Town of Orange Park
Town Council Workshop Meeting
Tuesday, May 12, 2026
6:00 PM
Agenda

TOWN COUNCIL WORKSHOP
Joint Workshop with the Historic Preservation Board

1. Call to Order-Mayor Anderson

2. Workshop Purpose
   a. Discussion of Draft Historic Preservation Regulations (No formal action will be taken)

3. Presentation
   a. Staff Overview
      - Background and history
      - Comprehensive Plan policies
      - Article VI - establishment of Historic Preservation Board
      - Existing inventory of Town of Orange Park structures
   b. Draft Regulations Overview
      - Purpose and applicability
      - Key provisions and processes
      - Summary of Historic Preservation Board recommendations

4. Discussion Items
   a. Public Engagement Strategy
      - Resident workshops prior to ordinance consideration
      - Outreach approach

   b.
      - Participation Structure
      - Mandatory vs. voluntary designation
      - Impacts and benefits

5. Board and Council Discussion
   a. Questions, feedback, and general discussion

6. Audience Comments

7. Direction to Staff/Next Steps
   a. General Consensus and Guidance (no vote)

8. Adjournment

Town of Orange Park - Historic Structures List			
Site Name	**Address**	**Additional Info**	**Demolition**
FAIRWAY OAKS	104 MILWAUKEE AVE	c1920 Mediterranean	No
CLARKE HOUSE	1047 Kingsley AVE	1910- Frame Vernacular	No
CLARKE BARN	1047 KINGSLEY AVE	1940 Frame Vernacular	No
CLAY DIAGNOSTIC CENTER	108 KINGSLEY AVE	1951 Frame Vernacular	No
110 RAILROAD AVE	110 RAILROAD AVE	c1890 Frame Vernacular	address not listed
MOOSEHAVEN/MARYLAND	115 KINGSLEY AVE	1940 Masonry Vernacular	Yes
MOOSEHAVEN/CAL-NEV HALL	1200 PARK AVE	1949 Masonry Vernacular	Yes
HELFFRICH, WILLIAM HOUSE	1200 PLAINFIELD AVE	1882 Frame Vernacular	No
1236 PLAINFIELD AVE	1236 PLAINFIELD AVE	c1895 Frame Vernacular	No
LANGLEY HOUSE	129 KINGSLEY AVE	c1925 Frame Vernacular	Yes
ORANGE PARK WOMAN'S CLUB	130 KINGSLEY AVE	1929 Tudor Revival	No
133 STOWE AVE	133 STOWE AVE	c1940 Masonry Vernacular	Yes
MOOSEHAVEN FARM BUNGALOW	136 GANO AVE	1940 Bungalow	Yes
MOOSEHAVEN DAIRY BARN	136 GANO AVE	1940 Masonry Vernacular	Yes
1400 PLAINFIELD AVE	1400 PLAINFIELD AVE	c1895 Frame Vernacular	No
ORANGE PARK ELEMENTARY	1401 PLAINFIELD AVE	1928 Masonry Vernacular	No
BELL HOUSE	1404 RIVER RD	c1920 Bungalow	No
STUDY HOUSE	1410 RIVER RD	1921 Bungalow	No
ANGELIERE HOUSE	1434 ORANGE CIRCLE S	c1925 Colonial Revival	No
ROUSH HOUSE	1434 RIVER RD	c1910 Frame Vernacular	No
MERRITT HOUSE	1449 ALLEN MAC CT	c1920 Frame Vernacular	No
1454 RIVER ROAD	1454 RIVER RD	1910 Frame Vernacular	No
1454 1/2 RIVER ROAD	1454_1/2 RIVER RD	c1920 Frame Vernacular	No
1464 SMITH ST	1464 SMITH ST	c1940 Bungalow	Yes
CARNES, JESSE V HOUSE	1506 River BLVD,	1909 Colonial Revival	No
GRACE EPIS CHURCH ADM CTR	151 KINGSLEY AVE	c1890 Frame Vernacular	Yes 2016
1534 PLAINFIELD AVE	1534 PLAINFIELD AVE	c1910 Neo-Classical Revival	No
154 STILES AVE	154 STILES AVE	c1895 Colonial Revival	No
HORTON-HUNTLEY HOUSE	1624 PLAINFIELD AVE	c1890 Frame Vernacular	address not listed
167 STILES AVE	167 STILES AVE	c1925 Colonial Revival	No
MOOSEHAVEN/OLD COUNTRY	1701 PARK AVE	1940 Masonry Vernacular	Yes
MOOSEHAVEN/SUPERVISOR HOUSE	1701 PARK AVE	1946 Frame Vernacular	Yes
MOOSEHAVEN/WATER TOWER	1701 PARK AVE	1932 Industrial Vernacular	Yes 2017
MOOSEHAVEN/CAROLINA BLDG	1701 PARK AVE	1940 Frame Vernacular	Yes
PARMETER HOUSE	1724 PLAINFIELD AVE	c1900 Frame Vernacular	No
1745 SMITH ST	1745 SMITH ST	1925 Bungalow	No
SCHLOMER HOUSE	1747 PLAINFIELD AVE	c1940 Masonry Vernacular	No
1764 MOUND ST	1764 MOUND ST	c1925 Frame Vernacular	Yes
1801 MOUND ST	1801 MOUND ST	c1925 Frame Vernacular	Yes
1817 MOUND ST	1817 MOUND ST	c1925 Frame Vernacular	Yes
ST. JOHNS BAPTIST CHURCH	1930 MOUND ST	1890 Masonry Vernacular	No
DAVIS HOUSE	1945 REED ST	c1940 Frame Vernacular	Yes
GRACE EPISCOPAL CHURCH	200 KINGSLEY AVE	1880 Gothic Revival	Yes
ANTIQUES SHOP	2020 CARNES ST	c1940 Frame Vernacular	Yes
WINTERBOURNE	2104 W WINTERBOURNE	1870+ Frame Vernacular	No
LYNCH HOUSE	211 KINGSLEY AVE	c1895 Frame Vernacular	No
CLUB CONTINENTAL/ RIVER HOUSE	2137 ASTOR ST	c1880 Frame Vernacular	No
MIRA RIO GATE HOUSE	2141 ASTOR ST	1923 Mediterranean Revival	No
2142 CARNES ST	2142 CARNES ST	c1940 Frame Vernacular	No
CLUB CONTINENTAL/ MIRA RIO	2143 ASTOR ST	1921 Mediterranean Revival	No
MIRA RIO CARETAKER'S HOUSE	2147 ASTOR ST	1923 Mediterranean Revival	No

WALKER-LUMPKIN HOUSE	2162 SMITH ST	c1925 Frame Vernacular	Yes
220 MILWAUKEE AVE	220 MILWAUKEE AVE	c1925 Frame Vernacular	Yes
BOATWRIGHT HOUSE	2206 REED ST	1880 Gothic Revival	No
ELLINGTON HOUSE	2961 DOCTOR'S LAKE RD	1929 Log	Not TOP
326 RIVER ROAD	326 RIVER RD	c1925 Bungalow	No
329 MCINTOSH AVE	329 MCINTOSH AVE	c1940 Frame Vernacular	address not listed
339 MCINTOSH AVE	339 MCINTOSH AVE	c1940 Frame Vernacular	No
SCHULZ HOUSE	342 RIVER RD	c1925 Tudor Revival	No
406 MCINTOSH AVE	406 MCINTOSH AVE	c1940 Frame Vernacular	No
WALKER, LUNETTE HOUSE	418 MCINTOSH AVE	1931 Frame Vernacular	No
BELYEA HOUSE	421 KINGSLEY AVE	1928 Masonry Vernacular	Yes
423 HURLEY ST	423 HURLEY ST	c1925 Frame Vernacular	Yes
CHARLTON HOUSE	423 MCINTOSH AVE	1947 Frame Vernacular	Yes
432 HURLEY ST	432 HURLEY ST	c1925 Frame Vernacular	Yes
TERESA MILLER ELEMENTARY	440 MCINTOSH AVE	1938 Frame Vernacular	No/Rehab begun June 2025
441 RIVER RD	441 RIVER RD	c1946 Frame Vernacular	Yes
WESTCOTT, WILLIAM HOUSE	443 STILES AVE	1883 Frame Vernacular	No
444 HURLEY ST	444 HURLEY ST	c1925 Frame Vernacular	Yes
449 HURLEY ST	449 HURLEY ST	c1925 Frame Vernacular	Yes
450 HURLEY ST	450 HURLEY ST	c1940 Frame Vernacular	Yes
458 HURLEY ST	458 HURLEY ST	1926 Frame Vernacular	No
WALKER HOUSE	461 MCINTOSH AVE	c1940 Frame Vernacular	No
ST. JAMES AME CHURCH	504 MCINTOSH AVE	1914 Frame Vernacular	No
518 MCINTOSH AVE	518 MCINTOSH AVE	c1925 Frame Vernacular	Yes
520 MCINTOSH AVE	520 MCINTOSH AVE	c1925 Frame Vernacular	Yes
528 CLINTON ST	528 CLINTON ST	c1940 Frame Vernacular	No
529 CLINTON ST	529 CLINTON ST	c1940 Frame Vernacular	No
GREEN, JOSEPH HOUSE	531 MCINTOSH AVE	1893 Frame Vernacular	Yes
542 CLINTON ST	542 CLINTON ST	c1946 Masonry Vernacular	No
564 STOWE ST	564 STOWE ST	c1925 Frame Vernacular	No
CARRIAGE HOUSE STUDIO	630 KINGSLEY AVE	c1928 Frame Vernacular	No
NANTUCKET ROSE GIFTS	634 KINGSLEY AVE	c1898 Frame Vernacular	No
CHALKER HOUSE	634 RIVER RD	c1919 Neo-Classical Revival	No
800 KINGSLEY AVE	800 KINGSLEY AVE	c1940 Frame Vernacular	address not listed
WILSON HOUSE	806 RIVER RD	1912 Bungalow	No
824-826 KINGSLEY AVE	824-826 KINGSLEY AVE	c1925 Frame Vernacular	yes
830 KINGSLEY AVE	830 KINGSLEY AVE	c1940 Frame Vernacular	Yes
860 KINGSLEY AVE	860 KINGSLEY AVE	c1910 Frame Vernacular	Yes
POLLARD HOUSE	910 KINGSLEY AVE	c1939 Frame Vernacular	Yes
918 KINGSLEY AVE	918 KINGSLEY AVE	c1940 Frame Vernacular	Yes

	Mid-Century Modern Structures		
No.	**SiteID**	**Address**	
1	MCM0001	1426	Berrier Street
2	MCM0002	1436	Berrier Street
3	MCM0003	346	Blake Avenue
4	MCM0004	458	Blake Avenue
5	MCM0005	219	Campbell Avenue
6	MCM0006	232	Campbell Avenue
7	MCM0007	503	Fatio Lane
8	MCM0008	504	Fatio Lane
9	MCM0009	518	Fatio Lane
10	MCM0010	530	Fatio Lane
11	MCM0011	541	Fatio Lane
12	MCM0012	544	Fatio Lane
13	MCM0013	553	Fatio Lane
14	MCM0014	556	Fatio Lane
15	MCM0015	567	Fatio Lane
16	MCM0016	352	Frog Hollow Road
17	MCM0017	351	Frog Hollow Road
18	MCM0018	316	Frog Hollow Road
19	MCM0019	2540	Grasshopper Lane
20	MCM0020	2640	Holly Point Road East
21	MCM0021	2546	Holly Point Road East
22	MCM0022	2517	Holly Point Road East
23	MCM0023	2675	Holly Point Road East
24	MCM0024	2452	Holly Point Road East
25	MCM0025	2715	Holly Point Road East
26	MCM0026	2609	Holly Point Road West
27	MCM0027	10	Judson Circle
28	MCM0028	230	Kingsley Avenue
29	MCM0029	440	Kingsley Avenue
30	MCM0030	510	Lakefield Lane
31	MCM0031	512	Lakefield Lane
32	MCM0032	529	Lakefield Lane

33	MCM0033	526	Lakefield Lane
34	MCM0034	536	Lakefield Lane
35	MCM0035	555	Lakefield Lane
36	MCM0036	545	Lakefield Lane
37	MCM0037	546	Lakefield Lane
38	MCM0038	560	Lakefield Lane
39	MCM0039	569	Lakefield Lane
40	MCM0040	570	Lakefield Lane
41	MCM0041	543	Laurel Grove Lane
42	MCM0042	2276	Laurel Grove Lane
43	MCM0043	531	Laurel Grove Lane
44	MCM0044	546	Laurel Grove Lane
45	MCM0045	559	Laurel Grove Lane
46	MCM0046	560	Laurel Grove Lane
47	MCM0047	1323	Orange Circle South
48	MCM0048	1335	Orange Circle South
49	MCM0049	1345	Orange Circle South
50	MCM0050	1217	Park Avenue
51	MCM0051	1345	Park Avenue
52	MCM0052	2105	Park Avenue
53	MCM0053	1401	Plainfield Avenue
54	MCM0054	503	Ralph Street
55	MCM0055	2627	Red Fox Road
56	MCM0056	2539	Red Fox Road
57	MCM0057	2704	Red Fox Road
58	MCM0058	2558	Red Fox Road
59	MCM0059	2712	Red Fox Road
60	MCM0060	2656	Red Fox Road
61	MCM0061	2604	Red Fox Road
62	MCM0062	2028	Reed Street
63	MCM0063	1425	Smith Street
64	MCM0064	1435	Smith Street
65	MCM0065	204	Stiles Avenue
66	MCM0066	220	Stowe Avenue

Revised: April 9, 2024, March 7, 2024, November 30, 2023, October 26, 2023, June 22,2023, May 25, 2023, March 16, 2023, December 15, 2022, November 17, 2022, July 21, 2022

Town of Orange Park, Florida

Draft Ordinance – Chapter 23: Historic Preservation

Article I. GENERALLY

Section 23.01 Short title.

This Chapter may be cited as the Town of Orange Park Historic Preservation Code.

Section 23.02 Definitions.

The following words, terms and phrases, as used in this Chapter, shall have the meanings set forth below except where the context clearly indicates a different meaning.

(a) *Adaptive re-use* - The process of converting a building to a use other than that for which it was originally designed.

(b) *Addition* - New construction added to an existing building or structure.

(c) *Administrative official* - The person appointed by the city manager who is responsible for the overall administration and enforcement of the city's land development regulations or their duly authorized representative.

(d) *Alteration* - Work which impacts the exterior of any property located within an historic district including, but not limited to, demolition, addition, removal, restoration, relocation or other modification, in whole or in part, of a building, structure or appurtenance.

(e) *Appurtenances* - Includes, but not limited to, walkways and driveways (whether paved or not), fences, gateways, open space, mailboxes, arbors, and similar structures and results of construction activities.

(f) *Building* - A structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, retail store, or similar structure.

(g) *Certificate of appropriateness* - A document awarded by the historic preservation board approving an applicant to proceed with a proposed alteration, demolition or new construction in a designated historic area, district or site, following a determination of the proposed improvements suitability to applicable design and compatibility criteria.

(h) *Certified local government* - Established by the National Historic Preservation Act Amendments of 1980, the certified local government program permits the states to delegate limited responsibilities to local governments that meet specific qualifications for certification and provide limited grant-in-aid funding to assist them in that process. To become a CLG participant, a local government must adopt an acceptable historic preservation ordinance, maintain a system of surveying and inventorying historic resources, and encourage public participation in the historic preservation program.

(i) *Contributing resource or property* - (or contributing element) means a building, structure, or site located within the boundaries of a designated historic district that contributes to the historic significance of the district, which by location, design, setting, materials, workmanship, feeling and/or association adds to the district's sense of time, place and historic development and which is at least 50 years old and.

(j) *Demolition* - The complete or constructive removal of a building or structure upon any site when the building will not be relocated intact to a new site.

(k) *Demolition by neglect* - The failure to provide ordinary and necessary maintenance and repair to a building, structure, historic resource or appurtenance resulting in injury or loss to exterior features, permanent damage, or destruction through abandonment or lack of maintenance.

(l) *Designated site, landmark, or district* - Any site, landmark, or district designated by the federal, state, or local government as having historical, architectural, or archaeological significance.

(m) *Design criteria* - The standard used for issuing a certificate of appropriateness. The criteria includes, but is not limited to, guidelines adopted by the historic preservation board, which are based upon criteria of the Secretary of the Interior's Standards for Rehabilitation. The historic preservation board is hereby delegated the authority to adopt and implement the criteria which shall be enforced as land development regulations once reviewed by the local planning agency.

(n) *Design guidelines* - Criteria developed by a preservation commission, board, or review body to identify design concerns in an area or historic district, and to help property owners ensure that rehabilitation and new construction respect the character of designated buildings or districts.

(o) *Design review* - The process of ascertaining whether modifications to historic structures, sites, or districts meet standards of appropriateness established by a governing or advisory review board.

(p) *Detached* - Any new construction not attached to an existing and/or historic building.

(q) *Disturbance* - The cumulative digging, excavating, site preparation work or other such construction activities, regardless of the number of individual excavation or construction areas, related to an archaeological site.

(r) *Economic hardship* – The condition inflicting excessive financial burden upon the owner and amounting to the taking of the owner's property without just compensation.

(s) *Florida Master Site File* - The state's clearinghouse for information on archaeological sites, historical structures, and field surveys for such sites. A combination of both paper and computer files, it is administered by the Bureau of Archaeological Research, Division of Historical Resources, Florida Department of State.

(t) *Historic building* - A building that is classified as a historic landmark, or a building classified as contributing in the historic districts, or is individually listed on the National Register of Historic Places.

(u) *Historic cemetery* – Means Magnolia Cemetery and Moosehaven Cemetery

(v) *Historic district* - A geographically definable area that includes or encompasses historic sites, landmarks, buildings, signs, appurtenances, structures or objects as the board may determine to be appropriate for historical preservation. Historic districts may include non-contributing resources.

(w) *Historic landmark* - Historic landmarks include any site (including significant trees or other plant life located thereon), building, or structure of particular historic or aesthetic significance to the city, the state, or the nation. Landmarks include, sites, buildings, or structures where cultural, political, spiritual, economic, social or artistic history of the community, state or nation is reflected or exemplified or which are identified with historic personages or with important events in local, state or national history, or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style or method of construction, or a notable work of construction, or a notable work of a master designer or architect whose individual genius influenced his age.

(x) Historic preservation – "historic preservation," or "preservation" includes identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education and training regarding the foregoing activities or any combination of the foregoing activities.

(y) *Historic preservation board* - A board of citizens created by local ordinance and charged with enforcing provisions of local laws governing historic districts and buildings.

(z) *Historic resource* - Any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value. The properties may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state.

(aa) *Historic site* - A single lot or portion of a lot containing an improvement, landscape feature, or archaeological site, or a historically related complex of improvements, landscape features or archaeological sites that may yield information on history or prehistory.

(bb) *Historic survey* - A comprehensive survey involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archaeological or architectural importance.

(cc) *Improvement* – Means any building, structure, wall, walkway, work of art, earthworks, or other manmade object constituting a physical betterment of real property or any part of such betterment.

(dd) *Mitigation* - A process designed to prevent adverse impact of an activity on cultural resources, by the systematic removal of the prehistoric, historic, or architectural data and materials in order to acquire the fundamental information necessary for understanding the property within its proper historic context. For structures, at a minimum, this may require primary archival studies, informant interviews, measured drawings, and large-scale photography. For archaeological sites, at a minimum, this may require literature studies, informant interviews, field survey, excavation, and artifact analysis. All mitigation projects require the preparation of reports.

(ee) *Non-Contributing Resource or Property* - Means any building, structure, or site which does not contribute to the overall historic significance of a designated historic district due to alterations, disturbances or other changes and therefore no longer possesses historic integrity, or was not present during the period of historic significance or is incapable of yielding important information about that period, or has been so altered or deteriorated that overall integrity of the building has been irretrievably lost.

(ff) *Ordinary repairs and maintenance* – Means any:

(1)Work done on any improvement which does not involve a change of design, appearance or material, including but not limited to lawn and landscape care, cleaning, painting, repair or replacing of fabric, and resurfacing of hardscapes; and

*(2)*Work done on any improvement or part of an improvement where the purpose and effect of such work or replacement is to prevent or correct any deterioration, decay of, or damage to such improvement or any part thereof, by maintaining or restoring the same as nearly as may be practicable to its condition prior to the occurrence of such deterioration, decay or damage.

(gg) *Object* - A material thing of functional, aesthetic, cultural, historical, or scientific value that may be by nature or design, movable, yet related to a specific setting or environment.

(hh) *Preservation* – 1) As used in the Act, preservation includes the identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education and training regarding the foregoing activities or any combination of the foregoing activities. 2) The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property, including preliminary measures to protect and stabilize the property, maintain and repair of historic materials and features (rather than extensive replacement), and the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code required work to make properties functional.

(ii) *Property* – Means land and the buildings and improvements on it.

(jj) *Property owner* – Means the individual or entity in possession of title for land and the buildings and improvements on it. Any person or entity claiming to be a property owner shall provide the town with proof of such ownership interest.

(kk) *Reconstruction* - The authentic reproduction of a building or site that once existed, but disappeared or was demolished.

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

(mm) *Relocation* - When a building is moved, intact, to a new site.

(nn) *Renovation* - Modernization of an old or historic building that may produce inappropriate alterations or elimination of important features or details.

(oo) *Repairable* - Structures or building features that can be fixed or restored without creating an imminent hazard to public safety. For the purpose of this schedule, it is assumed that most damage, including partial termite or partial fire damage, can be repaired. It shall be the applicant's responsibility to demonstrate otherwise (see economic hardship section).

(pp) *Resource* - Sites, buildings, structures, objects, districts, and areas, public or private, single or in combination.

(qq) *Restoration* - The creation of an authentic reproduction beginning with existing parts of an original object or building.

(rr) *Revitalization* - The imparting of new economic and community life in an existing neighborhood, area, or business district while at the same time preserving the original building stock and historic character.

(ss) *Right-of-way* - The strip of land owned or controlled by the city or another governmental agency over which the public has a right of passage, including the streets, parkways, medians, sidewalks and driveways constructed thereon. For the purpose of this section "right-of-way" shall exclude alleys.

(tt) *Sense of place* - The sum of attributes of a locality, neighborhood, or property that give it a unique and distinctive character.

(uu) *Setback* - The distance between the street right-of-way line and the front line of a building or any projection thereof.

(vv) *Shall* - Is used to indicate a mandatory action.

(ww) *Secretary of Interior Standards for Rehabilitation* (36 CFR 67, as periodically revised) means the standards provided by the National Park Service and the Secretary of the Interior Standards for rehabilitation that provide guidance on the sensitive rehabilitation

of a historic site. The standards generally address issues that include character defining elements; changes which have occurred over the course of the property's history; desirable approaches to the repair of damaged features; appropriate cleaning methods; archaeological resources; and new construction in connection with an historic property. The Preservation Briefs are to serve as best practices to homeowners and contractors.

(xx) *Streetscape* - The distinguishing and pictorial character of a particular street as created by its width, degree of curvature and paving materials, design of the street furniture, forms of surrounding buildings, and landscaping.

(yy) *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, such as a bridge, wall, gate, or building, or small in scale, such as monuments or fountains.

(zz) *Style* - A type of architecture distinguished by special characteristics of structure and ornament and often related in time; also, a general quality of distinctive character.

(aaa) *Traditional neighborhood development* - Traditional neighborhood development (TND) refers to the development of a complete neighborhood or town using traditional town planning principles. TND may occur in infill settings and involve adaptive reuse of existing buildings, but often involves all-new construction on previously undeveloped land. To qualify as a TND, a project should include a range of housing types, a network of well-connected streets and blocks, humane public spaces, and have amenities such as stores, schools, and places of worship within walking distance of residences. TND is limited to the scale of neighborhood or town, and should not be confused with new urbanism, which encompasses all scales of planning and development, from building to region. TND projects incorporate many different architectural styles and are not exclusively traditional in aesthetic.

(bbb) *Yard* - The land area surrounding the principal building on any parcel which is neither occupied or obstructed by a portion of the principal building from the finished grade to the sky or below the finished grade except where such occupancy, obstruction or encroachment is specifically permitted by this code.

A. *Front yard* - That portion of the yard extending the full width of the parcel and measured between the front parcel line and a parallel line tangent to the nearest part of the principal building.

B. *Rear yard* - That portion of the yard extending the full width of the parcel and measured between the rear parcel line and a parallel line tangent to the nearest part of the principal building.

C. *Side yard* - Those portions of the yard extending from the required front yard to the required rear yard and measured between the side parcel lines and parallel lines tangent to the nearest part of the principal building.

Section 23.03 Relationship to Planning and Zoning.

This Chapter is intended to provide the framework for a comprehensive historic preservation program, which shall act as an overlay to existing zoning designations. Zoning amendments may be applied to designated landmarks, designated individual properties, and designated historic districts, with such actions and procedures as otherwise provided for in Article II. Zoning.

Section 23.04 Responsibilities of Historic Preservation Board.

The Historic Preservation Board (HPB), as established pursuant to section 20.130, shall be responsible for the development and administration of a comprehensive historic preservation program, and shall identify and seek to maintain the town's historic sites for the benefit of both present and future residents.

(a) *Responsibilities*. It shall be the responsibility of the HPB to:

(1) Recommend incentives for historic preservation, make advisory recommendations regarding rezonings and conditional uses, and recommend for or against demolitions, any of which could impact designated sites.

(2) Identify landmarks, historic districts, and individual properties for potential designation by the council;

(3) Provide assistance to, and education of, owners of designated properties;

(4) Develop local guidelines for use in reviewing applications for certificates of appropriateness;

(5) Review applications for certificates of appropriateness for all designated properties;

(6) Periodically conduct a survey and inventory of historically, culturally or architecturally significant buildings, structures, and districts within the town, with the aid of staff and consultants with professional expertise as may be necessary, coordinate survey results with the inventory, and make all material available to the public;

(7) Develop programs to stimulate public interest and involvement in the town's history and preservation, and inform the public of the town's preservation opportunities and the HPB's activities;

(8) Cooperate with and advise local, state and federal governments on preservation activities;

(9) Attend relevant educational meetings, workshops and conferences;

(10) Adopt rules of procedure, including local design guidelines, which shall be reviewed periodically and which shall be available for public inspection; and

(11) Perform any other function that may be designated by the council.

(b) *Disqualification*. If any member of the Historic Preservation Board finds that such member's private or personal interests are involved in any particular matter coming before

the HPB, that member shall recuse themselves from all participation in that case as a member of the HPB or such member may be disqualified by the votes of three members of the HPB.

Article II. DESIGNATION OF LANDMARKS, HISTORIC DISTRICTS, AND INDIVIDUAL PROPERTIES.

Section 23.05 Criteria for Designation.

(a) *Landmarks*. The criteria for the designation of a landmark within the town are:

(1) Consistency with the intent set forth in section 20.130(d);

(2) At least 50 years old, unless the site is of exceptional importance;

(3) A quality of significance in American history, architecture, archeology, engineering, or culture as shown by integrity of location, design, setting, materials, workmanship, feeling, and associations; and

(4) At least one of the following:

a. A listing on the National Register of Historic Places;

b. A value that is a significant reminder of the cultural or archeological heritage of the town, county, state or nation;

c. A location that is associated with a local, state or national event that made a significant contribution to the broad patterns of American history;

d. An association with a person or persons who had a significant effect on society or who significantly contributed to the development of the town, county, state or nation;

e. An identity as the work of a master builder, designer, or architect whose individual work has influenced the development of the town, county, state or nation;

f. An identity as possessing high artistic values;

g. A value as a building that is recognized for the quality of its architecture and retention of sufficient elements showing its architectural significance; or

h. Distinguishing characteristics of an architectural style or engineering specimen, or type, period, or method of construction valuable for the study of a period, method of construction, or use of indigenous materials.

(b) *Historic Districts*. The criteria for the designation of an historic district within the town are:

(1) Consistency with the intent set forth in section 20.130(d);

(2) A definable geographic area of contiguous properties,

a. generally following the technical guidelines for selecting boundaries used by the National Register of Historic Places, and

b. where possible, covering both sides of any street or comprising all the properties in any cul-de-sac or similar area;

(3) A quality of significance in American history, architecture, archeology, engineering, or culture as shown by integrity of location, design, setting, materials, workmanship, feeling, and associations; and

(4) An area containing contributing properties that are at least 50 years old and that have at least two of the following characteristics:

a. An identity as the work of a master builder, designer, or architect whose individual work has influenced the development of the town, county, state or nation;

b. An identity as possessing high artistic values;

c. A value as a building that is recognized for the quality of its architecture and retention of sufficient elements showing its architectural significance;

d. Distinguishing characteristics of an architectural style or engineering specimen, or type, period, or method of construction valuable for the study of a period, method of construction, or use of indigenous materials; or

e. An identity as part of a distinctive area based on an historic or architectural motif or elements of design, detailing, materials, or craftsmanship that render it historically or architecturally significant.

(c) *Individual Properties*. The criteria for the designation of an individual property outside a historic district are:

(1) Consistency with the intent set forth in section 20.130(d);

(2) A quality of significance in American history, architecture, archeology, engineering, or culture as shown by integrity of location, design, setting, materials, workmanship, feeling, and associations;

(3) At least 50 years old, unless of exceptional importance; and

(4) At least two of the following characteristics:

a. A listing on the National Register of Historic Places;

b. An identity as the work of a master builder, designer, or architect whose individual work has influenced the development of the town, county, state or nation;

c. An identity as possessing high artistic values;

d. A value as a building that is recognized for the quality of its architecture and retention of sufficient elements showing its architectural significance;

e. Distinguishing characteristics of an architectural style or engineering specimen, or type, period, or method of construction valuable for the study of a period, method of construction, or use of indigenous materials; or

f. An identity as part of a distinctive area based on an historic or architectural motif or elements of design, detailing, materials, or craftsmanship that render it historically or architecturally significant.

Section 23.06 Procedures for Designation.

Landmarks, individual properties, and historic districts may only be designated as provided in this section according to the following procedures.

(a) *Nominations*.

(1) A nomination to designate a landmark may be filed by a councilmember, the Historic Preservation Board, or a resident of the town.

(2) A nomination to designate an historic district may be filed by the council or the Historic Preservation Board.

(3) A nomination to designate an individual property may be filed by the property owner;

(4) Nominations shall include a legal description and physical address of the property or properties, information regarding the property owner(s) of record, evidence regarding how the property or area meets the criteria for designation set forth in section 23.05, including which criteria apply and, for a historic district, a list of which properties are contributing and noncontributing properties.

(5) For each nomination submitted, the town staff shall review whether the nomination meets the applicable eligibility criteria for designation, and if so, shall prepare a designation report to be presented to the Historic Preservation Board at the next regularly scheduled meeting. If the staff determines that the nomination does not meet the criteria, the staff may discuss the nomination with the nominator to address any inadequacies, and the nomination may be resubmitted or withdrawn.

(b) *Recommendation by Historic Preservation Board*. The Historic Preservation Board shall review each nomination and designation report, seek guidance from consultants as necessary, and make a recommendation to the council either to approve the designation or reject the designation, during regularly held or special meetings.

(c) *Public Notice*. For each nomination for which a designation report is issued, at least 30 calendar days and not more than seventy-five (75) calendar days prior to the public hearing

to be held pursuant to this section, the Town Manager or the Town Manager's designee shall mail a notice of public hearing to all property owners of record on the last completed tax assessment roll of the Clay County Property Appraiser within a 300 foot radius of the boundaries of the proposed designated property or area and shall post the same notice on the town's website along with the meeting's agenda; provided, however, that failure to receive such notice by a property owner shall not invalidate such notice.

(d) *Public Hearings*. The council shall consider the nomination, the designation report, and the recommendation of the Historic Preservation Board, as part of a public hearing at a regularly scheduled meeting. The council may consider any economic hardship to a property owner that would result (or likely result) from the designation. If the council determines that the nomination meets the criteria and is in the best interest of the town, it shall adopt an ordinance on second and final reading approving the designation. The council shall have final decision-making authority over whether to approve or reject any nomination for designation. All public meeting records will be available to the public.

(1) Following the date of adoption of an ordinance by the council approving a designation, no permits shall be issued, except for permits that do not require the review of the HPB, for any addition, alteration, rehabilitation, restoration, renovation, relocation, or demolition of any designated property, until one of the following has occurred:

a. A certificate of appropriateness is issued under the provisions of this Chapter; or

b. The historic designation is revoked by the council.

(e) *Appeals*. An appeal may be taken by any person aggrieved within 30 days of the date of the action which is the subject of such appeal by filing with the town clerk a notice of appeal specifying the grounds thereof. Within 15 days after receipt of such notice of appeal, the council shall set a reasonable time for hearing of the appeal and the town manager or the manager's designee shall give notice of the time and place of the hearing to the applicant and the Economic and Community Development Department Director and shall give due public notice as provided in Section 23.06(c). The hearing of the appeal shall allow the applicant to give oral and documentary evidence, submit rebuttal evidence, submit proposed findings and conclusion and supporting reasons therefor, make offers of compromise or proposals of adjustment, be accompanied, represented and advised by counsel or the applicant may represent themselves, and be promptly notified regarding any action taken by the HPB affecting substantive or procedural rights take in connection with any proceedings.

(f) *Revocation of Designation*. Under the following circumstances, the council may revoke a designation of a property by ordinance upon a determination that:

(1) The designated property no longer meets the criteria for designation as a result of: structural or architectural alterations that have been made to the property, demolition or destruction by fire or other force majeure, or upon receipt of additional information which contradicts the original designation;

(2) The demolition of a designated property is required by a community redevelopment plan or the comprehensive plan, or eminent domain or condemnation proceedings;

(3) With respect to any landmark, but not including any monument or memorial located in a publicly owned cemetery, the landmark should be removed, altered, contextualized, or relocated; or

(4) An error was made in the nomination or the procedure for designation of the property.

Article III. CERTIFICATE OF APPROPRIATENESS

Section 23.07 Certificate of Appropriateness.

(a) *Purpose* To ensure that the proposed work is consistent with the appropriate design guidelines and historic preservation standards.

(b) *Review Requirement*. The HPB shall review and render a decision during a public meeting on applications for certificates of appropriateness for any proposed addition, alteration, rehabilitation, restoration, renovation, relocation, or demolition of:

(1) Landmarks;

(2) Designated properties;

(3) Historic sites for which the town has received a façade or preservation easement in keeping with the applicable design guidelines.

Notwithstanding the foregoing, the HPB shall not have the authority to review and render a decision on interior alterations or alterations that do not affect the exterior appearance or structural integrity of the structure. The HPB may approve, approve with conditions, or deny an application.

Section 23.08 Guidelines for Review.

It shall be the intent of the HPB to preserve the exterior historic characteristics of all designated properties, and to promote maintenance, restoration, adaptive reuses appropriate to each such property, and compatible contemporary designs which are harmonious with the exterior architectural features of neighboring sites and streetscapes. Guidelines shall also serve as the criteria for staff to make decisions, as permitted by the HPB, regarding applications for certificates of appropriateness that are granted administrative approval.

(a) The U.S. Secretary of the Interior's Standards for Rehabilitation, as periodically revised, are the standards and guidelines by which applications for any certificate of appropriateness for historic buildings, sites, or districts are to be measured and evaluated, unless and until local guidelines are developed by the HPB and recommended for adoption by the council.

Section 23.09 Delegation of Review Authority and Administrative Review.

(a) *Delegation of Review Authority*. The HPB may delegate the authority to the Town Manager or the Manager's designee to review and grant administrative review without referral to the HPB in the case of certain types of applications for alterations or additions to a designated property, which types the HPB shall determine in advance.

(1) Applications seeking administrative review must contain the complete information required by Section 23.10(a).

(2) The Town Manager or the Manager's designee is not required to grant this administrative review and may require review by the HPB.

(b) *Administrative Review*. If administrative review is granted to an application, then within 15 business days from the date a complete application has been filed, the Town Manager or the Manager's designee shall approve, approve with conditions, or deny the application based upon the standards in section 23.08(a), the designation report, a complete application for a building permit, and any additional plans, drawings or photographs to fully describe the proposed alteration or addition. The findings of the Town Manager or the Manager's designee shall be mailed to the applicant within three days of the Town Manager or the Manager's designee's decision. The Town Manager or the Manager's designee shall report to the HPB at each regularly scheduled meeting all administrative review decisions issued since the last regularly scheduled meeting.

(c) *Appeals*. Any staff administrative review decision may be appealed to the HPB. If the applicant wishes to appeal the decision of the Town Manager or the Manager's designee, the applicant shall notify the Town Manager or the Manager's designee in writing, and the complete certificate of appropriateness application, including payment of the applicable application fee by the appealing party, will then be placed on the HPB agenda.

Section 23.10 Certificates for Appropriateness.

(a) *Application for Certificate for Appropriateness*. An applicant for a certificate of appropriateness, whether for an addition, alteration, rehabilitation, restoration, renovation, relocation, or demolition, shall submit an application to the HPB accompanied by photographs, elevations, site plans, floor plans, and samples of materials as deemed appropriate by the HPB to fully describe the proposed appearance, materials and architectural design of the building(s), other outbuildings and site plan. The application shall include floor area ratio, impervious lot coverage and height and setback calculations, if applicable. The applicant shall provide adequate information to enable the HPB to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and streetscapes. In the event that the applicant is requesting a certificate of appropriateness for demolition, the HPB shall be provided with the details for the proposed disposition of the site. The HPB may require architectural drawings, financial plans or other information regarding any proposed new construction. Proposed demolitions shall be reviewed subject to the considerations in section 23.12.

(b) *Rulings upon Applications*. The HPB will rule upon applications for a certificate of appropriateness during a regularly scheduled public meeting or a predetermined special meeting including regular meetings.

(c) *Time Limit*. The HPB shall act upon an application within sixty (60) days of receipt of the proposed action.

(d) *Expiration and Extensions*. An approved certificate of appropriateness shall expire one (1) year after the date of approval if the approved addition, alteration, rehabilitation, restoration, renovation, relocation, or demolition has not physically commenced on the property within such time period. Upon the request of the property owner, staff may administratively extend the approval for an additional year. Thereafter, upon request by the property owner, one additional one-year extension may be granted by the HPB upon good cause.

(e) *Records*. Approval of the application shall be by certificate of appropriateness issued by the HPB or the HPB's designated staff representative to the applicant. Denial of an application shall be provided to the applicant with an adequate written explanation of the HPB's decision.

(f) *Appeals*. Any substantially affected party may appeal any decision of the HPB to the council by filing a written notice of appeal within thirty (30) days after the date of the decision. The notice shall set forth concisely the decision appealed from and the reasons or grounds for the appeal. The appeal shall be heard by the council, according to rules and conditions adopted by the council. The council may affirm, modify or reverse the HPB's decision based upon the standards in section 23.08 and, if applicable, additional criteria in section 23.12. The decision of the council shall constitute exhaustion of administrative remedies. Appeals from decisions of the council may be made to the courts having jurisdiction over the matter. Within 15 days after receipt of such notice of appeal, the council shall set a reasonable time for hearing of the appeal and the town manager or the manager's designee shall give notice of the time and place of the hearing to the applicant and the Economic and Community Development Department Director and shall give due public notice as provided in Section 23.06 (c).

Section 23.11 Change in Approved Work.

After a certificate of appropriateness is issued to an applicant, any proposed change in the approved work must be submitted to the town staff for review. If the staff finds that the proposed change does not materially affect the historic character or the proposed change is in accord with approved guidelines, the staff may issue a supplementary certificate of appropriateness for such change. If the proposed change is not in accordance with guidelines, standards, or certificate of appropriateness previously approved by the HPB, the staff shall notify the applicant that a new application for a certificate of appropriateness shall be required.

Section 23.12 Additional Guidelines for Demolition of Designated Property.

(a) *Additional Criteria*. In addition to all other provisions of this article, the HPB shall consider the following criteria in determining whether to approve or deny an application involving the demolition of a structure that is deemed designated:

(1) Whether the structure is one of the last remaining examples of its kind in the town, the county, or the region;

(2) Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and the explanation of what the effect of those plans will be on the character of the surrounding area;

(3) The feasibility of moving or relocating the structure;

(4) The feasibility of purchasing the structure, either privately or through the use of public funds; and

(5) The feasibility of preservation of historic elements of the structure prior to demolition through photographic documentation of the structure, removal and relocation of historic elements, or otherwise archiving the historic nature of the structure.

(b) *Exception to Additional Criteria*. If an application involving demolition of part of a designated property only impacts noncontributing resources, then the HPB does not need to consider the addition criteria listed in subsection (a).

(c) *Properties* fifty (50) years of age or older. Applications requesting the demolition of properties that are 50 years of age or older but are not designated properties shall comply with the procedures of this section; provided, however, that any property that has received, prior to the effective date of this section, an approved and valid permit from the town that authorizes the demolition or redevelopment of the property is exempt from this section. Upon receipt of a complete application for a demolition permit, for properties that are 50 years of age or older, the town shall have sixty (60) days thereafter to issue a demolition permit provided the applicable demolition permit requirements have been met. The purpose of this 60-day consideration period is to educate, facilitate, and encourage the consideration of appropriate alternatives to protect the historic character of the property sought to be demolished before a demolition permit is issued. Within three (3) business days of receipt of the application for demolition, the town staff shall mail to the property owner a letter notifying them of the 60-day period and the purpose of such period and the next HPB meeting where the application for demolition will be reviewed and potential alternatives to demolition discussed.

(d) *HPB Review.* During the consideration period, the HPB will review the application for demolition permit and consider appropriate alternatives to demolition to protect the historic character of the property in lieu of demolition. The HPB is authorized to direct the town staff to make proposals to the property owner as to any specific alternatives to demolition, including but not limited to the following:

(1) The feasibility of moving or relocating the structure;

(2) The feasibility of purchasing the structure, either privately or through the use of public funds;

(3) Preservation of historic elements of the structure prior to demolition through photographic documentation of the structure, removal and relocation of historic elements, or otherwise archiving the historic nature of the structure.

(e) *Agreement on Alternative.* If agreement is reached with the property owner to allow preservation of aspects of the structure, the demolition shall be allowed immediately upon completion of the preservation or at the end of the consideration period, whichever may come first, provided all other criteria for demolition have been met.

(f) *Expiration of Construction Period.* After the expiration of the applicable consideration period under this section (staff note – clarify what part of the section this applies to), provided that all other requirements and conditions of its application for a demolition permit have been met, the town shall proceed to issue a demolition permit in accordance with its standard procedures. At any time after a complete application for demolition permit is received, the town staff may waive the remaining time under the applicable consideration period if the HPB determines that no meaningful alternatives to demolition exist or will be proposed to the property owner.

Article IV. ADMINISTRATION AND ENFORCEMENT.

Section 23.13 Incentives.

The town may adopt additional incentives applicable to designated landmarks and designated individual properties, including, but not limited to, grant programs, technical aide and tax incentives, at its discretion.

Section 23.14 Nominations to the National Register of Historic Places.

Upon notification by the Bureau of Historic Preservation of local nominations for the listing of a property within the town in the National Register of Historic Places, the HPB shall review such nominations and solicit and review any comments or objections from the council, town manager, economic and community development department director, the property owner(s) of record, or nominators. Objection from property owners to prevent nominations to the National Register must be notarized and submitted to the Bureau of Historic Preservation in writing no more than 30 days prior to such meeting. The public shall have a minimum of 30 days prior to the meeting to submit comments. The HPB shall forward a record of its actions and recommendations to the Florida State Historic Preservation Officer.

Section 23.15 Certified Local Government Program Participation.

(a) *Participation.* The HPB shall apply to participate in the certified local government program through the Florida Division of Historical Resources.

(b) *Program Requirements.* As part of the certified local government program requirements the HPB shall:

(1) Meet at least four (4) times per year;

(2) Identify a member of the town staff as a contact person and notify the state historic preservation officer if the contact information changes;

(3) Notify the state historic preservation officer of each HPB meeting at least thirty (30) days in advance;

(4) Submit minutes, agendas, and a record of attendance of HPB members and public attendance figures for each HPB meeting to the state historic preservation officer within 30 days of each meeting;

(5) Upon notification of local National Register nominations within the town by the Bureau of Historic Preservation, review such nominations and submit comments within sixty (60) days;

(6) Maintain an ongoing system of historic survey and provide duplicates of all survey materials to State Historic Preservation Office;

(7) Notify the state historic preservation officer immediately of all new historic designations or alterations to existing designated properties and submit related materials to the Florida Master Site File;

(8) Notify the state historic preservation officer of any change in the membership of the HPB within 30 days of the action;

(9) Submit any amendments to this Chapter to the state historic preservation officer for review and comment at least 30 days prior to adoption;

(10) Submit an annual report to the state historic preservation officer by November 1, covering the previous October 1 through September 30 of each year and including:

a. Changes to the historic preservation ordinance;

b. Any changes to the rules of procedure;

c. The number of nominations and applications reviewed;

d. All new designations;

e. Changes to the HPB;

f. Revised and new resumes of HPB members as appropriate;

g. A review of any survey and inventory activity with a description of the system used;

h. A progress report on each grant-assisted activity.

(11) Participate in a certified local government evaluation at least once every four (4) years.

Section 23.16 Ordinary Maintenance and Repair.

Nothing in this Chapter shall be construed to prevent the ordinary maintenance or repair of any structure. All exterior work in a historic district or to a local landmark requires an approved certificate of appropriateness.

Section 23.17 Unsafe and Emergency Conditions.

(a) *Unsafe Structures*. In the event that any contributing building or structure within a designated district or designated individual property is determined by an appropriate building official to be unsafe pursuant to the Florida Building Code, such building official shall immediately notify the HPB with copies of such findings. Where reasonably feasible within applicable laws and regulations, the building official shall endeavor to have the structure repaired rather than demolished and shall take into consideration any comments and recommendations by the HPB. The HPB may take appropriate actions to effect and accomplish the preservation of such structure including, but not limited to, negotiations with the owner and other interested parties, if such actions do not interfere with procedures in the Florida Building Code.

(b) *Emergency Conditions*.

(1) In circumstances of emergency or impending disaster, nothing contained herein shall impede or restrict the performance of duties of any authorized emergency personnel with proper jurisdiction in Clay County. In addition, the town building official shall have the authority to issue emergency demolition and/or construction permits for any designated landmark or designated individual property that presents an immediate or obvious threat to the health, safety and welfare of the citizens of the Town of Orange Park, subject to the approval of the Town Council and in accordance with the provisions of the Florida Building Code.

(2) For the purpose of remedying emergency conditions determined to be imminently dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction, demolition or other repairs to an improvement within a designated landmark or designated individual property, provided that only such work as is reasonably necessary to correct the dangerous condition may be carried out. The owner of an improvement damaged by fire, hurricane, flooding, or other natural calamity shall be permitted to stabilize the improvement immediately and to rehabilitate it later under the normal review procedure of this Chapter.

Section 23.18 Inspections.

The Economic and Community Development Department and code compliance division shall assist the HPB by making necessary inspections in connection with enforcement of this Chapter. The building official shall be responsible to promptly stop any work attempted to be done without or contrary to any certificate of appropriateness required under this Chapter and shall further be responsible for ensuring that any work not in accordance with an issued certificate of appropriateness shall be corrected to comply with the certificate, or that authorized remedial action in accordance with town ordinances is initiated promptly.

Section 23.19 Enforcement, Violations and penalties.

Any person who carries out or causes to be carried out any work in violation of this article that causes irreparable or irreversible damage to a designated landmark or designated individual property, shall be liable for a fine not to exceed the amount per violation provided for in section 2.265 in this Code.

a) Violations of this subsection shall be heard by the Special Magistrate of the Town of Orange Park subject to the penalties established in this section.

b) For any and every violation of this Article, and for each and every day that such violation shall continue, said violation shall be punishable by a fine of up to two hundred-fifty dollars ($250.00) per day for first time violators and up to five hundred dollars ($500.00) per day for repeat violations. The provisions of Section 2-265 of the Town Code shall apply to all fines imposed pursuant to this Section.

c) Persons charged with a violation under this Article may include the owner, agent, lessee, tenant, contractor, or any other person using the land, building, or premise where such violation shall have been committed or shall exist.

d) In addition to criminal penalties, the town may institute any lawful civil action or proceeding to prevent, restrain, or abate:
    1) The unlawful construction, erection, reconstruction, alteration, rehabilitation, expansion, maintenance or use of any building, structure, or parking area; or
    2) The occupancy and/or use of such building, structure or parking area; or
    3) The illegal act, conduct, business, or use of, in or about such premises.
    4) Furthermore, the town shall have the authority to issue, cease and desist orders to any person using the land, building, or premises where a violation of the Article has been committed or shall exist.

Article V. TAX EXEMPTIONS FOR HISTORIC PROPERTIES.

Sections 23.21–23.29 Reserved.

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Draft Amendment to Chapter 20

Section 20.130 Establishment, purpose, and intent.

(a) There is hereby established an historic preservation board consisting of five members appointed by the council from among the residents of the town. Members of the board may also serve on advisory committees of the town but shall hold no other town office.

(b) The member(s) shall be appointed for terms concurrent with the terms of the council members holding the seat terms, or portions thereof, provided in section 2.02(c) or 2.06, and whether or not any of such council members shall have been appointed or elected by regular or special election. If any council seat shall become vacant, the term of the board member previously nominated by the last elected or appointed seat holder shall carry over until the next council member elected or appointed to such seat shall take office. Vacancies on the Historic Preservation Board shall be filled within sixty (60) days.

(c) The council should consider, in appointing residents to serve on the historic preservation board, that important qualifications may include professional experience in architecture, history, architectural history, planning, conservation, or local history; special interest in history, architecture, or historic preservation.

(d) The historic preservation board shall review and propose ordinances to establish the framework for a comprehensive historic preservation program in the town and shall carry out any historic preservation program established by such ordinances. Such ordinances shall be designed to promote the educational, cultural, and economic welfare of the public by preserving and protecting historic structures, sites, portions of structures, groups of structures, manmade or natural landscape elements, works of art, or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the town, state, or nation to achieve the following objectives, including by encouraging voluntary participation:

(1) Effect and accomplish the preservation, enhancement, protection, perpetuation and use of landmarks, historic sites, and historic districts having a special historic, architectural, archaeological, or cultural interest and value to the town, state, or nation;

(2) Safeguard the town's historic and cultural heritage as embodied and reflected in such landmarks, historic sites, and historic districts;

(3) Promote the use of landmarks, historic sites, and historic districts for the education, pleasure, and welfare of the people of the town;

(4) Foster civic pride in the visual character of the town and the value of notable accomplishments of the past;

(5) Strengthen the economy and property values of the town;

(6) Protect and enhance the town's resources to residents, tourists and visitors and serve as a support and stimulus to business and economic development;

(7) Enhance the visual character, diversity, and interest of the town; and

(8) Assist the town and private property owners to be eligible for federal tax incentives, federal and state grant funds, property tax abatement, and any other incentive programs established by the town for the purpose of furthering historic preservation activities.

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FLORIDA CERTIFIED LOCAL GOVERNMENT GUIDELINES

INTRODUCTION

Since its initial enactment by Congress in 1966, and through its subsequent amendment, the National Historic Preservation Act, as amended (16 U.S.C. 470, et. seq.) has established a program of identification, evaluation, and protection of historic and prehistoric properties based on the National Register of Historic Places. The act also has formalized roles for a decentralized historic preservation partnership that includes federal, state, tribal, and local governments. Part of the national program is carried out by the states, under the direction of the National Park Service of the Department of Interior. Participating states receive funding assistance in the form of annual grants from the federal Historic Preservation Fund to support their efforts. Funds are normally used to support the programs of the State Historic Preservation Office. A portion of these funds may be regranted in the form of subgrants for survey and planning and community education activities.

The National Historic Preservation Act, as amended (16 U.S.C. 470 et. seq.), also contains the legal basis for the federal-state-local preservation partnership commonly referred to as the Certified Local Government program. The Act directs the State Historic Preservation Officer and the Secretary of the Interior to establish procedures for the certification of local governments to participate in this partnership. This document contains Florida's procedures.

Under the Certified Local Government program, the State: 1) delegates certain limited responsibilities to those local governments that meet specific qualifications for certification, and 2) provides, from its annual Historic Preservation Fund apportionment, on a competitive basis, limited grant-in-aid funding to assist certified local governments in carrying out the responsibilities so delegated.

The purpose of these guidelines is to set forth: 1) the requirements and responsibilities of participation in the Certified Local Government program, and 2) the procedures for certification of local governments and for transfer of federal grant funds to participating Certified Local Governments.

FLORIDA CERTIFIED LOCAL GOVERNMENT GUIDELINES

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FLORIDA CERTIFIED LOCAL GOVERNMENT GUIDELINES

A. Definitions

1. **Appropriate Chief Elected Local Official**: the mayor, county executive, or otherwise titled administrative official who is the head of the local political jurisdiction, which is the Certified Local Government.
2. **Commission**: a board, council, commission, or other similar collegial body which is established in accordance with Section B.2. of these guidelines.
3. **Designation**: the identification and registration of properties for protection that meet criteria established by the State or the locality for significant historic and prehistoric resources within the jurisdiction of a local government. Designation includes the identification and registration of resources according to the State or local criteria which must be consistent with the Secretary of the Interior's Standards for Identification and Registration. Adoption of the National Register criteria is encouraged.
4. **Florida Master Site File**: the state's clearinghouse for information on archaeological sites and historic structures, and field surveys of such sites and structures. It is a system of several paper and computer files maintained by the Division of Historical Resources, Florida Department of State.
5. **Historic Preservation Fund**: the source from which monies are appropriated to fund the program of matching grants-in-aid to the states for historic preservation programs and projects, as authorized by Section 101(d)(1) of the National Historic Preservation Act, as amended.
6. **Local Government**: the city, county, township, municipality, or any other general purpose political subdivision in the state.
7. **National Register of Historic Places**: the national list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture, maintained by the Secretary of the Interior under authority of Section 101(a)(1)(A) of the National Historic Preservation Act, as amended.
8. **Protection:** the local review process under State or local law for proposed demolition or, changes to, or other action that may affect historic properties designated pursuant to a local government becoming a Certified Local Government. The CLG's local protection review process of the Act applies only to properties designated pursuant to State or local laws and procedures. This would not include properties listed on or determined eligible for the National Register of Historic Places unless such properties also were designated under the appropriate State or local process.
9. **State Historic Preservation Officer**: the official designated pursuant to s.267.031(7), Florida Statutes, to administer the state historic preservation program established for the purpose of carrying out the provisions of the National Historic Preservation Act of 1966, as amended.

B. Requirements

The following requirements are contained in 36 CFR Part 61, the implementing regulations for the National Historic Preservation Act, as amended (16 U.S.C. 470). Local governments desiring to become and remain Certified Local Governments must meet all of the following requirements:

FLORIDA CERTIFIED LOCAL GOVERNMENT GUIDELINES

1. **Enforce appropriate state or local legislation for designation and protection of historic properties.** In the absence of state legislation, this requirement shall be met by the enactment of local legislation containing the following provisions:

   a) The purpose of the legislation shall be clearly stated and shall include authority for appointment of a Commission to be responsible for the designation and protection of historic properties.
   b) The legislation must clearly define criteria and a process the same as or substantially the same as that identified in the National Historic Preservation Act of 1966, (U.S.C. 470 et. seq.), as amended, for the designation of historic properties. The legislation shall state that boundaries for any historic districts or individual properties identified in or by the mechanisms contained in the legislation must be clearly established.
   c) The legislation shall provide for the authority for and the establishment of a process for the review and rendering of a decision upon all proposed alterations, relocations, demolitions or new construction within the boundaries of historic districts established under the legislation or which may directly affect historic properties designated under the legislation. This authority shall include provisions for delay of demolition but not for the indefinite stay of a demolition.
   d) The criteria for the review of proposals for alterations, relocations, demolitions and new construction shall be clearly set forth in the legislation and, in the case of alterations, shall achieve the purposes of the *Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*
   e) The legislation shall include provisions for enforcing decisions, including penalties for non-compliance. A right of and mechanism for appeal must exist in the legislation.
   f) Specific time frames for reviews and for consideration of alternatives should be identified.
   g) Provisions for public and owner notification and public hearings for designation and project reviews shall be established, per B.4., below.

2. **The local government shall establish a historic preservation review commission (Commission) composed of professional and lay members** in accordance with paragraph B.2.c., below.

   a) Each Certified Local Government shall have a Commission with a minimum of five (5) members, whose area of geographic responsibility is coterminous with the boundaries of its local jurisdiction. For communities with a population less than 10,000, the minimum number of members may be reduced but shall not be less than three (3) members. All commission members must have a demonstrated interest in historic preservation.
   b) Appointments shall be made by the appropriate local official of the jurisdiction concerned.
   c) To the extent available in the community, the local government shall appoint professional members from the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines to the extent such professionals are available in the community concerned (see Appendix A, Professional Qualifications Standards). The Professional Qualifications Standards in Appendix A are no more stringent than the standards for membership on the National Register Review Board. Lay persons who have demonstrated special interest, experience, or knowledge in

history, architecture, or related disciplines shall make up the balance of Commission membership as provided for in Section B.2.e. in the event that there are not enough professionals in the community.

d) Commission members should be residents of the jurisdiction for which they serve.
e) Local governments shall be certified without the minimum number or types of disciplines represented on the Commission if they can demonstrate to the State Historic Preservation Officer that they have made a reasonable effort to fill those positions. Reasonable effort means that the local government has documented that (a) professionals in the required disciplines do not reside nor are property or business owners in the jurisdiction, or (b) local professionals are not willing to serve on the Commission, and (c) in the case of a Commission with fewer than the minimum numbers of members established in B.2.a., that no other lay persons meeting the requirements of B.2.c. are available to serve.
f) The terms of office of Commission members shall be uniform and staggered, and of at least two but not more than five years' duration (except as provided on the initiation of a Commission). There is not necessarily a limit on the number of consecutive terms which may be served.
g) Vacancies, including expired terms, shall be filled within 60 calendar days by the appropriate local official. An extension of up to an additional 60 calendar days shall be granted by the State Historic Preservation Officer upon receipt of a written request from the appropriate local official for such extension.
h) Commission meetings shall be held as often as is necessary to complete commission work in a timely fashion, but no less than four meetings shall be held each year and minutes of each meeting shall be kept.
i) Each Commission member should make a reasonable effort to attend State Historic Preservation Office training programs.
j) The Commission shall review alterations, relocations, demolitions and new construction or other activities that may affect locally designated properties. The Commission shall review proposed National Register nominations within its jurisdiction. When a discipline is not represented in the Commission membership, the Commission shall seek expertise in this area when considering National Register nomination proposals and other actions that may impact properties which are normally evaluated by a professional in such discipline before rendering a decision. This can be accomplished through consulting (e.g., universities, private preservation organizations, or regional planning commissions) or by other means that the State Historic Preservation Officer determines appropriate.
k) The legislation shall contain specific time limits within which the Commission shall act.
l) The Commission shall have staff sufficient to undertake the requirements for certification and carry out the duties and responsibilities delegated to the Certified Local Government.
m) The Commission shall adopt Rules of Procedure for use in all transactions involving the public.
n) All Commission responsibilities must be complimentary to and carried out in accordance with the responsibilities of the State Historic Preservation Officer as described in 36 CFR 61.6, incorporated by reference.

3. The local government shall maintain a system for survey and inventory of historic properties. The term "historic property" or "historic resource" means any prehistoric or historic district,

site, building, structure, or object included in, or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource.

a) The Certified Local Government shall initiate and continue an approved process to identify historic properties within the jurisdiction.
b) A detailed inventory of the designated districts, sites, and structures within the jurisdiction of local government must be maintained. The local inventory system shall be developed in consultation with the Florida Master Site File to ensure that the data produced can be integrated into the statewide comprehensive historic preservation planning process, and should include at a minimum a completed Florida Master Site File form with an assigned Florida Master Site File number. This documentation also applies to the CLG Inventory. The address for the Florida Master Site File is: Florida Master Site File, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.
c) All inventory material shall be kept: 1) safe, secure, and in an accessible location, 2) current, and 3) regularly provided to the State Historic Preservation Officer for incorporation into the Florida Master Site File.
d) All inventory material shall be considered as public records and shall be available for public inspection per s.119.07, Florida Statutes, except as provided for in Section 304 of the National Historic Preservation Act of 1966, as amended (16 USC 470).
e) Commission members shall be encouraged to participate in the survey process and in preservation planning carried out by the Certified Local Government.

4. Local governments shall provide for public participation in local historic preservation programs, including the process of recommending properties for nomination to the National Register.

a) All Commission meetings shall be publicly announced, open to the public and have a previously advertised agenda. Commission meetings shall be held as often as is necessary to complete commission work in a timely fashion, but not less than four meetings shall be held each year.
b) Minutes of all actions of the Commission including reasons for making decisions, must be kept on file and available for public inspection, per s.286.011 Florida Statutes.
c) All decisions by the Commission shall be made in a public forum, and applicants shall be given written notification of decisions of the Commission.
d) Rules of Procedure adopted by the Commission shall be available for public inspection, per s.119.07, Florida Statutes.
e) Appropriate local officials, owners of record, and applicants shall be notified of proposed Commission actions concerning a proposed nomination to the National Register of Historic Places according to requirements found in 36 CFR Part 60, incorporated by reference. Objections by owners of properties proposed for nomination must be notarized.

5. Local governments shall satisfactorily perform the responsibilities listed in B.1. through B.4., above, and those specifically delegated to them by the State Historic Preservation Officer.

C. Procedures

1. Certification of Local Governments in Florida

a) The appropriate local official shall request certification from the State Historic Preservation Officer. The request for certification shall include:
   1. A written assurance by the appropriate official that the local government will fulfill all the requirements for certification. Requirements for certification include: enforcement of appropriate state or local legislation for designation and protection of historic properties, per B.1., above; establishment of a historic preservation review commission (Commission) composed of professional and lay members, per B.2., above; maintenance of a system for survey and inventory of historic properties, per B.3., above; provision for public participation in local historic preservation programs, including the process of recommending properties for nomination to the National Register, per B.4. above; and satisfactory performance of any additional responsibilities delegated to all Certified Local Governments in the state, and any other delegated responsibilities.
   2. A copy of the local legislation, per B.1., above.
   3. A map of the local government jurisdiction with any and all existing designated historic districts and individual historic properties clearly identified. Inclusion of these properties within the jurisdiction of the Certified Local Government shall be clearly demonstrated. This map shall be updated regularly through the incorporation of additions and deletions of districts and individual properties, and alterations of historic district boundaries.
   4. A copy of the Commission's Rules of Procedure.
   5. Resumes for each member of the Commission including, where appropriate, credentials or member expertise in fields related to historic preservation, per B.2.c., above, and Appendix A, below.
   6. Resumes for staff members, if there is professional staff.

b) The State Historic Preservation Officer shall respond to the appropriate local official within 45 calendar days after receipt of an adequately documented written request for certification. The State Historic Preservation Officer will review the request and certify by letter of certification if the government fulfills the requirements. The State Historic Preservation Officer will prepare a written certification agreement which lists the specific responsibilities of the local government when certified. The written request, letter of certification and signed certification agreement by the State Historic Preservation Officer and the chief elected local official as well as a signed review checklist by the state shall be forwarded to the Secretary of the Interior by the State Historic Preservation Officer. If the Secretary of the Interior does not object within 15 working days after receipt, the State Historic Preservation Officer's certification of the local government to participate in the national historic preservation program shall be effective the date signed by the National Park Service.

c) The State Historic Preservation Officer shall respond to the appropriate local official within 45 working days after receipt of a documented written request which is inadequate. The State Historic Preservation Officer shall indicate how inadequacies can be corrected in this notification.

d) Amendments to the delegation of responsibilities provided in the certification agreement shall be initiated by mutual agreement of the State Historic Preservation Officer and the local government. The amendment shall be prepared by the State Historic Preservation Officer and submitted to the Secretary of the Interior. If the Secretary of the Interior does not object within 15 working days after receipt, the amendment to the certification agreement shall be effective.
e) The local government may appeal a denial of certification by the State Historic Preservation Officer to the Secretary of Interior.

2. Monitoring Certified Local Governments/Process for Decertification/Local Government Appeal.

a) Once a local government is certified, it remains certified without further action unless officially decertified.
b) The State Historic Preservation Office shall conduct periodic reviews and monitoring of Certified Local Governments to assure that each government is meeting the requirements for certification. Reviews shall be conducted at least once every four years, but may be conducted more frequently at the discretion of the State Historic Preservation Officer if deemed appropriate. Reviews shall be preceded by notice of at least 30 days.
c) The Certified Local Government will supply at least 30 calendar days' advance notice of Commission meetings to the State Historic Preservation, Officer.
d) A Certified Local Government is responsible for providing the State Historic Preservation Officer with particular information at frequent intervals. In addition to advance notice of meetings, Certified Local Governments shall submit the minutes of each Commission meeting, attendance at Commission meetings, and appointments to the Commission within 30 days after such actions. The Certified Local Government shall also inform the State Historic Preservation Officer about any new historic designations or alterations of existing designations immediately. Proposed amendments of the local historic preservation ordinance shall be submitted to the State Historic Preservation Officer for review and comment at least 30 days prior to the date scheduled for adoption.
e) The Certified Local Government shall submit an annual report and other documents as necessary to the State Historic Preservation Officer. The annual report shall include any amendments to the local historic preservation ordinance, changes in Rules of Procedure, a summary of Commission activities including but not limited to the number of proposals reviewed, new designations, revised resumes, appointments to the Commission, a review of survey and inventory activity with a description of the system used, as well as a progress report on grant-assisted activities. The annual report is due by November 1 and shall cover the previous October 1 - September 30 year. It will be reviewed by the State Historic Preservation Officer within 30 calendar days after receipt.
f) The State Historic Preservation Officer shall review expenditures of funds allocated as historic preservation grants-in-aid pursuant to C.3., Transfer of Funds, below.
g) Review of the historic preservation grants-in-aid expenditures, as well as review of the annual report, shall form the basis of the State Historic Preservation Officer's evaluation of the Certified Local Government.

h) If the State Historic Preservation Officer's evaluation of a Certified Local Government indicates inadequate performance, that assessment will be documented, and ways to improve performance to acceptable levels shall be delineated by the State Historic Preservation Officer. The Certified Local Government shall have a sufficient period of usually not less than 30 nor more than 180 days to implement the improvements. If, at the end of this period, the State Historic Preservation Officer determines that sufficient improvement has not occurred, the State Historic Preservation Officer will recommend decertification of the local government to the Secretary of the Interior, citing specific reasons for the recommendation.

i) Local governments may petition the State Historic Preservation Officer to be decertified voluntarily and without prejudice

j) Grounds for investigations of decertification shall include revocation of the local ordinance, failure to comply with provisions incorporated into the local ordinance, failure to maintain a Commission, failure to maintain a survey and identification program, failure to provide for adequate public participation in the local historic preservation program, and failure to keep the State Historic Preservation Officer informed about Certified Local Government activities and actions.

k) The local government may appeal a decertification decision of the State Historic Preservation Officer to the Secretary of the Interior. Upon decertification, the State Historic Preservation Officer shall conduct financial assistance closeout procedures as specified in The Historic Preservation Fund Grants Manual.

3. Transfer of Funds.

a) Each Certified Local Government is eligible to request a portion of funds reserved from Florida's annual Historic Preservation Fund grant apportionment on a competitive basis. Selection criteria for such competition will be announced at least two months prior to the grant selection meeting.
    1. At least ten percent of Florida's annual Historic Preservation Fund Grant will be reserved for certified local governments.
    2. Any year in which the annual Historic Preservation Fund state grant appropriation for all states exceeds $65,000,000, one half of the excess shall also be transferred to Certified Local Governments according to procedures to be provided by the Secretary of the Interior.
    3. There is no guarantee that Certified Local Governments will receive Historic Preservation Funds if they apply for such funds. Further, receipt of historic preservation regrant funding from the Florida State Historic Preservation Office is not assurance that funds will be available the following year or that a Certified Local Government will receive grant funding the following year.

b) Each Certified Local Government which makes application for funds from Florida's annual Historic Preservation Fund apportionment is required by the Secretary of the Interior to:
    1. Maintain adequate financial management systems. Local financial management systems shall be in accordance with the standards specified in OMB Circular A-87, "Cost Principles Applicable to Grants and Contracts with State and Local Governments." Local financial management systems shall be

auditable in accordance with OMB Circular A-133. Local financial management systems will be periodically evaluated by the State Historic Preservation Officer.

2. Adhere to all requirements of the Historic Preservation Fund Grants Manual.
3. Adhere to any requirements mandated by Congress regarding the use of such funds. The State Historic Preservation Officer will advise Certified Local Governments of such requirements and will include a summary of such information in the materials made available to Certified Local Governments making application for funds, per C.3.c., below.

c) The requirements listed in C.3.b., above, shall be used by the State as minimum requirements for local governments receiving Historic Preservation Funds; they also shall be included in the State's required written grant agreement with the local government.

d) Certified Local Governments shall make applications for funds described in Federal Requirements and in C.3.a., above, on the time schedule and using the procedures identified in Chapter 1A-35, Florida Administrative Code, Rules of the Department of State, Historic Preservation Grants-in-Aid (See Appendix B). As applicants for shares of the reserved portion of Florida's Historic Preservation Fund annual apportionment, Certified Local Governments will follow procedures for applying for federal funds identified in Federal Requirements and in Subsection 1A-35.007, Florida Administrative Code. Certified Local Governments which are awarded funds under these rules and during other special application periods allowed for under the rules will be considered subgrantees of the Florida State Historic Preservation Office.

e) Funds made available to Certified Local Governments from the reserved portion of Florida's annual Historic Preservation Fund apportionment shall be awarded on a competitive basis, per C.3.d., above, for historic preservation survey and planning, and community education activities. When evaluating Certified Local Government grant applications, the State shall:

1. Provide that the amount awarded any applicant must be sufficient to produce a specific impact.
2. Ensure that the funds awarded will be sufficient to generate effects directly as a result of the funds transfer.
3. Note that requirements for tangible results may not be waived even if there are many otherwise eligible applicants for the amount set aside for the Certified Local Governments share.
4. Ensure that no Certified Local Government will receive a disproportionate share of the allocation.

f) Submission of an application for a portion of Florida's annual Historic Preservation Fund apportionment, whether successful or not, shall not preclude or in any manner disqualify the Certified Local Government making such application from consideration for other state grant or federal regrant funds available under the terms of Chapter 1A-35, Florida Administrative Code, referenced in C.3.d., above.

g) Historic Preservation regrant funding cannot be matched by other Federal Program grants, with the exception of Community Development Block Grant funds, as specified in Section 105(a)(9) of the Housing and Community Development Act of 1974, P.L. 93-388. Historic Preservation Fund regrants to Certified Local Governments

must be used for activities which further the goals of identification, evaluation, protection, and preservation of cultural resources.

h) Use of Historic Preservation regrant funding will be subject to all existing restrictions imposed by the Historic Preservation Fund Grants Manual. In accordance with the requirements of the manual, indirect costs may be charged as part of the Certified Local Government grant only if the Certified Local Government subgrantee meets the requirements of the Manual and has a current indirect cost rate approved by the cognizant Federal agency. Otherwise, only direct costs may be charged.

4. Certified Local Government Participation in the Florida National Register of Historic Places Nomination Process.

a) The Commission complements the Florida National Register Review Board in the review of proposed nominations to the National Register. Sponsors of National Register nomination proposals located in areas served by a Certified Local Government shall have their proposals reviewed at the local level. Proposals for properties in areas not served by a Certified Local Government shall be reviewed by the Florida National Register Review Board. Nomination proposals submitted to the State Historic Preservation Officer for consideration by the Florida National Register Review Board will be reviewed to ascertain if they are located in an area served by a Certified Local Government. If a Certified Local Government serves the area, the State Historic Preservation Officer shall forward the nomination proposal to the local Commission.

b) The local Commission will develop or receive the documentation necessary to nominate properties to the National Register. The Commission shall evaluate nomination proposals received for completeness in a timely manner. Should the nomination proposal not be technically complete, the Commission shall notify the proposal's sponsor in writing, identifying the technical deficiencies, within 30 days after receipt of the nomination proposal. If the nomination proposal is technically complete, the Commission shall place the item on its agenda for the next meeting or, should notification provisions outlined in C.4.c., below, make this impossible, for the earliest possible regular meeting.

c) The Commission shall notify the following of its intention to consider a nomination proposal. In all cases, such notification shall occur at least 30 days but not more than 75 days prior to the Commission meeting at which the nomination proposal will be considered.

1. Owner(s) of record of the property. The list of owners shall be obtained from official tax records. Where there is more than one owner on the list, each separate owner shall be notified.
2. Appropriate local official(s). In the case of a Commission whose area of jurisdiction is a county, these will be the Chairman of the Board of County Commissioners and such other contact persons as may be designated, and the appropriate local official of a municipality if the property to be considered is located within municipal boundaries. In the case of a Commission whose area of jurisdiction is a municipality, this will include the appropriate municipal official(s) and the Chairman of the Board of County Commissioners. Within 30 days after receipt of the nomination proposal, the appropriate local official(s) shall submit in writing to

the Commission a recommendation as to whether or not the property shall be nominated to the National Register.

3. State Historic Preservation Officer.

d) Nomination proposals shall be considered by the Commission at a public meeting, and all votes on nomination proposals shall be recorded and made a part of the permanent record of the Commission meeting. All nomination proposals shall be forwarded, with a record of official action taken by the Commission and the recommendation of the appropriate local official(s), to the State Historic Preservation Officer within 30 days after the Commission meeting at which they were considered. If either the Commission or appropriate local official(s) or both support the nomination, the State Historic Preservation Officer shall schedule the nomination proposal for consideration by the Florida National Register Review Board as part of the normal course of business at the next regular meeting. The consideration of the nomination will be handled pursuant to Section 101(a) of the National Historic Preservation Act (and 36 CFR 60).

e) If both the Certified Local Government Commission and appropriate local official(s) recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no farther action on the nomination proposal unless an appeal is filed within 30 calendar days with the State Historic Preservation Officer. Any reports and recommendations that result from such a situation shall be included with any nomination proposal submitted by the State Historic Preservation Officer to the Secretary of the Interior.

f) Any person or organization which supports or opposes the nomination of a property to the National Register shall be afforded the opportunity to make its views known in writing. All such correspondence regarding a nomination proposal shall become part of the permanent record concerning that proposal and shall be forwarded with approved proposals to the State Historic Preservation Officer. In the case of disapproved nomination proposals, letters of support or comment shall be made a part of the permanent record concerning that proposal, and a list of such letters shall accompany the official copy of the disapproved nomination proposal when it is forwarded to the State Historic Preservation Officer, per C.4. above

g) Nomination proposals to be considered by the Commission shall be on file at Commission headquarters for at least 30 days but not more than 75 days prior to the Commission meeting at which they will be considered. A copy shall be made available by mail when requested by the public and shall be made available at a location of reasonable local public access, such as a local library, courthouse, or other public place so that written comments regarding a nomination proposal can be prepared.

h) Appeals. Any person may appeal the decisions of a local Commission. Appeals shall be directed to the State Historic Preservation Officer in writing within 30 calendar days of the State Historic Preservation Officer's receipt of the written decision of the Commission. Nominations or proposals which have been appealed shall be considered by the Florida National Register Review Board as part of the normal course of business at its next regular meeting. If the opinion of the Florida National Register Review Board is that the property or properties is or are significant and merit nomination to the National Register, the State Historic Preservation Officer shall notify the Commission, within 30 days after the National Register Review Board meeting, of

its intent to forward the nomination to the National Register with a recommendation that the property or properties be listed. The State Historic Preservation Officer reserves the right, as in the case of any nomination proposal from a source other than a Certified Local Government, to edit or revise the nomination proposal or request that the sponsor make necessary revision prior to forwarding the proposal to the National Register. Other appeal procedures promulgated by the National Park Service, Department of the Interior, pertaining to local or state actions shall be followed by Certified Local Governments and by the State Historic Preservation Officer. Decisions of the State Historic Preservation Officer may be appealed to the National Park Service in accordance with the procedures in 36 CFR 60.12.

i) Certified Local Government review and notification procedures do not apply when a Federal agency nominates a property under its ownership or control. Certified Local Governments are encouraged to coordinate with Federal agencies to the extent practical, however, in the consideration of such nominations. [36 CFR (c) (d) provide regulatory guidance regarding Federal reviews and comment periods.]

Item No. 7g(i)

Town of Orange Park
Agenda Memorandum

To:	Town Council
Through:	Town Manager
Agenda Date:	January 6, 2026
Submitting Department:	Economic & Community Development Department

Item Title: Report from the Historic Preservation Board

Check one: ☐ Consent Agenda ☒ Regular Agenda
Financial Impact if Applicable: N/A

Background Information: The Historic Preservation Board (the "Board") recently met to discuss next steps for the draft historic preservation code. The Board seeks council guidance on two areas of concern. One involves whether community input in the form of resident workshops should be held prior to council review an ordinance. The second is whether homeowner participation for historic property should be mandatory or voluntary.

Workshops would allow residents to better understand the ordinance, its benefits, and the expectations for historic properties. The Board suggested either a separate council workshop and/or a joint workshop with the Council and Board before adopting an ordinance.

Additionally, the Board previously voted to recommend mandatory participation, which would require property owners to obtain permits and Board approval for exterior changes, consistent with state guidelines, supporting long-term preservation, and qualifying the town for certain grants through Certified Local Government (CLG) status. The Board has developed the draft historic preservation code, guided by state recommendations to adopt an "all or nothing" approach, which ensures consistency and maximizes benefits, including access to grants for surveys and preservation projects.

In summary, the intent is to confirm Council support for either mandatory or voluntary participation and determine whether resident workshops should be held prior to reviewing an ordinance by Council.

Attached to this report is a copy of the minutes from the recent Historic Preservation Board meeting, a summary of Florida CLG Guidelines, and the current list of historic structures in the Town.

Action Requested: Discussion and direction on how to proceed.

Information Attached:

[ ] Memo	[ ] Policy	[ ] Contract
[ ] Other: (please specify)	[X] Support Documentation	

Reviewed by:

Town Attorney: N/A

Finance Director: ~~N/A~~

Signature of Town Manager