

FLORIDA'S HISTORIC PRESERVATION

TOOLKIT

A guide for protecting our state's historic places

UNDERSTANDING THE HISTORIC PRESERVATION FRAMEWORK



This project has been funded in part by a grant from the Florida Fund and the Southern Intervention Fund of the National Trust for Historic Preservation.



Florida Trust for Historic Preservation

The Florida Trust for Historic Preservation is the statewide nonprofit dedicated to protecting Florida's extraordinary history and heritage, and sharing the inclusive and diverse stories of those who came before us. The Florida Trust is a 501(c)(3) charitable nonprofit organization, funded through public support and our members. Founded in 1978, the Florida Trust has collaborated to save irreplaceable Florida treasures like the Historic Florida Capitol and is a statewide partner of the National Trust for Historic Preservation.



National Trust for Historic Preservation

The National Trust for Historic Preservation is a private, non-profit organization dedicated to protecting significant places representing our diverse cultural experiences by taking direct action and inspiring broad public support. For decades, the National Trust has been committed to the goal of ensuring that the full American story is represented in the places we save. As the leading advocate for the protection of significant places and cultural landscapes, we help Americans protect and reuse irreplaceable historic resources; model best practices in stewardship and interpretation through our network of National Trust Historic Sites; and promote investment in historic urban neighborhoods and Main Streets to build stronger communities.

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UNDERSTANDING THE HISTORIC PRESERVATION FRAMEWORK

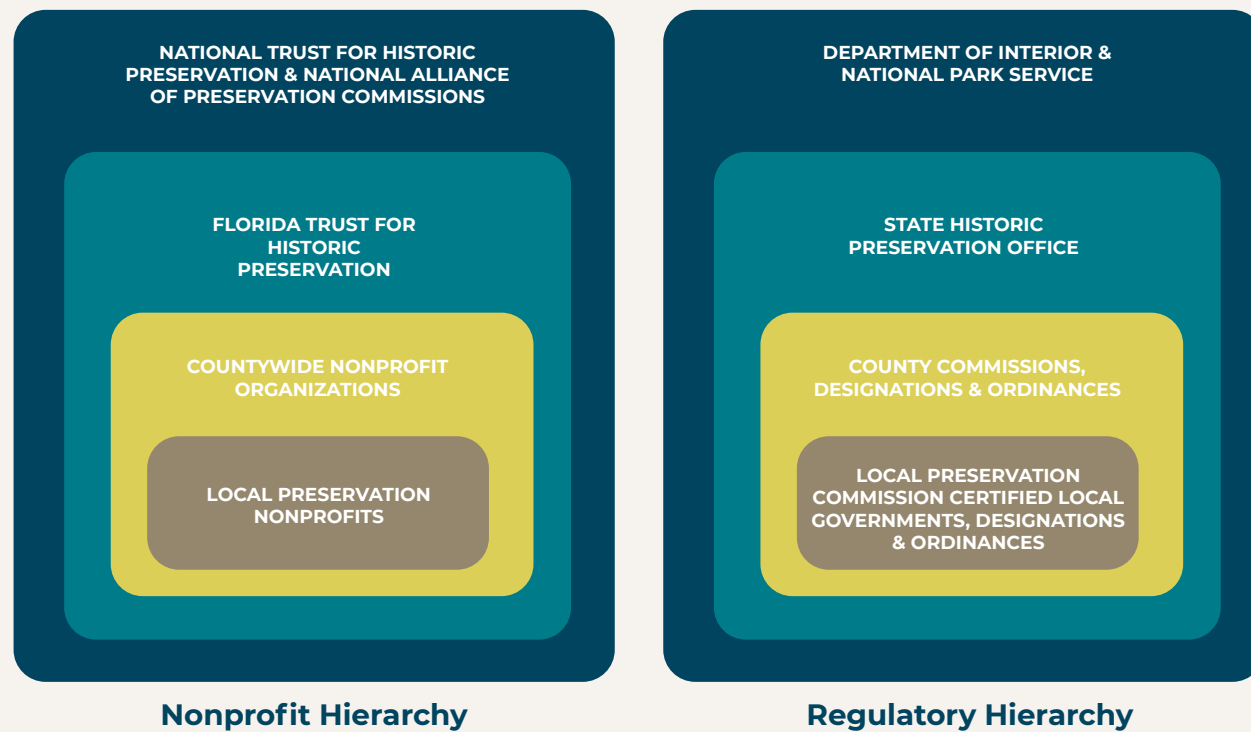
In this section, you'll find:

- Federal Historic Preservation Framework
- State Historic Preservation Framework
- Local Historic Preservation Framework
- Understanding Local Historic Designations
- Historic Cemeteries

UNDERSTANDING THE HISTORIC PRESERVATION FRAMEWORK IN THE UNITED STATES

Most of historic preservation happens locally, but it is helpful to understand how the work you are doing fits into the local, state and federal levels.

Historic Preservation Organizational Chart



It is helpful when getting started with historic preservation to understand how the regulatory infrastructure, providing rules and regulations, works along side, but separate from, nonprofit organizations.

Federal Historic Preservation Framework

Historic preservation and cultural resource protection is addressed at the federal level through the National Historic Preservation Act, the Antiquities Act of 1906, the National Environmental Policy Act, the Archaeological Resources Protection Act, the Native American Graves Protection and Repatriation Act and the Abandoned Shipwreck Act.

The National Historic Preservation Act of 1966 created:

- National Register of Historic Places
- Advisory Council on Historic Preservation
- State Historic Preservation Officers
- Certified Local Government Program
- Section 106: Review of Federal Undertakings

NHPA is important because it provides guardrails, processes and tools for preservation at the federal level. We will highlight those tools you may use most often, but additional information is available in the Resources section of the toolkit.



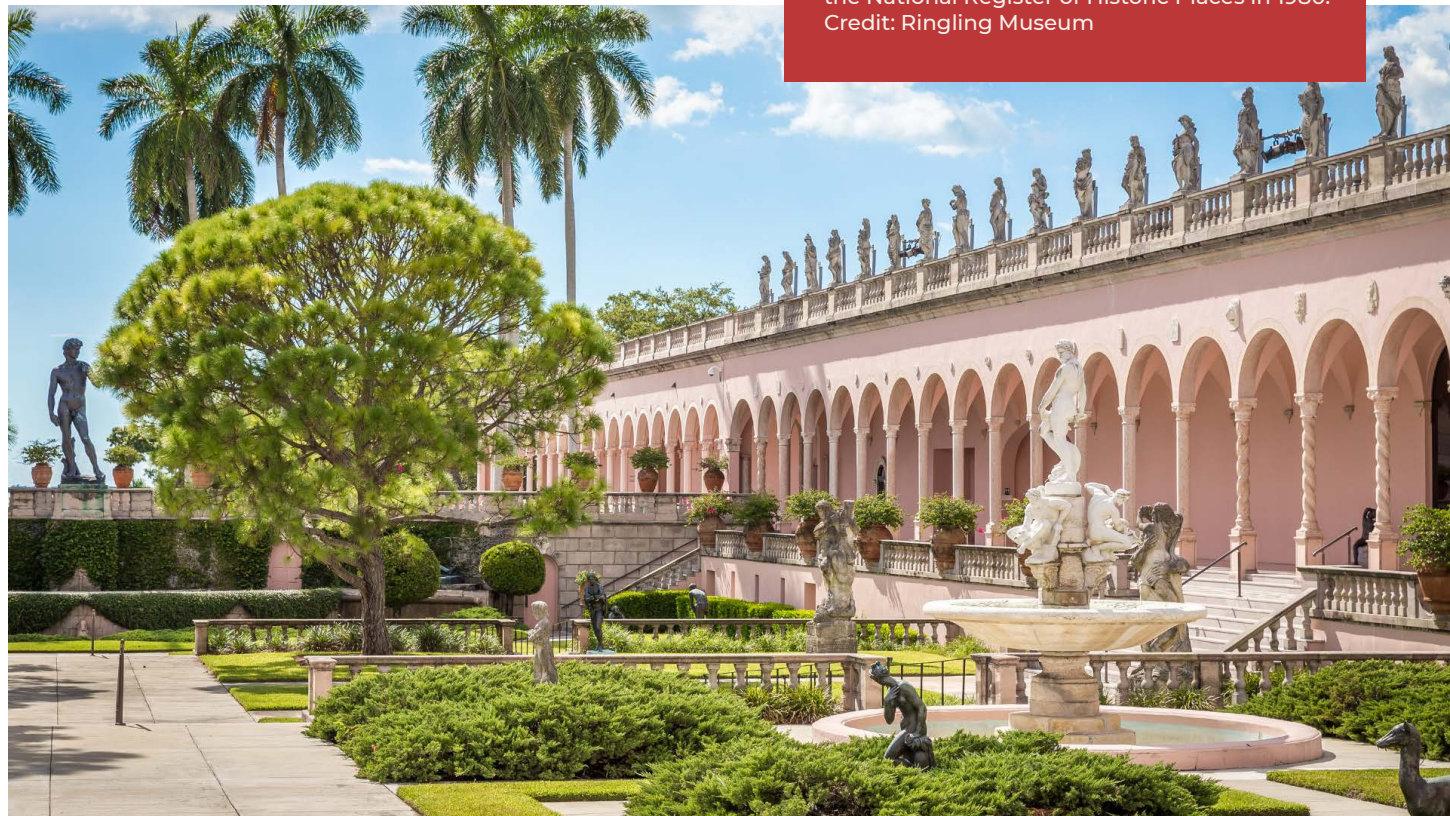
National Register of Historic Places

The National Register of Historic Places is the country's official list of historic places worthy of preservation and recognition. Districts, sites, buildings, structures and objects that are significant are found on the National Register. These places may be important for history, architecture, archaeology, engineering or culture. As a general rule of thumb, the National Register typically includes properties 50 years and older.

The National Register does not place any restrictions on a property. It is an honorary designation. Standards of significance and integrity are utilized in making determinations about property eligibility for the National Register. There is a movement in the preservation profession to have more diverse sites included. Only approximately 8% of sites on the National Register are associated with women or racial and ethnic minorities.

Properties on the National Register may be eligible for certain incentives like eligibility for grants or federal tax credits. The first step in seeking a National Register nomination is to work with the Florida Division of Historical Resources.

The Ringling family began construction on their estate in Sarasota in 1911. It was placed on the National Register of Historic Places in 1980. Credit: Ringling Museum



PRO TIP

How do I know if my property is listed on the National Register?

To find out if your property is listed on the National Register of Historic Places, you can follow these steps:

National Register Database:

Visit the official website of the National Park Service, which maintains the National Register of Historic Places database. The website is www.nps.gov/subjects/nationalregister/index.htm. Select “National Register Database and Research” to access their information on National Register properties.

Florida State Historic Preservation Office:

Each state has a State Historic Preservation Office that maintains information about properties listed on the National Register within that state. You can contact Florida's SHPO for help. Email nationalregister@dos.myflorida.com or call 850.245.6300.

Local Historic Preservation Office:

Some cities and counties have their own historic preservation offices. Check with your local government to see if they maintain a list of historic properties and to find out if you have a local historic preservation board and when they meet.

Consult Historical Societies or Libraries:

Local historical societies or libraries may have information about historic properties in the area. They might have access to resources that can help you determine if your property is listed.

Professional Help:

If you're having trouble finding the information on your own, consider hiring a historian, preservation consultant or a professional specializing in historic properties. They may have access to additional resources and can assist you in the research process.

Section 106 Review

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of an “undertaking” on any district, site, building, structure or object that is included in or eligible for inclusion in the National Register. The definition of an “undertaking” is very broad. An example of Section 106 review would be roadways projects that involve the use of federal money. Outside parties are allowed to comment on the federal plans related to the historic structure or site. Having historic places documented is very important so that when a federal project occurs in an area, federal and state officials know there are historic resources there.



The Eastside neighborhood in Jacksonville is one of Florida's newest additions to the National Register. It was listed in July 2023 and is the largest African American neighborhood in Florida on the National Register. Credit: Ennis Davis



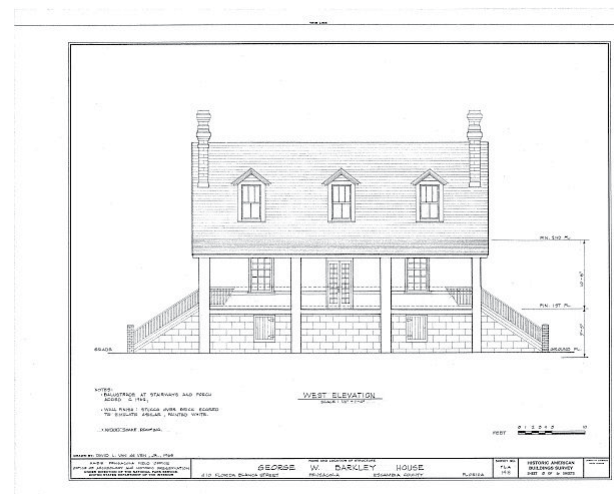
The Cape Florida Lighthouse in Key Biscayne dates to 1825 and is one of the oldest structures in South Florida. It was added to the National Register of Historic Places in 1970. Credit: Adrienne Burke

Secretary of the Interior's Standards

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of an “undertaking” on any district, site, building, structure or object that is included in or eligible for inclusion in the National Register. The definition of an “undertaking” is very broad. An example of Section 106 review would be roadways projects that involve the use of federal money. Outside parties are allowed to comment on the federal plans related to the historic structure or site. Having historic places documented is very important so that when a federal project occurs in an area, federal and state officials know there are historic resources there.

Historic American Buildings Survey

The Historic American Buildings Survey (HABS) is a federal program that documents and preserves historic architecture. It is one of the oldest federal preservation efforts that was started in 1933 as part of New Deal initiatives. The main purpose of HABS is to create an archive of measured drawings, photographs and written documentation of historic buildings and structures in the United States. Additional federal documentation efforts include the Historic American Engineering Record (HAER) and the Historic American Landscapes Survey (HALS).



The HABS Survey drawings of the Barkley House on South Florida Blanca Street in Pensacola. Credit: Library of Congress

Tribal Historic Preservation Framework

The Tribal Historic Preservation framework in the United States is a set of guidelines that help Tribes identify, protect and preserve their cultural resources. The framework was developed in consultation with Indigenous leaders and experts, and it is based on the principles of Tribal sovereignty and self-determination. The framework includes a number of different components, such as:

- Identifying and inventorying Tribal cultural resources, such as historic buildings and sites, sacred sites, traditional cultural landscapes and oral histories and traditions
- Developing and implementing Tribal preservation plans
- Training Tribal members in historic preservation
- Promoting public awareness of Tribal cultural resources

Tribal Historic Preservation Officers (THPOs) are appointed by federally-recognized Tribes to oversee the preservation of their cultural resources. They work with the National Park Service and other federal, state and local agencies to identify, protect and preserve Tribal cultural resources. THPOs also work to educate the public about Tribal culture and history.

The role of a THPO is to:

- Identify and inventory Tribal cultural resources
- Develop and implement Tribal preservation plans
- Train Tribal members in historic preservation
- Promote public awareness of Tribal cultural resources

In Florida, there are two Tribal Historic Preservation Officers for the Seminole Tribe and the Miccosukee Tribe. The Seminole THPO is based at the Big Cypress Seminole Reservation in Clewiston. One of the programs of the THPO is maintaining the Seminole Tribal Register of Historic Places. The Seminole Tribal Register is similar to the National Register of Historic Places, but is designed to highlight Seminole sites in particular.



Seminole tribe leaders describing the first Seminole village, Chocochatti. Credit: Seminole Tribe of Florida



Members of the Seminole THPO and Ah Tah Ti Ki Museum with members of the SHPO staff and Florida Trust for Historic Preservation. Credit: Florida Trust



SHPO, Alissa Slade Lotane with Melissa Wyllie, CEO of The Florida Trust of Historic Preservation and Katherine Beck, Coordinator of Florida Main Street. Credit: Mark Krancer

State Historic Preservation Framework

All 50 states have adopted historic preservation laws. They are overseen by **State (or Tribal) Historic Preservation Officers**, a framework created under the National Historic Preservation Act of 1966.

In Florida, historic and cultural resources are protected through Ch.267, Florida Statutes. Our SHPO is the Florida Division of Historical Resources. The Florida Division of Historical Resources oversees the nomination process for National Register sites in the state, administers grant programs, the Certified Local Government program, the Florida Master Site File and the state historic marker program, in addition to other responsibilities.

“Your State Historic Preservation Officer is the appointed official in each of 59 states, territories and the District of Columbia who is responsible for helping to save the places that matter. Whether it is guiding citizens through the process of listing important historic resources or neighborhoods on the National Register of Historic Places, or considering the impact of large renewable energy projects on historic landscapes or archeological sites, your SHPO is your partner in preservation.”

- National Park Service



South Beach, on Miami Beach, is one of Florida's iconic historic communities. The collection of art deco buildings in Miami Beach's Art Deco Historic District were built between 1923 and 1943 and is among the first 20th century neighborhood listed on the National Register of Historic Places. Photo credit Melissa Wyllie

Florida State Preservation Plan

Every five years, the Florida Division of Historical Resources revises the Florida Statewide Comprehensive Historic Preservation Plan. This plan provides priorities for historic preservation at the state level. Goals and recommendations are included in the plan. The document also provides information on state efforts to protect historic and cultural resources.

“The Florida Master Site File is administered by the Bureau of Historic Preservation, Division of Historical Resources, under the Florida Department of State. The Site File is a clearing house for information regarding Florida’s archaeological sites, historical structures and the field survey of archaeological and historical sites. The Site File is the first place anyone will look for information on historic sites, including cemeteries. If a site is not recorded in the Site File, protection is more difficult, simply because there is a lack of basic knowledge and lots of opportunity for confusion. Although the Site File manages information on historic properties of all types, inclusion in the Site File offers no special protection or legal status for a site.”

- Florida Division of Historical Resources

Florida Master Site File

The Florida Master Site File is an official inventory of documented historic and cultural resources. Resources listed on the Site File include archaeological sites, historic structures, historic cemeteries, historic bridges, historic districts, landscapes and linear features. There are over 200,000 cultural resources included on the Site File.

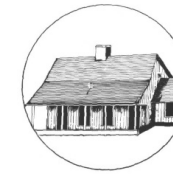
This is a very important resource for protecting historic resources. As noted, when a historic site is not documented, it is more at risk and there is less information available. Having sites on this list is a great first step in helping a historic site. Staff at the Florida Master Site File can assist you in finding out if a building or site is already included or not.

Anyone can submit a Florida Master Site File form. There is no cost to submit a form. Being listed on the Master Site File does not apply any rules or regulations to a property. Forms can be updated when more information becomes available.

Like statistics about the National Register of Historic Places, sites associated with women and historically excluded communities are underrepresented on the Florida Master Site File. Having more sites associated with these communities documented on the Florida Master Site File is needed.

Page 1

Original
 Update



HISTORICAL STRUCTURE FORM FLORIDA MASTER SITE FILE Version 5.0 3/19

Clear Form Values

Site#8 **LE00185**
Field Date 11-1-2015
Form Date 11-4-2015
Recorder #

Shaded Fields represent the minimum acceptable level of documentation. Consult the *Guide to Historical Structure Forms* for detailed instructions.

Site Name(s) (address if none) Florida Historic Capitol Multiple Listing (DHR only) _____
Survey Project Name _____ Survey # (DHR only) _____
National Register Category (please check one) building structure district site object
Ownership: private-profit private-nonprofit private-individual private-nonspecific city county state federal Native American foreign unknown

LOCATION & MAPPING

Clear Location Values

Street Number 400 Direction S Street Name Monroe St Street Type _____ Suffix Direction _____
Address: _____
Cross Streets (nearest / between) Between Monroe St. & Duval St. Intersecting E Mad
USGS 7.5 Map Name TALLAHASSEE USGS Date _____ Plat or Other Map Florida Capitol Ground
City / Town (within 3 miles) Tallahassee In City Limits? yes no unknown County Leon
Township 1N Range 1W Section 36 ¼ section: NW SW SE NE Irregular-name: _____
Tax Parcel # 2136251531450 Landgrant Public land
Subdivision Name Original Plan Block _____ Lot A
UTM Coordinates: Zone 16 17 Easting 30438081 Northing 282074
Other Coordinates: X: 30.438081 Y: -84.282074 Coordinate System & Datum _____
Name of Public Tract (e.g., park) Florida Capitol

HISTORY

Clear History Values

Construction Year: 1845 approximately year listed or earlier year listed or later
Original Use Government Offices From (year): 1845 To (year): 1876
Current Use Art gallery/Museum/Planetarium From (year): 1976 To (year): now
Other Use _____ From (year): _____ To (year): _____
Moves: yes no unknown Date: _____ Original address _____
Alterations: yes no unknown Date: 1-1-1902 Nature Addition of Classical style Dome
Additions: yes no unknown Date: 1-1-1976 Nature Commission of new Capitol
Architect (last name first): Frank Milburn Builder (last name first): _____
Ownership History (especially original owner, dates, profession, etc.)
State owned public property

Is the Resource Affected by a Local Preservation Ordinance? yes no unknown Describe _____

DESCRIPTION

Clear Description Values

Style Classical Revival Exterior Plan Rectangular Number of Stories 3
Exterior Fabric(s) 1. Artif masonry veneer 2. Concrete 3. Stone
Roof Type(s) 1. Dome 2. Built-up 3. Pyramid
Roof Material(s) 1. Flat tile 2. Tile unspecified 3. Unspecified
Roof secondary strucs. (dormers etc.) 1. Cupola 2. Dome
Windows (types, materials, etc.)
The windows, are evenly spaced in a symmetrical fashion fit with a 2/2 pane style and represent an Italianate, second empire Gothic revival. Bracketed
Distinguishing Architectural Features (exterior or interior ornaments)
Florida Seal in Center of Pediment over the entry columns. Cooper roof for renovation of dome added and completed in 2012
Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.)
two Sabal Palmetto trees evenly spaced leading up to porch entrance. Symbolic of state tree of Florida

DHR USE ONLY	OFFICIAL EVALUATION	DHR USE ONLY
NR List Date <u>5-7-1973</u>	SHPO – Appears to meet criteria for NR listing: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> insufficient info Date _____ Init. _____ KEEPER – Determined eligible: <input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> Clear Check Boxes Date _____	
<input type="checkbox"/> Owner Objection	NR Criteria for Evaluation: <input type="checkbox"/> a <input type="checkbox"/> b <input type="checkbox"/> c <input type="checkbox"/> d (see <i>National Register Bulletin 15</i> , p. 2)	

HR6E046R0319, effective 05/2016
Rule 1A-46.001, F.A.C.

Florida Master Site File / Div. of Historical Resources / R. A. Gray Bldg / 500 S Bronough St., Tallahassee, FL 32399-0250
Phone 850.245.6440 / Fax 850.245.6439 / E-mail SiteFile@dos.myflorida.com

Example of a completed Florida Master Site File form.

PRO TIP

How do I know if my property is included on the Florida Master Site File? Can I get a copy?

To find out if your property is listed on the Florida Master Site File and get a copy, you can follow these steps:

Florida State Historic Preservation Office:

You can contact the Florida Master Site File section at the Florida SHPO's office for help. Their email is sitefile@dos.myflorida.com or you can call them at 850.245.6440. They will need your address and name of your city and county.

Local Historic Preservation Office:

Some cities and counties have their own historic preservation offices. Check with your local government to see if they maintain a list of local properties on the Florida Master Site File. They may also be able to assist you with contacting the Florida SHPO.

Certified Local Governments

Certified Local Government programs are where federal, state and local historic preservation laws meet. This is a federal program for local governments that is managed by the state, that then requires local governments to have a preservation ordinance in order to participate. Being a part of this program enables communities to have access to certain grant funds and technical assistance.

Local Historic Preservation Framework

Historic preservation is the most important at the local level because this is where historic places and sites can be legally protected from change or demolition. This is done through policies adopted by a local government. This is done as a historic preservation ordinance.

Historic Preservation Ordinances

In 1978, the United States Supreme Court held that historic preservation is a "permissible governmental goal" and a historic preservation ordinance is an "appropriate means" to accomplishing that goal. This case was called *Penn Central Transportation Company v. City of New York*. This case is the foundation for local governments to be able to regulate historic resources.

Historic preservation ordinances vary from state to state based on requirements in state law. In Florida, there is not a state law about local historic preservation ordinances. Communities have flexibility to adopt an ordinance that makes sense for their community.

Historic preservation ordinances have processes for creating local historic districts, designating individual properties as historic sites and outlining how property owners

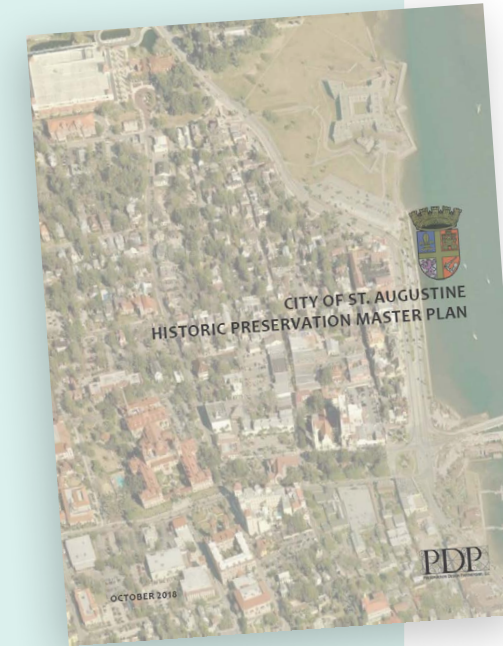
apply to make changes to their properties. Ordinances create a review board of people who review applications from property owners who want to make changes to their properties. Preservation ordinances spell out what these boards can and cannot do. The ordinances spell out any architectural design review criteria and meeting procedures. Preservation ordinances may also include archaeological resources.

Local historic districts are created through local historic preservation ordinances. Local historic districts are not the same as National Register of Historic Places historic districts. Local districts can regulate changes to properties and demolition of properties. National Register Historic Districts do not have any such protection.

DeLand is a National Register Historic District, a Florida Main Street and a Florida Certified Local Government. Photo Credit: Florida Trust



The Florida Trust House in Tallahassee is in a National Register Historic District. Photo Credit: David Salay



One of the biggest pieces of preservation planning is working with people in the community. Working on a preservation plan is a collaborative opportunity for the community to work together. The community provides input that directs and aids in identifying priorities. It is a chance for the community to have a voice in planning and policy processes. Involving a broad cross-section of the community is essential to understanding the perspectives, priorities and motivations of all participating members of the community.

St. Augustine completed a historic preservation master plan in 2018. Credit: City of St. Augustine

PRO TIP

How can I find out if my community has a local historic preservation ordinance or a preservation plan?

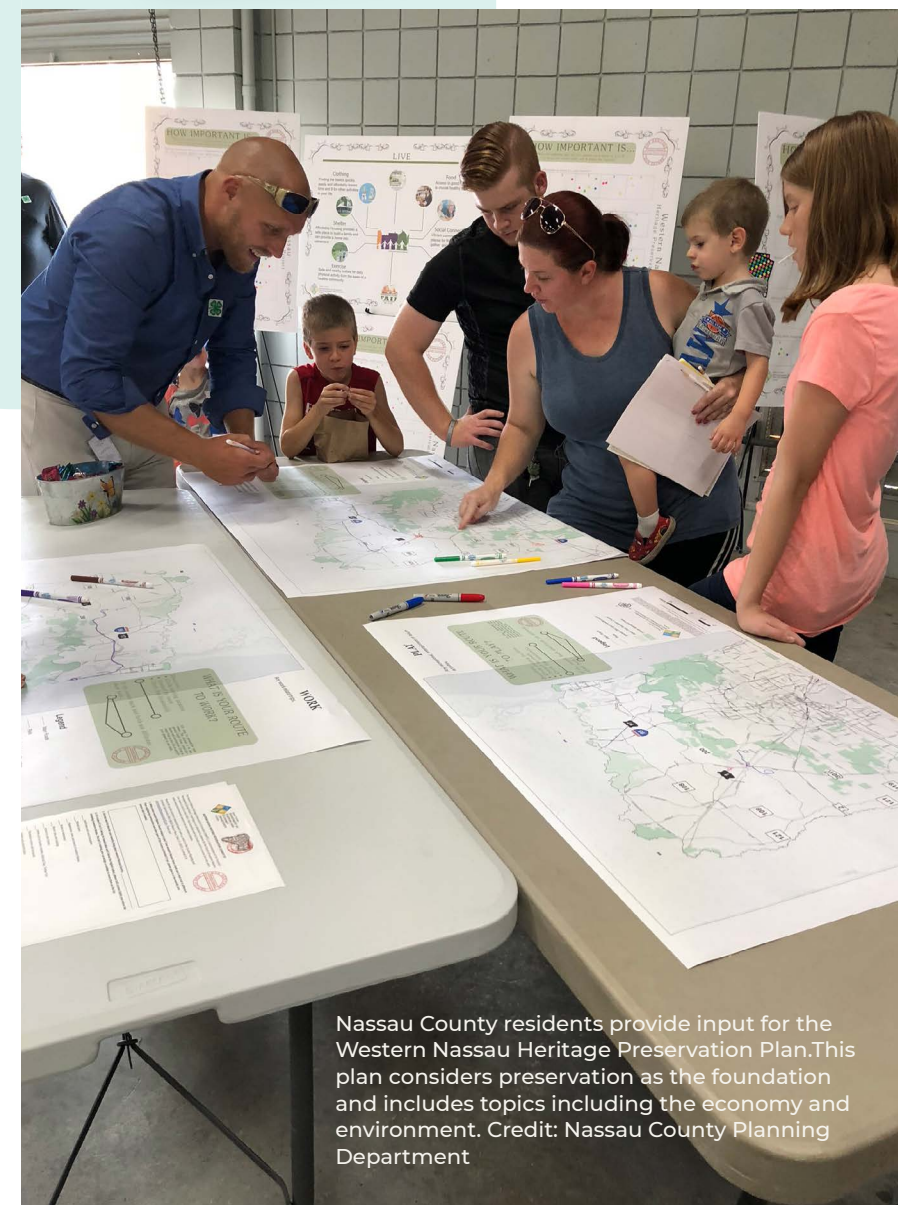
Often, documents like this live on local government websites. Try finding the information on the website for the local government's planning office. Sometimes these departments have different names, like development services or community development. If your city does not have a separate planning department, you could check with the City Clerk or Manager's offices. You may also want to see if the county where you live has any plans, and can try contacting their planning department. If documents are not online, the next best step is to call or email the offices.

Historic Preservation Planning

Historic preservation planning is another local process that can help prioritize protection of historic resources in a community. A preservation plan can communicate, organize, plan and strengthen preservation efforts. Preservation planning is a process that can:

- Organize preservation activities
- Identify vision, goals and priorities
- Provide proactive way to address historic and cultural resources and community character
- Serve as a basis for development of a preservation program
- Strengthen existing preservation programs
- Help resolve policy conflicts between competing land-use goals by prioritizing historic or cultural resources

Preservation plans can vary by type. These plans might be a standalone document, part of another plan, general to an entire city or town, specific to a neighborhood or area, for a specific historic site, or for a cultural landscape. Preservation plans should connect historic preservation with other larger planning issues in a community such as housing, resilience and sustainability, land conservation, equity and inclusion, economic development and arts and culture.



Nassau County residents provide input for the Western Nassau Heritage Preservation Plan. This plan considers preservation as the foundation and includes topics including the economy and environment. Credit: Nassau County Planning Department

UNDERSTANDING LOCAL HISTORIC DESIGNATIONS

A historically designated landmark is a building, structure, object or site that is considered to be historically significant based on criteria in the local historic preservation ordinance. There are many reasons why a building or structure might be designated as a historic landmark. It could be because of its architectural significance, its association with a famous person or event, or its importance in the history of a particular community or region.

Properties may be designated by themselves as an individual landmark, or included as part of a historic district. A historic district is a collection of properties that are designated together.

Historic districts are usually adopted by a local government as a zoning overlay. Other types of zoning overlays, like conservation districts, are an option for preservation as well. These districts tend to focus less on architecture. Conservation districts may protect the size of buildings or lots, the height of buildings or other features a community determines to be important.



The Liberty City Elks Lodge in Miami is one of the last active Black Elks lodges in Miami-Dade County. It was designated as a local historic site in 2021. Credit: Adrienne Burke



Peck High School in Fernandina Beach is an individually listed local historic site, designated in 2010. Peck High is the historically African American school in Fernandina and is a Rosenwald school. Credit: Ennis Davis

What It Means to Be in a Historic District

As a property owner in a historic district, you are a steward for your community's history. Most commonly, owning property in a historic district means that you are responsible for maintaining the property in a certain way. This means following local preservation regulations, which vary by community. This may include things like keeping the exterior of the property in its original condition, making sure that any renovations are done in a historically accurate way and obtaining permission from the district's historic preservation board before making any changes to the property.

There are many benefits to owning property in a historic district. Historic districts can add value to your property, attract tourists and businesses and provide a sense of community. However, there are also some restrictions that come with owning property in a historic district. If you are considering buying property in a historic district, be sure to do your research and understand the benefits and rules involved.

PRO TIP

How do I know if my property is in a historic district or is designated as a local landmark? What rules do I have to follow?

To find out if your property is individually landmarked or located within a local historic district, you can take the following steps:

Check with Local Government Offices:

Contact your local city or county planning department or historic preservation office. They are likely to have information about local historic districts and can guide you on how to find out if your property is in one. They are the official keeper of this information, so rely on their information as a primary source. You can find their contact information on the official website of your city or county government.

Visit the Local Planning Department:

If possible, visit the local planning department in person. Staff there can assist you in checking records and maps to determine whether your property is designated or in a historic district.

Review Zoning Maps and Online Resources:

Many municipalities maintain zoning maps that designate areas with different zoning regulations, including historic districts. You can often find these maps online on the official website of your local government or by visiting the planning department in person.

Consult Historic Preservation Board:

Some areas have a Historic Preservation Board or a similar body responsible for overseeing historic districts. Contacting this commission can provide you with information about the boundaries of the district and whether your property falls within it.

Check Property Deeds and Titles:

Review your property deeds and titles. Sometimes, historic district information is included in these documents. However, this might not always be the case, and it's advisable to cross-check with local government records.

Speak with Neighbors:

Your neighbors might have information about local historic districts, especially if they have been in the neighborhood for a long time. They may be able to provide insights or direct you to the right resources.

Remember that being in a local historic district can come with specific regulations and guidelines for property modifications and renovations. If your property is within a historic district, you may need to comply with certain preservation standards. It's important to be aware of these regulations before making any changes to your property. Always contact your local government office for information on what rules apply.

Local Design Guidelines

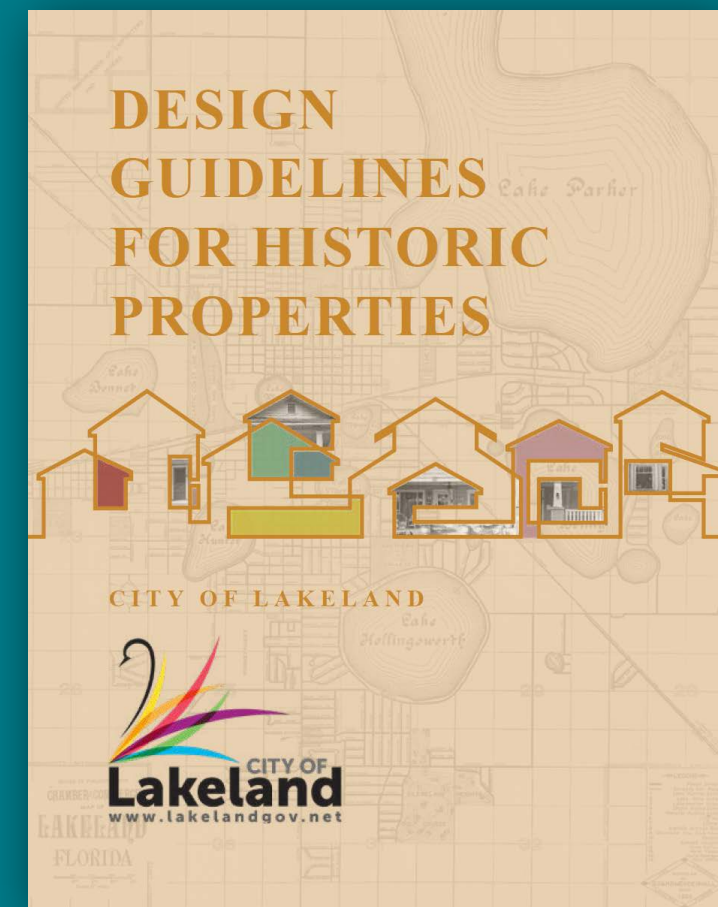
Local historic preservation design guidelines are a set of rules that govern the renovation, restoration and reuse of historic buildings in a particular community. These guidelines are designed to protect the historic character of the community and ensure that historic buildings are preserved for future generations. These are usually used together with the Secretary of the Interior's Standards for Rehabilitation.

The guidelines typically cover a wide range of topics, including things like:

- The materials that can be used in renovations
- The types of windows and doors that can be installed
- The height of buildings
- The construction of new buildings or additions to historic buildings

The guidelines are typically developed by a local historic preservation commission or board. This commission or board is responsible for reviewing and approving all proposed changes to historic buildings in the community.

If you are considering making changes to a historic building in your community, it is important to contact your local historic preservation commission or board to learn more about the local historic preservation design guidelines.



Top: City of Lakeland Historic District design guidelines. Credit: City of Lakeland

Bottom: City of Tarpon Springs Historic District Design Review Manual. Credit: City of Tarpon Springs

PRO TIP

How do I find out if my community has design guidelines and if I have to follow them?

To find out if your community has design guidelines, you can take the following steps:

Check with Local Government Offices:

Contact your local city or county planning department or historic preservation office. You can find their contact information on the official website of your city or county government. They may also have the design guidelines available on their website.

Visit the Local Planning Department:

If possible, visit the local planning department in person. Staff there can assist you in identifying whether your community has design guidelines.

Historic Preservation Boards

Historic preservation boards, often known as Historic Preservation Commissions (HPCs) or similar names like Architectural Review Boards, are local government bodies responsible for overseeing and managing historic preservation efforts within a community. Their primary purpose is to identify, protect and promote the preservation of historic structures, neighborhoods and cultural resources. Here are key activities that historic preservation boards work on:

Designation of Historic Districts and Landmarks:

Historic preservation boards have the authority to designate and regulate historic districts within their jurisdiction. Some communities also designate individual locations. These districts may include areas with significant historical, architectural, or cultural value.

Review and Approval of Changes:

Properties within designated historic districts often require approval from the historic preservation board for certain exterior changes, renovations, or new construction. The goal is to ensure that any alterations maintain the historic character of the area.

Guidelines and Standards:

Preservation boards typically establish guidelines and standards for property owners within historic districts. These guidelines may cover architectural styles, building materials and other factors to preserve the district's historical integrity.

Public Awareness and Education:

Preservation boards often engage in public outreach and education to raise awareness about the importance of historic preservation. This may include workshops, seminars, or informational materials to help property owners understand the value of preserving historic structures.

Grants and Incentives:

Some preservation boards administer grant programs or provide incentives to encourage property owners to maintain and restore historic buildings. These programs can help offset the costs associated with preserving historical features.

Documentation and Surveys:

Preservation boards may conduct surveys to identify and document historically significant structures and sites within their jurisdiction. This information helps in the decision-making process for designations and preservation efforts.

Partnerships with Other Agencies:

Historic preservation boards often collaborate with other local government agencies, nonprofit organizations and community groups to enhance their preservation efforts. This collaboration can include sharing resources, expertise and funding.

Legal Authority:

The legal authority and responsibilities of historic preservation boards can vary by jurisdiction. Some boards have the power to enact and enforce preservation ordinances, while others may serve in an advisory capacity to local government bodies.

If you are a property owner within a historic district or are interested in historic preservation, it's essential to be aware of the regulations and guidelines set by the local historic preservation board. Contacting your local planning department or historic preservation office can provide you with specific information about the regulations in your area.



Board Members from the Tallahassee Trust for Historic Preservation. Credit: Tallahassee Trust for Historic Preservation

HISTORIC CEMETERIES

Cemeteries represent culture and customs, history, purposeful or organic design and craftsmanship. Cemeteries face many of the same threats that other historic sites do.

“Cemeteries found across the country are not only places of burial, but they also provide a vivid record of community history. Whether large or small, well maintained or neglected, historic cemeteries are an important part of our cultural landscape.”

- National Park Service Technical Preservation Services Brief 48

State Statutes Governing Historic Cemeteries

Cemeteries are regulated under **Chapter 497, Florida Statutes**. Many of the laws in this section of the statutes deal with professionally owned and managed cemeteries that are still in operation. Cities owned by local governments are exempt from many of the requirements in this chapter. Historic cemeteries are not specifically addressed in many places in this chapter of Florida law. There are sections that deal with abandoned cemeteries (§497.284, F.S.) and inactive cemeteries (§497.286, F.S.).

Florida Statutes Section §704.08 allows relatives and descendants of any person buried in a cemetery to be able to access that cemetery in a reasonable time and manner. Relatives may also request the owner of the cemetery to maintain the cemetery, and if the owner refuses or fails to do so, the relatives have the right to maintain the cemetery.

Chapter 872, Florida Statutes deals with crimes related to human remains and graves, which cannot be intentionally disturbed (§872.02, F.S.). It is a felony under Florida law to willfully and knowingly destroy, mutilate, deface, injure or remove any tomb, monument, gravestone, burial mound, earthen or shell monument or any associated burial artifacts, as well as any structure designed for a memorial. This law also applies to trees, shrubs or plants within a grave enclosure. It is also a crime under this law to willfully and knowingly excavate, expose, move, remove or otherwise disturb the contents of a grave or tomb (human remains).

Chapter 872 also deals with situations where a human burial is discovered outside of an archaeological excavation (§872.05, F.S.). If a human burial is discovered, the activity must stop immediately and the local medical examiner must be notified.

Florida Historic Cemetery Inventory

It is very important to document historic cemeteries, just like other historic sites such as buildings. Knowing where cemeteries are located is critical. Having cemeteries identified and mapped helps avoid any negative impacts to the cemetery.

Having cemeteries included on the Florida Master Site File is a great first step to helping a historic cemetery. You can contact the Florida Division of Historical Resources to find out if a cemetery has already been included on the Florida Master Site File.

You can also submit a form through the Florida Historic Cemetery Inventory. This inventory is a shared project between the Florida Division of Historical Resources and the Florida Public Archaeology Network. Information about cemeteries submitted through the inventory is verified by the state and FPAN. If it has not already been included on the Florida Master Site File yet, FPAN can help to get it included.

Attendees at the Preservation on Main Street Conference 2023 help with a cemetery cleanup at Ocala's Evergreen Cemetery. Credit: Adrienne Burke



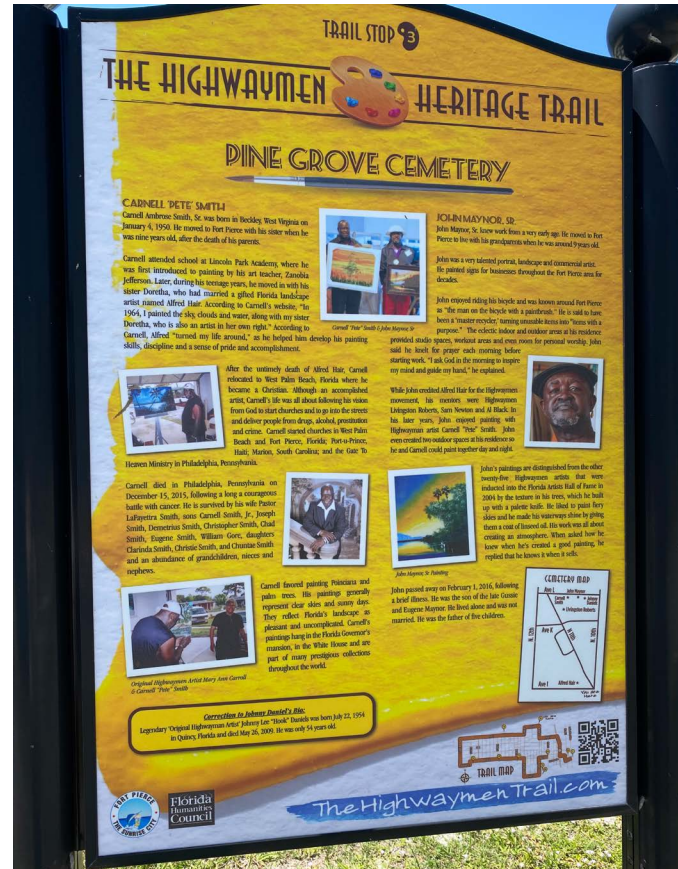
African American Cemeteries

Historic African American cemeteries have been neglected, forgotten or intentionally destroyed over the years. This is a tragic situation that has resulted in the loss of culture, history and respect for those buried and the importance of each of their lives. These cemeteries are a unique and important aspect of Black culture and history. By recognizing and preserving these cemeteries, the invaluable contributions of Black individuals and communities to Florida's history and culture are recognized.

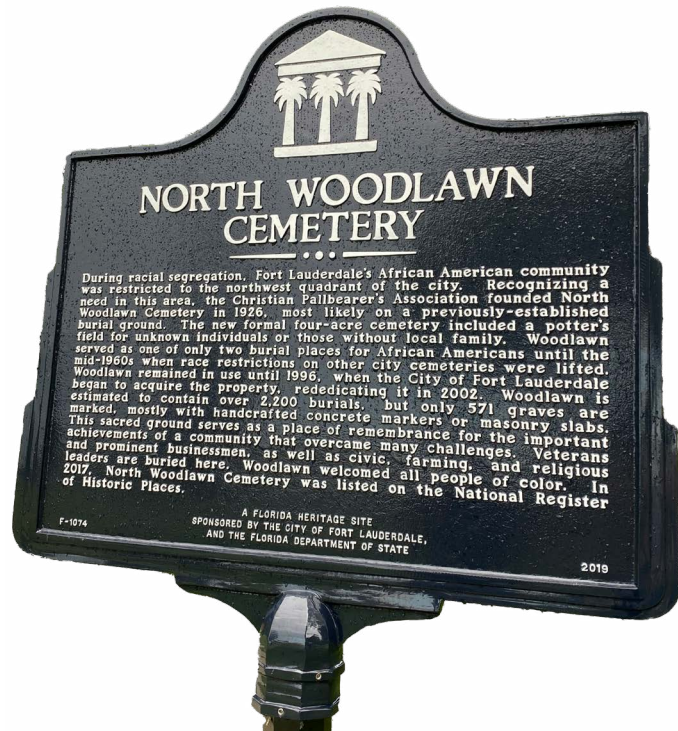
In 2021, the Florida legislature initiated the Task Force on Abandoned African American Cemeteries, which was generated in response to high-profile cases in the Tampa area including Zion Cemetery. Recommendations from the Task Force were translated into legislation in 2022, but did not pass. The legislation returned in 2023, and was successful this year. The Governor signed **HB49** into law on May 25, 2023. This Abandoned and Historic Cemeteries legislation includes:

- Creation of a Historic Cemeteries program within Division of Historical Resources (DHR)
- Creation of a Historic Cemeteries Program Advisory Council
- Authorizes certain entities to acquire conservation easements to preserve cemeteries aka community groups
- Provides \$1 million for historic African American cemetery grants (non-recurring) and recurring funds for three staff positions in DHR

Other resources for African American cemeteries include the African American Burial Ground and Remembering Project at the University of South Florida and the Florida African American Heritage Preservation Network.



Heritage trail sign highlighting members of the Highwaymen artists group in Fort Pierce's Pine Grove Cemetery. Credit: Adrienne Burke



Historic cemeteries are good candidates for state historic markers. North Woodlawn Cemetery is a historic Black cemetery in Fort Lauderdale. Credit: Adrienne Burke

PRO TIP

How do I find out who owns or takes care of a historic cemetery?

Finding out who owns a historic cemetery can involve a few steps, and the process can vary depending on the location and the cemetery's status. A historic cemetery may be owned by the local government where you live. Smaller, rural, or abandoned cemeteries may not have such clear ownership.

Here are some general steps you can take:

Local Government Records:

Contact the local government in the jurisdiction where the cemetery is located. They may have records of ownership or be able to direct you to the appropriate department that manages cemetery records.

County Property Appraiser's Office:

Check with the county property appraiser's office. Land ownership records are typically maintained at the county level. You can inquire about property records for the specific cemetery you are interested in. Often this information is available online through the property appraiser website for your county.

Historical Societies or Preservation Organizations:

Local historical societies or preservation organizations may have information about historic cemeteries in the area. They may also be aware of any recent changes in ownership or management.

Cemetery Office or Maintenance Department:

If the cemetery is still active and well-maintained, contact the cemetery office or maintenance department directly. They should be able to provide information about ownership and management.

Florida State Historic Preservation Office:

You can contact the Florida SHPO's office for help. You can call them at 850.245.6333. If the cemetery has been recorded on the Florida Master Site File, it may have ownership information. Their email is sitefile@dos.myflorida.com or you can call them at 850.245.6440. They will need a name of the cemetery and the city and county.

Florida Public Archaeology Network:

FPAN works regionally, and is often very familiar with cemetery's in their regions. Visit the FPAN website to obtain contact information for the FPAN office nearest you: www.fpan.us

CONTINUED

PRO TIP

Online Databases:

Some states or localities provide online databases of cemetery records. Check government websites or historical society databases for any available information.

Research Property Deeds:

Property deeds may include information about cemetery ownership. Visit the county property appraiser, county clerk or check online databases for property deeds associated with the cemetery.

Newspaper Archives:

Local newspapers may have historical articles or legal notices related to changes in cemetery ownership. Visit local libraries or online newspaper archives for relevant information.

Contact Previous Owners or Descendants:

If the cemetery has changed hands in recent years, try to contact the previous owners or their descendants. They may have information about the current ownership.

Legal Records:

Legal documents such as property transfer records, probate records, or court documents may contain information about cemetery ownership changes.

Remember that historic cemeteries can sometimes be managed by nonprofit organizations, religious institutions, or local community groups. Additionally, if the cemetery is associated with a specific religious denomination, contacting the relevant religious organization may provide leads.

NOTES



Headstones reflecting the cultural heritage of Italians at the Il Cimitero Dell'unione Italiana (Italian Club Cemetery) in Tampa. Credit: Adrienne Burke



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