



REQUEST: Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-24.11, Historic designation of landmarks, landmark site or buildings and certificate of appropriateness.

Case Number	T19004
Applicant	City of Fort Lauderdale
ULDR Sections	Section 47-24.11
Notification Requirements	10-day legal ad
Action Required	Recommend approval or denial to City Commission
Authorized By	Trisha Logan, Urban Planner III <i>TL</i>

BACKGROUND:

At its April 17, 2019, meeting the Planning and Zoning Board (PZB) approved a motion to defer this item to the May 15, 2019 PZB meeting. As part of the motion, the PZB asked for this item to return to the Historic Preservation Board (HPB), requesting that the HPB make a motion of support or opposition, or support with recommended revisions. The Board also asked for the HPB's opinion of whether they should wait to approve this amendment until Phase 2 (incentives) is ready.

At its May 6, 2019, meeting the HPB approved two motions. The first motion states that the HPB supports the Phase 1 changes to the historic preservation ordinances and recommend that staff investigate additional ways to provide additional notice to a property owner when the HPB proposes historic designation. The first motion passed 9-1, with Tim Schiavone opposed. The second motion states that in response to the PZB's request that the HPB does not recommend to defer the Phase 1 amendments until Phase 2 (incentives) is ready. The second motion passed unanimously.

At the July 10, 2018, City Commission Conference meeting, the City Commission asked for recommendations regarding potential amendments to the existing historic preservation ordinance (meeting minutes provided as Exhibit 1). Following this conference meeting, on August 28, 2018, a commission memorandum was sent to the Mayor and commissioners outlining potential amendments and incentives (provided as Exhibit 2). A follow-up commission memorandum providing a status and adjusted timeline was sent on December 20, 2018 (provided as Exhibit 3).

While there are numerous items to be addressed in updating the City's Unified Land Development Regulations (ULDR) related to historic preservation, it is important to address several elements within the existing code framework to provide a solid foundation for the overall program. One of the primary benefits of these proposed edits, revisions, and additions is to allow staff to process applications administratively and expeditiously, which alleviates the amount of time spent on processing applications to the Historic Preservation Board (HPB), and saves both time and resources for the property owner, as well as adding more certainty into the process.

The proposed amendments are aimed to have a substantial positive impact on the overall historic preservation program by streamlining the application process and providing neighbors with a greater level of comfort and clear expectations for processing applications on properties that are individually designated or are located within a designated historic district.



AMENDMENT SUMMARY

The proposed amendments to *Section 47-24.11, Historic designation of landmarks, landmark site or buildings and certificate of appropriateness* include the following:

- Additional definitions including "contributing property," "non-contributing property," "Fort Lauderdale register of historic places," and "Historic preservation design guidelines" as well as other definitions that further clarify the text contained within the ordinances;
- Modifications to designation process to re-define who may apply for historic designation;
- Inclusion of interim protection measures for properties within the historic designation process with penalties and inclusion of criteria exceptions;
- Proposed language that will address administrative review (staff level review and approval) for minor repairs and improvements with reference to the City of Fort Lauderdale's Historic Preservation Design Guidelines;
- Proposed language to address amendments to work previously approved by the historic preservation board allowing for a more streamlined process with specific criteria;
- Proposed language to address approval or denial of after-the-fact work subject to thresholds and penalties;
- Proposed language for bond requirements through the Code of Ordinances for relocation of a historic landmark or structure in a historic district;
- Miscellaneous edits to address inconsistencies throughout the text to ensure clarity of the process and requirements.

The proposed text amendments are attached as Exhibit 4.

PUBLIC OUTREACH

City staff initially presented proposed amendments to the historic preservation sections of the ULDR at the September 5, 2018, Historic Preservation Board (HPB) Meeting (minutes provided as Exhibit 5). Since the initial presentation to the HPB staff has also presented the amendments to the Sailboat Bend Civic Association, as well as to a group of preservation stakeholders that included owners of locally designated Historic Landmarks. After the initial public outreach meetings, neighbors expressed an interest in holding additional public outreach meetings to associations that may also be affected by the updated ordinance. Following this request, a document that addressed Frequently Asked Questions, provided as Exhibit 6, was sent to all Civic and Business Associations which offered the option for City staff to present to any interested group on the topic. In response, the only Civic Association that requested a presentation was the Central Beach Alliance Board and presentations by staff were made at the board and general membership meetings which were held in January 2019.

Feedback received during the course of public outreach included concerns about the broadness of scope and who may apply for historic landmark designation in the City of Fort Lauderdale. Re-defining who may apply for historic designation was not initially addressed, but is now included within the proposed amendments. Language utilized is based on examples from other cities in the state of Florida including the City of Miami Beach, the City of Miami, the City of West Palm Beach, the City of Gainesville, and the City of St. Petersburg.

A compilation of comments from the public outreach meetings are attached as Exhibit 7.

On March 4, 2019, (minutes provided as Exhibit 8) and April 1, 2019, (draft minutes provided as Exhibit 9) drafts of the proposed amendments were presented to the Historic Preservation Board. Staff reviewed each section with the board members with specific points of clarification requested for definitions of minor alterations and minor demolition in correspondence with the proposed language for administrative certificates of appropriateness, specifically related the visibility of proposed work from the right-of-way, which has now been addressed. Other points of discussion were related to the proposed definition of "applicant" for a historic landmark



designation application, the updated noticing requirements, and approvals of after-the-fact work. Several of the board members commended staff for their efforts in the preparation of the proposed amendments and requested updates as they moved through the remainder of the review process.

COMPREHENSIVE PLAN CONSISTENCY:

The proposed amendments are consistent with the City's Comprehensive Plan. Specific Goals, Objectives and Policies are addressed as follows:

ELEMENT:	Historic Preservation Element
GOAL 1:	Goal 1: To provide for the identification, recognition and evaluation of the historic resources of Fort Lauderdale and to enhance public awareness and involvement in various applicable aspects of historic preservation.
OBJECTIVE:	Objective 1.5: The City shall continue to enact, amend, or revise, as appropriate, regulatory measures that will further its historic preservation goals.
POLICY:	Policy 1.5.2: The Fort Lauderdale Code of Ordinances shall be amended to incorporate the findings and recommendations found within the Historic Preservation Element and to be consistent with amendments to the Historic Preservation Element, when appropriate.

This ULDR amendment is a Press Play Fort Lauderdale Strategic Plan 2018 initiative, included within the *Neighborhood Enhancement Cylinder of Excellence*, specifically advancing:

Goal 6:	Be an inclusive community made up of distinct, complementary, and diverse neighborhoods.
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PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board, in its capacity as the Local Planning Agency, shall determine whether the proposed amendments are consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval of the proposed amendments to the City Commission.

EXHIBITS:

1. July 10, 2018, City Commission Conference Meeting Minutes.
2. City Commission Memorandum No. 18-131.
3. City Commission Memorandum No. 18-182.
4. Section 47-24.11, Historic designation of landmarks, landmark site or buildings and certificate of appropriateness, Proposed Text Amendment.
5. September 5, 2018, Historic Preservation Board Meeting Minutes.
6. Frequently Asked Questions for Proposed Updates.
7. Summary of Comments from Public Outreach Meetings.
8. March 4, 2019, Historic Preservation Board Meeting Minutes.
9. April 1, 2019, Historic Preservation Board Meeting Minutes.