



HISTORIC PRESERVATION BOARD Regular Meeting Agenda

December 8, 2022
5:30 PM
6738 Dixon Street
Milton, FL 32570

1. Call Meeting to Order

2. Review and Approval of Agenda

3. Approval of Minutes

Item # 2022-1032

Approval of Minutes from November 10, 2022 meeting

4. Citizens to Appear Before the Board

5. New Business

Item # 2022-1033

Consideration of Certificate of Appropriateness Amendment for 5115 Pike Street

6. Old Business

Item # 2022-1034

Consideration of Certificate of Appropriateness for 5123 Santa Rosa Street

Item # 2022-1035

Board Rules and Procedures Discussion

Item # 2022-1036

Local Historic Resource/District

Item # 2022-1037

5226 Elmira St. - Historic Excellence Sign

7. Planning Department Update

8. Adjournment

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the City at least 48 hours before the meeting by contacting City Hall, 6738 Dixon Street, Milton, or by calling 983-5410.

"If any person decides to appeal any decision made by the board, agency, or commission, with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." FS 286.0105



Agenda Item # 2022-1032

Approval of Minutes from November 10, 2022 meeting

MEETING DATE

December 8, 2022

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. November 10, 2022 HPB Minutes

HISTORIC PRESERVATION BOARD**November 10, 2022**

The Historic Preservation Board met on Thursday, November 10, 2022, at 5:30 p.m. in the Council Chambers at City Hall.

MEMBERS PRESENT: Nathan Sutrick
Brian McGuire
Theresa Messick
John Ellis
Cassandra Sharp

Tim Milstead, Planning Director
Lyndsey Benton, Current Planner
Melissa Short, Administrative Assistant

OTHERS PRESENT: Councilwoman Roxanne Meiss, Tom Powers, Mike Cusack, Cherie Martin, Scott Martin, Christie Culpepper, Mayor Heather Lindsay, Steve Dobbs, and Marilyn Farrow

The meeting was called to order at 5:33 p.m. The agenda was approved through motion by John Ellis, seconded by Brian McGuire; approved 5-0. Cassandra Sharp made a motion to approve the October 13, 2022, minutes, seconded by Brian McGuire; approved unanimously.

NEW BUSINESS:

Consideration of Certificate of Appropriateness for 5123 Santa Rosa Street – Lyndsey Benton presented the request to the board. The applicant proposes to replace front door, windows, rotten wood, and siding. Scott Martin, owner, spoke to the board and there was discussion. Mr. Martin explained he is running into a lot of issues since he purchased this house and is trying to financially make sense of the renovations and remodel. Lyndsey Benton explained that the new windows will have to meet the current Florida Building Codes. Cassandra Sharp and Theresa Messick are going to provide Mr. Martin with contacts of contractors. Mr. Martin agreed to withdraw this COA and table this until the next meeting.

OLD BUSINESS:

Review of Current Ordinance Update – Tim Milstead reviewed the draft changes to the City's UDC Historic Preservation and modifications to the

Historic Pattern Book. Mr. Milstead explained that staff can continue to work on updates and visual examples for the public to review in the Pattern Book.

Contributing Structure Designation Process Discussion – Tim Milstead provided information on Section 11.4 and 11.5 that would pertain to the designation of any future contributing historic structures that would become part of the Milton Historic District that is recognized by the National Register. Mr. Milstead also provided information on a local designation process and language that pertains to adopting a process for local designation of historic resources or new local historic districts. Tim Milstead explained staff will bring back any changes that are made to the next meeting as a discussion item.

Board Rules and Procedures – The board decided to continue discussing the board rules and procedures in December and in January to elect a new chair and vice-chair.

5226 Elmira St. - Historic Excellence Sign – Tim Milstead evaluated 5226 Elmira Street and ensured the board that the improvements to the house are in keeping with the Historic District Pattern Book and City's Unified Development Code. Mr. Milstead also informed the board that the owners are still working on modifications to the house. The board decided to award 5226 Elmira St. with the Historic Excellence Sign in December. Christie Culpepper, Milton, FL., feels this should be publicized. Cassandra Sharp made a motion to present the Historic Excellence Sign to the owners at the next meeting on Thursday, December 8, or at 5226 Elmira Street on December 1, 2022, seconded by Brian McGuire; approved unanimously.

There was no further business to discuss, and the meeting was adjourned at 6:39 PM.



Agenda Item # 2022-1033

Consideration of Certificate of Appropriateness Amendment for 5115 Pike Street

MEETING DATE

December 8, 2022

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RECOMMENDATION

ATTACHMENTS

None



Agenda Item # 2022-1034

Consideration of Certificate of Appropriateness for 5123 Santa Rosa Street

MEETING DATE

December 8, 2022

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1. 5123 Santa Rosa Street

Application to:

- ☒ Historic Preservation Board
☐ Downtown Advisory Board

Name of Applicant: William MartinPhone# 850 516 4133Address of Property: 5123 Santa Rosa street

Parcel# _____

Type of Structure ☐ Commercial ☒ ResidentialSquare Footage of Structure approx. 1600 sqftIf a business, what is the nature: _____ ☐ New Business ☐ Existing Business

If existing business, how long has it been in operation? _____ Years, Number of Employees _____

Contractor TBD Phone# _____ City License # _____☐ New Construction☒ Repairs/Alterations☐ Demolition☐ Garage/Parking Area☐ Fence☐ Landscaping☒ Painting☐ Sign☒ Roof☐ Other (specify) _____

What type of exterior renovations are proposed?

Replacement Windows - Front door - Shutters
Siding - Rotten wood - possible roof

What type of proposed material to be used?

vinyl - ~~Hardy plank~~ - wood

Exterior Color Scheme

~~Some~~ Possible
Color Change☐ New☐ Used Materials

If a business, is adequate off-street parking available?

☐ Yes ☐ No☐ Public Parking☐ Private ParkingAre you willing to make other improvements the board (s) may feel necessary in order to comply with the City of Milton's Land Development Regulations? ☒ Yes ☐ No Explain _____William Martin
Signature of Applicant10-14-2023
Date

Note: After approval, any modifications to development activity will require a separate approval.

☐ HPB☐ Approved☐ Denied_____
Signature of Approval_____
Date☐ DRAB☐ Approved☐ Denied_____
Signature of Approval_____
Date

Plan for Renovation and Remodel

4123 Santa Rosa St.

Milton Fl. 32583



Siding

- Plan to replace deteriorating siding with like and kind. Currently we have not been able to find anywhere that sells or anyone that can custom mill the style of the current siding and this may need to be revisited.

Roof

- Replace with like and kind. Current roof may have to be removed to address eve damage.

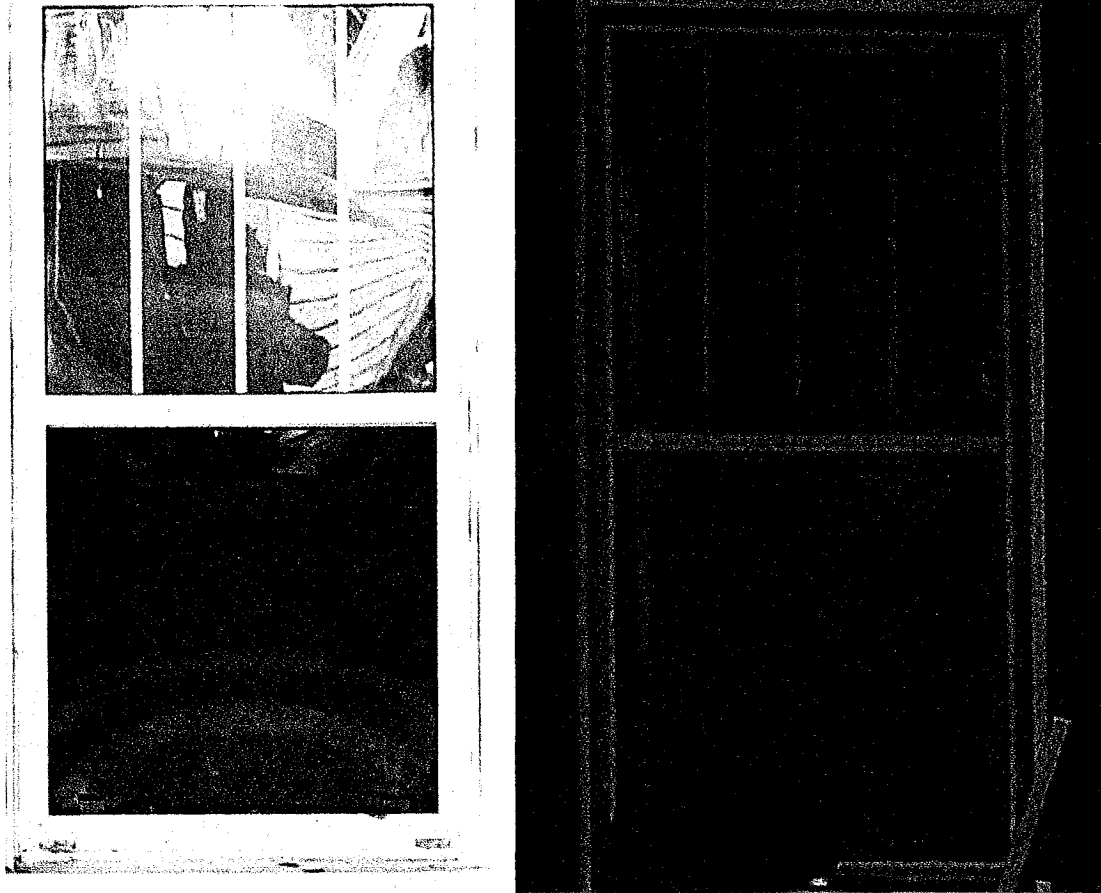
Windows

The current windows in the house were built in place and are nonfunctional nor can they be made to function. The design is not in keeping with the era of the home.

- Replace windows with vinyl replacement windows in a four over one design.
- We believe this was the original window design. Several windows of this style were found on the property.



Upper portion of window found on property



Pictures of proposed window style taken of nearby homes

- The windows would have the windowpane dividers on the exterior of the glass to give it a period correct look.
- The replacement windows would meet current building codes while maintaining as close as possible period correct appearance.

Front and Rear Door

- Replace front door with a design in keeping with the age of the home.



Pictures are for reference of doors being considered. Door sidelights would be installed (could not find a picture for reference). Door color TBD. Some details may vary slightly. Example door lock assemble and placement.

- Install a door on the back of the house. This would provide a second egress.
- Rear door would complement the style of the home.

Back Patio

- Add a back patio with a sitting area.



Agenda Item # 2022-1035

Board Rules and Procedures Discussion

MEETING DATE

December 8, 2022

PREPARED BY

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SUMMARY

RECOMMENDATION

ATTACHMENTS

None



Agenda Item # 2022-1036

Local Historic Resource/District

MEETING DATE

December 8, 2022

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

1. 11.4 & 11.5 Contributing Structure Designation Process Discussion

this provision. Any nonconformities resulting from the application of this article shall comply with the requirements of Article 10, Nonconformities.

- (3) Site plans for proposed development activity within 1320-feet of the Blackwater River's Mean High Water Line (MHWL) must identify the location and extent of jurisdictional wetlands, FEMA AE and V zones and the Special Flood Hazard Area (SFHA).

11.3. POTABLE WATER WELLHEAD PROTECTION

- A. **Intent.** It is the intent of this section to ensure the protection of the public potable water supply through the appropriate site of land uses in proximity to wellheads and adequate capping and/or securing of abandoned wellheads.
- B. **Development restrictions.**
- (1) *Prohibited uses and development activities within the wellhead protection zone.* Development activities shall comply with all applicable federal, state, and regional regulations; specifically, the Florida Department of Environmental Protection (DEP) and the Northwest Florida Water Management District regulations governing allowable activities in proximity to wellheads. In order to protect water sources, including cones of influence, water recharge areas and water-wells, adverse land uses such as the following are prohibited within a wellhead protection zone:
 - a. Sanitary landfills;
 - b. Gasoline stations;
 - c. Wastewater treatment facilities; or
 - d. Other land uses which utilize, store or handle toxic or hazardous materials.
 - (2) *Special restrictions on development allowed within the wellhead protection zone.*
 - a. Stormwater management practices shall not include drainage wells for stormwater disposal where recharge is into potable water aquifers. Additional stormwater management requirements are specified in Article 13.
 - b. Where prohibited uses and development are proposed in areas with existing protected wells, these wells shall be abandoned, including adequate sealing, plugging and abandonment, according to F.A.C. Ch. 62-528.

11.4 HISTORICAL RESOURCE PROTECTION

- A. **Intent.** The intent of this section shall be to:
- (1) Establish a historic preservation board;
 - (2) Identify regulated historic structures;
 - (3) Set forth requirements for the protection and preservation of regulated structures;
 - (4) Define a process for review and appeals; and
 - (5) Encourage the listing of additional properties as contributing historic structures.
- (6) Authorize the historic preservation board to certify local designation of individual properties (including buildings, structures, sites and objects) as historically significant using the criteria established in Article 11.5 with property owner consent only.

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B. Historic preservation board.

(1) *Established; membership.*

- a. Composition. The Milton Historic Preservation Board is hereby established by the city council. Any restoration or alteration of regulated historic structures will be presented to the board for review and issuance of a certificate of appropriateness prior to the issuance of a development order or building permit by the development approval authority. The board shall be composed of seven members who are city residents and/or persons who own property within the city, appointed by the city council considering the following:
- i. A demonstrated interest in historic preservation;
 - ii. A professional mix that provides for expertise in the fields of architecture, planning, engineering, law, or finance, to the extent reasonable and possible; and
 - iii. Representation of the community at-large.

The board shall be provided staff support through the Planning and Development Department for the city.

- b. Terms; vacancies, removal. Members shall be appointed for a term of four years, except in the case of an appointment to fill a vacancy for the four-year period in which event the appointment shall be for the unexpired term only. Any member of the board may be removed from office by the city council in a regular meeting.
- c. Officers. The board shall elect from among its members a chairman and vice-chairman.

(2) *Duties and procedures.*

- a. Purpose. The board shall have as its purpose the preservation and protection of buildings of historic significance. It shall be the board's duty to act upon plans for the alteration, renovation, or restoration of regulated historic structures to ensure conformance with the U.S. Secretary of the Interior's Standards for Rehabilitation. During the review process, the board shall also consider conformance to the development guidelines established for the city historic district.
- b. Plan submission procedure.
- i. Required. Every application for development approval to alter, renovate, or restore a regulated historic building located in the historic district or buildings listed on the National Register which are located outside the historic district, shall be required to submit plans for the proposed work in sufficient detail to allow for review by the board.
 - ii. Plans defined; certificate of appropriateness. Plans for renovations to nonregulated historic properties may, at the owner's election, be submitted for review by the historic preservation board in order to obtain a certificate of appropriateness. As used herein, the term "plans" means drawings or sketches with sufficient elevations to show the architectural design of the building (both before and after the proposed work is done in the case of altering or renovating a building or structure), including proposed materials, textures and colors, and the site plan or site layout, site improvements of features such as walls, walks, terraces, landscaping, that meet the requirements of subsection 11.4(D), accessory buildings, signs, lights and other appurtenances.
 - iii. Board meeting; notice. Such plans shall be submitted to the Planning and Development Department, who will forward such plans to the historic preservation board. Upon submittal of an application for development approval to the Planning and Development

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Department, the applicant for any proposed development found to be under the jurisdiction of the historic preservation board, shall be notified of the time, date and place of the board's meeting. The applicant or authorized agent is encouraged to appear at the meeting at which the request is being considered by the board to review the alteration, renovation or restoration of the regulated historic structure which is under consideration.

- c. Review and decision. The board shall promptly review such plans and make a determination as to conformance with the Secretary of the U. S. Department of Interior's Standards for Rehabilitation.
- d. Notification; building permit. If the board finds the plans in conformance with the requirements of this section, a certificate of appropriateness will be issued. If the board does not find the plans in conformance, the applicant may resubmit plans to the board with the necessary changes, as specified by the board in its finding of nonconformance.
- e. Voting. Decisions may be rendered when a quorum is present, by a simple majority of the board members present and voting.

C. **Standards for rehabilitation of historic structures.** The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Regulated Historic Buildings and the City of Milton's Pattern Book are hereby adopted as review guidelines for the rehabilitation of regulated historic structures located within the city historic district, and those listed at the National Register, but located outside the historic district.

D. **Supplementary design review regulations.**

- (1) In the historic district, where a characteristic development pattern and distinctive architectural style have already been established, new development shall be planned to reinforce this special character. The early 1900's architectural style is the established theme for the historic district. In issuing land use certificates, the ~~downtown-redevelopment-board~~[Community Redevelopment Agency](#) shall review development plans, including exterior facades and sign construction and renovation, for conformance with the guidelines established in this section.
- (2) The adoption of guidelines herein are intended to provide flexibility in the development of property within the district in a manner which balances the interest of the property owner with the public's need for assurance that development will be orderly and aesthetically compatible with neighboring structures and historic resources.
- (3) Each development proposal within the historic district will be reviewed by the Community Redevelopment Agency and/or the Historic Preservation Board based upon the following guidelines:
 - a. Site planning. The historic character of the district shall be reflected as closely as possible in the site planning of new development. Site planning should also respect the precedents set by other buildings on a block. For example, the placement of new buildings on a lot should correspond to the setbacks, orientation, and spacing of adjacent buildings to ensure maximum consistency and compatibility of the overall streetscape.
 - b. Architecture. The early 1900's architectural theme is hereby established for the city historic district. The scale, height, massing, materials, textures, and colors of new buildings shall be compatible with those of existing structures to which such new construction or renovation is visually related. Architectural details which are similar to the details of adjacent existing buildings will have a unifying effect and are encouraged.
 - c. Landscaping. Landscaping and tree protection within the district shall be regulated in accordance with Article 12. New landscaping should be consistent with the existing landscape character of the district. Courtyard and sidewalk paving material shall be consistent with the neighboring areas. The use of brick as a paving material is encouraged. Walls and fences shall be consistent

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with the approved fencing materials. Where common or centralized solid waste containers are proposed, such facilities shall be screened with vegetation, fencing or other appropriate materials.

d. Fences. Subsection 9.3(N) controls.

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- e. Signs. Signs in the historic district shall be regulated in accordance with Article 16 and with the following specific requirements, or as otherwise approved by the development approval authority.
- i. On residential structures, one non-illuminated name plate designating the name of the occupant of the property and other historical information of significance is allowed. The name plate should not be larger than 100 square inches and may be attached to the building or be freestanding.
 - ii. Sign patterns and colors have been established for use in the historic district. Sign patterns shall be colonial design, semi-custom sign patterns, or the equivalent. Sign colors include those specified in subsection D(4) for structures.
 - iii. Portable signs mounted on a trailer-type vehicle, and specifically designed to be temporary in nature are prohibited in the historic district.
 - iv. Within the historic district, signs projecting into or overhanging the public right-of-way are permitted subject to approval by the development approval authority, and are subject to removal on 30 days' notice if the city requires the space for any public purpose. Such signs shall be consistent with other sign criteria for the district and must be of a character and size consistent with the historic theme. Approval shall also be required for the hanging mount.
 - v. If the sign is to project over the state department of transportation's right-of-way (Caroline Street), approval would also be required of that agency prior to city approval.
 - vi. All other criteria will be regulated in accordance with Article 16.

- (4) Exterior structure colors. Historic period colors have been established for buildings in the historic district. These colors include, but are not limited to, Heritage Colors (authentic exterior colors for American buildings (1820-1920 by Sherwin Williams), or equivalent historic period colors by other paint brands.

E. Incentives for preservation.

- (1) Substantial rehabilitation (50 percent or greater of appraised value) of structures in flood zones is normally restricted; however, if a property is listed as significant on the Florida Master Site File, National Register, or by local designation, the restriction does not apply.
- (2) Owners of historic structures may petition the board of adjustment for a special exception for use, regardless of the zoning district. This allows buildings in residential districts to convert to office uses if the board of adjustment determines that the use is not injurious to the character of the neighborhood.
- (3) For designated properties, variances to parking requirements, lot size or other zoning requirements may be requested from the board of adjustment without proving a hardship. It must be shown that the granting of the variance will not injure the public health and safety of the area. Filing these types of petitions usually carries a fee, but this is waived for regulated historic structures.

F. Appeals. Decisions of the historic preservation board may be appealed to the city council, sitting as the community redevelopment agency as provided for in Article 3.

(Ord. No. 1455-17 , § 1, 8-8-2017)

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11.5 HISTORICAL AND ARCHAEOLOGICAL RESOURCE PROTECTION – (Conceptual only. Below language needs Legal Review and is under review by the Historic Preservation Board)

A. **Intent.** It is the intent of this section to provide for the protection of historical archaeologically significant local resources within the city's jurisdiction, independent of the Milton Historic District. It is hereby declared that the protection, enhancement and preservation of properties, structures, artifacts, documents, memorabilia, and other physical assets of historical, archaeological, architectural, and/or cultural significance are in the interest of the public health, safety and general welfare of the residents of and visitors to the city. Therefore, this division is intended to:

- (1) Effect and accomplish the protection, enhancement, and preservation and study of archaeological sites, properties, structures, improvements, landscape features, artifacts, and other physical assets located within the city which represent distinctive elements of the town's prehistoric, historic, architectural, and/or social character;
- (2) Safeguard the city's history, heritage, and unique attributes;
- (3) Foster civic pride and respect for the accomplishments of the past; and
- (4) Protect and enhance the city's attraction of visitors and support and stimulate the economy from increased tourism.

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B. Local Historic resource designation procedures.

(a) Purpose and intent. This section provides mechanisms to promote historic preservation in the city by the designation of local historic sites and districts, and by the regulation of construction and demolition at local historic sites and within local historic districts independent from the Milton Historic District.

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(b) Criteria.

(1) To qualify as a designated local historic site or historic district, properties, individual properties, structures, sites and buildings, or groups of properties, structures, sites and buildings, the proposed site or district shall meet one or more of the following criteria:

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a. Is associated in a significant way with the life or activities of a major person important in Milton, Santa Rosa County, Florida or national history;

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b. Is associated with an historic event with significant effect upon the city, county, state or nation;

c. Is associated in a significant way with a major historic event whether cultural, economic, military or political;

d. Exemplifies the historic, political, cultural or economic trends of the community history;

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e. Is associated in a significant way with a past or continuing institution which has contributed to the life of the city;

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f. Portrays the environment in an era of history characterized by one or more distinctive architectural styles;

g. Embodies those distinguishing characteristics of an architectural style, period or method of construction;

h. Is an historic or outstanding work of a prominent architect, designer, landscape architect, or builder; or

i. Contains elements of design, detail, material, or craftsmanship of outstanding quality or which represents, in its time, a significant innovation or adaptation to the Northwest Florida environment.

(2) A building, structure, site, or district will be deemed to have historic significance if, in addition to, or in the place of previously mentioned criteria, the building, structure, site, or district meets the historic development standards as defined by and listed in the regulations of and criteria for the National Register of Historic Places.

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(3) Properties not generally considered eligible for designation include cemeteries, birthplaces or graves of historic figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, buildings or sites primarily commemorative in nature, reconstructed historic buildings, and properties that have achieved significance less than 50 years prior to the date the property is proposed for designation. However, such properties will qualify if they are integral parts of districts that do meet the previously described criteria or if they fall within one or more of the following categories:

a. A religious property deriving primary significance from architectural or artistic distinction of historic importance.

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b. A building or structure removed from its location but which is primarily significant for architectural value, or is the surviving structure most importantly associated with an historic event or person.

c. A birthplace or grave of an historic figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life.

d. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or from association with historic events.

e. A property primarily commemorative in nature if design, age, tradition or symbolic value have invested it with its own historic significance.

f. A building, structure, site or district achieving significance less than 50 years from the date it is proposed for designation if it is of exceptional historic importance.

C. Application for historic site or historic district designation.

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(1) Applications for historic or archaeological site or district status for privately-owned property may be initiated by only the property owner of a site. An incorporated homeowners, condominium or community association may apply for historic district status. Application for historic or archaeological site or district status for public property may be initiated by the applicable property owner only.

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(2) By resolution of the town council, a fee shall be established and may be amended to cover the city's actual costs of reviewing and processing applications for historic designation. In addition, an application may require that funds be deposited in an escrow account to cover fees for consultants which may be hired by the department when needed to evaluate the eligibility of a property.

(3) Upon receipt of an application, the department shall conduct a preliminary evaluation of the application to determine whether or not the department has sufficient information to process the application and shall send a copy of the application by certified mail to the property owners of record. The department shall make the determination that an application is sufficient within 15 days working days of receipt of an application. If the application is not sufficient to process, the department shall specify what additional information is necessary.

(4) When an application is sufficient, the department shall prepare a designation report for consideration by the Historic Preservation Board which shall contain the following information:

a. Proposed legal boundaries of the local historic resource, archaeological site, or historic district;

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b. An analysis of the historic or archaeological significance of the nominated property;

c. For those public buildings which have public access, an analysis of interiors with features of exceptional architectural, aesthetic, artistic or historic significance;

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d. Any proposed specific land development regulations;

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e. Any conditions beyond the standards contained in the Unified Development Code or conditions based on the development standards for historic districts and sites of section 27-2439.

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D. Public hearings required for local historic site or district designation.

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(1) After the department prepares the designation report, the board shall conduct a public hearing to evaluate and receive comments regarding the application. For each proposed designation of an individual site or district, and except as otherwise provided herein, the board is encouraged to obtain the approval of the owners of properties proposed for designation, by providing information on the benefits of designation. The owners of properties within a proposed local historic district shall be given an opportunity at the public hearing to object to the proposed designation.

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(2) The department shall, by certified mail at least 15 calendar days prior to the public hearing, mail a copy of the designation report and a notice of public hearing to the property owners of record as determined by the most current Santa Rosa County property tax rolls then available. Refusal to accept this notice of public hearing shall not invalidate the hearing. In addition, all property owners of record, as determined by the most current Santa Rosa County property tax rolls, within a 500-foot radius of the nominated site or district shall be sent courtesy notice of the public hearing. However, failure to receive such courtesy notice shall not invalidate the hearing. Notice shall also be provided by publishing a copy thereof in a newspaper of general circulation within the town at least ten calendar days prior to the date of the hearing. All interested parties shall be given an opportunity to be heard at the public hearing.

(3) Upon the mailing of the designation report to the property owners, the city shall cease issuing permits for any new construction, alteration, relocation or demolition of the property which is the subject of a proposed designation. No permits shall be issued by the town until after the town council approves or denies the nomination for historic site or district status, or the application is withdrawn by the person or entity who has initiated the application.

(4) After the close of the public hearing, but no later than 45 calendar days following the close of the public hearing, the Historic Preservation Board shall vote at a public hearing and make its recommendation to the city council on the designation.

(5) The city council shall thereafter hold a public hearing following the same notice requirements set forth in subsection (d)(2) of this section.

(6) If the board recommends designation of a district, a vote of the property owners shall be taken prior to the public hearing before the town council. The town shall send by certified mail to each record owner a ballot, notification of the date the ballot is due back, and a self-addressed, stamped envelope. Each parcel as identified within the proposed district shall have one vote. The marked ballots shall be returned to the town clerk within 30 calendar days from the date of mailing of the ballots. Any ballots not returned within 30 days from the date of mailing shall be disqualified. A two-thirds majority of the votes cast and received by the clerk within the 30 days of mailing in favor of the district shall be a pre-requisite to the city council's designation of a district.

(7) At its public hearing, the city council shall consider the application, all relevant support materials, the designation report, the recommendations of the Historic Preservation Board and the criteria for designation, and may, at the conclusion of the hearing, adopt a resolution approving, approving with conditions, or denying the historic site or district designation. For property not owned by a governmental entity, a

[supermajority vote of the city council is required for designation. For single-family homes, the approval of the property owner is required for designation.](#)

[\(8\) Amendment or rescission. The town may amend or rescind any designation provided it complies with the same notice and public hearing requirements and other procedures used in approving the original designation.](#)

EB. Requirement for construction activity. In the event that a proposed development plan has been identified by the Planning and Development Department to be in the vicinity of an archaeologically significant site, the department shall require the owner to alert construction personnel in regards to this information. If at any time, a potentially significant archaeological site or artifact is uncovered during the development process, the owner shall notify the city. The city shall contact and consult with the University of West Florida, Office of Cultural and Archaeological Research and/or other appropriate state officials to determine the significance of the resource and identify the need for mitigation measures.

11.6 TREE PROTECTION

A. Heritage tree preservation.

- (1) Heritage trees shall be preserved within the city unless removal is mitigated as set forth below. All land uses shall comply with the requirements of this section. Heritage trees, determined to be dead and/or diseased to a point beyond recovery or to present a danger to persons or property by a certified arborist or Florida licensed landscape architect shall be exempted from the following requirements, in accordance with F.S. § 163.045.
 - a. Protective measures during construction activity shall be afforded to heritage trees consistent with the requirements contained in subsection 11.6(B)(8).
 - b. Any application to remove a heritage tree shall specify the location and size of such tree and detail the reasons necessitating its removal. Such applications shall be reviewed and acted upon by the Planning and Development Department.

B. Protected Trees.

- (1) *Intent.* It is the intent of this section to:
 - a. Provide for the preservation of protected trees;
 - b. Help preserve the environment's ecological balance;
 - c. Reduce heat and glare; and
 - d. Reduce the degrading effects of thermal pollution and storm water runoff. It is not the intent of this section to prevent the cutting of trees for agricultural purposes.
 - e. Protected trees shall be preserved within the city unless removal is mitigated as set forth below.
- (2) *Applicability.* This section shall apply to all land area and districts, excepting single-family and duplex residential uses and agricultural uses.
- (3) *Exemptions.* The following trees are exempt from the provisions of this section:

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(Supp. No. 14)



Agenda Item # 2022-1037

5226 Elmira St. - Historic Excellence Sign

MEETING DATE

December 8, 2022

PREPARED BY

BACKGROUND

SUMMARY

RECOMMENDATION

ATTACHMENTS

None