

**ORDINANCE NO. 4898**

**PROPOSED ORDINANCE NO. 07-080**

**AN ORDINANCE RELATING TO HISTORIC PRESERVATION; AMENDING ORDINANCE 3841; ESTABLISHING SPECIAL CRITERIA FOR REDEVELOPMENT AREAS WITHIN HISTORIC DISTRICTS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Historic Preservation Board, Design Review Committee, as created by Ordinance 3841, shall operate to further the implementation of redevelopment plans where such plans have been formally adopted within established local or national historic districts; and

**WHEREAS**, Ordinance 3841 did not properly consider special instances where redevelopment areas exist within historic districts; and

**WHEREAS**, the City Commission of the City of Lakeland wishes to empower the Design Review Committee to amend redevelopment activities including proposals for public improvements such as parks, alleys, streetscape, traffic calming, and other civic amenities and facilities; and

**WHEREAS**, the Committee shall review new construction utilizing the same procedures set forth in Section 9.01 and criteria set forth in Section 10.01 for all historic districts to ensure compatibility with the existing fabric of the historic district. The Committee shall utilize established guidelines and also adopted redevelopment plans; and

**WHEREAS**, the Committee shall review alterations to existing buildings, structures, or sites within redevelopment areas utilizing the same procedures set forth in Section 9.01 and criteria set forth in Section 10.01 for all historic districts to ensure compatibility with the existing fabric of the historic district. The Committee shall utilize established guidelines and also adopted redevelopment plans; and

**WHEREAS**, the Committee shall discourage demolition of sound structures within redevelopment areas within historic districts and shall review such proposals in regards to architectural significance of the building or structure; contribution of the building, structure or site to the history or origins of the historic district; and future utilization of the site in relation to specific or proposed plans. When such plans are not available for the site, the proposed plans may include formally

established redevelopment plans or those plans submitted by the applicant that comply and are compatible with the district and meet the intent of the adopted redevelopment plan. The demolition review process will take into consideration a ranking of properties in redevelopment areas based on architectural significance and integrity as identified by the Board; and

**WHEREAS**, the City Commission of the City of Lakeland wishes to amend Ordinance 3841 to accomplish those objectives.

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

**SECTION 1.** Section 10. of Ordinance 3841 is amended to read:

~~Section 10. Same Criteria. The following criteria shall be the basis on which the Committee approves or disapproves an application for a Certificate of Review depending on the nature of the exterior alteration:~~

~~(1) New Construction.~~

- ~~(a) New construction shall be visually compatible with the buildings and environment with which it is visually related, including, but not limited to: the height, the floor to area ratio, the proportion between width and height of the exterior, the proportions and relationships between doors and windows, the relationship of solids to voids created by openings in the exterior, the materials used in the exterior, the texture inherent in the exterior, the colors, pattern and trim used in the exterior, and the design of the roof.~~
- ~~(b) The relationship of building masses and spaces between them.~~
- ~~(c) The site and landscape plan shall be sensitive to the individual building, its occupants and needs and shall be visually compatible with the buildings and environment with which it is visually related.~~
- ~~(d) A new street exterior shall relate to adjacent buildings.~~
- ~~(e) Architectural features shall be incorporated whenever possible to relate the new with the old and to preserve and enhance the characteristics of the District.~~

~~(2) Alterations to Existing Building, Structure or Site.~~

- ~~(a) The criteria set forth in (1) shall be considered insofar as applicable to the historic characteristics of the building, structures, and sites visually related to it.~~

- ~~(b) Alterations shall not affect the architectural quality or historic character of the building, structure or site, but shall, to the extent possible, maintain or restore the historic design and condition.~~
- ~~(c) Exterior signs or interior signs plainly visible from the exterior shall be compatible with the buildings and environment with which they are visually related.~~

~~(3) Demolition:~~

- ~~(a) The historic or architectural significance of the building or structures.~~
- ~~(b) The importance of the building or structure to the historic district.~~
- ~~(c) The future utilization of the site, including any replacement buildings or structures.~~

~~(4) Reconstruction: The reconstruction of a building or structure damaged by fire, storm or other act of God shall be reviewed by the Committee according to the criteria in (2). Totally or substantially new construction, regardless of reason, shall be reviewed according to the criteria set forth in (1).~~

**Section 10. Certificate of Review – Criteria.** The following criteria shall be the basis on which the Committee approves or disapproves an application for a Certificate of Review depending on the nature of the exterior alteration:

- (1) New Construction. New construction shall be visually compatible with the buildings and environment with which it is visually related, including, but not limited to:
  - (a) The height, the floor-to-area ratio, the proportion between width and height of the exterior, the proportions and relationships between doors and windows, the relationship of solids to voids created by openings in the exterior, the materials used in the exterior, the texture inherent in the exterior, the colors, pattern and trim used in the exterior, and the design of the roof.
  - (b) The relationship of building masses and spaces between them.
  - (c) The site and landscape plan shall be sensitive to the individual building, its occupants and needs and shall be visually compatible with the buildings and environment with which it is visually related.
  - (d) A new street exterior shall relate to adjacent buildings.
  - (e) Architectural features shall be incorporated whenever possible to relate the new with the old and to preserve and enhance the characteristics of the District.
- (2) Alterations to Existing Building, Structure or Site.

- (a) The criteria set forth in (1) shall be considered insofar as applicable to the historic characteristics of the building, structures, and sites visually related to it.
  - (b) Alterations shall not affect the architectural quality or historic character of the building, structure or site, but shall, to the extent possible, maintain or restore the historic design and condition.
  - (c) Exterior signs or interior signs plainly visible from the exterior shall be compatible with the buildings and environment with which they are visually related.
- (3) Demolition. Demolition is generally discouraged and reviewed with regards to:
- (a) The architectural significance of the building or structures.
  - (b) The contribution of the building or structure to the history or origins of the historic district.
  - (c) The future utilization of the site, including any replacement buildings or structures.
- (4) Reconstruction.
- (a) The reconstruction of a building or structure damaged by fire, storm or other act of God shall be reviewed by the Committee according to the criteria in (2). Totally or substantially new construction, regardless of reason, shall be reviewed according to the criteria set forth in (1) New Construction.
- (5) Redevelopment areas within historic districts; special criteria.
- (a) The Committee shall operate to further the implementation of redevelopment plans where such plans have been formally adopted within established local or national historic districts. These redevelopment areas are listed and described below:
  - (b) Garden District. Adopted by Ordinance 4549, June 21, 2004 this area encompasses the East Lake Morton Historic District and includes peripheral areas not part of the original historic district. This includes property located south of East Main St., north of East Walnut St., east of South Iowa Ave., and west of Bartow Road. The redevelopment plan is intended to make the area more attractive for redevelopment, create high value residential development while preserving significant historic structures and create an overall character that contributes to the maintenance of this central city historic neighborhood.
  - (c) Dixieland CRA Commercial Corridor. Adopted by Ordinance 4592, November 15, 2004 this area encompasses portions of the Dixieland Historic District. This includes property located along the South Florida Avenue commercial corridor south of East Walnut Street and north of Lenox Street. The Committee

- will operate to further the implementation of the adopted redevelopment plans as well as protect historic resources and serve as an advisory board to the City Commission on matters of redevelopment.
- (d) Public Improvement Plans. The Committee shall in its capacity work to amend or otherwise elaborate redevelopment activities including proposals for public improvements such as parks, alleys, streetscape, traffic calming, and other civic amenities and facilities.
- (e) Review of Redevelopment Proposals. The Committee shall act in its normal capacity to provide design review for all activity taking place in said redevelopment areas through the issuance of certificates of review and shall also consider and provide guidance on redevelopment proposals that involve larger areas and multiple sites as well as public improvements that impact public rights of way, blocks and the entire district.
- (f) Issuance of Certificates of Review:
- (1) New Construction within redevelopment areas. The Committee shall utilize the same procedures set forth in Section 9.01 and criteria set forth in Section 10.01 for all historic districts to ensure compatibility with the existing fabric of the historic district. The Committee shall utilize established guidelines and also adopted redevelopment plans.
- (2) Alterations to Existing Buildings, Structure or Site within redevelopment areas. The Committee shall utilize the same criteria set forth in Section 10.01 for all historic districts to ensure compatibility with the existing fabric of the historic district. The Committee shall utilize established guidelines and also adopted redevelopment plans.
- (3) Demolition within redevelopment areas is generally discouraged and reviewed with regards to:
- a) The architectural significance of the building or structure.
- b) The contribution of the building, structure or site to the history or origins of the historic district.
- c) The future proposed utilization of the site in relation to specific or proposed plans. When specific plans are not available for the site, the proposed plans may include formally established redevelopment plans or those plans submitted by the applicant that comply and are compatible with the district and meet the intent

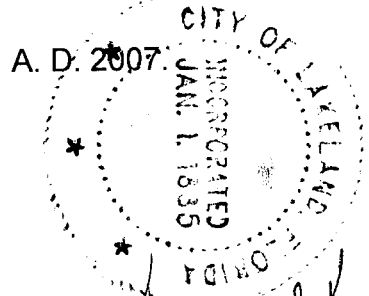
of the adopted redevelopment plan. The demolition review process will take into consideration a ranking of properties in redevelopment areas based on architectural significance and integrity as identified by the Board.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3.** If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

**SECTION 4.** This ordinance shall take effect immediately upon its passage.

**PASSED AND CERTIFIED AS TO PASSAGE** this 4th day of September,



*Ralph L. Fletcher*  
RALPH L. FLETCHER, MAYOR

ATTEST: *Kelly S. Koos*  
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: *Timothy J. McCausland*  
TIMOTHY J. McCAUSLAND  
CITY ATTORNEY