesville Residential Historic District

The Northeast Residential Historic District was approved as a “Historic Preservation/Conservation Overlay” by the City Commission on July 8, 1985 (241ZON-84PB and Ordinance #3141). The District was expanded in spring 1998 to encompass two areas totaling approximately 150 structures (Ordinance numbers 97-0563 and 97-0930). The district with the expanded areas is shown on Map 1.

Southeast Historic District

The Southeast Historic District (see Map 2) was approved as a “Historic Preservation/Conservation Overlay” by the City Commission on March 13, 1989 (157ZON-88PB and Ordinance #3522).

Pleasant Street Historic District

The Pleasant Street Historic District (see Map 3) was approved as a “Historic Preservation/Conservation Overlay” by the City Commission on February 18, 1991 (76ZON-90PB and Ordinance #3701).

University Heights Historic District-North

The University Heights Historic District - North (see Map 4) was approved as a “Historic Preservation/ Conservation Overlay” by the City Commission on January 14, 2002 (32ZON-01PB Ordinance # 001027).

University Heights Historic District-South

The University Heights Historic District - South (see Map 5) was approved as a “Historic Preservation/Conservation Overlay” by the City Commission on January 14, 2002 (33ZON-01PB Ordinance # 001027).

Architectural Resources Documented with Florida Site File

Between 1993 and 1997, staff prepared 194 Florida Master Site Files (FMSF) which were accepted by the Florida Division of Historic Resources. All these were prepared as finishing touches to several historic neighborhood resurveys. Forty-five forms were prepared for the N.W. Fifth Avenue neighborhood, 6 in Hibiscus Park, Palm Terrace and University Park, 10 in University Heights, 56 in College Park and 57 in the Northeast Residential Historic District including the 1998 expansion areas.

Chert structure, numbering 145 were surveyed and FMSF forms were prepared in the anticipation of a potential National Register and Local of Historic Places historic districts. The Fifth Avenue Neighborhood was surveyed in 2007 by Jennifer Nash and determined the neighborhood appears to have sufficient cultural resources (256) that would contribute to the creation of the NW 5th Avenue Historic District.

The Downtown buildings have been resurveyed and the Florida Master Site File forms have been updated from the 1980’s forms and study by Bill Epps and Susan Tate with the anticipation of reevaluating the potential of individual structure listings or the area for eligibility as a Local Historic District.

Demolitions have taken their toll in Gainesville. Since 1982 when the ERLA survey was completed, over 230 buildings with Florida Site Files have been demolished. Within the historic districts 56 buildings have been demolished, although only one building in the Northeast Residential Historic District and none in the Southeast Historic District have been razed. However, since 1986 in the Pleasant Street Historic District, approximately 55 buildings have been demolished or are proposed for demolition, and two were moved within the district. Eleven buildings were demolished between 1986 and 1989, and 45 buildings, including three proposed demolitions, have been demolished since 1991 when the Pleasant Street was listed on the National Register of Historic Places. The significantly structurally deteriorated buildings have been the buildings that have been demolished.

In the last ten years, demolitions have decreased considerably; particularly in the Pleasant Street Historic District where four extremely deteriorate structures were demolished. The

four Sad Sisters on East University Avenue were deconstructed after a public outcry of visual blight. One contributing structure in the University Heights Historic District – North was demolished after a fire totally engulfed the building.

Potential Historic Districts

The Historic Preservation Element adopted in 1991 identified 9 areas as potential historic districts, based on findings from a survey of historic and cultural resources conducted by ERLA Associates and the History Group, Inc., during the summer of 1980. The Element did not determine the number of historic buildings which remained in these historic neighborhoods nor did it venture an estimate of their potential eligibility for listing on the National or Local Registers of Historic Places. Instead, it prescribed policies to reevaluate the neighborhoods' significance.

The Department of ~~Community Development~~ Planning and Development Services from the summer of 1993 to 1995 resurveyed the neighborhoods, which were most likely to be eligible for listing on the National or Local Registers of Historic Places. An evaluation of each neighborhood accompanies the survey summaries along with updates within the last ten years.

Downtown

The Downtown historic area was evaluated for eligibility as a National Register district in 1982 as part of the ERLA Survey. The consultant's findings indicated that Downtown has only "average geographical coherence and suffers from many intrusions, vacant properties and demolition of older structures".⁸ In the consultant's assessment, this "geographical incoherence" reduced the prospects for eligibility on not only the National, but also Local Register.

The Department of ~~Community Development~~ Planning and Development Services's 1994 resurvey of the Downtown indicated that these trends were continuing, particularly along the northern, western and eastern boundaries. Buildings demolished as a result of the Arlington Square and Gainesville Regional Utilities developments virtually eliminated any historic buildings south of S.E. 2nd Place and east of S.E. 2nd Street.

Since 1982, 36 of the 180 buildings in the Downtown with Florida Site Files have been demolished. In addition, four buildings were moved to the Southeast Historic District on East University Avenue. This number represents approximately 17% of the properties in the downtown survey area for which Florida Site Files were created. Approximately 25 have been razed (in addition to the four relocations-Sad Sisters) in the area now occupied by the Arlington Square Apartments and the Gainesville Regional Utilities' complex.

⁸ City of Gainesville. Conservation and Preservation Plan. April 1982, page 28.

In the 1994 resurvey report, staff recommended modifying the original ERLA survey boundaries so as to remove the fringe areas which undermine the significance of the proposed district. In addition to reducing the boundaries on the east of the proposed district, the western and northern boundaries were also reduced, resulting in 18 contributing properties not included within the proposed district. Most of these properties were built in the 1930s and 1940s and represent the latter era of the Downtown's period of significance. Five of the contributing structures are historic with minor alterations and 13 retain their integrity. The remaining 48 noncontributing properties are characterized by 18 historic properties which have been severely altered.

The district was also redrawn along N.W. 1st Avenue, which, according to the 1941 Sanborn Maps was historically residential and a continuation of the Pleasant Street Historic District.

By removing these 84 properties in the fringe areas and reducing the proposed district boundaries, contributing properties would then account for approximately 60%. Historic but severely altered buildings would account for 14% while buildings built after 1945 account for 25% of the total. There have been approximately five buildings demolished or removed in the survey area since the 1994 survey date.

After the demolition of 24 S. Main Street in the Downtown, there was an interest in resurveying and reevaluating the potential of individual structure listings and this survey is currently underway.

University Related Residential Thematic Area

The University Related Thematic District was evaluated for eligibility as a National Register district in 1982 as part of the ERLA Survey. The consultant's findings indicated that the survey area was very large and not coterminous. Cohesion came through "architectural styles and landscapes rather than through contiguous streets".⁹ The consultant found that the survey area might be eligible as a "thematic proposal or Multiple Resource nomination to include parts of University Avenue. Some suburban areas do not meet the 45-year rule and some areas meet the criteria of significance and geography but are architecturally poor".¹⁰ Map 10 identifies the extent of the University Related Thematic Area.

The resurvey was completed in early 1995. It was based on considering all structures built in the 1950's as noncontributing. However, the Department of State has recently determined that it will allow buildings that are 45 years of age or older to be listed on the Florida Site File and, thus, be considered as contributing to a historic district. This policy determination by the State will probably have a beneficial impact on the historic district

⁹ *ibid*, page 27.

¹⁰ *ibid*, page 27.

status of all the surveyed neighborhoods but particularly Golfview Estates, Hibiscus Park and the neighborhoods immediately west of College Park.

In the University Related Thematic Area approximately 40 buildings with Florida Site Files have been demolished since 1982. The greatest number, 20, have been demolished in the University Heights and University Park neighborhood although the College Park area, presently with 19, is likely to be the focus of intensive redevelopment activity, and two historic buildings in Hibiscus Park, one located at 8 S.W. 26th Street (8AL 1975), the other -- the Cheeves House -- located on S.W. 25th Street have been demolished.

~~University Heights/University Place~~

~~The University Heights/University Place neighborhood (Map 11) retains its original geographical coherence with but one major intrusion (Shands AGH Hospital's 720 building), and possesses a large number of contributing properties within its boundaries.~~

~~While retaining its geographic coherence, this neighborhood is also blessed with a cross-section of representative architectural styles from before the Second World War. In addition to the Tudor and Colonial revivals and Craftsman style architecture which abound, the neighborhood also possesses a significant number of fieldstone or chert buildings collected from the quarries west of Gainesville and which are significant in their concentration. Furthermore, numerous garage apartments, which have had a historic presence in the two subdivisions since platting, are scattered throughout the neighborhood and accessed by alleys.~~

~~The area which includes University Heights and University Place is currently threatened by both university and hospital expansions. Since all avenues are through streets for the University of Florida and Shands AGH Hospital complexes, there is heavy traffic through the area. Compounding circulation problems are the rows of parked cars along streets; as the number of tenants increases per dwelling so has the demand for parking spaces. In fact, some houses have been reclaimed to make room for parking lots. Although impacted by University and hospital expansions and jammed with traffic, this neighborhood retains much of its picturesque character and the sense that it is a very nice place to live.~~

~~Among all the surveyed neighborhoods, this is not only the most significant but also the most geographically coherent. Nominating this neighborhood to the National Register of Historic Places is a priority.~~

~~Florida Court/University Terrace~~

~~The Florida Court/University Terrace neighborhood possesses the highest percentage of contributing properties among the surveyed neighborhoods and the least amount of contributing buildings which were constructed after the Second World War (Map 12). However, it has the smallest number of total properties in the proposed district and, in fact, is only four blocks deep. While it is geographically proximate on the north to the~~

~~NW Fifth Avenue neighborhood that is a predominantly African American neighborhood, it is architecturally, functionally and historically related to the University Heights/University Park and College Park neighborhoods. A swath of nonhistoric buildings and two arterial streets separates the two neighborhoods.~~

~~The Florida Court/University Terrace neighborhood does not have the geographic coherence or architectural significance to merit designation as a separate historic district. Its sharp geographic separation from other neighborhoods of similar architectural and social context in the University Related Thematic area suggests that it may be more appropriate to include this neighborhood with University Place and University Heights. Among the proposed historic districts in the University Related Thematic Area Resurvey conducted in Fall of 1994, the Florida Court/University Terrace neighborhood possesses the highest percentage of contributing properties and the least amount of contributing buildings which were constructed after the Second World War. However, it has the smallest number of total properties in the proposed district and is only four blocks deep and separated from neighborhoods with which it is architecturally, functionally and historically related by a swath of nonhistoric buildings and two arterial roads.~~

~~The proposed University Heights North and South Historic District has received a unanimous vote from the Historic Preservation Board and is expected to be presented to the Plan Board and the City Commission in 2001. (Map 13 and Map 14)~~

College Park, College Court and Hilldale

Single-unit, duplex, and multi-unit structures characterize the College Park survey area. Although contributing properties within the proposed College Park historic district constitute 56% of the total number of buildings, a full 20% are contributing buildings built after the Second World War. The inclusion of buildings constructed up to 1952 as eligible candidates for Florida Site File listing substantially improves the historic district potential of Forest Park, College Court and Hilldale. In fact, approximately one-third of the buildings in the latter two subdivisions would be potentially affected by including pre-1952 buildings.

While the passage of time will improve the potential of including these post-World War buildings, the loss of structures that were part of the first neighborhood associated with the University of Florida change the period of significance of a potential historic district to a period of less importance. A far more difficult issue to resolve is the numerous intrusions which undermine the geographic coherence of College Park. The large number of noncontributing commercial buildings along West University Avenue and NW 13th Street as well as the existence of several parking lots isolates the neighborhood from its commercial core. In addition, the presence of large numbers of 1960s and 1970s architecture and the ever-increasing development in the neighborhood further reduces the likelihood of the neighborhood achieving historic district status. A further problem with evaluating the neighborhood is its architectural significance. The architecture while varied is patternless and does not have the concentrations of recognized architectural styles found

in other neighborhoods. Because College Park contains so many intrusions, as well as deteriorated and insignificant architecture, a district proposal for this area is unsuitable.

Hibiscus Park, Palm Terrace, Annis Terrace and University Park

The neighborhoods west of College Court and Hilldale are architecturally heterogeneous ranging from concentrations of 1920s architecture to ranch designs built in the 1940s. Annis Terrace, which sits astride N.W. 25th Street, was included in the surveyed neighborhoods because it is completely comprised of houses constructed immediately after the end of World War II.

Of the remaining subdivisions, only Palm Terrace has contributing buildings that comprise more than 50% of the total number of buildings in each subdivision based on the survey completed in 1995. Collectively considered as a potential historic district, no more than 49% of the buildings in the Hibiscus Park, Palm Terrace, and University Park subdivisions are considered contributing. Even removing University Park with its 15 noncontributing structures from the proposed district does not alter the percentage of contributing and noncontributing buildings. Using ~~1952~~ 1961 as the cutoff construction date for a contributing structure, however, may involve revising the status of upwards of 70 structures that certainly would favorably alter the historic district eligibility of these neighborhoods.

Golfview Estates

The historic district status of Golfview Estates may also be altered based on insufficient number of contributing structures older than 50 years, as well as those built in the immediate post-World War Two era which comprise only 36% of the total number of buildings in the neighborhood. In addition, the eligibility of Golfview Estates for historic district listing is also unlikely because of the predominance among noncontributing properties with 1960s and 1970s building dates. Nevertheless, several buildings merit investigation of their potential for individual listing on the National Register of Historic Places, namely "The Castle" located at 727 SW 27th Street.

In the last ten years the above numbers have changed. Just looking at the ages of the structures in the Golfview neighborhood, a total of 84 parcels, 73 parcels are now over the built age of 1959. The Golfview neighborhood is protected geographically for intrusion but not non-compatible additions that can undermine the neighborhood's cohesion.

NW Fifth Avenue Neighborhood

Staff resurveyed the NW Fifth Avenue neighborhood in Spring 1995 and found a significant collection of approximately 300 dwellings, of which approximately 203 (or 60%) are contributing. Approximately 91 buildings with Florida Site Files have been demolished since 1982. This figure represents 23 percent of 387 buildings listed with site files that existed in 1982.

In 2007 the Community Redevelopment Agency contracted with Environmental Services, Inc., to resurvey the Fifth Avenue neighborhood. The investigator, Jennifer L. F. Nash concluded that significant buildings, four resource groups, and a potential historic district were determined to be worthy of listing on the Local Register of Historic Places. Ms Nash stated in her report, "Four resource groups were identified during the NW 5th Avenue historic survey. The resource groups include a section of railroad and its associated depot (AL05393), an African Methodist Episcopal (AME) church complex (AL05395), the historic Lincoln High School (AL05394), and a commerce center (AL05396). Nine individual structures are potentially eligible for listing in the NRHP (AL05320, AL05329, AL01036, AL05361, AL05375, AL05369, AL00989, AL00586, and AL00553). Additionally, the NW 5th Avenue neighborhood appears to have sufficient cultural resources (256) that would contribute to the creation of the NW 5th Avenue Historic District.¹¹

Bailey's Estate

Bailey's Estate, a pre-Civil War plantation is bordered by N.W. 13th Street, N.W. 16th Avenue, N.W. 2nd Street and N.W. 8th Avenue. Within this rectangular area of grid-laid streets are found century-old oak alleys, the 1848 Major James B. Bailey estate, late nineteenth century and turn-of-the-century homes on N.W. 4th Street, N.W. 12th Avenue, and N.W. 16th Avenue. While containing many buildings of historic interest, Bailey's also has an abundance of ranch houses and concrete block structures.

Bailey's Estate has several 19th century dwellings including the Bailey House on N.W. 6th Street, plus a collection of dwellings built immediately after the Second World War. Additional work is necessary to determine the historic district status of the plantation and the Grove Street ~~this~~ neighborhood

Peelers Addition

Peelers Addition is located south of Downtown and does have a concentration of vernacular dwellings. However, a windshield survey of the neighborhood suggests a considerable amount of intrusions, as well as unsympathetic additions. The redevelopment of the area including the Depot Park will additionally add pressures to the remaining historic buildings. Consequently, staff recommends that no additional survey work is necessary.

Porters Quarters Neighborhood

The Porters Neighborhood has undergone substantial redevelopment involving demolition since the 1982 survey. Areas most affected include 600 block of SW 2nd Terrace, the 300-500 blocks of SW 7th Place and 300 block of SW 5th Avenue and approximately 25

¹¹Jennifer F.L. Nash, August 2007, Northwest Fifth Avenue Historic Structures Survey and Assessment, Gainesville, Alachua County, Florida.

buildings along the 600 block of Depot Avenue. Staff is not planning a resurvey of the neighborhood because its historic district potential, limited in the 1980s, is probably nonexistent considering the extent of redevelopment and demolition. The neighborhood has expressed concerns of the loss of history and redevelopment pressures from being between the University of Florida and the proposed Depot Park.

Suncrest Subdivision

Suncrest is significant on two counts. It is located on one of the older sections of Gainesville north of the main downtown area, which developed somewhat independently of the main city in the nineteenth century; and, it is one of the earliest projects of the Parrish family development. Suncrest is located between NW 6th and 13th Streets and NW 30th and 33rd Avenues. It was developed as a lower-middle class, moderate subdivision characterized by low-style bungalows on piers. These small frame houses give the neighborhood an interesting, homogeneous plan, but there are many intrusions that interrupt the original neighborhood landscape with cinder block ranch houses. Additional work is necessary to determine the historic district status of this neighborhood.

Tacachale

Tacachale, formerly known as Sunland Training Center, was founded in 1919 as the "Florida Farm Colony for Epileptic and Feeble-Minded," and is located on the east side of Waldo Road between NW 16th and 23rd Avenues. The Training Center today exhibits winding roads and a variety of 1920s residences and administrative buildings. Some of the buildings which survive from the earliest days are the old Administration Building, the old Dining Hall, Cedar Wood Cottage, Ivy and Clover Cottage, Cherry Wood Cottage, the Garage and Auto Repair Shop, the Power Plant and Ash Wood Cottage. The cottages are client residences all designed from the same plan, a central dominating Palladian portico with long side wings. Columns and curving parapet walls are the decorative elements of the buildings. Cypress Cottage is one of the original Craftsman cottages that served to house a physician. The old Administration and Dining Hall both have Craftsman brackets and rooflines with Ionic pilasters and other classical details appearing in restrained fashion. Because Tacachale is state land outside the planning jurisdiction of the City of Gainesville, it is unlikely the City will undertake any survey.

Properties Potentially Eligible for Historic Register Listing

While Gainesville has several neighborhoods whose historic qualities are clearly evident, many more individual buildings also merit investigation. Table 3 4 is a nonexhaustive list of buildings. that should undergo a determination of historic significance. Most of these buildings were surveyed or resurveyed during the study of the Downtown and Chert buildings and will undergo a determination of historic significance. In addition, Gainesville's abundant fieldstone (chert rock) houses remain presently unstudied, yet the City could possibly have the greatest concentration of buildings with this material in Florida.

Table 3 4. Properties Meriting Evaluation of Historic Register Potential

Site	Address	Year Built	Florida Master Site File #
Chesnuts	2 W. University Avenue	1887	8AL00484
Emiliano's Bakery	7 S.E. 1 st Avenue	1888	8AL00782
Old Baird Building	19 S.E. 1 st Street	1887	8AL00783
Baird Theatre	19 S.E. 1 st Street	1887	8AL00784
New Baird Building	112-116 S.E. 1 st Street	1912	8AL00785
Sovereign Restaurant	12 S.E. 2 nd Avenue	1910	8AL00786
Fowler's Garage	10 S.E. 2 nd Avenue	1913	8AL00787
Wayside Press	113 S. Main Street	1887	8AL00789
Old Commercial Hotel	120 S. Main Street	1886	8AL00793
Rice Hardware	15 S.W. 1st Avenue	1905	8AL00794
Western Auto	108 S. Main Street	1925	8AL00796
Chace Kitchens	110-114 S.W. 1st Avenue	1904-08	8AL00797
Legal Services Building	35 N. Main Street	1887	8AL00803
First National Bank	15-17 N. Main Street	1892	8AL00804
A. Quinn Jones School	1108 N.W. 7 th Avenue		8AL01036
Firestone Building	304 W. University Avenue	1929	8AL01289
Malphurs House	3100 N.W. 6th Street		8AL01313
North Gainesville Hall	1628 N.W. 6th Street		8AL01321
The Castle	727 S.W. 27th Street	1939	8AL01956
Georgia Segal Hall	1002 W. University Avenue		
Primrose Inn	15 N. Main Street	1910	8AL01287
First Baptist Church	425 W. University Avenue	1929	8AL01291

IV. IMPLEMENTATION TECHNIQUES

Regulatory Programs

Federal Legislation

Federal involvement in historic preservation is primarily through three different laws – the National Historic Preservation Act (NHPA),¹² the National Environmental Policy Act¹³ (NEPA), and Section 4(f) of the Department of Transportation Act of 1966.¹⁴

The NHPA establishes the National Register for Historic Places and authorizes the Secretary of Interior to designate properties as historic landmarks, and to set forth criteria for landmark determination. While listing on the NRHP is primarily honorific, the National Register plays an important role in the federal regulatory protection scheme and enables property owners to qualify for federal tax benefits. (Listing on the National Register in Gainesville also qualifies property owners for the local ad valorem tax exemption described below). Properties listed on the National Register enjoy procedural

¹² 16 U.S.C. SS 470-470w-6

¹³ 42 U.S.C. .SS 4321-4347

¹⁴ 49 U.S.C. Sec. 36

safeguards. The NHPA requires any federal agency with direct or indirect control over federal, federally assisted or federally approved projects to consider the effects of the project on any National Register property through the Section 106-review process. In Gainesville, the process, known as Section 106 review, typically affects housing development in the Pleasant Street Historic District that are undertaken by the City of Gainesville or Neighborhood Housing and Development Corporation.¹⁵

Two other significant pieces of legislation that also are specifically related to historic preservation provide protection to historic resources.¹⁶ The NEPA requires that an Environmental Impact Statement (EIS) be prepared for any major federal actions significantly affecting the quality of the human environment. NEPA requires that impacts on the natural environment as well as on the quality of the urban environment, historic and cultural resources, and urban design be considered in the EIS, along with recommended alternatives to avoid these impacts. The Department of Transportation Act, Section 4(f) applies to federal or federally-approved transportation projects and prevents such projects where they would impact any historic site, public park, recreation area or wildlife refuge unless no feasible alternative exists to the project and unless the project minimizes harm to historic and natural resources.

State Legislation

Florida has enacted a comprehensive historic preservation statutory framework, which complements that of the federal government. Over twenty Florida Statutes have provisions pertaining to the issue of historic preservation. The Florida Historical Resources Act (Chapter 267 of Florida Statutes) is Florida's primary historic preservation legislation and the cornerstone of its historic preservation policy. In many respects, Chapter 267 parallels

¹⁵ The Section 106 review process is the primary tool for the protection of historic resources under NHPA, requiring that all federal agencies take into account the impact that a federal undertaking might have on listed properties. Before any activity which may have an adverse effect on a listed property is carried out, a federal agency must provide the Advisory Council on Historic Preservation (an independent federal agency created under the NHPA) to comment on the undertaking. In most cases, a Memorandum of Agreement (MAO) is executed. This is a legally binding document that specifies that an agency will take specific steps to mitigate or to avoid harm to historic resources.

¹⁶ Other applicable federal regulations include the Archaeological Resource Protection Act or ARPA (16 U.S.C. 470aa-470mm) and the Native American Graves and Repatriation Act or NAGRA (25 U.S.C. 3001-3013). ARPA protects archaeological resources located on all federal and Indian lands, unless a permit is secured from the Department of the Interior, and prohibits the trafficking of archaeological artifacts. NAGRA establishes a process for protecting and distributing Native American cultural items found on federal or tribal lands either through "intentional excavation" or "inadvertent discovery." The Public Buildings Cooperative Use Act (40 U.S.C. S 601-616) encourages federal agencies to use historic buildings and requires a survey of available properties to determine the feasibility of occupancy and use of listed historic structures unless financially infeasible relative to other existing or planned buildings. Surface Mining Control and Reclamation Act (30 U.S.C. 1201 *et seq*) which provides protection for historic resources that would be adversely affected by mining operations and also requires the administering agency – the Office of Surface Mining and Enforcement to comply with Section 106 of the NHPA.

the provisions of the federal National Historic Preservation Act of 1966 (Public Law 89-665, as amended).

Local Legislation

The federal government and the State of Florida have important roles in historic preservation. The vast majority of projects, however, are not under the purview of federal or state legislation making the local arena the key area where historic preservation activities are carried out. The City has several ordinances that implement its historic preservation goals for Gainesville.

Historic Preservation/Conservation Overlay

Protection of historic resources is implemented through the City's "Historic Preservation/Conservation Zoning Overlay" (Section 30-112 of the Land Development Code). This code section provides procedures and criteria for identifying properties eligible for listing on the Local Register, specifies the type of work and projects requiring review, delineates standards by which the review takes place (typically the United State's Secretary of Interior's *Standards for Rehabilitation*), and elaborates provisions for economic hardship by which the Historic Preservation Board (HPB) can evaluate the effect of their actions. The ordinance affects 8 individually listed buildings and three districts. These designated resources are locally significant historic properties and are subject to design review approval for most exterior work. Either City staff or the Historic Preservation Board can issue Certificates of Appropriateness (COA) for work complying with the historic preservation standards set forth in the Land Development Code and the *Historic Preservation Rehabilitation and Design Guidelines*.¹⁷ ~~HPB's *Preservation and Conservation Manual*.~~

Demolition Delay Ordinance

Buildings proposed for demolition within the City are subject to Section 6-19 of the Code of Ordinances, which imposes delays on the issuance of demolition permits. If a building has a Florida Site File, is located in a district or is older than 45-years in age, the Historic Preservation Planner may impose a ninety-day delay on the demolition request. However, this action can be appealed to the Historic Preservation Board, which may waive the delay based upon adopted criteria. Generally, the applicant must demonstrate that the demolition delay will affect a development project timetable and result in an economic loss.

¹⁷ University of Florida and the City of Gainesville, 2004, *Historic Preservation Rehabilitation and Design Guidelines*, Supplement to the Land Development Code Section 30-112,

Modified Setback, Parking and Other Requirements

The City of Gainesville has adopted a “variance” process that modifies existing zoning requirements, to facilitate new construction, redevelopment, rehabilitation, or relocation of buildings or structures in historic districts or individually listed on the local register. The City may determine dimensional requirements such as front, side and rear setbacks, building height, separation between buildings, floor area ratios, and maximum lot coverage for buildings and structures based on historic development patterns.

The petitioner shall base any change on competent demonstration of the following:

1. The proposed development will not affect the public safety, health, or welfare of abutting property owners or the district;
2. The proposed change is consistent with historic development, design patterns or themes in the historic district. Such patterns may include reduced front, rear and side yard setbacks, maximum lot coverage and large floor area ratios;
3. The proposal reflects a particular theme or design pattern that will advance the development pattern of the historic district; and
4. The proposed complies with utility, stormwater, access requirements and other requirements related to site design in the land development code.

Modified Building Standards for Historic Preservation Projects

~~The restoration of historic residential and commercial structures is often complicated by the application of modern building and fire and safety codes. For instance, such codes often require at least two means of egress from the upper floors of a building, yet numerous pre 1950s building were only provided with one exit stair. Furthermore, these codes will often require that nonconforming structures undergoing additions be brought up to code for its non-conformities as a condition of approval of addition.~~

~~The BOCA, Standard, and Uniform Building Code each have specific sections to address historically significant buildings. These sections generally state that a building under consideration for alterations, restorations or repairs, need not conform to all code requirements provided that 1) the building has been officially designated as historic by appropriate authorities and 2) is judged safe by the Building Official. The city of Gainesville, while not having a specific ordinance enabling this flexible code enforcement approach, nevertheless has permitted alternative approaches in select cases.~~

The City has developed a Building and Fire Code Regulation for Historic Buildings (City of Gainesville, Code of Ordinances, Chapter 6 Buildings and Building Regulations, Appendix A), which provides for alternative building regulations for preserving, restoring or rehabilitating historic buildings. It’s based on a numbering system with a generated overall performance number that needs to be achieved.

In the past, generally speaking, code enforcement issues arise primarily with commercial structures but can be remedied if alternatively effective strategies known as "equivalencies" are provided. For example, the proprietors of the Laurel Oak Bed & Breakfast were able to provide a fire suppression system rather than an exterior staircase, an "equivalency" which also allowed them to retain an open staircase which might otherwise had been enclosed. Although the cost of this system is expensive, requiring inflexible code adherence would have destroyed the historic fabric of the house.

A more important issue for some historic commercial properties, particularly along N.E. First Street, is that potential non-conformities may inhibit further expansion. Many of the offices along First Street were rehabilitated when ~~code enforcement building codes~~ were more lax. and if the owners, now seeking to expand a buildings. The owner would be required to bring the structures fully up to code. The State Building and Fire Codes now include provisions for Historic Buildings. If the owner want to expand their building, the new section of the building affected would be required to meet the current addition of the codes. The existing portions of the building can remain without change unless a condition is created that makes the structure unsafe. In this event, the City may wish to provide a variance procedure, which would enable historic structures to be expanded or altered without being required to resolve earlier code deficiencies. A possible solution to potentially inflexible building and safety codes is allowing the owner to change the proposal to a less "hazardous" but still economically viable use. Where the underlying zoning may not permit these uses, a special exception could be permitted.

Direct Incentives Programs

Tax Incentives

Local Ad Valorem Tax Exemption

In 1995, the City Commission approved the ad valorem tax exemption for historic properties which grants tax exemptions for historic properties defined as listed on the National Register of Historic Properties (NRHP), designated under the local historic preservation ordinance, or contributing to the significance of a National Register or locally-designated historic district. Exemptions are for 100% of the assessed value of improvements made after the exemption is granted and for a period of up to 10 years. The Historic Preservation Board must review and approve interior and exterior work before the City Commission can authorize the tax exemption. The Alachua County Board of County Commissioners approved a similar ordinance in 1996.

Federal Rehabilitation Tax Credits

Several tax incentive programs are directly available to historic properties. The first and most prominent is the *Federal Rehabilitation Tax Credit* in which an eligible property can receive a credit calculated as 20 percent of the qualified rehabilitation costs of the project. To qualify, a property must be certified as eligible for listing on the NRHP or a

contributing building within a NRHP district, as well as meet the rehabilitation requirements of the Secretary of Interior.

A lesser-known provision of the same act provides a 10 percent credit for substantial rehabilitation of non-historic structures constructed before 1936. The taxpayer qualifies for the tax credit only if the building is used for industrial or commercial (nonresidential) purposes subsequent to its rehabilitation. The 10 percent rehabilitation credit, which is not available for certified historic structures, does not require certification of these buildings. However, certain existing building elements must be retained to qualify for this credit. Specifically, 50 percent or more of the existing external walls must be retained as external walls, 75 percent or more of the existing external walls must be retained in place as internal or external walls and 75 percent or more of the existing internal structural framework must be retained in place.

A building within a registered historic district is not eligible for the 10 percent credit unless it is certified by the United States Department of Interior as not contributing to the historical significance of the district.

A review of zoning and historic district maps suggests that this provision could be utilized by two structures in the Pleasant Street District which have CCD zoning and are non-contributing to the historic quality of the district. However, in the Northeast and Southeast historic districts, several structures may qualify for the tax break but deed research would need to be conducted to determine their ages.

Federal Investment Tax Credit for Low Income Housing

Urban redevelopment incentives offered by both the federal and state government have a less direct affect on historic properties; nevertheless, provide a potentially significant incentive in the Pleasant Street Historic District. The *Investment Tax Credit for Low Income Housing* offers investment tax credits for acquisition, construction, and rehabilitation of qualifying units of low income housing. There is a 9% tax credit per year for 10 years for each unit of low income housing acquired, constructed or rehabilitated without other federal subsidies and a 4% tax credit per year for 10 years for units involving federal subsidies or tax exempt bonds. Qualifying rehabilitations under this provision must meet tests relating to cost per unit, number of units occupied by individuals with incomes below area median income, and a 15-year compliance period.

Preservation Easements

Property owners of historic property may be eligible for a charitable donation income tax deduction under Section 170 of the Internal Revenue Code S170(h); IRC SS 2055(f) and 2522, Reg S1.170A *et.seq.* The requirements of such an easement are that the owner relinquishes rights to demolish or alter the property, and the gift of such rights is given in perpetuity to a qualified historic preservation organization. Thereafter, the owner will not be able to destroy, demolish or alter the property without the express permission of that

organization. The value of the easement is determined by the difference between the fair market value of the property before the donation and the value after the donation. A qualified appraiser must appraise the value.

Conservation Easements

A conservation easement is a legal agreement between a property owner (grantor) and recipient organization (grantee) which restricts the type and amount of development that may take place on the property. The specific restriction of rights a property owner foregoes when granting conservation easement is spelled out in the easement document. The grantor and grantee identify the rights and restrictions on use that are necessary to protect the property. After the easement is granted, future property owners may give away, lease or sell any of those rights, subject to any legal agreements that previous owners may have made, to state laws and to local government regulations.

The advantage of an easement program is that it takes a middle approach for properties and areas an organization wishes to protect, falling between full ownership and governmental land-use controls. Placing easements on undeveloped properties can reduce development pressures while properties already developed can be protected against more intensive development. In addition, easements may be designed to protect particular features of individual properties such as landscaping or architectural features. Easements have the advantage of being guarded by organizations committed to maintaining them.

An easement may be perpetual in duration or may be established for a limited term of years; in either case, its covenants "run with the land" and legally bind subsequent landowners as well as the grantor. However, only a perpetual easement can qualify for federal tax incentives. Extinguishment of a perpetual easement can be provided for if unforeseeable and external events defeat its conservation purpose.

Income and Estate Tax Deductions

The *Tax Treatment Extension Act of 1980* also permits income and estate tax deductions for charitable contributions of partial interests in qualified historic properties. The deduction is equal to the value of the charitable contribution. This deduction also has ramifications with the local property tax bill by reducing the market value of the property. The Florida legislature has enabled reduced assessments of historically significant property when development rights have been conveyed or historic preservation restrictions have been covenanted (FPS 193.505). By conveying development rights to the government or entering into a covenant for not less than 10 years, a property's assessed fair market value and, subsequently, property tax can be reduced.

Community Contribution Tax Credit

The Florida Statutes also encourage corporations to donate money for historic preservation purposes through the *Community Contribution Tax Credit* (FPS 220.183).

This act allows any corporation paying Florida corporate income tax or an insurance premium tax to receive a tax credit equal to 50% of the donation to an approved community development or historic preservation project. Businesses are eligible to receive credits of up to \$200,000 per year.

Other Related Tax Incentive Programs

Industrial Revenue Bonds

Another unconventional financing mechanism for historic preservation is *Industrial Revenue Bonds* (FPS 159.26). IRBs allow local agencies to issue revenue bonds for the purpose of providing funds to pay for preservation or rehabilitation of a certified historic structure or any "rehabilitation, restoration or renovation of any structure in a 'registered historic district'." All expenses of the issue are borne by the private body for which the bonds are issued. For repayment, an investor relies on profits generated by the project.

The principal incentive provided by such bonds is the tax-exempt status of interest paid to the bondholders; an exemption, which translates into below-market interest for money, used for historic preservation activities.

Enterprise Zones

~~Both NW Fifth Avenue and~~ The Southeast Gainesville Historic District, Pleasant Street Historic District, the University Heights Historic District and part of the Northeast Gainesville Residential Historic District are located within an enterprise zone which avails to property and business owners' reduction in permit fees, sales and property tax credits and a tax credit for job creation. The benefits of enterprise zones come from these tax credits and tax exemptions. Examples of tax credits include job creation, property tax, and sales tax and usually involve an eligibility stipulation concerning length of credit and number of workers employed who reside in the enterprise zone.

Tax exemptions are also available for use of business property, building materials, electrical energy use, municipal utility tax, and occupational license taxes.

Florida's enterprise zone package also presents possibilities for innovative financing of rehabilitation of historic buildings in the ~~Pleasant Street Historic Districts~~. The enterprise zone basically provides businesses with three incentive programs: grants and loans tax credits and tax exemptions. The *Community Development Corporation Support and Assistance Program* (FS 290.0301-290.038) is the major source of direct funding for urban redevelopment areas and provides grants (maximum \$100,000) and loans (maximum \$500,000) to Community Development Corporations for the establishment of new businesses. The CDC must be controlled by residents of the area and must be a non-profit corporation or a local development company certified to be eligible to participate in *the Small Business Loan Program s.502 of the Small Business Investors Act of 1958*.

More commonly, the benefits of enterprise zones come from tax credits and tax exemptions. Examples of tax credits include job creation¹⁸, property tax¹⁹, and sales tax²⁰ and usually involve an eligibility stipulation concerning length of credit and number of workers employed who reside in the enterprise zone.

Tax exemptions are also available for use of business property²¹, building materials,²² electrical energy use,²³ municipal utility tax,²⁴ and occupational license taxes.²⁵

Housing Rehabilitation Program

There are several public and non-profit housing providers within the redevelopment area; two focuses on new construction, one focuses on owner and rental rehabilitation, and one does both. The problem with existing programs is that the need far surpasses existing program allocations.

¹⁸ *Enterprise Zone Job Creation Incentive Credits* (FPS 220.181) provides a credit against state income taxes to any business that creates a new job(s) and hires and employee(s) who is a resident of the enterprise zone. The tax is 15% of the actual monthly wages.

¹⁹ *Enterprise Zone Property Tax Credit* (FPS 220.182) - allows a credit against ad valorem taxes for expansion of existing businesses or creation of new businesses, rebuilt or replaced property, or assessments on additional real or tangible property acquired to facilitate the expansions of an existing business. The term of the credit is ten years and the annual amount utilized shall not exceed \$50,000. To be eligible, a business must show that no less than 20% of employees excluding temporary help are residents of the enterprise zone area.

²⁰ *Credit Against Sales Tax for Job Creation in Enterprise Zones* (FPS 212.096) - exempts for 24 months business equipment purchased for use and subsequently used by businesses located in the enterprise zone from the state sales tax if no less than 20% of the employees of the business are residents of the enterprise zone (excluding temporary employees). The credit shall be \$100 per month of employment for each full-time employee or \$50 per month of employment for each part time new employee.

²¹ *Economic Development Ad Valorem Tax Exemption* (FPS 196.1995) allows jurisdiction to permit referendum granting economic development ad valorem tax exemptions up to 100% of all improvements to real property by new or existing businesses. The jurisdiction can limit the effect of referendum to only include an enterprise zone.

²² *Sales Tax Exemptions for Building Materials Used in Rehabilitation of Real Property in Enterprise Zones* (FPS 212.08(5)(H)) - building materials used for the rehabilitation of real property located in enterprise zone are exempt from state sales tax if materials used increase the value of the property by 30% or more. See also *Sales Tax Exemptions for Business Property used in Enterprise Zone* (FPS 212.08(5) (h)).

²³ *Sales Tax Exemptions for Electrical Energy Used in Enterprise Zones* (FPS 212.08(15)) - exempts businesses located in an enterprise zone from sales tax on energy usage for five years.

²⁴ *Municipal Utility Tax Exemption* (FPS 166.231(8)) - exempts not less than 50% of tax imposed on utility usage in enterprise zones.

²⁵ *Occupational License Tax Exemptions* (FPS 205.054) - an exemption of 50% of the Occupational License Tax levied for the privilege of engaging in or managing a business, profession, or occupation when such privilege is exercised at a permanent business location or branch office in the enterprise zone.

City of Gainesville

The City Housing Division offers an *owner-occupied rehabilitation program* for substantial repair of homes owned by residents whose income does not exceed 80% of metropolitan Gainesville-area family median income. This program focuses on repair of all Minimum Housing Code Violations and Building Code violations with work often involving major structural repairs as well as repair and replacement of plumbing, electrical, or heating systems. Funding comes from both the federal government - Community Development Block Grant funds (CDBG) and HOME - and the state - State Housing Initiatives Partnership - and can be combined with homeowner funds from savings or from lending institutions. ~~The maximum amount of assistance is \$26,000 per house.~~ Assistance may be in the form of grants, deferred payment loans, or repayable loans.

Since 1978, the City of Gainesville has rehabilitated approximately 107 dwellings. The vast majority - 85 units - were rehabilitated in NW Fifth Avenue costing approximately \$1.36 million, while 22 have been rehabilitated in the Pleasant Street Historic District at an estimated cost of \$886,292. Most rehabilitations in Pleasant Street have occurred since 1990.

Other programs for owner-occupied dwellings administered by the City include house recycling, purchase rehabilitation, down payment assistance funded by the SHIP program (up to \$4,000) and an emergency repair program for those on the rehabilitation waiting list. The City also works with the Gainesville Regional Utilities to convert homes to natural gas. This program may provide water heaters, natural gas central heating or cooking facilities. In conjunction with this program, insulation is installed to provide energy efficiency and fuel cost savings for the homeowner. Only low income, owner occupants may qualify for this program.

Investor/owners of rental property may apply to the City's *rental rehabilitation program* to receive financial and technical assistance to rehabilitate their rental units. The City provides matching grants of up to \$8,500 per unit based on number of bedrooms per unit. The owner must commit to renting the units to low income renters for a period of 10 - 15 years. The City monitors this commitment for the entire compliance period. Funding sources are HOME, CDBG and private lenders. Thirty-six units in the redevelopment area totaling \$563,936 have been rehabilitated under the program.

The *CD Float Program* is available at the behest of the City Commission for unusual, high cost or high impact, housing or economic development redevelopment projects that meet Gainesville's CDBG Program goals when private financing is not available. The program has been used to provide construction financing which is repaid at project completion by permanent financing.

The owner-occupied program began in the mid-1970 as a target neighborhood based program. In 1990, the program became a citywide program. The waiting list is

approximately 2 to 3 years long and rarely do more than 3-5 owner occupied units get rehabilitated per year in the redevelopment area. Even fewer rental units are rehabilitated. An ~~recent~~ affordable housing auction in which the City was a partner with Neighborhood Housing and Development Corporation led to \$1.2 million in sales and \$1 million in permanent mortgages and resulted in the rehabilitation of approximately 9 dwellings in the redevelopment area. To leverage existing funding which may continue to decline, similar innovative programs need to be developed.

Non-Profit Agencies

Habitat for Humanity, Neighborhood Housing and Development Corporation (NHDC) and the Gainesville Builders Association (GBA) have been active in building new houses in the redevelopment area. Habitat has built 9 dwellings in both neighborhoods while GBA has built three, all in Pleasant Street. NHDC has built 5 new dwellings in Pleasant Street and plans to construct at least three additional dwellings in the neighborhood.

In 1995, the NHDC with the Housing Division auctioned 30 boarded homes, approximately nine in the NW Fifth Avenue and Pleasant Street neighborhoods, to low income, first-time home buyers. The program was designed to make an immediate high impact on the neighborhoods. The auction homes have been rehabilitated using CDBG, SHIP and HOME dollars, as well as tax increment money and other federal funds. At closing, the purchasers receive mortgages from local financial institutions, NHDC, low interest rate loans, SHIP down payment assistance, and Federal Home Loan Bank grants. ~~NHDC has spent approximately \$470,000 on rehabilitation and new construction in the redevelopment district although some of this total includes money contributed by the City.~~

The Central Florida Community Action Agency also does rehabilitation work in the redevelopment area and the United Gainesville Community Development Corporation provides financing for some projects.

Tax Increment Financing from CRA

Another innovative method of encouraging historic preservation and revitalization is *Tax Increment Financing* or TIF (Part III, Ch.163 FPS). TIF allows local government to use increased property taxes of a neighborhood starting from a base year to finance improvement within a TIF district. Tax increment dollars can be used to finance the front-end costs of major community revitalization and/or redevelopment projects so that immediate improvements can be made. The projected increase in property revenue can be pledged as collateral for the bonds.

Tax increment financing (TIF) is a popular method to redevelop urban areas through public improvements that promote private sector activity. In tax increment financing, property values in a certain defined area are capped at the assessed value for a particular base year. Thereafter, any tax revenues due to increases in value in excess of the base year are dedicated to the redevelopment area. The municipality and the county both continue

to receive property tax revenue based on the frozen value. This revenue is available for general governmental purposes. The TIF revenues can be used immediately, saved for particular projects, or can be bonded to maximize the funds available. Any funds received from a TIF, however, must be used for the redevelopment of the area and not for general government purposes. They must also be devoted to a particular use during the same fiscal year in which they were collected.

~~In November 1989, the Downtown Redevelopment Agency (DRA)—which was formerly the community redevelopment agency for the NW Fifth Avenue/Pleasant Street Redevelopment Area—prepared guidelines for administering the TIF fund. Sixty percent of the original fund balance was earmarked for improvements to residential projects while 40 percent was earmarked for commercial projects, which included non-owner occupied single family homes or apartment buildings. Only individuals or firms, which own or rent property or conduct business within the TIF district, were considered eligible for the assistance.~~

~~The base year at which tax revenues for NW Fifth Avenue were frozen was 1979. This base year was altered in 1988 to account for the inclusion of Pleasant Street in the redevelopment area. Based on December 1995 the total incremental value of the TIF is \$3,180,690. The loss of over \$277,000 in TIF monies in Pleasant Street occurred due to a revaluation by the Alachua County Property Appraisers Office in 1994. Table 11 indicates how the figures are broken down by neighborhood.~~

Table 4. Tax Increment Financing Assessment Rolls—1995

Neighborhood	NW Fifth Avenue	Pleasant Street
NW Fifth Avenue		
1979/1988 Base Years—Assessment Rolls Taxable Value—All Properties	\$5,947,440	\$5,372,720
1995 Assessment Roll Taxable Value—All Properties	\$9,405,206	\$5,095,644
1995 Incremental Value Taxable Properties	\$3,457,766	-\$277,076
Total NW 5th Avenue/Pleasant Street 1995 Incremental Value	\$3,180,690	

~~Based on the above assessments, the City of Gainesville is responsible for a total of \$15,005.24 (@ 4.9659 mils) in the redevelopment area while Alachua County is responsible for \$27,950.31. Thus, the total TIF amount generated for the NW Fifth Avenue/Pleasant Street Redevelopment Area in 1995 was \$42,955.55. The total fund balance for the TIF was \$62,142.~~

The ~~DRA~~ has become the Community Redevelopment Agency and is involved with the redevelopment of ~~Pleasant Street~~/NW Fifth Avenue, the Southeast, the Downtown, Eastside and the College Park/University Heights. Streetscaping and historic house

recycling is the focus of funds in the Pleasant Street/Fifth Avenue district. Historic Preservation is a redevelopment tool used in these areas.

Grant Programs

The National Trust for Historic Preservation has several sources of funding to assist localities in developing and implementing a preservation plan. The *Preservation Services Fund* are designed to encourage preservation at the local level by providing seed money for preservation projects. The grant range is \$500 to \$5,000 while most average \$1,000 to \$2,000 and the money is typically awarded to consultant services, preservation education, and co-sponsored conferences. The *National Preservation Loan Fund* (NPLF) provides loans of up to \$150,000 at lower-than-market rates (usually at prime). These funds are generally awarded as below-market rate loans but loan guaranties lines of credit, interest subsidies and participation agreements with other lenders may also be available. NPLF awards can be used to acquire, stabilize, rehabilitate, or restore a historic property for use, lease, or resale; establish or expand a revolving fund either to acquire and resell properties or to make loans for acquisition and rehabilitation costs. Also available is the *Inner Cities Venture Fund*, which provides a combination of grants and loans to communities for the sole purpose of rehabilitating historic properties. These sources of funding are competitive but are not available every year.

State Historic Preservation Office

The following are funding sources from the Bureau of Historic Preservation that are available:

**Special Category Grant
Planning Grant
Grant-in-Aid
Historical Museums Grant-In-Aid program**

V. ANALYSIS OF ISSUES

Amendments based on the ~~1998~~ 2001-2010 Evaluation and Appraisal Report

The City has been very successful in surveying historic properties and neighborhoods since 1991 and assessing their historic significance. Since 1993, the City has surveyed and documented 7 neighborhoods or themed buildings for listing on the National or Local Register of Historic Places of which several are potentially eligible for listing on at least the Local Register of Historic Places (N.W. Fifth Avenue/Florida Court, Downtown, Golfview, the Chert structures, Hibiscus Park/Palm Terrace/Annis Terrace/University Park and the Northeast and Southeast Historic District Expansions).

The City has also made comprehensive plan-mandated changes to the Land Development Code to facilitate historic preservation. In 1995, the City adopted the *Ad Valorem Tax Exemption for Historic Properties* and Alachua County followed suit ~~soon~~ thereafter.

The City adopted amendments to the Land Development Code which allow for “modification of existing zoning requirements” where an applicant can demonstrate that the proposed modification is consistent with the historic development patterns of the neighborhood. The City adopted amending the Standard Building Code ~~this year~~ to allow flexible application in reviewing historic properties.

Since the 2001-2010 Historic Preservation Element, the district maps have been adopted with building footprints and the inclusion of structures that have become significant and the *Historic Preservation Rehabilitation and Design Guidelines* were adopted.

The City has not been as successful in implementing the plan in the areas of archaeological protection until this year. A survey of undisturbed archaeological sites has not been conducted to determine a probability archaeological map nor has the City amended its ordinance to include heritage tourism. ~~However, preliminary work is being done to identify aspects that can be amended into the ordinance.~~ In addition to disturbances due to development, several sites within the City have been looted. A protection ordinance should be part of the plan to protect and recover those archaeological resources. The adoption of ~~an archaeological~~ a city-wide archaeological sensitivity map to indicate the probability of archaeological sites would assist the development community during the planning process. Working with the Florida Master Site File office, the city has developed a GIS list of all the sites within the city limits.

Although the City of Gainesville has substantially met the goals, objectives and policies of the Historic Preservation Element, it did not provide strategies for the following areas:

- The EAR found that the Pleasant Street neighborhood continues to have ~~had sustained significant~~ demolition activity that has undermined its integrity. The reasons for this are complex and are summarized below.
- Demolition is a viable alternative due to the high rehabilitation costs in the neighborhood and the low post-rehabilitation housing prices. The financial economic downturn has created further pressures of the lack of fund for routine maintenance. ~~A 1997 report by Community Development Department staff showed median housing rehabilitation costs to be approximately \$43-\$48 per square foot, with the most expensive rehabilitation costs to be approximately \$56 per square foot. The median sales price for a rehabilitated historic home has been approximately \$37 per square foot. Alternatively, new construction costs and sales have ranged between \$40 and \$42 per square foot.~~
- High rehabilitation costs in Pleasant Street result from “demolition by neglect” by the landowners. Failure to maintain the structure inevitably causes the building to fall into decline deferring the costs of maintenance on later parties. The magnitude of the problem in Pleasant Street is illustrated by the following. In a June 1993 survey of the Pleasant Street Historic District, 58 buildings were identified as boarded or vacant. A resurvey of the neighborhood in April 1997 showed that approximately 43 buildings

were boarded. Thirty-two buildings that were identified on the June 1993 survey remain boarded in April 1997. However, a net 11 additional buildings have been added to the list indicating that many of the dwellings presently inhabited are reaching the end of their economic life and will be boarded in the future. This trend, maybe not to this extent of previous years, but continues to shadow the neighborhood and the “demolition by neglect” is the reason for contributing structures to the district being demolished. This jeopardizes the Pleasant Street Historic District’s standing as a historic district.

To address this problem, the EAR recommended that that the City continues to identify programs that accelerate rehabilitation in the Pleasant Street Historic District. A proactive Code Enforcement initiative is also needed in the neighborhood.

~~Another issue identified in the EAR concerned proposed development in neighborhoods surrounding the University of Florida. The City of Gainesville 1991-2001 Comprehensive Plan calls for high density development in the University Heights/University Place, Florida Court and University Terrace neighborhoods. But these areas contain significant historic resources, are economically viable, and are an option to students and others who do not seek higher density, apartment living. The City has developed minimum design standards for these areas, which will help moderate, the impacts of density on these areas, while simultaneously preserving architecturally significant neighborhoods.~~

Residential Conservation Districts

Municipalities in several ways have developed “Conservation districts” areas. First, some communities have used them as a buffer zone against incompatible development in areas adjoining historic districts that are not regulated through historic preservation. Secondly, they have been used within historic districts to regulate work on noncontributing buildings that typically are unregulated under historic preservation regulations. Finally, communities have used conservation district status to protect neighborhoods from loss of further integrity, to preserve a unique neighborhood or area of the community, or so the area can reach historic district status intact.²⁶

Frequently, conservation areas include but are not limited to those neighborhoods that are architecturally noteworthy. Other features that are considered worth preserving include topography, vegetation and space “that create an image of stability, comfort, local identity,

²⁶ Conservation district programs are widely varied in terms of their objectives. Some value the architectural and historical character of neighborhoods, which are not eligible for historic district listing, while others promote neighborhood revitalization. (The City of Gainesville has a “Residential Conservation zoning district” designed primarily to regulate small lots in older neighborhoods.) The degree to which historic preservation is emphasized in conservation districts typically depends on which department within the planning agency administers the program.

and livable atmosphere.”²⁷ In some instances, use of conservation districts has no regulatory burden on the residents or owners of property in the neighborhood. Instead, the main burden of implementation falls upon the municipality in assessing impacts of public projects on the neighborhood. In most instances, however, some restrictions on demolition and some review of new construction is required focusing on building height, scale, placement and setback, and materials. Binding review of architectural alterations is typically not required.²⁸

Gainesville has several neighborhoods that are architecturally distinctive and/or are threatened by loss of integrity. The Golfview Estates, Hibiscus Park, Palm Terrace, and Forest Park neighborhoods, for instance, are proximate to the University of Florida and have suffered decline because of student rentals yet these areas are also significant to the development and architectural history of the city. In particular, many houses in Golfview, Hibiscus Park, and Palm Terrace date back to the 1920s, while Forest Park (north of the College Park neighborhood) is a fine example of a subdivision that developed immediately after the Second World War.

The City should also consider the use of eminent domain to secure properties at risk and either rehabilitate for future sale or giving them away to persons willing to homestead the properties. The City could also use its condemnation powers to assemble land either vacant or occupied by less significant houses to lure larger projects into the neighborhood.

Demolition by Neglect/Affirmative or Minimum Maintenance Ordinance

The outright demolition of structures is the primary threat to cultural resources facing local review boards. However, because the boards have the regulatory power of refusing demolition permits, they exercise considerable control over the demolition process and can often prevent the destruction of historic properties. A more covert form of demolition is that of intentionally neglect whereby a property is allowed to fall into structural disrepair without technically violating historic preservation ordinances. This

²⁷ Robert Stipe, “Conservation Areas: A New Approach to an Old Problem” in *Local Preservation*. Published by the National Park Service, July 1993.

²⁸ The City of Nashville has developed a "conservation district" model, which seeks to preserve the architectural character of a historic neighborhood while not imposing full historic district status. The program is designed to prevent the loss of architecturally or historically important buildings and prohibit new development that is not in character with the neighborhood. The guidelines for new construction recognize that "new buildings should not imitate past architectural styles...and construction in a historic district has usually taken place continuously..." As a result, "new buildings should continue this tradition while complementing and being compatible with other buildings in the area". To implement this direction, the city has developed a "contextualist" approach whereby new construction is guided by four principles: height, scale, setback and rhythm of spacing, and relationship of materials, texture, details and materials.

Preventing alterations that lessen the architectural importance of buildings moderates additions to existing buildings. Compatibility in scale, materials, and texture is emphasized and additions are encouraged in areas not visible from the public right of way.

neglect typically renders future rehabilitation efforts infeasible or financially prohibitive and accomplishes the same objective as direct demolition but with the more nefarious effect of driving down neighborhood property values while standing empty and derelict.

Many localities counteract this process through affirmative maintenance or demolition-by-neglect (DBN) ordinances. The design of these ordinances is to require landowners to maintain their property in a minimally acceptable manner through the application of existing structure standards.

In partnership with the University of Florida's Levin College of Law, Conservation Clinic, the City has researched the effect of taking claims under Federal, Florida Law, and the Bert J. Harris, Jr. Private Property Rights Protection Act claims on demolition by neglect and minimum maintenance ordinances. Proposed amendment to the City of Gainesville's Historic Preservation Ordinance have been identified to be incorporated into the updating on Section 30-112.

110168D

HISTORIC PRESERVATION ELEMENT

Northeast Gainesville Residential Historic District

Legend

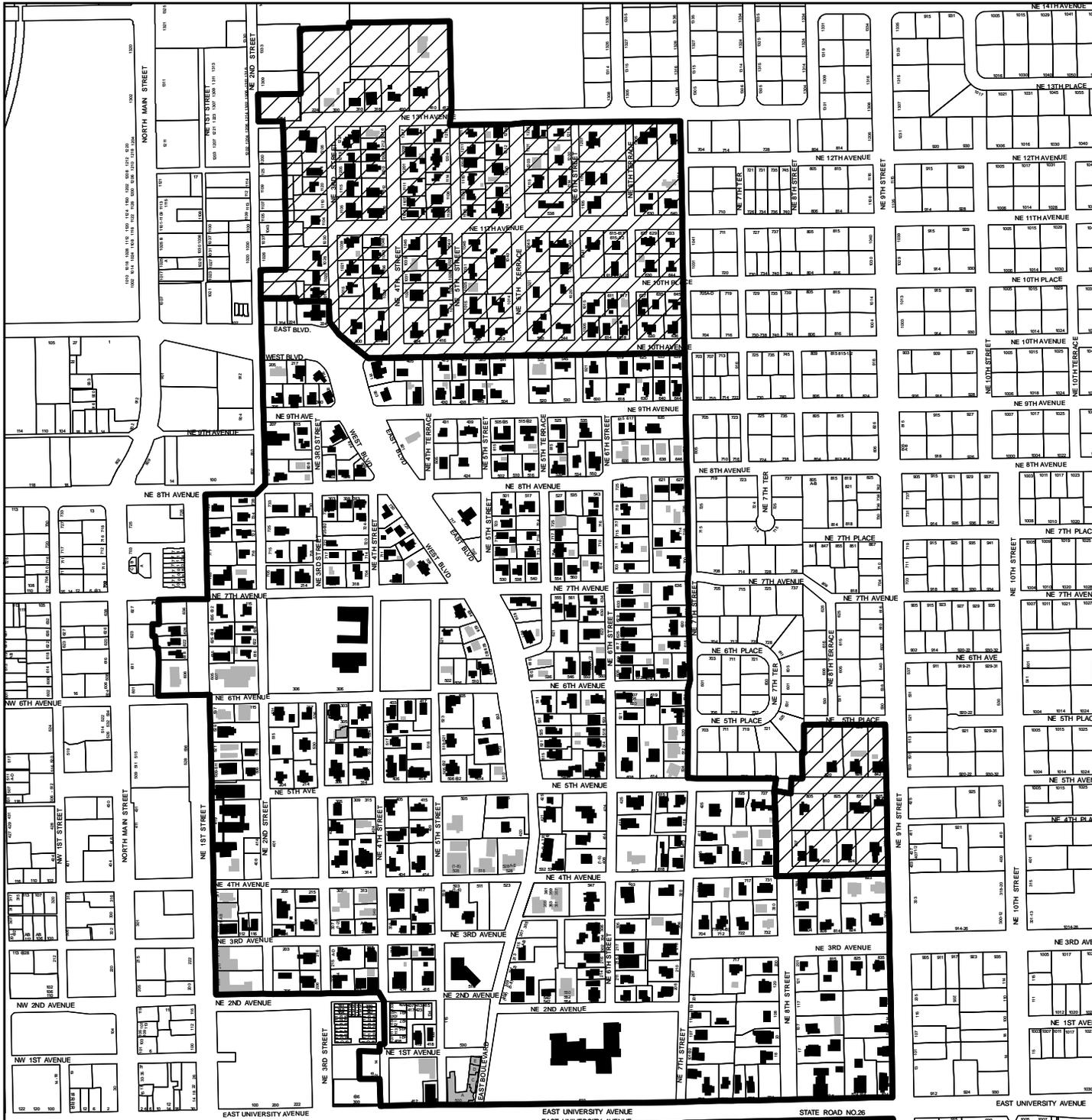
 Historic District Boundary

 Added in 1997

Historic Structures Status

 Contributing

 Non-Contributing



City of Gainesville Gainesville, Florida

Prepared by the
Planning Department
February 2011



HISTORIC 110168D PRESERVATION ELEMENT

Pleasant Street Historic
District

Legend

 Historic District Boundary

Historic Structures

Status

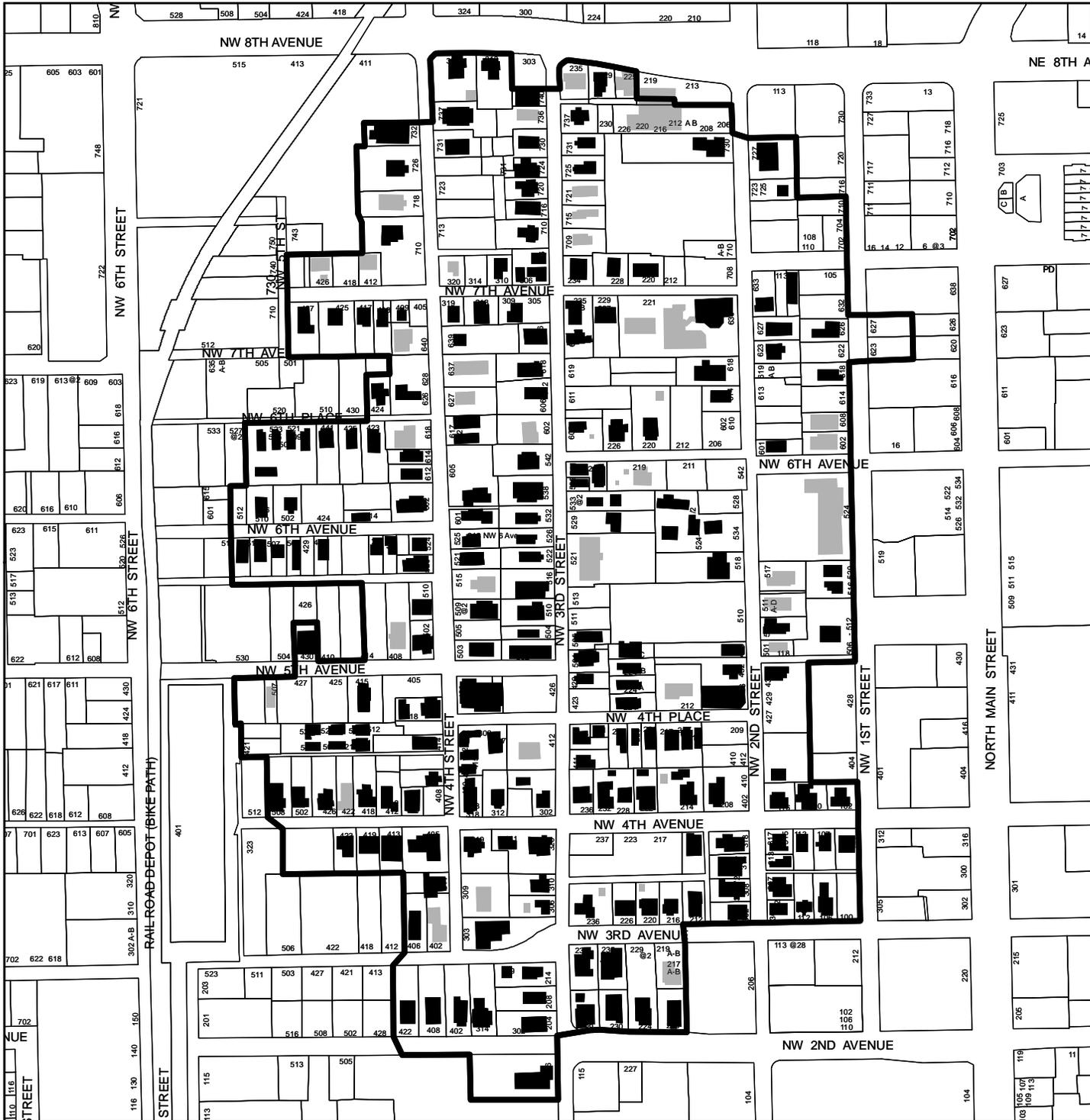
 Contributing

 Non-Contributing

City of Gainesville
Gainesville, Florida

Prepared by the
Planning Department
February 2011

0 125 250 500 Feet



110168D

HISTORIC PRESERVATION ELEMENT

University Heights Historic District - North

Legend

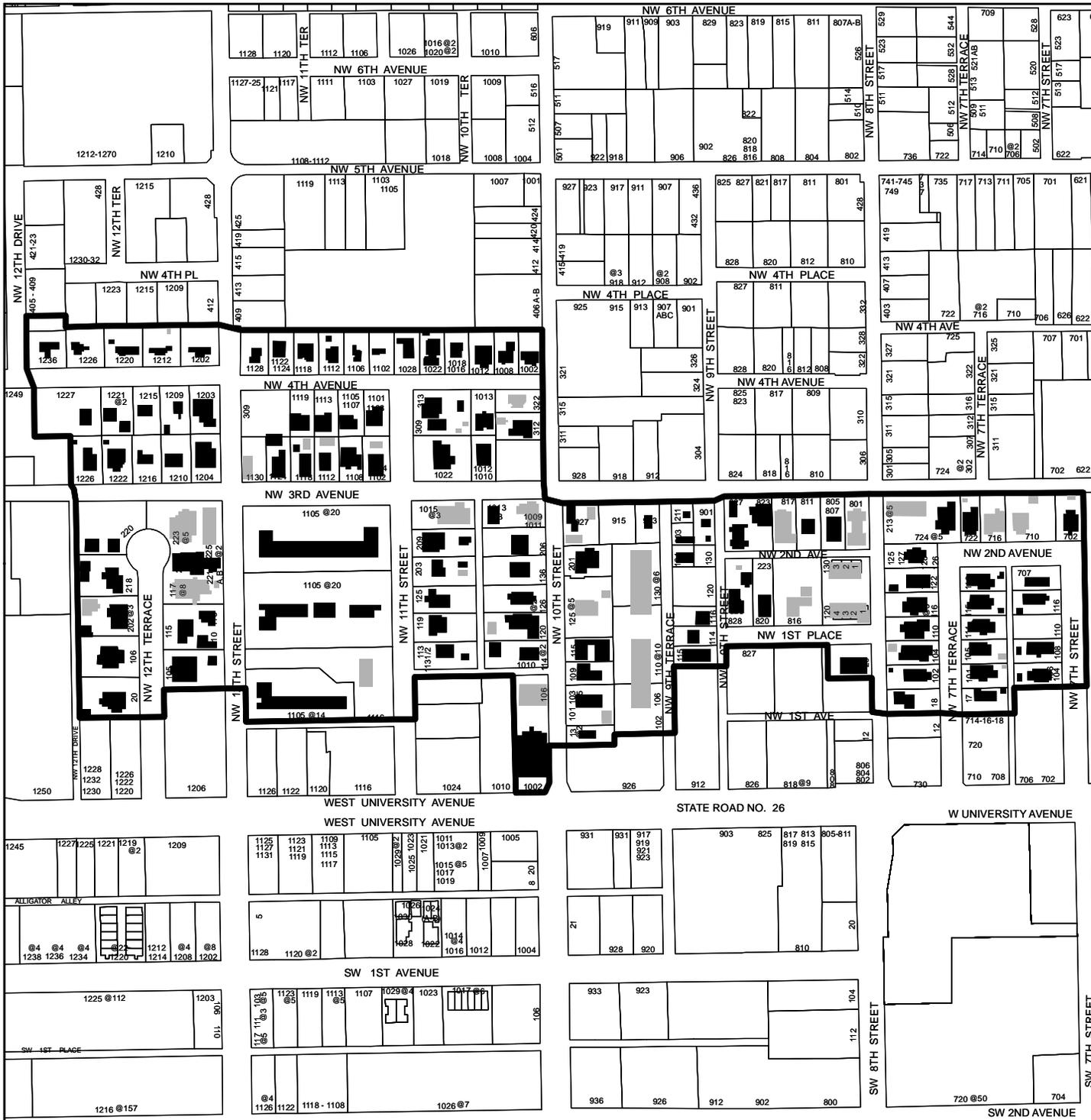
 Historic District Boundary

Historic Structures

Status

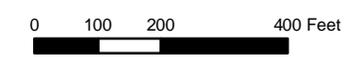
 Contributing

 Non-Contributing



City of Gainesville Gainesville, Florida

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February 2011



110168D

HISTORIC PRESERVATION ELEMENT

University Heights Historic District - South

Legend

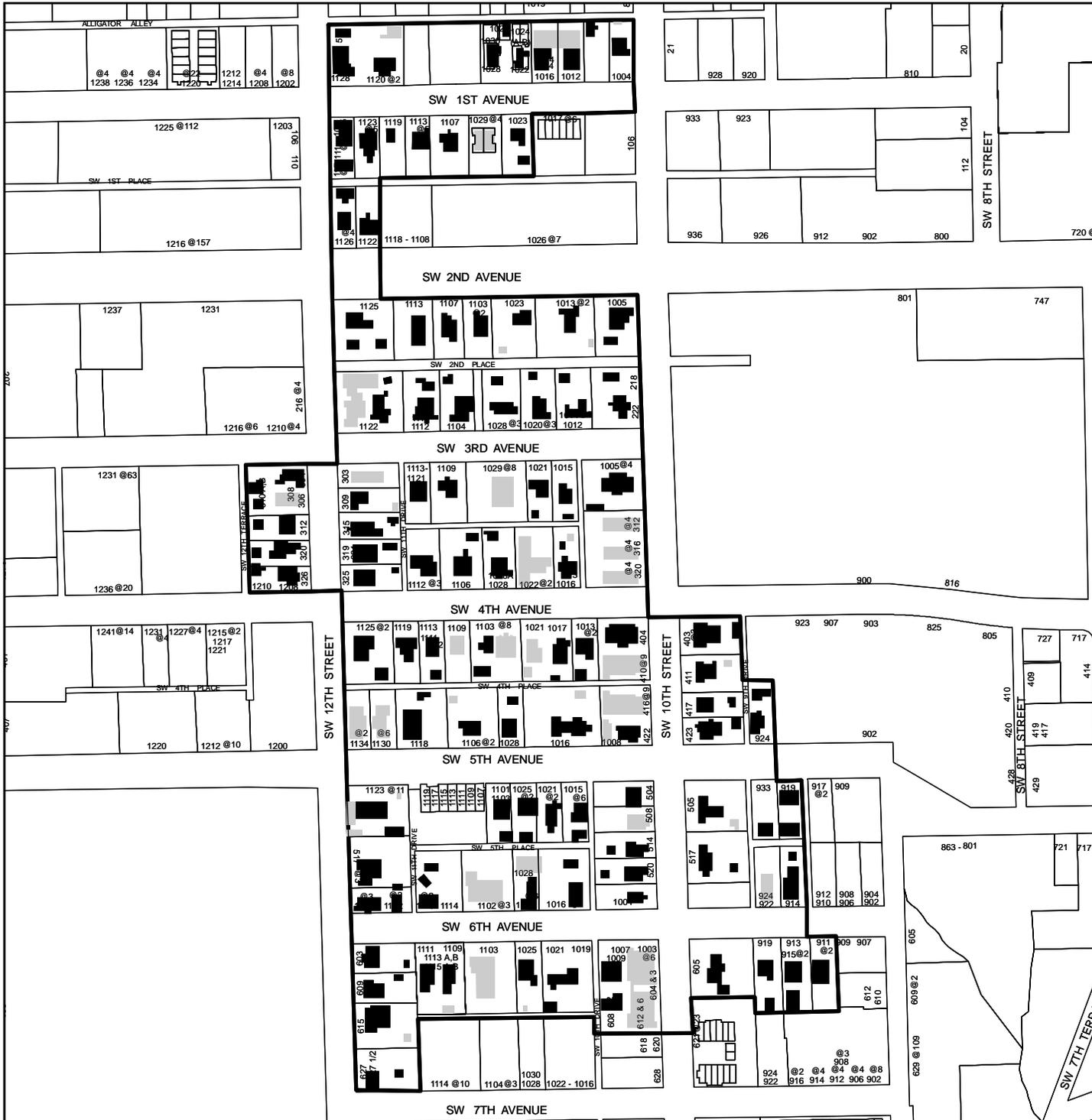
 Historic District Boundary

Historic Structures Status

Status

 Contributing

 Non-Contributing



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February 2011



