

ORDINANCE NO. 2842
0-83-7

AN ORDINANCE AMENDING THE GAINESVILLE CODE OF ORDINANCES BY CREATING CHAPTER 31 ENTITLED HISTORIC PRESERVATION/CONSERVATION; PROVIDING LEGISLATIVE INTENT AND FINDINGS; OBJECTIVE, PURPOSE, AND DEFINITIONS; CREATING A HERITAGE CONSERVATION BOARD, PROVIDING FOR THEIR DUTIES, OFFICERS, TERMS OF APPOINTMENT, AND MEETINGS; CREATING A LOCAL REGISTER OF HISTORIC PLACES AND PROVIDING FOR LISTING ON THE LOCAL REGISTER; DELINEATING THE EFFECT OF LOCAL REGISTER LISTING; AMENDING CHAPTER 29 OF THE GAINESVILLE CODE OF ORDINANCES BY CREATING ARTICLE IX-A ENTITLED HISTORIC PRESERVATION/CONSERVATION DISTRICT; PROVIDING PURPOSE, OBJECTIVES, AND DEFINITIONS, APPLICATION PROCESS AND EFFECT OF CLASSIFICATION; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that the text of the Zoning Code of the City of Gainesville, Florida be amended as set forth herein; and

WHEREAS, notice was given and publication made as required by law on February 2, 1983 of a Public Hearing which was held by the City Plan Board on February 17, 1983; and

WHEREAS, following said hearing, notice was given and publication made on February 2, 1983 of a Public Hearing which was held by the City Commission on March 7, 1983; and

WHEREAS, pursuant to law, at least seven (7) days' notice has been given once in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the A. Clarence O'Neill Auditorium of the Municipal Building of the City of Gainesville, Florida; and

WHEREAS, a Public Hearing was held pursuant to the published notice described above at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard; and

WHEREAS, there are located within the City of Gainesville districts, sites, buildings, structures, objects, and areas, both public and private, which are reminders of past eras, events and persons important in local, State, or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the City and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived.

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

Section 1. Sections 2-129 and 2-138 of the Gainesville Code of Ordinances, creating the Urban Neighborhood Conservation Advisory Board and the Local Register of Historic Places are repealed.

Section 2. Chapter 31 of the Gainesville Code of Ordinances is created to read as follows:

Chapter 31: HISTORIC PRESERVATION/CONSERVATION

ARTICLE I. GENERAL PROVISIONS.

Sec. 31-1. Legislative intent and findings.

The city commission of the City of Gainesville hereby finds as follows:

(a) There are located within the City of Gainesville districts, sites, buildings, structures, objects and areas, both public and private, which are reminders of past eras, events and persons important in local, State, or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the city and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived;

(b) In recognition of these assets, the City of Gainesville has recently amended the City of Gainesville's 1980-2000 Comprehensive Plan to include a Preservation and Conservation Element;

(c) The Preservation and Conservation Element of the Comprehensive Plan includes a survey of cultural resources which has been adopted as the official inventory of historic resources of the City of Gainesville;

(d) Through this and other dedicated efforts of local public and private groups and individuals, the value of a district and several sites, buildings, structures, objects and areas, both public and private, has been recognized by their inclusion in the National Register of Historic Places, the State Inventory, maintained by the Division of Archives, History and Records Management, Department of State; the City's Survey of Cultural Resources, and/or the Alachua

County Architectural Survey; however, many other resources remain unidentified;

(e) The recognition, protection, enhancement and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, cultural and general welfare of the public, since these efforts result in the enhancement of property values; the stabilization of neighborhoods and areas of the city; the increase of economic benefits to the City and its inhabitants; the promotion of local interests; the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs; and the fostering of civic pride in the beauty and noble accomplishments of the past;

(f) It is the policy of the City of Gainesville to encourage beautification and general improvement of, and cleanliness within, the City of Gainesville by requiring the installation of appropriate landscaping which will enhance the community's ecological, environmental, and aesthetic qualities, and which will preserve the value of the property;

(g) The City of Gainesville has for many years exerted efforts in an attempt to encourage redevelopment of the original center of the City and continues to do so;

(h) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development of the City of Gainesville;

(i) The federal government has established a program of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology and culture;

(j) There are other federal programs providing monies for projects involving the rehabilitation of existing districts, sites, buildings, structures, objects, and areas;

(k) The policy of the City of Gainesville is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas;

(l) The City of Gainesville, in applying for block grant funds under the Housing and Community Development Act of 1974, must comply with the requirements of several federal laws relating to the protection of historical, architectural, archeological and cultural resources as part of the environmental review process;

(m) Inherent in the enactment and implementation of these federal mandates is the policy of the United

States Government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people, that in the face of the ever-increasing extensions of urban centers, highways, and residential, commercial and industrial developments, the present governmental and nongovernmental programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation;

(n) It is the will of the people of the State of Florida as expressed in Article II, Section 7 of the 1968 Constitution, that the State's natural resources and scenic beauty be conserved and protected; and

(o) It is the will of the State Legislature as expressed in Chapter 267 of the Florida Statutes that the State's historic sites and properties, buildings, artifacts, treasure troves, and objects of antiquity, which have scientific or historical value, or, are of interest to the public, be protected and preserved.

Sec. 31-2. Objective and purpose.

In recognition of these findings, the purpose of this article is to promote the health, morals, economic, educational, aesthetic, cultural, and general welfare of the public through:

- (a) the identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects, and areas that are reminders of past eras, events, and persons important in local, State or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the city and its neighborhoods, or which provide this and future generations examples of the physical surroundings in which past generations lived;
- (b) the enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the City and its inhabitants, and the promotion of local interests;
- (c) the preservation and enhancement of varied architectural styles, reflecting the City's cultural, social, economic, political and architectural history; and
- (d) the enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

Sec. 31-3. Definitions.

- (a) Area - A clear or open space of land or right-of-way, or the enclosed space or location on which a building stood, stands, or could stand;
- (b) Board - The Heritage Conservation Board established under Article 2 of this chapter;
- (c) Building - A structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, or similar structure. Buildings may refer to a historically or architecturally related complex, such as a house and jail, or a house and barn;
- (d) Certificate of appropriateness - The permit which is required to be issued by the Board prior to any action as set forth in section 31-13 of this ordinance;
- (e) Commission or City Commission - The City Commission of the City of Gainesville;
- (f) Cultural resource - A resource identified by the Survey of Resources conducted by ERLA and Associates and adopted by the City of Gainesville as part of the Preservation and Conservation Element of the City of Gainesville's Comprehensive Plan or a resource added to the City's Inventory or local register;

- (g) Demolition - The tearing down or razing of 25% or more of a structure's existing external walls;
- (h) District - A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, objects, or areas, which are united by past events or aesthetically by plan or physical development. A district also may be comprised of individual resources which are separated geographically but are linked by association or history;
- (i) Documentation - Photographs, slides, drawings, plans, or written descriptions;
- (j) Exterior - The outside part of a building, structure, or object;
- (k) Local Register - A means by which to identify and classify various sites, buildings, structures, objects, areas, and districts as historically and/or architecturally significant;
- (l) Material alteration - Any construction, or change in appearance of the exterior. For buildings, structures, or objects, material alteration shall include, but is not limited to, the changing of roofing or siding substances; changing, eliminating, or adding doors, door frames, windows, window frames, shutters, fences, railings, porches, balconies, or other ornamentation. For buildings, structures, or objects, material

alteration shall not include ordinary maintenance repair or repainting;

- (m) Object - A material thing of functional, aesthetic, cultural, historical, or scientific value that may be by nature of design, movable, yet related to a specific setting or environment;
- (n) Ordinary maintenance - Work done to repair damage or to prevent deterioration or decay of a building or structure or any part thereof by restoring the building or structure or part thereof as nearly as practicable to its condition prior to such damage, deterioration, or decay;
- (o) Resource(s) - Sites, buildings, structures, objects, districts, and areas whether public or private, either singly or in combination, as defined in this section of the ordinance;
- (p) Site - The location of a significant event, activity, building, structure, or archeological resource where the significance of the location and any archeological remains outweighs the significance of any existing structures;
- (q) Structure - A work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by man, it may be an engineering project large in scale.

ARTICLE II. HERITAGE CONSERVATION BOARD.

Sec. 31-4. Heritage Conservation Board -- Creation.

There is hereby created and established a Heritage Conservation Board.

Sec. 31-5. Heritage Conservation Board -- Duties and Authority Generally.

It shall be the responsibility of the Board to:

- (1) update the official inventory of cultural resources and submit to the city commission recommendations and documentation concerning such updating;
- (2) develop programs to stimulate public interest in urban neighborhood conservation, to participate in the adaptation of existing codes, ordinances, procedures, and programs to reflect urban neighborhood conservation policies and goals;
- (3) explore funding and grant sources and advise property owners concerning which might be available for the identification, protection, enhancement, perpetuation, and use of historic, architectural, archeological, and cultural resources;
- (4) cooperate with agencies of city, county, regional, state and federal governments in planning proposed and future projects to reflect the concerns and policies expressed in this article, and assist in the development of proposed and future land use plans;

- (5) advise property owners and local governmental agencies concerning the proper protection, maintenance, enhancement, and preservation of cultural resources;
- (6) advise the city commission concerning the effects of local governmental actions on cultural resources;
- (7) conduct regular public meetings and call special meetings;
- (8) otherwise further the objectives and purposes defined in section 31-2 of this chapter;
- (9) submit to the city commission for its approval, rules and procedures to be used by the Board for implementation of the powers and duties consistent with the provisions of this chapter;
- (10) report to the commission concerning the Board's activities at least once a year;
- (11) review and recommend sites, buildings, structures, objects, areas and districts, both public and private, for listing on the Local Register for Historic Places;
- (12) approve or deny petitions for certificates of appropriateness required under section 31-13 of this chapter;
- (13) notify the City Manager who will take appropriate action when it appears that

there has not been compliance with the requirements of section 31-13 of this chapter.

Sec. 31-6. Heritage Conservation Board -- Composition.

The Board shall consist of nine citizen members who shall be appointed by the city commission. All members of the Board shall be residents of the City of Gainesville. One member shall be a registered architect. The remaining eight (8) appointments shall be made on the basis of civic pride, integrity, experience, and interest in the field of historic preservation. The city commission shall appoint architects, historians, real estate agents, real property appraisers, planners, engineers, building contractors, lawyers, landscape architects, and bankers or financial institution officers to fill four (4) of the remaining eight (8) appointments. The city commission shall appoint four (4) additional persons from other segments of the community to complete the board appointments.

Sec. 31-7. Heritage Conservation Board --

Officers; Terms of Office.

The Board shall elect from its membership a chairperson and a vice-chairperson who shall serve for terms of one year and who shall be eligible for re-election. The chairperson shall preside over the Board and shall have the right to vote. In the absence or disability of the chairperson, the vice-chairperson shall perform the duties of the chairperson. The director of the department of community development or his designee

shall serve (ex officio) as secretary of the Board but shall have no vote. Additional staff will be supplied as available.

The members of the Board shall serve overlapping terms of three (3) years. Initially, three (3) members shall be appointed for a term of one (1) year, three (3) members shall be appointed for a term of two (2) years, three (3) members shall be appointed for a term of three (3) years. After initial appointment, all appointments shall be made for a term of three (3) years.

Members may be re-appointed for consecutive terms but service on the Board may not exceed six (6) consecutive years. Re-appointment may then occur after one year of absence from the board.

If a vacancy occurs, a new appointment shall be made by the city commission for the unexpired term.

Sec. 31-8. Heritage Conservation Board -- Meetings.

The Board shall hold regular meetings at least monthly.

No business shall be conducted by the Board without the presence of a quorum of five (5) voting members.

Approval or denial of petitions for certificates of appropriateness shall require the affirmative vote of at least four (4) voting members. If insufficient affirmative votes are obtained, a matter shall be tabled and placed on the agenda for the next following meeting. However, petitions for certificates of

appropriateness shall be deemed automatically granted if not approved or denied within forty-five (45) days after the first meeting at which they were considered.

The Board shall adopt rules as approved by the city commission for the transaction of its business which provide for the time and place of regular meetings and for the calling of special meetings. All meetings of the Board shall be open to the public, and a public record shall be kept of the Board's resolutions, proceedings and actions.

The Board shall hold special meetings called according to the rules and procedures adopted by the Board. Notice in advance of the meeting shall be given to the clerk of the commission for dissemination to the news media.

ARTICLE III. LOCAL REGISTER OF HISTORIC PLACES.

Sec. 31-9. Local Register of Historic Places -- Creation.

A Local Register of Historic Places is hereby created as a means of identifying and classifying various sites, buildings, structures, objects, and districts as historic and/or architecturally significant. The Local Register will be kept by the city manager or his designee.

Sec. 31-10. Initiation of Placement on the Local Register.

(a) Initiation of Placement on the Local Register.

Placement of individual properties or districts on the Local Register may be initiated by the city commission,

the Heritage Conservation Board, or by the property owner.

Sec. 31-11. Placement on the Local Register.

(a) Placement of Properties on the Local Register will be made only after:

- (1) an individual or district nomination form is completed by the applicant and returned to the director of the department of community development or his designee. Individual or district nomination forms are included in the Preservation/Conservation Manual. A copy of the Preservation/Conservation Manual is available from the department of community development.
- (2) a review and written recommendation indicating suitability for listing the property or district on the Local Register by the Heritage Conservation Board is completed.
 - (a) In completing their review and recommendation, the Heritage Conservation Board will consider whether the site, building, structure, object, or district in question meets the following criteria:

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and

(1) that are associated with events that have made a significant contribution to the broad patterns of our history; or

(2) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

- (b) Upon receipt of a completed nomination form by the Heritage Conservation Board at a duly called meeting, the Board will have ninety (90) days in which to review and write a recommendation indicating suitability for listing the property on the Local Register. The Board shall

review the completed nomination form at a public meeting. Public notice of the meeting will be provided to the public at large and individual notice shall be furnished to the property owner(s). Following the public meeting, the Board shall write the recommendation indicating suitability for listing the property on the Local Register and shall include a factual statement of any owner's objection to the listing in their recommendation. Failure to review and write a recommendation within ninety (90) days will be deemed a recommendation approving listing on the Local Register unless the ninety (90) days time period is extended by mutual written consent reached by the applicant and the Board.

- (3) The nomination form and the Heritage Board recommendation shall be sent to the Plan Board. The nomination shall then be handled as any other rezoning and the procedure for zoning change set forth in Chapter 2 of the Gainesville Code shall be followed.

The following restates the procedure
for zoning change set forth in Chapter 2:

(a) Procedure for filing petitions.

- (1) Petitions for change of zoning or district regulations shall be addressed to and filed with the department of community development. Such petitions shall contain or be accompanied by all pertinent information which may be required by the city plan board for its proper consideration of the matter.
- (2) After consideration of a proposal or a petition for a change in the zoning district classification or in district regulations, the city plan board shall transmit the petition and its recommendations thereon to the city commission.
- (3) No recommendation for a change in zoning district classification or in district regulations shall be made by the city plan board to the city commission unless and until a public hearing as herein-after prescribed has been held by the city plan board.

(4) Proposals originating with the city commission or initiated by the heritage conservation board shall be processed in the same manner as provided for petitions in the preceding paragraphs.

(b) Hearings before city plan board and city commission; notice.

(1) Notice of hearings before city plan board in connection with changes in zoning district classification, changes in district regulations or special approvals under the zoning ordinances shall be published in a newspaper of general circulation in the city at least fifteen (15) days prior to the date of the hearing. Such notice shall specify the time and place of the hearing and the matter to be considered at such hearing.

(2) Petitioners for changes in the zoning ordinances or for special approvals shall be given notice of hearing by letter addressed to such petitioner at the address given in such petition, and mailed at least

fifteen (15) days prior to
date of hereing.

- (3) In connection with hearings on petitions for change in the zoning district classifications for an area comprising five (5) per cent or less of the total land area of the city, or for a special approval, all owners of property in the area proposed for zoning change, and all owners of property within four hundred (400) feet of the land subject to such petition shall be given notice of such hearing by mail. Such notice shall be mailed at least thirty (30) days prior to the date of the haring. For the purpose of this notification an owner of property shall be deemed to be the person who, with his address, is so shown on the tax rolls of the city. If any of the land within such four hundred (400) feet is part of the common element of a condominium, notice shall be sent to all of the condominium unit owners, as shown on the latest tax rolls.

(4) In cases in which the proposed change in zoning district/categories deals with more than five (5) per cent of the total land area of the city, the public notice and hearing requirements shall be as follows:

(a) The city plan board shall hold one advertised public hearing on the proposed change approximately fifteen (15) days after the day that the advertisement is published. The form of the required advertisement shall be the same as required before the city commission as provided in paragraph (2) below.

(b) The city commission shall hold two (2) advertised public hearings on the proposed rezoning ordinance in the manner provided in Section 166.041(3)(c)2, Florida Statutes, (1981), Gainesville Code of Ordinances, Sec. 2-40.

(c) Fees for petitions.

The following fee shall be paid to the City of Gainesville and such payment shall be made at the time of filing petitions with the department of community development.

(1) Petitions for rezoning (except to planned development) and zoning text amendments shall be accompanied by a fee of two hundred fifty dollars (\$250.00). Gainesville Code of Ordinances, Section 2-41.

(d) Limit on petitions.

(1) When the city commission has taken action to deny a petition for rezoning of property, the plan board shall not consider any further petition for the rezoning as to any part of the same property for a period of twelve (12) months from the date of such action. In the event a comprehensive plan amendment is necessary for a rezoning to planned development the foregoing one-year limitation may be waived by a simple majority vote of the city commission.

(2) Whenever the city commission has changed the zoning of property by an amendatory ordinance, the city plan board shall not consider any

petition for rezoning of any part of the same property for a period of twelve (12) months from the date of the amendatory action.

- (3) The city commission may waive the above time limitations by the affirmative vote of four (4) commissioners provided thirty (30) days have elapsed since the action of the commission to deny the original request, and if the city commission deems such action necessary to prevent an injustice or to facilitate the proper development of the city.

(e) District boundaries and regulations; submission to board.

- (1) No change or amendment, relating to the boundaries of the various zoning districts and the regulations applicable thereto, shall be made by the city commission unless the proposal or request for such change has been considered by the city plan board and the city commission has received a recommendation thereon from the city plan board.

- (2) The city commission may, however, act on any such change or amendment

without a recommendation from the city plan board if such board has not acted on the matter within forty-five (45) days of the date of the first regular meeting of the city plan board after a petition or proposal for a change or amendment has been filed with or received by the building inspector.

(f) Basis for recommendations.

In reviewing and formulating recommendations to the city commission on requested or proposed changes in the zoning ordinances, the city plan board shall consider and evaluate the changes in relation to all pertinent factors, including the following:

- (1) The character of the district and its peculiar suitability for particular uses.
- (2) Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.
- (3) The applicable portions of any current city plans and programs such as land use, trafficways, recreation, schools, neighborhoods, drainage and housing.

- (4) The needs of the city for land areas for specific purposes to serve population and economic activities.
- (5) Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.
- (6) The facts and opinions presented to the city plan board through hearings.
- (g) Area for rezoning.

In case of a petition for a change in the zoning of property, the city plan board shall consider whether the area described in the original petition should be enlarged in order to reflect the interest of the city and to correspond with the city plan. The city plan board shall study and recommend to the city commission such enlargement, if any, as it may deem desirable.

- (h) Protest.

For any proposed change in zoning of an area involving five (5) per cent or less of the total land area of the city, in case of protest against such change in the zoning of property, signed by the owners of twenty (20) per cent or more, either of the area included in such proposed change, or the

area within four hundred (400) feet of the area included in proposed change, such amendment shall not become effective except by the favorable vote of four-fifths (4/5) of all the commission. Publicly owned right-of-way, although included in calculating the distance of four hundred (400) feet referred to in the previous sentence, shall not be included in determining the total of the area lying within four hundred (400) feet of the property, involved in such proposed change and the percentage referred to.

(i) Action by commission.

If a petition or recommendation for a change or amendment to the zoning ordinances is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, said petition shall be deemed to have been denied.

In any discrepancy between the restatement of rezoning procedures and the stated procedures above for rezoning set forth in Chapter 2 of the Gainesville Code of Ordinance occurs, the procedural statement contained in Chapter 2 shall take precedence.

(4) Upon placement of property or properties on the Local Register, the Board shall cause this designation to be recorded in the official record books of Alachua County.

- (5) Application may be made for the removal of a property from the Local Register, and the same procedure shall be employed as in the placement of a property or properties under section 31-11. A property may be removed if the Board makes a new and negative evaluation of the reasons for its original recommendation or for any other valid reason approved by the Board.

Sec. 31-12. Effect of Local Register Listing.

(a) Certificate of Historic Significance. The department of community development shall issue an official certificate of historic significance to the owner of properties listed individually on the Local Register or judged as contributing or significant to the character of a district listed on the Local Register. The City Manager is additionally authorized to issue and place official signs denoting the geographic boundaries of each district listed on the Local Register.

(b) Modification of Existing Zoning Requirements. The listing of a building, structure, object, site or district on the Local Register of Historic Places shall modify the regulations and procedures set forth in Chapter 29 of the Gainesville Code of Ordinances to the extent stated in Chapter 31 of the Gainesville Code of Ordinances. The remainder of the requirements, regulations, and procedures set forth in Chapter 29 shall remain applicable.

(c) Modification of Standard Building Code Requirements. Structures and buildings listed individually on the Local Register or judged as contributing or significant to the character of a district listed on the Local Register shall be deemed historic and entitled to modified enforcement of the Standard Building Code as provided by Chapter 1, section 101.5 of the Standard Building Code Congress International, Inc.

(d) Issuance of Building or Demolition Permits. No building or demolition permit shall be issued for any of the actions specified in section 31-13 of this article without the issuance of a certificate of appropriateness from the Heritage Conservation Board or a written statement from the Board to the building official stating that no certificate of appropriateness is required.

Sec. 31-13. Certificates of Appropriateness; Requirements and Criteria.

(a) Requirements for Certificates of Appropriateness. A certificate of appropriateness shall be required:

- (1) to materially alter the exterior appearance of a building, structure or object listed individually on the Local Register or of a building located in a district listed on the Local Register and classified as significant to that district;

- (2) to erect an addition to an existing building, structure, or object listed individually on the Local Register or to erect a new building within a district listed on the Local Register;
 - (3) to demolish a building, structure, or object listed individually on the Local Register or to demolish a building structure or object located in a district listed on the Local Register and classified as significant or contributing to that district;
 - (4) to relocate a building, structure, or object listed individually on the Local Register or to relocate a building located in a district listed on the Local Register and classified as significant or contributing to that district.
- (b) Criteria for Certificate of Appropriateness.
- (1) Material alteration or change in exterior appearance, erection of new buildings, structures, or objects, additions to existing buildings, structures or objects:
A decision by the Heritage Conservation Board approving or denying a certificate of appropriateness for the material alteration or change in exterior appearance of an existing building, structure, or object, or an addition to an existing building, structure, or object shall be

guided by the Secretary of the Interior's
Standard for Rehabilitation and Guidelines
for Rehabilitating Historic Buildings and
the following visual compatibility standards:

- (a) Height -- Height shall be visually compatible with adjacent buildings.
- (b) Proportion of building, structure or object's front facade -- The width of building, structure or object to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related.
- (c) Proportion of openings within the facility -- The relationship of the width of the windows to the height of windows in a building, structure, or object shall be visually compatible with buildings and places to which the building, structure or object is visually related.
- (d) Rhythm of solids to voids in front facades -- The relationship of solids to voids in the front facade of a building, structure or object shall be visually compatible with buildings and places to which it is visually related.

- (e) Rhythm of buildings, structures, or objects on streets -- The relationship of the buildings, structures, or objects to open space between it and adjoining buildings and places shall be visually compatible to the buildings and places to which it is visually related.
- (f) Rhythm of entrance and/or porch projection -- The relationship of entrances and projections to sidewalks of a building, structure, or object shall be visually compatible to the buildings and places to which it is visually related.
- (g) Relationship of materials, texture, and color -- The relationship of materials, texture and color of the facade of a building, structure or object shall be visually compatible with the predominant materials used in the buildings to which it is visually related.
- (h) Roof shapes -- The roof shape of the building, structure, or object shall be visually compatible with the buildings to which it is visually related.

- (i) Walls of continuity -- Appurtenances of a building, structure, or object such as walls, fences, landscape masses shall, if necessary, form cohesive walls of enclosure along a street, to insure visual compatibility of the building, structure, or object to the building and places to which it is visually related.
 - (j) Scale of a building -- The size of the building, structure, or object, the building mass of the building, structure or object in relation to open space, the windows, door openings, porches, and balconies shall be visually compatible with the buildings and places to which it is visually related.
 - (k) Directional expression of front elevation -- A building, structure, or object shall be visually compatible with the buildings and places to which it is visually related in its directional character.
- (2) Demolition: A decision by the Heritage Conservation Board approving or denying a certificate of appropriateness for the demolition of buildings, structures, or objects shall be guided by:

- (a) the historic or architectural significance of the building, structure, or object,
- (b) the importance of the building, structure, or object to the ambiance of a district,
- (c) the difficulty or the impossibility of reproducing such a building, structure, or object because of its design, texture, material, detail, or unique location,
- (d) whether the building, structure, or object is one of the last remaining examples of its kind in the neighborhood, the county, or the region,
- (e) whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be,
- (f) whether reasonable measures can be taken to save the building, structure, or object from collapse, and
- (g) whether the building, structure, or object is capable of earning reasonable economic return on its value.

- (3) Relocation: A decision by the Heritage Conservation Board approving or denying a certificate of appropriateness for the relocation of a building, structure, or object shall be guided by:
- (a) the historic character and aesthetic interest the building, structure or object contributes to its present setting,
 - (b) whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be,
 - (c) whether the building, structure, or object can be moved without significant damage to its physical integrity,
 - (d) whether the proposed relocation area is compatible with the historical and architectural character of the building, structure or object.
- (c) In reviewing an application for a certificate of appropriateness, the Board shall be aware of the importance of finding a way to meet the current needs of the property owner. The Board shall also recognize the importance of approving plans that will be reasonable for the property owner to carry out.

Sec. 31-14. Certificate of Appropriateness -- Procedure.

Upon the receipt of a request to initiate any of the actions specified in section 31-13 of this chapter, the building official shall notify the director of the department of community development or his designee and thus initiate the following procedure:

(a) Pre-certificate of appropriateness conference(s):

- (1) The prospective applicant shall confer with the director of the department of community development or his designee concerning the nature of the proposed action and requirements related to it. The director will advise the applicant of the nature and detail of the plans, designs, photographs, reports or other exhibits required to be submitted with the application. Such advise shall not preclude the Heritage Conservation Board from requiring additional material prior to making its determination in the case.
- (2) Following the conference with the director of the department of community development or his designee, a pre-application conference shall be held with the Heritage Conservation Board if requested by the applicant.

(b) Applications for certificates of appropriateness:

Following the pre-application conference(s) described above, the applicant shall submit to the

Heritage Conservation Board a completed application and the required supporting exhibits. No application shall be deemed filed until all supporting materials have been provided and fees paid.

(c) Certificates of appropriateness -- hearings.

(1) Timing -- When a completed application and the accompanying required exhibits for a certificate of appropriateness are received by the Heritage Conservation Board, the chairperson or in his/her absence the vice-chairperson, shall set a date for the Board to meet and consider the application. The date set shall be within thirty (30) days of receipt, except where a longer time period is established in writing by mutual agreement between the Board chairperson, or in his/her absence, the vice-chairperson, and the applicant. Notice of the time and place of the meeting shall be sent in writing to the applicant. Notice shall also be sent to all persons or organizations filing written requests with the department of community development for such notices.

The meeting shall be open to the public and advertised through a generally circulated

local newspaper at least fifteen days prior to the meeting. In all cases, the meeting shall be announced and held in a manner that fully complies with the Public Record Law of the State of Florida.

- (2) Hearing(s)--The hearing shall be held at the time and place indicated in the notice. The decision of the Heritage Conservation Board shall be made at the hearing, or no later than forty-five (45) days after said hearing.

The time period for reaching a decision may be extended by mutual written agreement between the applicant and the Board. Such agreement may be made at any time within the forty-five (45) days period indicated, and may be subsequently extended.

The department of community development shall record and keep records of all meetings. The records shall include the vote, absence or abstention of each member upon each question, all official actions of the Board, and any findings or examinations by the Board. All records shall be filed in the department of community development.

- (3) Decision-making authority -- The Heritage Conservation Board shall use the criteria set forth in section 31-13 of this chapter to review the completed application and

accompanying exhibits. After completing the review of the application and fulfilling the public notice and hearing requirements set forth above, the Board shall take one of the following actions:

- (a) grant the certificate of appropriateness with an immediate effective date,
- (b) grant the certificate of appropriateness with special modifications and conditions,
- (c) grant the certificate of appropriateness with a deferred effective date which date shall not exceed one (1) year from the date of issuance,
- (d) deny the certificate of appropriateness, accompanied by a written statement expressing findings of fact and rationale supporting the denial, or
- (e) grant the certificate of appropriateness if the Board finds that the property cannot be put to a reasonable beneficial use without the approval of the proposed work; in the

case of income producing property, the Board shall, before making its decision, determine whether the applicant can obtain a reasonable return from the property without the approval of the proposed work.

Where the certificate is denied or issued with a deferred effective date, the Board shall take or promote the taking of an action desirable for the conservation or preservation of the structure, building, object or area. Such action shall include impressing the desirability of preservation and/or conservation upon the property owner and recommending to him various alternatives that would make the project acceptable.

- (4) Effect of failure to decide within the time limit -- Failure of the Heritage Conservation Board to act within the time limits established shall be deemed an approval of the application, and upon request of the applicant, the building official shall issue any permit dependent upon the issuance of a certificate of appropriateness.

- (5) Right to appeal -- Any person aggrieved by a decision reached by the Heritage Conservation Board may appeal the decision to a court of competent jurisdiction within thirty (30) days from the date the decision is reduced to writing and delivered by certified or registered mail, return receipt requested, to him or her.

ARTICLE IV. PENALTIES.

Sec. 31-15. Penalties.

Any person failing to comply with any of the sections of this ordinance shall be subject to punishment as provided in section 1-8 of the City of Gainesville Code of Ordinances. In addition, a stop work order shall be issued by the code enforcement official in any case where work has commenced or preparation for work has commenced which requires a certificate of appropriateness under section 31-13 of this chapter and where no such certificate has been obtained. The stop work order shall be issued to the property owner, the occupant, or any person, company or corporation commencing work or preparation for work in violation of this ordinance. The stop work order shall remain in full force and effect until a certificate of appropriateness has been obtained or it has been determined by the Board that no certificate of appropriateness is required.

Section 3. A new article IX-A of the City of Gainesville Code of Ordinances, Chapter 29, Zoning Code, is hereby created to read as follows:

ARTICLE IX-A. A HISTORIC PRESERVATION/CONSERVATION DISTRICT.

Sec. 29-52.1. Purpose and Objectives.

(a) Purpose. An historic preservation/conservation district is established for the purpose of identifying, classifying and protecting sites, buildings, structures, objects and districts that are historically and/or architecturally significant.

(b) Objectives. The provisions of this article are intended to implement Chapter 31 of the Gainesville Code of Ordinances and promote the health, economic, educational, aesthetic, cultural, and general welfare of the public through:

- (1) the identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects, and areas that are reminders of past eras, events, and persons important in local or state history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the city and its neighborhoods, or which provide this and future generations examples of the physical surroundings in which past generations lived;
- (2) the enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase

of economic and financial benefits to the city and its inhabitants, and the promotion of local interests;

- (3) the preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and
- (4) the enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

Sec. 29-52.2. Definitions.

For purposes of this article relating to preservation/conservation districts, the following words and phrases shall have the following meanings:

- (a) Area - A clear or open space of land or right-of-way, or the enclosed space or location on which a building stood, stands, or could stand, a definitely bounded part or section of a district, site, building, structure, or object set aside for a specific purpose;
- (b) Building - A structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, or similar structure. Buildings may refer to a historically or architecturally related complex, such as a courthouse and jail, or a house and barn;

- (c) District - A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, objects, or areas, which are united by past events or aesthetically by plan or physical development. A district also may be comprised of individual resources which are separated geographically but are linked by association or history;
- (d) Object - A material thing of functional, aesthetic, cultural, historical, or scientific value that may be by nature of design, movable, yet related to a specific setting or environment;
- (e) Structure - A work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by man, it may be an engineering project large in scale.

Sec. 29-52.3. Application process.

(a) Applications for rezoning to historic preservation/conservation district classification must be accompanied by:

- (1) a completed Local Register of Historic Places nomination form. A nomination form is included in the Preservation/Conservation Manual, obtainable from the department of community development; and

- (2) a review and written recommendation of the Local Register of Historic Places nomination form by the Heritage Conservation Board.

(b) The Local Register of Historic Places nomination form and the Heritage Conservation Board's recommendation shall be attached to the rezoning petition and forwarded to the Plan Board. The petition shall continue to be processed as any other rezoning petition under this chapter of the Gainesville Code of Ordinances.

Sec. 29-52.4. Effect of classification.

The historic preservation/conservation district classification is an overlay district classification. When the historic preservation/conservation district overlay is applied to any property, the underlying zoning district categories are neither abandoned nor repealed. The existing regulations remain in effect and are further restricted in that no building or demolition permit shall be issued for any of the actions specified in section 31-13 of Chapter 31 of the Gainesville Code of Ordinances without the issuance of a certificate of appropriateness from the Heritage Conservation Board or a written statement from the Board to the building official stating that no certificate of appropriateness is required.

Historic preservation/conservation district classification shall not modify existing zoning requirements any further. The requirements, regulations, and procedures set forth in Chapter 29 shall remain applicable to the property so classified.

Section 4. Section 29-8 of the Gainesville Code of Ordinances is amended to include a new subsection (g) to read as follows:

(g) Historic Preservation/Conservation Districts.

H/C Historic Preservation/Conservation District
(overlay district)

Section 5. It is the intention of the city commission that the provisions of this Ordinance shall become and be made a part of the City of Gainesville Code of Ordinances and that the codifier is hereby directed to modify any section of this Ordinance necessary to include reference to the historic preservation/conservation district.

Section 6. If any portion of this ordinance is declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance.

Section 7. All ordinances, or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 8. This ordinance shall become effective immediately upon final adoption.

DATED this 28th day of March, A.D., 1983.

ATTEST.

Mary Ann S. Frazer
CLERK OF THE COMMISSION

George D. Annor
MAYOR-COMMISSIONER

Approved at form and correctness
MAR 31 1983

By

J. T. Frankenger
J. T. Frankenger, City Attorney
City of Gainesville, Florida

This ordinance passed on first reading this 14th day of

March, 1983.

This ordinance passed on second and final reading this
28th day of March, 1983.



The attached "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Old Buildings" is referenced on page 31 of Ordinance No. 2842 (Historic Preservation Ordinance) adopted by the City Commission on April 4, 1983.

THIS IS NOT AN EXHIBIT TO ORDINANCE NO. 2842; HOWEVER, IS RETAINED WITH SAID ORDINANCE FOR SOLELY INFORMATIONAL PURPOSES AND CONVENIENCE.

Clerk of the Commission
CITY OF GAINESVILLE, FLA.
P. O. Box 490
Gainesville, Florida 32601

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The Secretary of the Interior's STANDARDS FOR REHABILITATION and Guidelines for Rehabilitating Old Buildings

Prepared by the Technical Preservation Services Division, National Park Service

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

The following "Standards for Rehabilitation" shall be used by the Secretary of the Interior when determining if a rehabilitation project qualifies as "certified rehabilitation" pursuant to the Tax Reform Act of 1976, the Revenue Act of 1978, and the Economic Recovery Tax Act of 1981. These standards are a section of the Secretary's "Standards for Historic Preservation Projects" and appear in Title 36 of the Code of Federal Regulations, Part 67 (formerly 36 CFR Part 1208).

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

USING THESE SHEETS WILL EXPEDITE PRODUCTION OF COURSE OUTLINES.

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7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

GUIDELINES FOR APPLYING THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The following guidelines are designed to help individual property owners formulate plans for the rehabilitation, preservation, and continued use of historic buildings consistent with the intent of the Secretary of the Interior's "Standards for Rehabilitation." The guidelines pertain to buildings of all occupancy and construction types, sizes, and materials. They apply to permanent and temporary construction on the exterior and interior of historic buildings as well as new attached or adjacent construction.

Techniques, treatments, and methods consistent with the Secretary's "Standards for Rehabilitation" are listed in the "recommended" column on the left. Not all recommendations listed under a treatment will apply to each project proposal. Rehabilitation approaches, materials, and methods which may adversely affect a building's architectural and historic qualities are listed in the "not recommended" column on the right. Every effort will be made to update and expand the guidelines as additional techniques and treatments become known.

Specific information on rehabilitation and preservation technology may be obtained by writing to the Technical Preservation Services Division, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240, or the appropriate State Historic Preservation Officer. Advice should also be sought from qualified professionals, including architects, architectural historians, and archeologists skilled in the preservation, restoration, and rehabilitation of old buildings.

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THE ENVIRONMENT

Recommended

Retaining distinctive features such as the size, scale, mass, color, and materials of buildings, including roofs, porches, and stairways that give a neighborhood its distinguishing character.

Retaining landscape features such as parks, gardens, street lights, signs, benches, walkways, streets, alleys and building setbacks that have traditionally linked buildings to their environment.

Using new plant materials, fencing, walkways, street lights, signs, and benches that are compatible with the character of the neighborhood in size, scale, material and color.

Not Recommended

Introducing new construction into neighborhoods that is incompatible with the character of the district because of size, scale, color, and materials.

Destroying the relationship of buildings and their environment by widening existing streets, changing paving material, or by introducing inappropriately located new streets and parking lots that are incompatible with the character of the neighborhood.

Introducing signs, street lighting, benches, new plant materials, fencing, walkways and paving materials that are out of scale or are inappropriate to the neighborhood.

BUILDING SITE

Recommended

Identifying plants, trees, fencing, walkways, outbuildings, and other elements that might be an important part of the property's history and development.

Retaining plants, trees, fencing, walkways, street lights, signs, and benches that reflect the property's history and development.

Basing decisions for new site work on actual knowledge of the past appearance of the property found in photographs, drawings, newspapers, and tax records. If changes are made they should be carefully evaluated in light of the past appearance of the site.

Not Recommended

Making changes to the appearance of the site by removing old plants, trees, fencing, walkways, outbuildings, and other elements before evaluating their importance in the property's history and development.

Leaving plant materials and trees in close proximity to the building that may be causing deterioration of the historic fabric.

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BUILDING SITE--continued

Recommended

Not Recommended

Providing proper site and roof drainage to assure that water does not splash against building or foundation walls, nor drain toward the building.

Archeological features

Recommended

Not Recommended

Leaving known archeological resources intact.

Installing inderground utilities, pavements, and other modern features that disturb archeological resources.

Minimizing disturbance of terrain around the structure, thus reducing the possibility of destroying unknown archeological resources.

Introducing heavy machinery or equipment into areas where their presence may disturb archeological resources.

Arranging for an archeological survey of all terrain that must be disturbed during the rehabilitation program. The survey should be conducted by a professional archeologist.

BUILDING: STRUCTURAL SYSTEMS

Recommended

Not Recommended

Recognizing the special problems inherent in the structural systems of historic buildings, especially where there are visible signs of cracking, deflection, or failure.

Disturbing existing foundations with new excavations that undermine the structural stability of the building.

Undertaking stabilization and repair of weakened structural members and systems.

Leaving known structural problems untreated that will cause continuing deterioration and will shorten the life of the structure.

Replacing historically important structural members only when necessary. Supplementing existing structural systems when damaged or inadequate.

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BUILDING: EXTERIOR FEATURES--continued

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar

Recommended *

Not Recommended

Retaining original masonry and mortar, whenever possible, without the application of any surface treatment.

Applying waterproof or water repellent coatings or surface consolidation treatments unless required to solve a specific technical problem that has been studied and identified. Coatings are frequently unnecessary, expensive, and can accelerate deterioration of the masonry.

Repointing only those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing to allow water to stand in the mortar joint.

Repointing mortar joints that do not need repointing. Using electric saws and hammers to remove mortar can seriously damage the adjacent brick.

Duplicating old mortar in composition, color, and texture.

Repointing with mortar of high Portland cement content can often create a bond that is stronger than the building material. This can cause deterioration as a result of the differing coefficient of expansion and the differing porosity of the material and the mortar.

Duplicating old mortar in joint size, method of application, and joint profile.

Repointing with mortar joints of a differing size or joint profile, texture or color.

Repairing stucco with a stucco mixture that duplicates the original as closely as possible in appearance and texture.

Cleaning masonry only when necessary to halt deterioration or to remove graffiti and stains and always with the gentlest method possible, such as low pressure water and soft natural bristle brushes.

Sandblasting, including dry and wet grit and other abrasives, brick or stone surfaces; this method of cleaning erodes the surface of the material and accelerates deterioration. Using chemical cleaning products that would have an adverse chemical reaction with the masonry materials, i.e., acid on limestone or marble.

* For more information consult Preservation Briefs: 1: "The Cleaning and Waterproof Coating of Masonry Buildings" and Preservation Briefs: 2: "Repointing Mortar Joints in Historic Brick Buildings" (Washington, D.C.: Heritage Conservation and Recreation Service, 1975 and 1976). Both are available from the Government Printing Office or State Historic Preservation Officers.

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BUILDING: EXTERIOR FEATURES--continued

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar

Recommended

Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.

Replacing missing significant architectural features, such as cornices, brackets, railings, and shutters.

Retaining the original or early color and texture of masonry surfaces, including early signage wherever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons.

Not Recommended

Applying new material which is inappropriate or was unavailable when the building was constructed, such as artificial brick siding, artificial cast stone or brick veneer.

Removing architectural features such as cornices, brackets, railings, shutters, window architraves, and doorway pediments.

Removing paint from masonry surfaces indiscriminately. This may subject the building to damage and change its appearance.

Wood: Clapboard, weatherboard, shingles and other wooden siding

Recommended

Retaining and preserving significant architectural features, wherever possible.

Repairing or replacing, where necessary, deteriorated material that duplicates in size, shape, and texture the old as closely as possible.

Not Recommended

Removing architectural features such as siding, cornices, brackets, window architraves, and doorway pediments. These are, in most cases, an essential part of a building's character and appearance that illustrate the continuity of growth and change.

Resurfacing frame buildings with new material that is inappropriate or was unavailable when the building was constructed such as artificial stone, brick veneer, asbestos or asphalt shingles, and plastic or aluminum siding. Such material can also contribute to the deterioration of the structure from moisture and insects.

Architectural Metals: Cast iron, steel, pressed tin, aluminum and zinc

Recommended

Retaining original material, whenever possible.

Not Recommended

Removing architectural features that are an essential part of a building's character and appearance, illustrating the continuity of growth and change.

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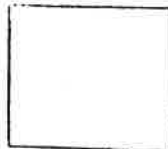


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BUILDING: EXTERIOR FEATURES--continued

Architectural Metals: Cast iron, steel, pressed tin, aluminum and zinc

Recommended

Cleaning when necessary with the appropriate method. Metals should be cleaned by methods that do not abrade the surface.

Not Recommended

Exposing metals which were intended to be protected from the environment. Do not use cleaning methods which alter the color, texture, and tone of the metal.

Roofs and Roofing

Recommended

Preserving the original roof shape.

Retaining the original roofing material, whenever possible.

Providing adequate roof drainage and insuring that the roofing materials provide a weathertight covering for the structure.

Replacing deteriorated roof coverings with new material that matches the old in composition, size, shape, color, and texture.

Preserving or replacing where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, and weather vanes.

Not Recommended

Changing the essential character of the roof by adding inappropriate features such as dormer windows, vents, or skylights.

Applying new roofing material that is inappropriate to the style and period of the building and neighborhood.

Replacing deteriorated roof coverings with new materials that differ to such an extent from the old in composition, size, shape, color, and texture that the appearance of the building is altered.

Stripping the roof of architectural features important to its character.

Windows and Doors

Recommended *

Retaining and repairing window and door openings, frames, sash, glass, doors, lintels, sills, pediments, architraves, hardware, awnings and shutters where they contribute to the architectural and historic character of the building.

Not Recommended

Introducing or changing the location or size of windows, doors, and other openings that alter the architectural and historic character of the building.

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BUILDING: EXTERIOR FEATURES—continued

Windows and Doors

Recommended*

Improving the thermal performance of existing windows and doors through adding or replacing weatherstripping and adding storm windows and doors which are compatible with the character of the building and which do not damage window or door frames.

Replacing missing or irreparable windows on significant facades with new windows that match the original in material, size, general muntin and mullion proportion and configuration, and reflective qualities of the glass.

Not Recommended

Replacing window and door features on significant facades with historically and architecturally incompatible materials such as anodized aluminum, mirrored or tinted glass.

Removing window and door features that can be repaired where such features contribute to the historic and architectural character of the building.

Changing the size or arrangement of window panes, muntins, and rails where they contribute to the architectural and historic character of the building.

Installing on significant facades shutters, screens, blinds, security grills, and awnings which are historically inappropriate and which detract from the character of the building.

Installing new exterior storm windows and doors which are inappropriate in size or color, which are inoperable, or which require removal of original windows and doors.

Installing interior storm windows that allow moisture to accumulate and damage the window.

Replacing sash which contribute to the character of a building with those that are incompatible in size, configuration, and reflective qualities or which alter the setback relationship between window and wall.

*For more information consult Preservation Briefs: 3: "Conserving Energy in Historic Buildings" (Washington, D.C. Heritage Conservation and Recreation Service, 1978). It is available from the Government Printing Office or State Historic Preservation Officers.

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BUILDING: EXTERIOR FEATURES—continued

Windows and Doors

Recommended

Not Recommended

Installing heating/air conditioning units in the window frames when the sash and frames may be damaged. Window installations should be considered only when all other viable heating/cooling systems would result in significant damage to historic materials.

Storefronts

Recommended

Not Recommended

Retaining and repairing existing storefronts including windows, sash, doors, transoms, signage, and decorative features where such features contribute to the architectural and historic character of the building.

Where original or early storefronts no longer exist or are too deteriorated to save, retaining the commercial character of the building through 1) contemporary design which is compatible with the scale, design, materials, color, and texture of the historic buildings; or 2) an accurate restoration of the storefront based on historical research and physical evidence.

Introducing a storefront or new design element on the ground floor, such as an arcade, which alters the architectural and historic character of the building and its relationship with the street or its setting or which causes destruction of significant historic fabric.

Using materials which detract from the historic or architectural character of the building, such as mirrored glass.

Altering the entrance through a significant storefront.

Entrances, porches, and steps

Recommended

Not Recommended

Retaining porches and steps that are appropriate to the building and its development. Porches or additions reflecting later architectural styles are often important to the building's historical integrity and, wherever possible, should be retained.

Removing or altering porches and steps that are appropriate to the building's development and style.

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BUILDING: EXTERIOR FEATURES---continued

Entrances, porches, and steps

Recommended

Repairing or replacing, where necessary, deteriorated architectural features of wood, iron, cast iron, terra cotta, tile, and brick.

Not Recommended

Stripping porches and steps or original material and architectural features, such as hand rails, balusters, columns, brackets, and roof decoration of wood, iron, cast iron, terra cotta, tile and brick.

Enclosing porches and steps in a manner that destroys their intended appearance.

Exterior Finishes

Recommended

Discovering the historic paint colors and finishes of the structure and repainting with those colors to illustrate the distinctive character of the property.

Not Recommended

Removing paint and finishes down to the bare surface; strong paint strippers whether chemical or mechanical can permanently damage the surface. Also, stripping obliterates evidence the historical paint finishes.

Repainting with colors that cannot be documented through research and investigation to be appropriate to the building and neighborhood.

BUILDING: INTERIOR FEATURES

Recommended

Retaining original material, architectural features, and hardware, whenever possible, such as stairs, elevators, hand rails, balusters, ornamental columns, cornices, baseboards, doors, doorways, windows, mantel pieces, paneling, lighting fixtures, parquet or mosaic flooring.

Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.

Not Recommended

Removing original material, architectural features, and hardware, except where essential for safety or efficiency.

Replacing interior doors and transoms without investigating alternative fire protection measures or possible code variances.

Installing new decorative material and paneling which destroys significant architectural features or was unavailable when the building was constructed, such as vinyl plastic or imitation wood wall and floor coverings, except in utility areas such as bathrooms and kitchens

ORDINANCE NO. 3541
0-89-23

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE HERITAGE CONSERVATION BOARD OF THE CITY OF GAINESVILLE, FLORIDA; AMENDING THE CODE OF ORDINANCES BY RENAMING THE "HERITAGE CONSERVATION BOARD" THE "HISTORIC PRESERVATION BOARD"; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, on April 4, 1989, the "Heritage Conservation Board" voted to rename itself the "Historic Preservation Board" throughout the Code of Ordinances of the City of Gainesville.

WHEREAS, the City Commission at its meeting of May 8, 1989, authorized the renaming;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF GAINESVILLE; FLORIDA:

Section 1. The Heritage Conservation Board is renamed the Historic Preservation Board.

Section 2. The codifier is directed to change the name of the "Heritage Conservation Board" to the "Historic Preservation Board" wherever it appears in the Code of Ordinances of the City of Gainesville.

Section 3. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. All ordinances, or parts of ordinances, in conflict herewith are to the extent of such conflict hereby

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1 repealed.

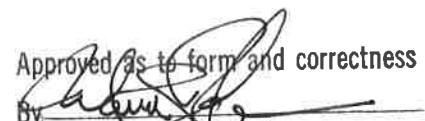
2 Section 5. This ordinance shall become effective immediately
3 upon final adoption.

4 PASSED AND ADOPTED this 12th day of June,
5 1989.

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7 
8 MAYOR-COMMISSIONER

9 ATTEST:

10 
11 CLERK OF THE COMMISSION

Approved as to form and correctness
By 
Marion L. Radson, City Attorney
City of Gainesville, Florida
JUN 13 1989

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13 This ordinance passed on first reading this 5th day of ____
June, 1989.

14 This ordinance passed on second reading this 12th day of ____
15 June, 1989.

16 MJR:AEG/afm
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