

**HISTORIC PRESERVATION ADVISORY BOARD (HPAB)  
MEETING MINUTES**

**Location:** Pinellas County Planning Department Conference Room

**Date:** Thursday, October 9, 2008

**Time:** 1:15 p.m.

**Attendees:** Commissioner Karen Seel (presiding), Brian K. Smith, Sam Casella, Joan Deming, Terry Fortner, William Heinig, Bob Jeffrey, Vinnie Luisi, Becky Nielsen, Gordon Beardslee, Marcel Mohseni, and Colleen Tracy

- I. Call to Order** – Brian Smith commenced the meeting at 1:15 p.m. Then Commissioner Seel proceeded with the meeting.
- II. Minutes of Thursday, August 21, 2008** – This item was not addressed and will be added to the agenda of the next meeting along with the minutes of the Thursday, October 9, 2008 meeting.

Brian Smith addressed Item III and Item V on the agenda. He noted that each of these items has a bearing on the other.

**III. Demolition Ordinance: Discussion and Direction on Approach**

Brian Smith, Gordon Beardslee, and Marcel Mohseni of the County Planning Department met with Dave Sadowsky of the County Attorney's Office prior to this meeting. They identified various alternative approaches to the creation of a demolition ordinance. They also received current ordinances for review in order to establish the logical direction for **Item V. Certified Local Government Application**. Brian gave a summary of these two items and discussed two historic preservation ordinances currently in place.

"Two sides of the same coin" come into play when discussing the demolition ordinance and the Certified Local Government (CLG) application. The "coin" is governmental authority. The two "sides" involve whether that authority should be at the countywide or local jurisdiction level. Brian's first thought was to have a system that was recognizable as countywide; yet, at some point there would be local steps involved for implementing procedures. Staff consensus (Planning and County Attorney) entailed identifying demolition and other preservation issues on a countywide basis (an initial flag, so to speak) and realizing that local municipalities would become involved at some point. It makes the situation a bit complicated – to consider that ostensibly there would be a countywide ordinance but with local steps dropped into it.

Brian mentioned that demolition overlaps with Certified Local Government, which in turn led to examining two present county ordinances that deal with historic preservation.

There are number of things required to qualify as a CLG: organization of a local board, passage of a historic preservation ordinance, and so forth. The 2008 Historic Preservation Ordinance created the Advisory Board and established historic preservation as public policy on a countywide basis. It also indicated that Pinellas County would draft an approach to demolition for consideration. In other words, Pinellas County would not carry out such an approach but that it would provide a draft only.

Another ordinance, which has been in effect from 1992, is more traditional and governs the unincorporated area only. This ordinance set up a board for the Old Palm Harbor District; and if necessary, it can protect designated historic resources outside municipal boundaries. However, it is not broad enough in scope for a Local Certified Government designation. Members of county staff therefore found themselves between two ordinances so to speak. The point being considered was: Does

one modify the 2008 ordinance to meet the CLG requirements or does one modify the 1992 ordinance (applicable to just the unincorporated area). Staff concluded that the best solution may be a new ordinance, one that would meet the CLG requirements and potentially incorporate the demolition provision. Consequently there would be one ordinance rather than two. Brian commented that this item needs committee discussion and review before proceeding further. Then Brian asked Gordon to comment on the staff considerations.

Gordon said that is one approach – a portion of the ordinance would provide help countywide to assist local municipalities in historic designation and/or demolition matters. The county has an inventory of roughly 10,000 sites/structures, and local municipalities could refer to this database. This inventory would be a place to start, especially if a property within local boundaries has a demolition permit; yet, it's on the list of 10,000 resources. The list does not necessarily indicate at what level the resources are significant; in fact, most of them are not designated. However, some of them are clearly going to be significant at a national, county, or local level; and the local government could request assistance from the county in determining appropriate designation. Then the local jurisdiction could work with the component of the ordinance that applies at the municipal level. Municipal staff can move to protect/prevent the demolition of said structure determined as important. In short, assistance and information could be provided at the countywide level; actual enforcement would have to occur at the local level.

Bob Jeffrey commented that it is very difficult for a local municipality unless it is their rules and regulations. Someone reviewing that demo application is going to forget that there is a whole county process. Bob also questioned if the present discussion is only about what is significant to the county rising to the top of the pile (for example, the Belleview Biltmore). If that is the case, there are only a few buildings like that. Wouldn't it be better to perhaps have those protected by the county but then develop something for the local municipalities? If a draft ordinance could be created that the local municipalities can use, they could make the determination about what's important in their own communities. And they can put something in place.

Brian reiterated that in the present Historic Preservation Ordinance, the language indicates that a draft countywide ordinance could be created and it could be "tweaked" to make it work better. Cindy Tarapani, who could not be here today, is doing research to come up with some examples on the countywide demolition ordinance approach.

Bob Jeffrey noted that the model countywide ordinance – that's the draft – could almost then be adopted by every municipality with a change of 10 or 15 words. He also asked if there was any mention of a "cooling off" period. Was there any discussion in the demolition part about a "cooling off" period vs. actual prevention of demolition – say a 10-day hold? These two pieces had been considered in the overall ordinance near the end before changes were made after Commissioner Seel visited the cities.

Discussion ensued regarding the holding period process in St. Petersburg. For example, if a property is determined to be eligible for listing on the National Register, there would be a 10-business day hold on any demolition permit on record, the mayor or council could begin initiating a designation process on the property, and the property would be protected until the designation process is complete. Although Bob does not remember this procedure being used, it has been on the books for 25 years.

It was also noted that some of the municipalities are nervous about someone coming in from the county and saying how the historic preservation process is going to be done. On the other hand, the county could develop an ordinance that dealt with specific properties, 10 or 15 like the Biltmore or the Vinoy, which would rise to a significant level. If Pinellas County had an ordinance dealing with those specific

properties (countywide and national level), most likely the municipalities “could live with” that type of ordinance. And each municipality could on their own deal with the issue of other potential historic resources within their boundaries.

Board members could probably compile such a list consisting of properties from their own communities. It should include properties already designated on the National Registry, so nothing further happens to them. Also, for resources already designated locally, for example, the Vinoy in St. Petersburg, why should it not be designated if it rises to that level. In some cases, it would be very helpful to the locality to know that the county has also designated this. Start with the National Registry list; ask if some of these [locally designated resources] don’t belong on there, and if they’re not on the list, why not. The state probably has a Determination of Eligibility (DOE) list – there is one for St. Petersburg and for most other municipalities. The list may not be complete but the state does have it. Joan Deming urged everyone to include significant historical archeological sites on the list. Brian also commented that if someone has a structure/site on the list of the approximately 10,000 historical resources, there could be 10 days for determination of designation for that property. This procedure could be done on an interim basis for a year until it is decided what the top number of designated structures/sites will be.

The Demolition/Financial Subcommittee will review the feedback of the Board members. The Subcommittee will be looking at two pieces: (1) the timeout/cooling period and where the authority for that will reside, and (2) the demolition model that could be opted in by each city. The County Attorney’s Office will help track these issues in a timely manner.

#### **IV. Consultant Report**

This project is nearing completion. The suggestions from Board members have been incorporated into the report, and it is basically complete. There is one last thing on the consultant schedule – a final presentation. Perhaps the presentation can be given at the next scheduled HPAB meeting. Also, the historic and archeological resources list is now compatible with our computer system, so the information can be looked up through the HPAB web site.

#### **V. Certified Local Government Application**

Brian noted that this was the item that was discussed earlier in conjunction with **Item III. Demolition Ordinance**. Planning staff and Dave Sadowsky (County Attorney’s Office) realized that they were looking at two programs, that is, two ordinances in place. One is the Historic Preservation Ordinance passed in February 2008, the provisions of which provide resources and support for local governments. This is the countywide ordinance under which this Advisory Board is operating, and the web site was established along with the registry program. The other ordinance of 1992 is more traditional in that it deals with designation of properties as historic; it set up the Old Palm Harbor District; and it established a board for reviewing appropriate changes for buildings that are older and so forth. It applies solely to the unincorporated area.

The first assumption of Planning staff was that the 2008 ordinance would be the one to build upon. However, after talking with Dave Sadowsky, it was decided that the particulars required by the CLG application procedure may or may not work into this ordinance. On the other side of the coin, the 1992 ordinance was probably unduly specific as well as operating within the unincorporated area only. Therefore, it was determined that a new ordinance is probably necessary to meet CLG requirements.

There are a number of particulars that have to be met in order to become a CLG, and it would be much easier for the county to meet such requirements by obtaining certification as an unincorporated CLG. On the other hand, Pinellas County could face quite a challenge if it attempted to obtain certification on

a countywide basis. There would have to be an assumption of authority to implement practices that may not be easy to do countywide. In short, the work ahead involves developing a draft that would constitute a new ordinance. It would supersede the 1992 ordinance and would roll in some of the advantages of the present one (2008). Brian also noted that neither one of these ordinances deals with tax exemption procedures.

A question was raised as to which ordinance would be easier to change; is it easier to just amend it; or is it easier to put in a new ordinance. Brian responded that it is easier to do a new one. Bob cautioned about becoming too spread out with local ordinances; it would be better to have one all-encompassing ordinance.

Brian discussed (and Marcel distributed copies of) the proposed outline of the first draft, dated October 9, 2008, for the new Historic Preservation Ordinance. This draft was put together by planning staff. It brings together elements of the three ordinances that Pinellas County presently has on the books: the 1992 Historic Preservation Ordinance, the 1998 Historic Property Tax Exemption Ordinance, and the 2008 Historic Preservation Ordinance – all under one umbrella.

Brian reviewed the draft:

- Section 1 (General)
- Section 2 (Historic Preservation Advisory Board – Responsibilities and Organization)
- Section 3 (Historic Designation Process/Specific Criteria – including Downtown Palm Harbor – for Designation)
- Section 4 (Certification of Appropriateness – COA)
- Section 5 (Demolition Process)
- Section 6 (Incentives – Tax Exemptions, Credits, etc. – Depending on decision of how much to include in ordinance)
- Section 7 (Emergency Action/Stop Work Order for Non-Designated Properties)
- Section 8 (Penalty for Violation)
- Section 9 (Review of Decisions).

Brian’s review elicited the following comments. Marcel indicated that hopefully an ordinance will be developed that is countywide; yet, those few small municipalities that do not have historic preservation protection may choose to opt in or opt out. Under Section 4 criteria for Certificate of Appropriateness, Bob Jeffrey suggested increasing the \$50,000 limit, which he considers to be too low. St. Petersburg has been thinking of raising its limit up to \$100,000 – per staff review. Under Section 6 (Incentives), Commissioner Seel suggested possibly adding another category for grants (especially if a Preserve America designation is obtained), or possibly adding assistance with obtaining grants for large scale projects. Also regarding Section 6, Brian inquired if the 1998 ordinance provisions were included under Incentives, and Gordon indicated that was the first listing (entitled Historic Property Tax Exemptions) under that section. Brian noted that Stop Order in Section 7 is really demolition procedure, although it is not called that per se. Again, regarding Section 7: Per Joan Deming’s earlier comments, the “non-designated properties” would be defined as archeological sites as well.

## **VI. Report on Any Activities with the Subcommittees**

- A. Toolbox Subcommittee**
- B. Program/Education Subcommittee**
- C. Demolition/Finance Subcommittee**

Commissioner Seel inquired as to whether anyone has met yet. William Heinig commented that he was unsuccessful in setting up a meeting. He has volunteered to serve on the Toolbox Subcommittee. He'd put together some guidelines pertaining to work to be done, certain protection procedures to be implemented, and recreating and putting back the same materials in historic structures. Bob Jeffrey of the Toolbox Subcommittee indicated that he had talked to committee member Kim Hinder about a week or two ago; that they will be getting together shortly; and that she has Mr. Heinig's contact information.

Terry Fortner offered to serve on one of the Subcommittees as it appeared that she had not been placed on a committee. She had indeed been assigned to the Program/Education Subcommittee, which was missed in the meeting minutes of August 21, 2008. Joan Deming also asked to serve on that same committee. Commissioner Seel put contact responsibilities for the Toolbox meeting in Bob's hands. Marcel is the point of contact for organizing the Demolition/Finance meeting. Commissioner Seel will be the point of contact for the Program/Education meeting.

## **VII. Other Business**

### **A. South Ward Elementary School**

Commissioner Seel called and talked to School Board member Carol Cook. The School Board is presently going through the appraisal process for South Ward. As soon as Carol has any information, she will contact Commissioner Seel. The Florida Gulf Coast Art Museum is presently located next to Heritage Village and would like to move. The Museum is actually looking at the South Ward site if it could be remodeled and adapted for its use. Commissioner Seel noted that with the age of the building and possible existence of mold and mildew she's not sure that can be accomplished. There is a strong suspicion that some mold and mildew may be present, and that plays a part in the ongoing appraisal process.

Commissioner Seel inquired if there any other comments or questions. A question was raised regarding when the consultant's final report and recommendations would be available for distribution, especially to local historic societies. Copies will be available after the consultant's presentation and the report has been finalized at the next HPAB meeting. Another suggestion was to make copies available to all the people that participated in the two sessions organized for the preservation community. Copies along with a cover letter from the HPAB should be sent from Commissioner Seel's office to those who attended the sessions.

### **B. Next Meeting/Subjects**

It was agreed that this committee should meet every other month through the end of 2008, September and November, and the subcommittees meet during the off months, or maybe early before the regular meeting. Now the September meeting is in October; so, should the next meeting be held in November and have the consultant present the report then, or wait until December. The consultant's report should be done by November; therefore, the consensus was to meet in November. Commissioner Seel suggested that the subcommittee meetings be held an hour prior to the Advisory Board meeting, so everyone will be in one place at one time for hopefully no more than two hours. Brian indicated that a phone poll will be done to set up the next meeting and to also check on what would be the best time to set up a consistent meeting day.

For Your Information (FYI) items were then brought up in the meeting.

Commissioner Seel mentioned that the Largo Commission has established a Historic Preservation Board and has already moved towards preserving a building that was going to be torn down.

Marcel encouraged that someone from this Advisory Board contact the City of Clearwater regarding its attempt to purchase and restore the old downtown theater. There is a Historic Preservation Special Category grant that funds up to \$400,000. The restoration project can be phased over two to three years, and the city can seek funding for each phase. It was also noted that state funding has been cut back. The possibility of applying for a Preserve America designation was raised as well. It is believed that Dunedin is the only Preserve America community at this time. However, St. Petersburg just received its designation this time around last summer. It was suggested that Clearwater should try to obtain a Preserve America designation while it is working on the theater project. If Clearwater gets into the Preserve America program now – and going after the theater property would probably help the city qualify – Clearwater could be in the program if and when the theater transaction is completed. Commissioner Seel will pass the information on to Clearwater.

Vincent Luisi stated that the City Commission in Dunedin unanimously approved an historic layover for the community. Historic layover is another layer of preservation. It depends where the structure is and the purpose of the structure. The first historic layover will come with the Fenway Hotel property. That area will be rezoned as an historic district. The demolition option does not really apply where historic layover gives the benefits of restoring a building more than the demolition of it.

Marcel indicated that the City of Dunedin has been working on adopting an historic preservation ordinance, and it has been modeled on the county ordinance of 1992. Vincent Luisi said he actually has a copy of it and that it is going to be revised as well.

## **VIII. Adjournment**

Commissioner Seel adjourned the meeting at 2:10 p.m. The HPAB will meet in November. The Board will receive the consultant's report. The subcommittees will meet prior to the regular session of the Advisory Board.