

<p style="text-align: center;">ARTICLE III SPECIAL DISTRICTS</p>

PART 3.00.00 GENERALLY

The following Special District standards are to be applied to the mapped zoning districts as overlay regulations in the manner prescribed in each Special District below. The purpose of each special district is to regulate Development within each district in a manner that is in keeping with the special circumstances of the district.

PART 3.01.00 HISTORIC PRESERVATION

Sec. 3.01.01 Generally

A. Purpose

1. The purpose of these historic preservation regulations is to establish procedures, consistent with Chapter 267, F.S., related to the identification and protection of Historic Resources within unincorporated St. Johns County. These regulations are to be read in harmony and consistently with Chapter 267, F.S. as it is the express intent that these regulations locally implement the Florida Statutes. These procedures shall provide for the establishment of a Historic Resource Review Board; the identification and documentation of Historic Resources within the County; the subsequent designation of certain significant Historic Resources as St. Johns County Landmarks, and the treatment of Historic Resources and St. Johns County Landmarks.
2. The Historic Resources of St. Johns County are important community assets which enrich the lives of citizens and visitors alike. Certain Structures, Buildings, objects and sites within St. Johns County possess a special public interest and are important resources to understanding the heritage and historical development of the area. As such, these resources, and in some cases their environs, should be designated as St. Johns County Landmarks, hereafter referred to collectively as "Landmarks". Such Landmarks should, to the extent possible, be maintained and protected in order to benefit the educational, cultural, economic and general welfare of the public. It is recognized that harm or reasonably preventable deterioration of Historic Resources or Landmarks on any property located within unincorporated St. Johns County constitutes a harm to the public welfare.

B. Intent

It is the intent of these regulations to:

1. Protect against the unwarranted and unnecessary degradation and destruction of, encroachment upon, or addition of features which are likely to have adverse effects

on the historic, architectural, archaeological, or cultural character of Historic Resources and Landmarks.

2. Maintain the integrity and distinct character of Historic Resources and Landmarks.
3. Encourage Uses of Historic Resources and Landmarks which will lead to their continuance, conservation and improvement in a manner appropriate to the preservation of the cultural, architectural, archaeological, and historical heritage of St. Johns County.
4. Protect views to and from Landmarks by encouraging new Development to occur in a manner which will not degrade or detract from an adjacent Landmark, or a Landmark within the view-shed of new Development.
5. Encourage new Construction or modification to Landmarks which maintains the special character of the Landmark.
6. Discourage destruction of Buildings, Structures, objects, and sites of special cultural, architectural, archaeological, and historical importance which have been designated as Landmarks.
7. Encourage the continued use and adaptive re-use of Buildings and Structures which have been identified as Historic Resources or Landmarks.

C. Regulatory Framework

These regulations support the Intent of this Part through a four-step process.

1. The regulations establish a Historic Resource Review Board (HRRB) made up of interested citizens and individuals with professional expertise in the fields of architecture, archaeology, history and other fields related to historic preservation.
2. The regulations provide a process whereby the Board of County Commissioners shall direct a survey of the Historic Resources within the County to be performed. Such survey shall provide for the identification, evaluation, documentation, interpretation and mapping of Historic Resources.
3. The regulations provide a process whereby the Board of County Commissioners may designate certain Historic Resources as St. Johns County Landmarks pursuant to recommendations submitted by the HRRB.
4. The regulations establish guidelines for the treatment of Historic Resources and Landmarks.

Sec. 3.01.02 Historic Resource Review Board (HRRB)

A. Membership and Procedures

1. The HRRB shall consist of five (5) members appointed by the Board of County

2. Commissioners with representation from each County District. Two (2) at-large alternates may be appointed. Members shall be appointed for a four-year term, except for an appointment to fill an unexpired term, in which event, the appointment shall be for the remainder of the unexpired term only.
3. Appointees to the HRRB shall be qualified through the demonstration of special interest, experience, or education in the preservation of the County's Historic Resources. At least two (2) members shall have practical and professional experience in one or more of the following fields: archaeology, architecture, architectural history, history or historic preservation.
4. The HRRB shall establish and adopt operating procedures which shall be in compliance with all applicable St. Johns County Land Development Codes and State and Federal laws. Such procedures shall be adopted by resolution and may be amended, as appropriate.
5. The HRRB shall meet as needed, at the request of the County Administrator or his designee, in order to fulfill its functions in a timely manner. Reasonable public notice shall be provided for all meetings of the HRRB, and all meetings shall be open to the public. The HRRB shall keep minutes of its proceedings and other official actions. A majority vote shall be required in order to provide any affirmative recommendation pursuant to this Section.
6. If any member fails to attend three (3) successive meetings or fails to attend five (5) totals meetings during the calendar year, the HRRB shall declare the member's office vacant and notify the Board of County Commissioners.

B. Functions

The Board of County Commissioners shall direct the HRRB to perform the following functions.

1. The HRRB shall establish priorities for the identification, protection, preservation and potential acquisition of Landmarks.
2. The HRRB, with the assistance of the Planning Department, shall establish application procedures and application forms for Landmark designations. The HRRB shall receive and evaluate proposals for recommendations for potential Landmarks from the general public, historic preservation professionals, and other interested parties. Such proposals shall be evaluated in consideration of the Criteria for Landmark Designation as set forth in following Sec. 3.01.04.C.
3. The HRRB shall prepare the Landmark designation report for each potential Landmark. The HRRB shall forward the Landmark designation report(s) with a recommendation to the Board of County Commissioners to approve, approve with modifications or conditions, or deny the proposed Landmark designation(s).
4. The HRRB shall review and comment related to any Management Plan required pursuant to a proposed Development Project where the Project affects a Landmark.

Such review and comment will occur within the established Development Review Process. Note: A Management Plan is required where any proposed Development Project is presumed to have an adverse effect on a Landmark as described within Sec.3.01.05.A2.b.

Sec. 3.01.03 St. Johns County Historic Resource Inventory

The County Administrator, in coordination with the HRRB, shall survey, create and maintain an inventory of known or potential Historic Resources located within unincorporated St. Johns County. The inventory shall be known as the "St. Johns County Historic Resources Inventory" and shall provide for identification, evaluation, recordation and documentation of known or potential Historic Resources. In the case of subsurface resources, the Inventory shall indicate a low, medium or high probability of occurrence. The survey shall be performed in a manner consistent in format and data as the Florida Master Site File as maintained by the Division of Historical Resources of the Department of State. The Historic Resource Inventory shall be mapped and periodically updated.

Sec. 3.01.04 Designation of a St. Johns County Landmark

A. Initiation

Within the Historic Resources Inventory, certain sites, Buildings, Structures, objects, or groups thereof, may be considered to have particularly unique or special significance related to the cultural, architectural, archaeological and historical heritage of St. Johns County. Such Historic Resources may be designated as St. Johns County Landmarks.

1. The HRRB shall notify the County Administrator of its intent to forward recommendations for potential Landmark(s) designation to the Board of County Commissioners.
2. The County Administrator shall by certified mail notify the owner(s), and the Adjacent property owner(s), that a property is under consideration for Landmark designation within thirty (30) days of receiving such notice.

B. Review of the Landmark Designation

1. The HRRB shall prepare a written Landmark designation report for each Landmark designation. The report shall be filed with the County Administrator and shall contain a statement in evidence of the criteria for Landmark designation(s) as contained in Section 3.01.04.C below. The report shall also contain an architectural or archaeological description; a statement of significance related to the local community, and the justification by which the potential Landmark is considered worthy of designation. A site plan and photographs shall be included in the report. When appropriate, floor plans of any Building should be included. The report shall contain sufficient specific information about the property to serve as a guide for the evaluation of any future proposed changes to the property.
2. The HRRB shall provide a copy of the report to the property owner(s).

3. The Board of County Commissioners shall hold a public hearing on the proposed Landmark designation(s) within ninety (90) days of the filing of the Landmark designation report with the County Administrator. Notice shall be given pursuant to the notice requirements contained in Section 9.06.02, including notification to the property owner(s) and Adjacent property owners.
4. At the public hearing, the HRRB shall present the proposed designation(s) and the recommendation of the HRRB to the Board of County Commissioners, which shall review each potential Landmark considering the information contained within the designation report; the criteria for Landmark designations contained in Section 3.01.04.C below; public testimony and evidence submitted for the record at the public hearing. The Board of County Commissioners shall move to approve, approve with modifications or conditions, or deny the proposed Landmark designation(s).

C. Criteria for Landmark Designation

A Landmark shall have achieved significance within the time period established by the National Register of Historic Places, which is fifty (50) years old or older, and may be considered eligible for designation if it meets one or more of the following criteria:

1. Associated in a significant way with the life of a person of recognized importance.
2. The site of an historic event with significant effect upon St. Johns County, the State of Florida, or the nation.
3. Exemplifies a historic, cultural, political, economic, or social trend of St. Johns County, the State of Florida, or the nation.
4. Embodies distinguishing characteristics of an architectural style, period or method of Construction.
5. Is the work of an architect or builder whose work has significantly influenced the development of St. Johns County, the State of Florida, or the nation.
6. Contains elements of design, detail, materials or craftsmanship of outstanding quality or represents a significant innovation or adaptation to the Florida environment.
7. Has value as a Building that is recognized for the quality of its architecture and that retains sufficient features showing its architectural significance.
8. Has yielded, or is likely to yield, archaeological information or artifacts important in prehistory or history.
9. Is a geographically definable area or neighborhood united by culture, architectural styles or physical Development, which has historic or cultural significance in the community.

D. Determination by the Board of County Commissioners

1. Immediately following approval of a Landmark designation, the Board of County Commissioners shall notify the property owner(s) and the Adjacent property owner(s) of the designation of the Landmark.
2. The Landmark designation shall be recorded in the official record books of St. Johns County, and noted on the Official Zoning Atlas of St. Johns County, and shall be noted in the Historic Resources Inventory as a Landmark.
3. Within thirty (30) days of the decision by the Board of County Commissioners to designate a Landmark, the property owner(s) may petition for a review of the Board of County Commissioners decision by the Circuit Court of St. Johns County. The nature of the review shall be by petition for writ of certiorari.

Sec. 3.01.05 Treatment of Historic Resources and Landmarks

A. Review of Proposed Development Affecting a Site within the Historic Resource Inventory or a designated Landmark

1. When applications are filed for Development Permits, Development Orders or other Development approvals which affect sites within the Historic Resource Inventory or designated as a Landmark, the County Administrator shall be notified by the County department to which the application was made.
2. In reviewing Projects affecting sites within the Historic Resource Inventory or designated as Landmark, the County Administrator shall apply the following criteria to determine whether the Project will have no effect, no adverse effect, or an adverse effect on a Historic Resource or Landmark:
 - a. A Project is considered to have an effect when the characteristics of the property that qualified the property for Landmark designation or inclusion in the Historic Resources Inventory are proposed to be altered. Alteration of features in the surrounding environs may also have an effect.
 - b. A Project is considered to have an adverse effect when the effect may reasonably be foreseen to diminish or degrade the integrity of the location, design, setting, materials or workmanship of the historic property. Adverse effects on historic properties include, but are not limited to:
 - (1) Physical destruction, damage, or alteration of significant elements of all or part of the property.
 - (2) Isolation of the property from its setting, or alteration of the character of the property's setting, when that setting contributes to the property's qualification for Landmark designation.
 - (3) Introduction of visual, audible, or atmospheric elements that are out of character with the property or adversely alter its setting.

B. Action to be Taken upon Presumption of Adverse Effect

A Project is presumed to have an adverse effect when, in the determination of the County Administrator, one or more of the circumstances cited above will occur as a result of the Project. A presumption of adverse effect upon a Historic Resource or Landmark shall require the following procedures.

1. In the event that the Historic Resources Inventory indicates that there is a medium or high probability that an archaeological resource may exist on a Project site, the applicant shall cause to be performed a Phase I investigation consistent with the requirements of Chapter 4, "Standards for Conducting, Reporting and Reviewing Archaeological and Historic Site Assessment Survey Activities" of the Division of Historical Resources, Historic Preservation Compliance Review Program of the Florida Department of State, Division of Historical Resources.
2. In the event that the Phase I investigation provides substantial evidence of a significant resource, and with the concurrence of such evidence by the Division of Historical Resources, the County Administrator shall require a Phase II investigation of the site to be performed.
3. In the event that the Historic Resources Inventory indicates that a Historic Structure or object exists on a Project site, or when common observation indicates that any form of Historic Resource exists on a Project site, a plan for the management of that resource shall be required as described below.

C. Adverse Effects Occurring as a Result of Proposed Development - Requirement for a Historic Resource Management Plan

Where evidence of likely adverse effect has been further substantiated pursuant to the findings of the Phase I or Phase II survey, or where evidence of likely adverse effect is apparent through common observation, the Applicant shall provide a Historic Resource Management Plan related to the Historic Resource or Landmark. The information required shall be dependent upon the nature, context and significance of the resource. The County Administrator shall consult with the Division of Historical Resources to determine appropriate information to be requested and appropriate protection or mitigation measures. The Management Plan shall at minimum, provide the following:

1. Potential impacts to the Historic Resource or Landmark citing any irreversible or irretrievable commitment of resources
2. Alternatives to any proposed demolition and options to mitigate adverse effect
3. Schedule of any demolition, excavation, or any activity causing alteration to the Historic Resource or Landmark.
4. Provision of an adequate time to create additional recordation and documentation, and if appropriate, relocation of the resource. In the event that relocation of a

resource is required, a minimum of ninety (90) days shall be allowed for such relocation to occur.

D. Review and Approval of Historic Resource Management Plan

1. When required, a Historic Resource Management Plan shall be reviewed pursuant to the established Development Review Process. Additionally, the HRRB shall review and comment related to the Management Plan. The HRRB shall provide a report containing its comments to the County Administrator within fourteen (14) days of receipt of the proposed Management Plan.
2. The Board of County Commissioners shall hold a public hearing on the proposed Historic Resources Management Plan. Notice shall be given pursuant to the notice requirements contained in Section 9.06.02, including notification to the property owner(s) and Adjacent property owners.
3. The Board of County Commissioners may approve, approve with conditions, or disapprove the Historic Resources Management Plan. The Management Plan shall be attached to any Development Order or Permit, and shall remain in effect as prescribed within the Management Plan.
4. Development related to a Project may commence and proceed prior to final approval of a Management Plan provided no activity which may cause any effect to the Historic Resource or Landmark or its environs shall occur. Such condition shall be noted on any Development Order or Permit.

Sec. 3.01.06 Properties Listed or Determined to be Eligible for Listing on the National Register of Historic Places

For all properties listed or determined to be eligible for listing on the National Register of Historic Place, the County shall support the responsibilities, requirements and protocols of the Division of Historical Resources.

Sec. 3.01.07 Emergency Action Involving a Threat to a Historic Resource or Landmark

A. Request for Emergency Action

The County Administrator may take emergency action to review and consider a threat to a Historic Resource or Landmark. A threat is considered to be any activity which may have an adverse effect upon a Historic Resource or Landmark. Notice related to a potential threat may be submitted to the County Administrator by any interested party or Agency. In the case of a development application which may propose a threat, the County department receiving such application concerning a Historic Resource or Landmark shall immediately notify the County Administrator.

1. In support of the request for emergency action, written information describing the potential threat shall be submitted to the County Administrator. Such information shall provide evidence that an adverse effect may occur to the Historic Resource or Landmark if demolition, alteration or Construction is allowed to occur thereon.