



MEMORANDUM

Date: April 18, 2023

To: Honorable Mayor and Commissioners

Via: Albert P. Childress
City Manager

From: Katie P. Halloran
Planning Director

Subject: **Text Amendment to Demolition Ordinance of Chapter 102, Historic Preservation, of the Land Development Regulations. Second Reading.**

Introduction

The proposed text amendments to the Land Development Regulations are specific to reduce the time of review for requests for demolition of historic but non-contributing buildings and structures. Current regulations require two public meetings for the review of proposed demolition of all historic buildings and structures. The proposed text amendment will reduce from two readings to one reading projects including demolition for historic but not contributing buildings or structures. This memo is for the second reading consideration as the first reading was approved without any changes on Tuesday, April 4, 2023.

Background

The Land Development Regulations (LDR's) establish two categories of buildings and structures within the historic district, contributing and non-contributing. Contributing buildings and structures are the most significant buildings in the district. They contribute to the character of the historic district by sharing the same period of significance, architectural qualities or historic or cultural attributes. Those buildings and structures are considered worthy of preservation by the City Commission. Non-contributing buildings and structures contribute less to the character of the historic district as they are highly altered, irrevocably compromised by extreme deterioration, or are not part of the district's period of significance. The Code, under Chapter 102, defines historic building as "*any building or structure which in whole, or in any structural part, was built 50 or more years prior to the current date.*" Fifty years or more is the standard milestone used nationwide to define a historic building or structure. The period of significance of the Key West Historic District is from 1829 to 1945.

Demolition regulations of buildings and structures under the Historic Architectural Review Commission's (HARC) jurisdiction are codified under the LDR's. Among the regulations contributing and historic buildings and structures are reviewed under the same criteria and the review requires two readings. The demolition ordinance also includes a delayed effect date for any approved demolition.

During the past year the Historic Architectural Review Commission expressed concerns of the time their review process takes on projects that require the demolition of historic buildings or structures that have no architectural, historic, or cultural value to the historic district. Moreover, for projects requesting demolition the Commission, during the first reading, reviews infill and new replacement design proposals based on the regulations adopted in conformance to the U.S. Secretary of the Interior's Standards, as required by the State. If a new design does not meet HARC regulations, the demolition component of the application is not approved. The HARC finds that the requirement of two readings for projects proposing new design that replaces historic but non-contributing buildings and structures is onerous to the applicant and does not add any beneficial purpose to the review process. The Commission finds that current criteria to review demolition of historic buildings and structures and the delay effect date of approved demolitions are exceptional regulations to protect historic buildings under their jurisdiction.

Procurement

These proposed text amendments will have no fiscal impact.

Recommendation

Since there have been no changes to the Ordinance from the first reading to the second reading staff recommends the Mayor and Commission approve the second reading of the text amendment ordinance without any changes.

Respectfully submitted for your consideration.