

Mayor's Advisory Group:
Historic Preservation Ordinance

Historic Preservation Ordinances and Intent

Miami-Dade County
Chapter 16A: Historic Preservation

Sec. 16A-2. - Declaration of legislative intent.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of properties of historical, cultural, archeological, paleontological, aesthetic and architectural merit are in the interests of the health, prosperity and welfare of the people of Miami-Dade County. Therefore, this chapter is intended to:

- (1) Effect and accomplish the protection, enhancement and perpetuation of buildings, structures, improvements, landscape features, paleontological and archeological resources of sites and districts which represent distinctive elements of the County's cultural, social, economic, political, scientific, religious, prehistoric and architectural history;
- (2) Safeguard the County's historical, cultural, archeological, paleontological and architectural heritage, as embodied and reflected in such individual sites, districts and archeological zones;
- (3) Foster civic pride in the accomplishments of the past;
- (4) Protect and enhance the County's attraction to visitors and the support and stimulus to the economy thereby provided; and
- (5) Promote the use of individual sites and districts for the education, pleasure and welfare of the people of Miami-Dade County.

Miami City Code
Chapter 23: Historic Preservation

Sec. 23-1. Intent and purpose.

- (a) The intent of this chapter is to preserve and protect the heritage of the city through the identification, evaluation, rehabilitation, adaptive use, restoration, and public awareness of Miami's historic, architectural, and archeological resources. This chapter is further intended to:
- (1) Effect and accomplish the protection, enhancement, perpetuation, and use of structures, landscape features, archeological and paleontological resources, areas, neighborhoods, and scenic vistas which represent distinctive elements of the city's historic, cultural, archeological, paleontological, aesthetic, and architectural heritage.
 - (2) Foster civic pride in the accomplishments of the past.
 - (3) Protect and enhance the aesthetic and environmental character, diversity, and interest of neighborhoods.
 - (4) Stabilize and improve property values in neighborhoods and in the city as a whole.
 - (5) Protect and enhance the city's attraction to residents, tourists, and visitors and thereby serve as a support and stimulus to the economy.
 - (6) Promote the use of historic sites, historic districts, and archeological zones for the education, pleasure, and welfare of the people of the city.
- (b) The purpose of this chapter is to:
- (1) Provide the framework and legal mechanism for identifying and designating those properties that have major significance in the city's historic, cultural, archeological, paleontological, aesthetic, and architectural heritage.
 - (2) Assure that alterations and new construction within designated historic sites, historic districts, and archeological zones are compatible with the property's historic character.
 - (3) Pursuant to section 16A-3(2)(c) of the Code of Miami-Dade County, Florida, the City of Miami expressly reserves and retains jurisdiction over archeological zones and sites within the city.

Miami Beach, Chapter 118: Administration and Review Procedures

ARTICLE X. - HISTORIC PRESERVATION

DIVISION 1. - GENERALLY

Sec. 118-501. - Intent.

It is hereby declared by the city commission that the preservation and conservation of properties of historical, architectural and archeological merit in the city is a public policy of the city and is in the interest of the city's future prosperity.

Sec. 118-502. - Purpose.

The general purpose of these regulations is to protect and encourage the revitalization of sites and districts within the city having special historic, architectural or archeological value to the public. This general purpose is reflected in the following specific goals:

- (1) The identification of historic sites and districts;
- (2) The protection of such historic sites and districts to combat urban blight, promote tourism, foster civic pride, and maintain physical evidence of the city's heritage;
- (3) The encouragement and promotion of restoration, preservation, rehabilitation and reuse of historic sites and districts by providing technical assistance, investment incentives, and facilitating the development review process;
- (4) The promotion of excellence in urban design by assuring the compatibility of restored, rehabilitated or replaced structures within designated historic districts; and
- (5) The protection of all existing buildings and structures in the city's designated historic districts or on designated historic sites from unlawful demolition, demolition by neglect and the failure of property owners to maintain and preserve the structures.

Coral Gables, Zoning Code, Article 2: Decision Making and Administrative Bodies
Division 5. Historic Preservation Board

Section 2-501. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Historic Preservation Board is created to preserve, protect and harmonize new development with the historic resources that serve as visible reminders of the history and cultural heritage of the City, state or nation. In addition to any power or duty delegated by the City Commission or the City Manager, the Historic Preservation Board shall have the following powers and duties:

- Designation of Historic Landmarks and Historic Districts
- Review of development applications affecting historic resources; Special Certificates of Appropriateness (including variances)
- Delegate to the Historic Preservation Officer the authority to grant Standard Certificate of Appropriateness and other appropriate duties
- Participation in national register program
- Enforcement of maintenance and repairs provisions
- Unsafe structures
- Recommend to the City Commission concerning the transfer of development rights, facade easements and the imposition of other restrictions, and the negotiations of historical property contracts for the purposes of historic preservation
- Increase public awareness of the value of historic conservation by developing and participating in public information programs
- Make recommendations to the City Commission concerning the utilization of grants from federal and state agencies or private groups and individuals, and utilization of City funds to promote the preservation of archaeologically, historically and aesthetically significant sites, districts and zones
- Evaluate and comment upon decisions of other public agencies affecting the physical development and appearance of archaeologically, historically and aesthetically significant sites, districts and zones
- Contact public and private organizations and individuals and endeavor to arrange intervening agreements to ensure preservation of archaeologically, historically or aesthetically significant sites, districts and zones for which demolition or destruction is proposed
- In the name of the City and with the approval of the City Commission, apply for, solicit, receive, or expend any federal, state, or private grant, gift, or bequest of any funding, property, or interest in property in furtherance of the purposes of historical, archaeological, and heritage conservation
- Recommend approval of historic markers and plaques and give recognition to designated historic landmarks and historic landmark districts within the City
- Advise the City Commission on all matters related to the use, administration and maintenance of City-owned designated historic landmarks and historic landmark districts

City of New York, Title 25 - Land Use
Chapter 3 – Landmarks Preservation and Historic Districts

§ 25-301 Purpose and declaration of public policy.

- a. The council finds that many improvements, as herein defined, and landscape features, as herein defined, having a special character or a special historical or aesthetic interest or value and many improvements representing the finest architectural products of distinct periods in the history of the city, have been uprooted, notwithstanding the feasibility of preserving and continuing the use of such improvements and landscape features, and without adequate consideration of the irreplaceable loss to the people of the city of the aesthetic, cultural and historic values represented by such improvements and landscape features. In addition, distinct areas may be similarly uprooted or may have their distinctiveness destroyed, although the preservation thereof may be both feasible and desirable. It is the sense of the council that the standing of this city as a worldwide tourist center and world capital of business, culture and government cannot be maintained or enhanced by disregarding the historical and architectural heritage of the city and by countenancing the destruction of such cultural assets.
- b. It is hereby declared as a matter of public policy that the protection, enhancement, perpetuation and use of improvements and landscape features of special character or special historical or aesthetic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people.

The purpose of this chapter is to

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and landscape features and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- (b) Safeguard the city's historic, aesthetic and cultural heritage, as embodied and reflected in such improvements, landscape features and districts;
- (c) Stabilize and improve property values in such districts;
- (d) Foster civic pride in the beauty and noble accomplishments of the past;
- (e) Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- (f) Strengthen the economy of the city; and
- (g) Promote the use of historic districts, landmarks, interior landmarks and scenic landmarks for the education, pleasure and welfare of the people of the city.

City of Philadelphia, Chapter 14: Zoning & Planning

100. GENERAL PROVISIONS

101. Purpose.

The provisions of the Zoning Code are designed to achieve the following goals. With these goals in mind, the members of the Zoning Code Commission intend for this to be a living document that will propel the City of Philadelphia to a higher quality of life.

- (1) Promote sound planning principles by:
 - (a) Protecting the access of each property to adequate light, air, street frontage, and other public amenities;
 - (b) Promoting adjacencies of appropriate uses and conversely, discouraging or disallowing adjacencies of uses that should be separated;
 - (c) Protecting the desirable characteristics of the City's neighborhoods;
 - (d) Preserving and enhancing the public realm, including the streetscape and the pedestrian environment;
 - (e) Promoting and maintaining a balanced mix of housing choices; and
 - (f) Encouraging development that is consistent with the goals and objectives of the City's Comprehensive Plan.
- (2) Promote sustainable and environmentally responsible practices by:
 - (a) Encouraging development around nodes of mass transit;
 - (b) Supporting the City's sustainability goals to reduce vehicle miles traveled, encourage renewable energy and energy conservation, encourage water conservation, allow urban food production, promote walking and community health, and allow the City to operate more efficiently; and
 - (c) Restoring and conserving the City's natural and historic resources.
- (3) Promote growth and economic development by:
 - (a) Encouraging revitalization of deteriorated and/or vacant properties;
 - (b) Establishing opportunities to locate appropriate businesses near a base of employees and locate services with ready access to residents; and (c) Removing barriers to enable responsible development to proceed 'as of right.'
- (4) Promote fair and consistent procedures for its use by:
 - (a) Establishing a single city-wide process in which projects that require relief from the rules of Zoning Code, or projects deemed to have high impact on their surrounding community, benefit from organized community input offered in a timely manner;
 - (b) Presenting this code in well-organized hard copy and digital formats, with text written in plain English and easily read charts and illustrations; and
 - (c) Developing appropriate supporting regulations in the City agencies that administer this document.

San Francisco, Planning Code
Article 10 – Preservation of Historical, Architectural, and Aesthetic Landmarks

§ 1001.

PURPOSES

It is hereby found that structures, sites and areas of special character or special historical, architectural or aesthetic interest or value have been and continue to be unnecessarily destroyed or impaired, despite the feasibility of preserving them. It is further found that the prevention of such needless destruction and impairment is essential to the health, safety and general welfare of the public. The purpose of this legislation is to promote the health, safety and general welfare of the public through:

- a. The protection, enhancement, perpetuation and use of structures, sites and areas that are reminders of past eras, events and persons important in local, State or national history, or which provide significant examples of architectural styles of the past or are landmarks in the history of architecture, or which are unique and irreplaceable assets to the City and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived;
- b. The development and maintenance of appropriate settings and environment for such structures, and in such sites and areas;
- c. The enhancement of property values, the stabilization of neighborhoods and areas of the City, the increase of economic and financial benefits to the City and its inhabitants, and the promotion of tourist trade and interest;
- d. The preservation and encouragement of a City of varied architectural styles, reflecting the distinct phases of its history: cultural, social, economic, political and architectural and
- e. The enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs, by fostering knowledge of the living heritage of the past.

Chicago Landmarks Ordinance

Title 2, Chapter 120, Article XVII: Commission on Chicago Landmarks

[Purpose and Duties]

It is hereby declared necessary for the general welfare of the citizens of the City of Chicago as an exercise of the home rule authority of the City of Chicago under Article VII, Section 6, of the Illinois Constitution, to protect and encourage the continued utilization of areas, districts, places, buildings, structures, works of art, and other similar objects within the City of Chicago eligible for designation by ordinance as "Chicago Landmarks." The purpose of these sections is the following:

1. To identify, preserve, protect, enhance, and encourage continued utilization and the rehabilitation of such areas, districts, places, buildings, structures, works of art, and other objects having a special historical, community, architectural, or aesthetic interest or value to the City of Chicago and its citizens;
2. To safeguard the City of Chicago's historic and cultural heritage, as embodied and reflected in such areas, districts, places, buildings, structures, works of art, and other objects determined eligible for designation by ordinance as "Chicago Landmarks";
3. To preserve the character and vitality of the neighborhoods and Central Area, to promote economic development through rehabilitation, and to conserve and improve the property tax base of Chicago;
4. To foster civic pride in the beauty and noble accomplishments of the past as represented in such "Chicago Landmarks";
5. To protect and enhance the attractiveness of the City of Chicago to homeowners, home buyers, tourists, visitors, businesses, and shoppers, and thereby to support and promote business, commerce, industry, and tourism and to provide economic benefit to the City of Chicago;
6. To foster and encourage preservation, restoration, and rehabilitation of areas, districts, places, buildings, structures, works of art, and other objects, including districts and neighborhoods, and thereby prevent urban blight and in some cases reverse current urban deterioration.
7. To foster the education, pleasure, and welfare of the people of the City of Chicago through the designation of "Chicago Landmarks";
8. To encourage orderly and efficient development that recognizes the special value to the City of Chicago of the protection of areas, districts, places, buildings, structures, works of art, and other objects designated as "Chicago Landmarks";
9. To encourage the continuation of surveys and studies of Chicago's historical and architectural resources and the maintenance and updating of a register of areas, districts, places, buildings, structures, works of art, and other objects which may be worthy of landmark designation; and
10. To encourage public participation in identifying and preserving historical and architectural resources through public hearings on proposed designations, building permits, and economic hardship variations.