

SECTION 9.0 SPECIAL DISTRICTS – CULTURAL RESOURCES LAND DEVELOPMENT CODE PART 3.01

Section 9.01 Introduction

St. Johns County has established forms of protection and preservation for Cultural Resources through incentives, outreach, and ordinances. The Growth Management Department, Environmental Division, coordinates all related cultural resources management activities. Additionally, the nine-member Cultural Resources Review Board (CRRB) reviews and advises on matters relating to Cultural Resources and makes recommendations to the Board of County Commissioners (BCC) and to Staff. An encompassing Cultural Resources Inventory is maintained by County Staff which identifies all known Cultural Resources in the County and identifies those listed as Significant, County Landmarks, and National Register Properties. The mapped Inventory is updated so as to remain current.

Address: 4040 Lewis Speedway
St. Augustine, Florida 32084

(904)209-0575 – General Information
(904)209-0623 – Cultural Resources Staff
(904)209-0743 – Fax
GMDevelopment@sjcfl.us

[Fees](#)

Section 9.02 Forms of Protection

The Land Development Code (LDC) establishes guidelines and regulations for the treatment of Cultural Resources. The LDC provides the following forms of protection to preserve or manage Cultural Resources in St. Johns County:

- A. Cultural Resources Protection and Management (Section 3.01.04): In cases where proposed development or other activities affect sites within the Cultural Resources Inventory, or may affect previously unidentified Cultural Resources, procedures shall be followed pursuant to Section 3.01.04 of the LDC.
- B. Cultural Resources on County Park Lands (County Ordinance 2005-114): Disturbing an archaeological or historical site, or collecting artifacts from an archaeological or historical site on County property is illegal. This includes the County beaches. An archaeological research permit is required for any archaeological work undertaken on County property. Permits must be obtained through the Cultural Resources Staff.
- C. Proposed Designation of a St. Johns County Landmark (Section 3.01.03): Within the Cultural Resources Inventory certain sites, buildings, structures, objects, or groups thereof may have particularly unique or special significance related to the cultural, architectural, archaeological and historical heritage of St. Johns County. The CRRB receives and evaluates proposals for recommendations for potential

Landmarks from the general public; cultural resource professionals; and other interested parties.

- D. Proposed Designation for National Register of Historic Places listing (Section 3.01.05): The CRRB reviews applications for listing on the National Register for all properties within the County's jurisdiction and forwards the Board's recommendation to the State Historic Preservation Office.
- E. Emergency Action Involving a Threat to a Cultural Resource or Landmark (LDC, Section 3.01.06): Emergency action may be taken to review and consider any activity that may have an adverse effect upon a Cultural Resource or Landmark.

Section 9.03 Procedures for County Landmark Designation

The LDC provides a process whereby the BCC may designate certain Significant Cultural Resources as St. Johns County Landmarks pursuant to recommendations submitted by the CRRB (Section 3.01.03). Proposals are evaluated pursuant to the Criteria for Landmark Designation in Section 3.01.03.C of the LDC. The application process follows the below procedures.

A. St. Johns County Landmark

Application Process: Submit applications to the Environmental Division. At a minimum, a completed copy of the *Application for Designation of a St. Johns County Landmark* must be returned along with the following information, evidence, and supporting materials, as appropriate.

1. Applicant Information: Name, mailing address, and contact telephone and fax numbers.
2. Property Information: Property Name, location, tax parcel identification number, legal description and map of the subject property.
3. Property Ownership: Owner's name and mailing address; and proof of ownership, deed or certificate by lawyer, abstract company or title company that verifies the record owner. In addition, the applicant must provide a list of adjacent property owners within 300 feet of the subject property. The list shall contain the name and address of each parcel as it appears in the St. Johns County Property Appraiser's records. The list is available from St. Johns County by completing the Adjacent Property Owners List Request Form, provided in this Section 10. Complete and return the form to the County office handling your application, or fax it directly to the attention of the GIS Division at 904-209-0761. You are not required to use St. Johns County as a source; the list may also be obtained through private sources such as an abstract company, title company, or legal office.

In addition to the above list, the applicant must also provide **two** legal size envelopes, addressed and stamped for each name on the list of adjacent property owners. If the name appears more than once (owner of more than one parcel), only one envelope is required.

4. Criteria for St. Johns County Landmark Designation: Specifically address and document those points contained in the Land Development Code, Sec. 3.01.03C.
 5. Written Description of Proposed Landmark: Prepare a written narrative summary of the archaeological, historical, architectural, or cultural significance of the proposed Landmark. Why does the site need to be listed?
 6. Additional Evidence and Supporting Materials:
 - a. For properties already included in the National Register of Historic Places or any other Federal, State or local listing, attach copies of nomination forms, including all maps and photographs already approved by the State Historic Preservation Office and the National Park Service, etc.
 - b. Date of construction of the Historic Structure and the names of former owners, and the dates of occupation of the property, or cultural periods of an archaeological site.
 - c. An archaeological or architectural description.
 - d. Historic references from other sources mentioning the property, or archaeological research documentation if an archaeological site.
 - e. A statement of significance as the structure or site relates to the local community.
 - f. A site plan, showing all structures, roads, signage, and easements and landscape features including septic tank and drainfield, and all other improvements located on the site. Identify development on adjacent properties.
 - g. Floor plans of all subject buildings.
 - h. Photographs which are exclusive of all elevations, architectural details and significant exterior features.
 - i. Written information about the property that could be used as a suggested guide for the evaluation of any future proposed changes to the property (including development or re-development of the site or adjacent property).
 7. Any additional information or material to support the request, such as pictures, professional reports or drawings, etc.
- B. Review Process: once the Environmental Division determines that the *Application* is complete:
1. Within thirty (30) days of receiving a completed application the item is scheduled for a public hearing to be heard by the Cultural Resources Review Board. A notice is placed in the St. Augustine Record newspaper, a sign is

posted on the property, and a notice is mailed to all property owners within 300 feet of the property. A letter is also sent to the applicant advising of the date.

2. A Staff Report including the completed Application Package is created by Cultural Resources Staff and is distributed to the Cultural Resources Review Board at least 10 days prior to the public hearing. The applicant or his/her representative will also be provided a copy.
3. The Cultural Resources Review Board will consider the request at the public hearing and provide a recommendation to the Board of County Commissioners.

For each Landmark designation, the CRRB shall prepare a written report that contains a statement in evidence of the criteria contained in Section 3.01.03.C of the LDC, as well as the descriptive and evaluative information contained in Section 3.01.03.B.1.a of the LDC. The report shall be filed with Staff and a copy provided to the property owner(s).

4. 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 CRRB's report with Staff. The County Administrator provides the date of the Board hearing and the item is scheduled for public hearing.
5. A new notice is published in the newspaper and notices are mailed out to adjacent property owners advising them of the BCC hearing. These notifications will be mailed out in not less than ten (10) days prior to the scheduled hearing
6. An Agenda package is prepared which includes the Staff Report for the CRRB, the CRRB findings report, the proposed Landmark Designation, and any other supporting documents. The BCC considers the Landmark nomination and takes final action.

At the public hearing, the CRRB shall present the proposed designation and recommendation of the CRRB to the Board of County Commissioners. The BCC shall review each potential Landmark considering the information contained within the designation report, the criteria for Landmark designations contained in Section 3.01.03C of the LDC, public testimony and evidence submitted for the record at the public hearing. The BCC shall move to approve, approve with modifications or conditions, or deny the proposed Landmark designation(s). If the item is approved, the Designation is signed by the Board's Chairperson and sent to the Clerk for recording. If the item is denied, an appeal may be filed within 30 days of the Board action.

- C. Determination by the Board of County Commissioners:
1. Immediately following approval of a Landmark designation, the **Board of County Commissioners** shall notify by mail the property owner(s) and the adjacent property owners of the BCC's designation of the Landmark.
 2. The Landmark designation shall be recorded in the official record books of the St. Johns County, and noted on the Official Zoning Atlas of St. Johns county, and shall be noted in the Cultural Resources Inventory as a Landmark.
 3. Within thirty (30) days of the decision by the BCC 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.

Section 9.04 National Register Nomination

The procedures for National Register nomination reviews shall follow the Florida Certified Local Government Requirements for Participation in the Florida National Register of Historic Places Nomination Process as stipulated in sections B(4) and C(4) of the Florida Certified Local Government Guidelines document produced by the Florida Division of Historical Resources.

- A. The CRRB complements the Florida National Register Review Board in the review of proposed nominations to the National Register from within St. Johns County. Proposals are submitted to the State Historic Preservation Officer for consideration by the Florida National Register Review Board and are forwarded to the CRRB for review.
- B. The CRRB will develop or receive the documentation necessary to nominate properties to the National Register. The CRRB shall evaluate nomination proposals for completeness. Should the nomination proposal not be technically complete, the CRRB shall notify the proposal's sponsor in writing, identifying the technical deficiencies, within 30 days after receipt of the nomination proposal. A copy of this notification shall also be sent to the State Historic Preservation Officer. If the nomination proposal is technically complete, the CRRB shall place the item on its agenda for consideration.
- C. The CRRB 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 CRRB 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). The Chairman of the Board of County Commissioners and such other contact persons as may be designated. In the case where the CRRB's area of jurisdiction includes 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) may submit in writing to the CRRB a recommendation as to whether or not the property should be nominated to the National Register.

3. State Historic Preservation Officer.
 - D. Nomination proposals shall be considered by the CRRB at a public meeting, and all votes on nomination proposals shall be recorded and made a part of the permanent record of the CRRB meeting. All nomination proposals shall be forwarded, with a record of official action taken by the CRRB and the recommendation of the appropriate local official(s), to the State Historic Preservation Officer within 30 days after the meeting at which they were considered. If either the CRRB or appropriate local official(s) or both support the nomination, the State Historic Preservation Officer schedules the nomination proposal for consideration by the Florida National Register Review Board as part of the normal course of business as specified by the Florida Division of Historical Resources. The consideration of the nomination is handled pursuant to Section 101(a) of the National Historic Preservation Act (and 36 CFR 60).
 - E. As specified by the Florida Division of Historical Resources, if both the CRRB and appropriate local official(s) recommend that a property not be nominated to the National Register, the State Historic Preservation Officer will take no further 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 their views known in writing during the period of review. Such documentation can be sent to the St. Johns County Cultural Resources Review Board care of County Staff, at the address listed at the beginning of this section. 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. All objections by property owners of the property under consideration must be notarized to prevent nomination to the National Register. 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.
 - G. Nomination proposals to be considered by the CRRB shall be on file with the St. Johns County Growth Management Department for at least 30 days prior to the CRRB 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, website, 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 the CRRB. 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 CRRB. As specified by the Florida Division of Historical Resources, nominations or proposals which have been appealed may 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 will notify the CRRB, 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 St. Johns County 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. CRRB review and notification procedures do not apply when a Federal agency nominates a property under its ownership or control.

Section 9.05 Certificate of Appropriateness Reviews

The CRRB reviews applications for Certificates of Appropriateness as outlined in Section 3.01.03F of the LDC. The board reserves the right to solicit expert testimony.

A. Activities requiring Certificate

Certificate of Appropriateness issued by the CRRB shall be required for any of the following activities:

1. Any alteration requiring a building permit which may change the exterior appearance of an individually designated County Landmark or contributing property in a Landmark District.
2. Demolition of any building or structure that has been designated a County Landmark or a contributing property in a Landmark District.
3. The relocation of any building or structure that has been designated a County Landmark or a contributing property in a Landmark District.
4. Any new construction of principal or accessory buildings, structures, or additions within the boundaries of a Landmark District or an individually designated County Landmark.

B. Minor Projects not requiring a Certificate

A Certificate of Appropriateness shall not be required for minor projects including painting and ordinary maintenance to the exterior of a building. Ordinary maintenance is any work for which a building permit is not required by law. Upon application for a building permit, said application shall be reviewed by the Cultural Resources Staff to determine whether or not the proposed project will change the exterior appearance of the designated building or structure. If there will be a change to the exterior appearance, then the owner shall apply for a Certificate of Appropriateness. Neither the Cultural Resources Staff nor the CRRB shall consider interior arrangement or design when reviewing an application for a Certificate of Appropriateness unless such change affects the exterior appearance of the building, or unless the interior was a significant component of the qualifying factors for Landmark designation.

C. Pre-application Conference

Prior to making an application for a Certificate of Appropriateness, the applicant may confer with the Cultural Resources Staff on the nature and purpose of the proposed action. The prospective applicant shall be advised of the plans, photographs, statements or other exhibits necessary for submitting an application.

D. Application

Application to the CRRB for a Certificate of Appropriateness shall be filed with the Cultural Resources Staff and include the form for Certificate of Appropriateness provided in this section. Applications shall include:

1. Plans for structural changes, where applicable.
2. A description of exterior finish materials (samples may be requested of nonstandard materials), where applicable.
3. Site plans, including landscape plans and building elevations, where applicable.
4. Photographs of the subject property, including areas of proposed work.
5. Notarized authorization of the owner if the applicant is other than the owner or attorney for the owner.
6. Other documentation of architectural compatibility as offered by the applicant or requested by Staff or the CRRB.
7. The name, address and telephone number of the applicant.
8. In addition, the applicant must provide a list of adjacent property owners within 300 feet of the subject property. The list shall contain the name and address of each parcel as it appears in the St. Johns County Property Appraiser's records. The list is available from St. Johns County by completing the Adjacent Property Owners List Request Form, provided in this Section. Complete and return the form to the County office handling your application, or fax it directly to the attention of the GIS Division at 904-209-0761. You are not required to use St.

Johns County as a source; the list may also be obtained through private sources such as an abstract company, title company, or legal office.

In addition to the above list, the applicant must also provide **two** legal size envelopes, addressed and stamped for each name on the list of adjacent property owners. If the name appears more than once (owner of more than one parcel), only one envelope is required.

E. Public hearing

The CRRB shall hold a public hearing within 60 days after the filing of the application for a Certificate of Appropriateness. A notice of the proposed Certificate of Appropriateness review shall be sent to the owner of the property at least 10 calendar days prior to the date of the public hearing. Cultural Resources Staff shall provide a recommendation to the CRRB of approval, denial, or approval with conditions of the Certificate of Appropriateness. Staff's recommendation shall be transmitted to the owner prior to the public hearing.

F. Action by CRRB

At the public hearing the CRRB shall approve, deny, or approve with conditions each application. Copies of the decision shall be mailed to the applicant and property owner within 10 days of the decision. The CRRB shall provide findings of fact to be included with the Development Order or Permit. Unless appealed, the decision of the CRRB shall be the final administrative decision. After the issuance of a Certificate of Appropriateness, except for ordinary maintenance, no change may be made in the proposed work without resubmittal of an application.

G. Review criteria for proposed exterior work on buildings or structures listed as County Landmarks

In consideration of an application for a Certificate of Appropriateness for proposed exterior work, the CRRB shall utilize the following guidelines based on the United States Secretary of the Interior's Standards for Rehabilitation, 36 CFR 67:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of exterior features that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 10. New additions or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- H. Review criteria for proposed new construction. New construction associated with an individually designated County Landmark or within a designated County Landmark district shall be compatible with the buildings, site, district, or environment with which the new construction is visually related. Criteria to be considered by the CRRB shall include the following:
1. The height, volume, proportions, and relationship between doors and windows, rhythm of solids and voids created by openings in the facade, materials used in the facade, the texture inherent in the facade, the pattern and trim used in the facade, and the design of the roof should be compatible with any existing historic buildings.
 2. Rhythm created by existing building masses and spaces between them should be preserved.
 3. Landscape plans should be compatible with the buildings and environment with which it is visually related.
 4. Proportions of existing facades, such as horizontal and vertical expression, should be in the new facade.
 5. Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

- I. Review criteria for relocation. When an applicant seeks to obtain a Certificate of Appropriateness for the relocation of an individually designated resource or wishes to relocate a contributing property into or out of a County Landmark or National Register district, the CRRB shall consider the following criteria:
 1. The contribution the building or structure makes to its present setting.
 2. Whether there are definite plans for the site to be vacated.
 3. Whether the building or structure can be moved without significant damage to its physical integrity.
 4. The compatibility of the building or structure to its proposed site and adjacent properties.
 5. The applicant shall document, through photographs, the property in its original location prior to removal and provide copies to the board.

Section 9.06 Demolition of County Landmarks or National Register Listed Properties

No Certificate of Appropriateness may be issued for the demolition of a County Landmark or a contributing property in a Landmark District or certain other buildings or structures deemed to be Significant Cultural Resources in accordance with section 3.01.04 of the Land Development Code, unless the applicant demonstrates by the preponderance of the evidence that undue economic hardship or unusual and compelling circumstances support such a demolition.

- A. In situations where the applicant claims that unusual and compelling circumstances, or undue economic hardship requires the demolition of a County Landmark or Significant Cultural Resource, the CRRB shall consider the following criteria:
 1. The building or structure is of such interest or quality that it would reasonably meet national standards for additional designation on the National Register of Historic Places or as a National Historic Landmark.
 2. The building or structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.
 3. The building or structure is one of the last remaining examples of its kind in the County or the region.
 4. The building or structure contributes substantially to the historic character of a designated County Landmark or National Register district.
 5. Retention of the building or structure would promote the general welfare of the County by providing an opportunity for the study of local history, architecture, or design.

6. Definite plans exist for reuse of the property if the proposed demolition is carried out, and if the plans will have a positive effect on the character of the surrounding area.
7. A reasonable effort was made to relocate the building or structure.
8. Demolition of the designated building or structure has been ordered by the appropriate public agency due to unsafe conditions.

B. Unusual and compelling circumstances

The following criteria shall be used by the Cultural Resources Review Board to determine whether the issuance of a Certificate of Appropriateness for a demolition is justified by the existence of unusual and compelling circumstances:

1. The property has little or no historical or architectural significance,
2. The property cannot reasonably be maintained in the manner dictated by the ordinance,
3. There are no other reasonable means of saving the property from deterioration, or collapse, or
4. The property is owned by a nonprofit organization and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately

C. Action by CRRB for Unusual and Compelling Circumstances

On applications for Certificates of Appropriateness for demolition claiming an unusual and compelling circumstance, the CRRB may approve, approve with conditions or deny the request or may suspend action to allow further study of the matter for a period not to exceed one (1) year from the date of the filing of the application. The length of the delay shall be determined by the CRRB based upon the probable time required to arrange a possible alternative to demolition. During the stay of demolition, the CRRB may take such steps as it deems necessary to preserve the building or structure. Such steps may include but shall not be limited to consultation with civic groups, public agencies, and interested citizens; recommendations for acquisition of property by public or private bodies or agencies; and exploration of the possibility of moving the structure or building.

D. Undue Economic Hardship.

Criteria: In situations where, by reason of particular site conditions and restraints or circumstances applicable to the property owner, strict enforcement of this chapter will deny him of economically viable or reasonable use of a property, the applicant shall submit the following information to the CRRB.

1. For all property:

- a. The amount paid for the property, the date of purchase, and the party from whom the property was purchased.
 - b. The assessed value of the land and improvements thereon according to the two most recent County Property Appraiser's assessments.
 - c. Real estate taxes for the previous two years.
 - d. Annual debt service, if any, for the previous two years.
 - e. All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
 - f. Any listing of the property for sale or rent, price asked, and offers received.
 - g. Any consideration by the owner as to profitable adaptive uses for the property.
2. For income-producing property:
- a. Annual gross income from the property for the previous two years.
 - b. Itemized operating and maintenance expenses for the previous two years.
 - c. Annual cash flow, if any, for the previous two years.

E. Action by CRRB for Undue Economic Hardship

The CRRB shall review all evidence and information submitted by the applicant and make a determination as to whether the denial of a Certificate of Appropriateness for demolition will deprive the owner of reasonable use of, or economically viable return on the property in question. If the CRRB decides that denial of the proposed action does not or will not deprive the owner reasonable use of or an economically viable return on the property, then the Certificate of Appropriateness for demolition will be denied.

In the event the CRRB finds that all reasonable use of, or economic return from the Landmark will be denied a property owner if the Certificate is not approved then the application may be delayed for a period not to exceed one (1) year from the date of filing of the application. During this period the CRRB shall investigate alternatives to preserve the property. Such alternatives may include, but are not limited to a reduction in real property taxes, financial assistance, changes in zoning, public purchase, and/or code exemptions. If by the end of the period for the stay of demolition the board has found that, without approval of the demolition, the property cannot be put to a reasonable use or the owner cannot obtain a reasonable economic return there from, then the CRRB shall issue a Certificate of Appropriateness for demolition.

- F. Documentation of buildings. The CRRB shall, as a condition to approval of such demolition, have the power to require the documentation of buildings slated for such demolition by photographs and measured drawings.

Section 9.07 Treatment of Cultural Resources and Landmarks (Section 3.01.04 of the LDC):

A. Development Review and Cultural Resources

1. Cultural Resource Review: When applications are filed for permits, orders or other approvals, Cultural Resources Staff shall verify the existence of any site contained in the Cultural Resource Inventory, and verify the likelihood of previously unidentified sites that may exist. Appropriate requirements outlined in Section 3.01.04 of the LDC shall be initiated.
2. Consideration of Adverse Effect: Staff shall consider criteria contained in the LDC Section 3.01.04E to determine whether the project will have no effect, no adverse effect, or an adverse effect on a Significant Cultural Resource. A presumption of adverse effect upon a Significant Cultural Resource shall require the Applicant to submit a Cultural Resource Management Plan.
3. Cultural Resource Management Plan: Where an adverse effect has been substantiated or is apparent, the Applicant shall provide a Cultural Resource Management Plan. The Management Plan shall include information on the nature, context and significance of the resource. Staff may consult with the Division of Historical Resources and the Cultural Resources Review Board to determine appropriate information to be requested and appropriate protection or mitigation measures. The Management Plan shall at a minimum include information listed at Section 3.01.04F of the LDC.
 - a. Cultural Resources Staff may approve, approve with conditions, or disapprove the Cultural Resources Management Plan. The document shall be attached to any Development Order or Permit, and shall remain in effect as prescribed within the Management Plan.
 - b. Development related to a Project may commence and proceed prior to final approval of the Management Plan provided no activity affects the Cultural Resource or Landmark or its environs. Such condition shall be noted on any Development Order or Permit.

B. Emergency Action Involving a Threat to a Cultural Resource or Landmark (LDC Section 3.01.06): Emergency action may be taken to review and consider a threat to a Cultural Resource or Landmark. A threat is any activity that may have an adverse effect upon a Cultural Resource or Landmark.

1. Request for Emergency Action: Any interested party or agency may submit to the Staff a notice related to a potential threat, as follows:

- a. In support of the request for emergency action, written information describing the potential threat shall be submitted to Staff, as required by Section 3.01.06(A)1 of the LDC.
- b. Staff shall determine if a potential threat exists and schedule a public hearing to consider the request for emergency action.
- c. All permitted activity shall be held in abeyance until action regarding the threatened property is completed.
- d. Staff shall notify the Applicant and/or property owner of the public hearing on the request for emergency action.
- e. The County Administrator shall have the authority to suspend any Permit during which time the Applicant or Property Owner shall provide a Cultural Resource Management Plan as per Section 3.01.04 of the Land Development Code.
- f. Upon approval of a Management Plan by the BCC, the County Administrator shall authorize release of the Permits, with any conditions.

Section 9.08 Ad Valorem Tax Exemptions

The St. Johns County Historic Property Tax Exemption Ordinance (Ord. 22-55), as amended, provides qualifications for improvements and a process to allow ad valorem tax exemptions for historic properties. All requirements of Ord. 22-55 shall be followed and this Section is only a guide for the application process. Visit the Clerk of Court website for a copy of the ordinance at <https://stjohnsclerk.com/records/board-records/county-code-of-ordinance/>. Property owners may seek an ad valorem tax exemption as authorized by the Board of County Commissioners as provided in this section. The intent of the tax exemption process is to encourage restoration, rehabilitation, and renovation of historic properties.

- A. Minimum Thresholds for Application. In order for a historic property to be eligible for the Historic Property Tax Exemption the following shall apply:
 1. The value of the proposed improvements must be at least fifty percent (50%) of the total assessed value of the qualifying property before the improvement, or \$20,000, whichever is less; and,
 2. At least twenty-five percent (25%) of the valuation of the proposed improvements must be an expenditure for work to the exterior or foundation of the historic structure.
- B. Application for exemption

1. Application for the property tax exemption shall be made on the **three-part** Historic Preservation Property Tax Exemption Application, DOS Form No. HR3E10192, or its equivalent, as adopted by the State of Florida.

State application form: <https://files.floridados.gov/media/30818/application.pdf>

The application shall be completed in accordance with the instructions on the form, Chapter 1A-38, F.A.C. and contain documentation of the cost of qualifying improvements.

2. **Part 1-** Evaluation of Property Eligibility and **Part 2-** Description of Improvements (Preconstruction) shall be submitted to the County for review prior to the qualifying improvements made to the property.
3. Once the County has received the completed Preconstruction Application, all required supporting materials and documentation of the cost of the improvements, County staff shall determine if the property is a Qualifying property and meets the minimum thresholds for application. Once confirmed, the Preconstruction application will be set for the next Cultural Resource Review Board (CRRB) meeting. The CRRB will determine if the proposed improvements are consistent with Secretary of the Interior's Standards for Rehabilitation, U.S. Department of the Interior, National Park Service.
4. The review of the Preconstruction Application by the CRRB shall be completed within 60 days of submittal of a complete application to the County.
5. Once the County has received **Part 3-** Request for Review of Completed Work and all supporting materials, the CRRB and/or County staff shall conduct a review to determine if completed property improvements are consistent with the work described in the approved Preconstruction application and Secretary of the Interior's Standards. The CRRB and/or County staff shall have the right to inspect the completed work and complete the review within 60 days of submittal.
6. The CRRB shall recommend that the Board of County Commissioners (Board) approve or deny the exemption with the reasons in writing to the applicant and to the Board.
7. By Resolution, the Board shall either approve or deny the exemption and provide a copy of the Resolution to the applicant and staff. The Resolution approving the exemption shall include:
 - a. The owner's name and address of the historic property for which the exemption is approved.
 - b. The period of time for which the exemption will remain in effect and the expiration date of the exemption.

- c. A finding that the historic property meets the requirements of Section 196.1997, F.S. and Chapter 1A-38, F.A.C. Evaluation of Improvements

C. Evaluation of Improvement

1. The CRRB shall apply the recommended approaches to Rehabilitation set forth in the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings in evaluating the eligibility of improvements to the Qualifying Property.
2. For improvements intended to protect or stabilize severely deteriorated historic properties, the CRRB shall apply the following standards:
 - a. Before applying protective measures which are generally of a temporary nature and imply future historic preservation work, an analysis shall be made by the County Building Official.
 - b. Protective measures shall safeguard the physical condition or environment of a property from further deterioration or damage caused by weather or other intrusions. Stabilization shall establish weather resistant conditions for a property.
 - c. If any historic material or architectural features are removed, they shall be properly recorded and stored for future study or reuse.
 - d. Stabilization shall be accomplished in such a manner that it detracts as little as possible from the property's appearance. When reinforcement is required to reestablish structural stability, such work shall be concealed wherever possible to not detract from the aesthetic and historical quality of the property, except where it would result in alteration of historically significant material or spaces.

D. Commencement of Work

Work must commence within 1 year following the date of approval of a Preconstruction Application and shall be considered to be in effect as long as a building permit is valid for the work specified on the property.

E. Covenant

An owner who has received a Historic Property Tax Exemption shall execute a Historic Property Tax Exemption Covenant, DOS Form No. HR3E111292 or its equivalent, as adopted by the State of Florida.

Website link: <https://files.floridados.gov/media/30817/convenant.pdf>

1. On or before the effective date of the exemption, the owner shall record the Covenant, with a copy of the deed for the property attached, in the Official Public Records of St. Johns County.
2. Within 3 business days following receipt of the recorded Covenant, County staff shall forward a copy of the approved Historic Property Tax Exemption Application and the recorded Covenant form to the Property Appraiser with instructions to provide the exemption to the owner.