

## Design Guideline Definitions

The following terms shall have the meanings stated:

**Archaeological Site** means a geographic location containing the relics, artifacts, and other cultural aspects of life associated with ancient peoples.

**Bluff Land** means all the land lying between the head and toe of a bluff. A **Bluff** means a high bank or bold headland with a broad precipitous sometimes rounded cliff-face overlooking a plain or body of water that rises or drops 25 feet from the horizontal and the slope averages 30% or greater

**Building** means any temporary or permanent structure that has a roof supported by columns or walls and intended for the shelter or enclosure of persons, animals, chattels, or property of any kind.

**Directional Expression of a Building** means that the structural shape, placement of openings, and architectural details provide for a predominantly vertical, horizontal, or non-directional character to the major elevations of a building.

**District** means a geographically definable area, urban or rural, possessing a significant concentration of linkage of sites, buildings, structures, or objects unified by past events or aesthetically by plan or physical development.

**Heritage Preservation Designation** means an official action by the Florence Town Board (the Board) which proclaims a building, land area, or district located within the limits of Florence Township to be worth saving. The Board protects designated buildings or districts from alteration or destruction through permit review.

**Major Elevation** means those portions of a structure that are visible from the abutting public streets.

**Minnesota State Register** means the official list of distinguished properties in Minnesota. Any sites included on the State Register are protected from alteration by the State or any of its subdivisions unless otherwise approved in writing by the Minnesota Historical Society.

**National Trust for Historical Preservation** means a non-profit educational organization chartered by the U.S. Congress to encourage public participation in the preservation of districts, sites, buildings, structures, and objects significant in American history and architecture.

**National Register for Historic Places** means that it is administered by the National Park Service, U.S. Department of Interior through the State Historic Preservation Office at the Minnesota Historical Society and is the official list of distinguished properties in America worth saving. The National Historic Preservation Act of 1966 provides for the protection of such sites from destruction in any federally funded project.

**Subordinated or Minor Elevation** means those portions of a structure that are not a major elevation.

**Shoreland** means land located within the following distances from public waters:

- One thousand (1,000) feet from the ordinary water level of a lake, pond, or flowage.
- Three Hundred (300) feet from a river or stream or the landward extension of a floodplain.

The limits of shorelands may be reduced whenever the waters involved are bounded by natural topographical divides which may extend landward from the waters for lesser distance and when approved by the Commissioner of the Department of Natural Resources and the County Commissioners.

# Design Guidelines for Local Historic Districts

**1. Design Review Application.** No building permit for structural changes that would impact any future exterior renovation to any building, structure, or landscape located within a local historic district shall be issued until such time as the applicant has submitted a *Design Review Application* (sample included at back of this guideline) to the Florence Township Heritage Preservation Commission (the HPC). Said *Design Review Application* shall be on a form prescribed by the HPC (sample near back of this guide). In the event a *Design Review Application* is not granted, the applicant may appeal the HPC's decision to the Florence Town Board.

**2. Findings Criteria.** When reviewing a *Design Review Application*, the HPC shall make its findings based upon the following guidelines and criteria:

- A completed *Design Review Application* form available from a HPC member or from the HPC web site.
- Adherence to the Secretary of the Interior's Standards for Rehabilitation which are as follows:
  - The Standards that follow were originally published in 1977 and revised in 1990 as part of Department of the Interior regulations (36 CFR Part 67, Historic Preservation Certifications). They pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.
  - The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.
- A property shall be used for its historic purpose or be placed in a new use that complies with zoning regulations and that requires minimal change to the defining characteristics of the building and its site and environment.
- The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 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.
- Most properties change over time; those changes that have acquired historic significance in their own right shall be preserved.
- Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- 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, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 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.
- Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 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.
- New additions and adjacent 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.

**3. Work Classifications.** The applicant shall identify the proposal as one of twelve (12) classifications of work:

<b>New Construction</b>	<b>Major Face Lift</b>	<b>Minor Face Lift</b>	<b>Restoration</b>
<b>Rehabilitation</b>	<b>Demolition</b>	<b>Landscape</b>	<b>Signage</b>
<b>Site Lighting</b>	<b>Fences</b>	<b>Public Park</b>	<b>Other</b>

In all of the twelve classifications, the applicant shall attach the following information to the *Design Review Application*:

- Current photograph of the exterior sides of the building or site where the work will take place.
- Scaled elevation of the sides of the building or site illustrating the work to be completed.
- A site plan.
- Narrative of work to be done and how the work relates to the architectural history of the building or site. The HPC and/or the Goodhue County Historical Society (GCHS) may be able to assist in research if necessary.
- Exterior building material samples and paint chips of proposed colors.

Three (3) copies of the above information shall be submitted. The HPC will retain one copy, one copy will advance to the Florence Township Supervisors, and one is retained by the applicant.

## Classification of Work Definitions

### **New Construction** New Construction is the erection of a building that does not currently exist.

The Standard Characteristics for new construction are:

- New construction with designs that are architecturally significant and durable shall be encouraged. Contemporary design for new buildings in old neighborhoods and additions to existing buildings or landscaping shall be encouraged if such design is compatible with the size, scale, color, material, and character of the neighborhood and adjacent buildings.
- The structure must be compatible with the existing character of the historic district.
- Garages will not dominate the streetscape and shall not exceed the height of the main dwelling whether attached or detached. Garages shall not be attached to the front of the building and should only be attached if not visible from the public way. Attached garages shall be setback from the front of the house. There shall be no dwelling space above a garage. Detached garages shall be closer to the homeowner's home than to a neighboring structure.
- Steel pole buildings, concrete block, or poured concrete buildings will not be allowed.
- Building Height. A main structure shall not exceed 35 feet, measured between the average grade and one-half the roofline height (distance between the highest and lowest point of the roof). In the case of a structure that will impact a historic building, that structure shall not exceed the height of the historic building.
- Massing and Scale. New construction should conform to the massing, volume, height, façade proportions, and scale of surrounding structures. The gross volume of any new structure should be visually compatible with the buildings and elements within the surrounding area. New dwellings and commercial buildings should be compatible with the height of existing adjacent buildings.
- Setback and Orientation. The main structure shall align with the setback of and be oriented in the same way as existing/neighboring structures.
- Building Materials. Preferred siding are:
  - Wood lap measuring 3" to 6" exposed, painted.
  - Board and batten siding, painted.
  - Cedar shingles, painted.
  - Any other wood-appearing material.

- Exterior color choices should blend with the existing historical and natural environment. Neutral colors are preferred for home exteriors.
- Windows and Entries. Vertically oriented single or double hung sash are the predominant historic window type in the district. The proportion, size, rhythm, and detailing of windows and entries should be compatible with that of existing nearby buildings. The rhythm of solids to voids created by openings in the façade of the new structure should be visually compatible with surrounding structures.
- Landscape, signage, lighting, and fences shall comply as described in those respective classifications described below.

**Major Face Lift** A major exterior face lift shall not destroy the distinguishing qualities or character of the property and its environment. It shall enhance the existing size, scale, color, material, and character of the exterior historic features of the building.

The requirements for building modification outlined under minor face lift also apply to a major face lift. The removal or alteration of any historic material or architectural features shall be minimized, consistent with the proposed use.

Change of an intrusive building shall be encouraged if such design is compatible to the size, scale, color, material, and character of the neighborhood or adjacent buildings.

**Minor Face Lift** A minor face lift is defined as work that does not significantly alter, but rather, enhances the historic or original exterior appearance of the building. This may include refinishing, repair, painting, and general maintenance.

The HPC encourages the use of materials similar to those used in the original construction, wherever possible. Synthetic and non-similar materials may be allowed when replacement of similar materials is not feasible.

Wherever possible, new additions or alterations to buildings shall be done in such a manner that if they were to be removed in the future, the essential form and integrity of the original building would not be destroyed. The HPC will not approve sandblasting or chemical treatment that would damage a building. The HPC will not approve the removal of cornices, painted or unpainted masonry, alterations of existing historic or original openings for windows and doorways, and changes to other significant architectural detail.

**Building Restoration** Building restoration is defined as the act or process of accurately recovering the original form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, new synthetic material shall match the material being replaced in design, color, texture, and other visual qualities. Repair or replacement of missing architectural features shall be based on accurate duplications of original features, substantiated by physical or pictorial evidence rather than on conjectural designs or the availability of different architectural features from other buildings.

**Rehabilitation** Building Rehabilitation is defined as the act or process of returning a property to a state of utility (both interior and exterior) through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

**Demolition** Building Demolition is the elimination of a building. Upon acceptance of a *Design Review Application* for demolition of historic properties, signs shall be posted on all proposed demolition sites indicating the following:

- The building or structure to be demolished.
- The future plans for the site.
- That a 120 day waiting period, from the date the application is accepted, is in effect before demolition may begin, and
- The actions taken to mitigate the adverse impacts of demolition.

Demolition by neglect requires an Environmental Assessment Worksheet (EAW).

**Landscape** This includes any site features other than a building, fence, or lighting. Significant landscape on or near a historical site or building must relate to the historical design and features of the buildings on or near the landscape site.

**Signage** All Signage shall be designed to enhance and complement the historic character of buildings and landscape within the historic district. Prior to issuance of a sign permit for a new sign or the replacement of an existing sign, the applicant shall complete a *Design Review Application*. The HPC shall review said application and approve a *Design Review Application* provided the following are met:

- **Sign and Placement:** Signs shall be positioned so that they are an integral design feature of the building or landscape, which means that signs shall help define and enhance the architectural features of the building or landscape and shall be placed so that they do not destroy architectural details.
- **Colors:** Sign colors shall blend with the building façade to which the sign is attached or to the landscape in which it is displayed and shall be compatible with the property's use. No more than two colors shall be used for sign lettering.
- **Message:** The sign message shall be legible and relate to the nature of the use. These requirements may be accomplished through the use of words, pictures, names, symbols, and logos.
- **Lettering:** Lettering styles shall be legible and relate to the character of the property's use. In addition, a sign shall contain no more than 60% of the sign's total area and capital letters shall be no more than 75% of the height of the sign background.
- **Illumination:** External illumination of signs is permitted. Illumination may be incandescent or fluorescent but shall emit a continuous white light that prevents direct light from shining onto the street. The use of internally lit signs such as, but not limited to backlit plastic, is not permitted.
- **Size:** Road side signs shall be no more than three (3) square feet in area per surface and no sign shall be constructed to have more than 2 surfaces. Building signs shall be no more than two (2) square feet in area per surface with lettering limited to one surface.
- **Freestanding Signs:** All freestanding signs shall be located, sized, and landscaped so that they do not obscure the view of historic properties.

**Lighting** This refers to all exterior lighting whether attached to a building or freestanding. Such lighting shall adhere to the following guidelines:

- Driveway and porch lights that cast light onto the street or into a neighbor's yard shall not be allowed. All such light must be shielded to direct light downward.
- Security lights mounted on poles shall not exceed fifteen (15) feet in height and shall be fifty (50) feet from any property line. Maximum wattage shall be 35-watt for low pressure sodium and 50-watt for high pressure sodium.
- Security lights shall be activated by motion detectors to minimize all-night lighting.

**Fences** These guidelines are based on historic precedent and the HPC's desire to carry certain traditions forward into present day usage. It is the primary recommendation of the HPC that, where appropriate, lilac hedges be given consideration over all other types of fencing.

Maintenance of both sides of any constructed or living fence shall be the responsibility of the owner thereof unless a written agreement between property owners for joint maintenance exists. The lot line fence shall therefore be placed far enough inside the property to facilitate maintenance without trespassing.

In all cases, when a fence design is determined to have a front and a back side, the front side must face the outside of the property. In those cases where the back side of the fence is visible from a public street due to the position of the fence on the owner's property, that back side must also be finished.

Dog kennels shall be subject to the above fence regulations.

Lot line fences shall conform to the following:

- A living hedge of any height.
- A wire fence not to exceed four (4) feet in height upon which vines of some type will be grown and shall provide coverage in three (3) growing seasons.
- A picket fence not to exceed four (4) feet in height. There are numerous picket designs, any of which will be acceptable. Fence may be painted or naturally weathered.
- A natural stone fence/wall not to exceed four (4) feet in height.
- A wrought iron fence not to exceed four (4) feet in height.
- A rail fence not to exceed four (4) feet in height.
- Entry gates or arbors not to exceed eight (8) feet in height.
- Expressly excluded from lot line use shall be solid board or concrete block fences.

Privacy fences shall conform to the following:

- They shall be limited to six (6) feet in height.
- They shall not be closer than two (2) feet to the side and back lot lines.
- They shall not be closer to the front lot line than the main part of the dwelling, excluding the garage.
- The recommended privacy fence is a lilac hedge.

**Public Park** Valhalla Park is a one block wide bluff land park that lies along the eastern edge of Garrard Avenue. Wakondiota Park is one block wide and lies along the western edge of Van Blarcum Avenue. All requests for alteration within a public park must be presented in a *Design Review Application* and must follow the same procedures as with any other modification in the historic district.

- **Respect of Ordinances.** All requests must comply with the published Districts Park Management plan and this plan must adhere to all applicable ordinances including Federal (Corps of Engineers), State (Department of Natural Resources), Goodhue County, Florence Township, and the Frontenac Historic District. Specifically, the Goodhue County ordinances that define regulations for Bluff Land Protection (Article 4), Shore land Protection (Article 17), and Tree and Woodland Protection (Article 3, Section 7) must be applied to all activities. The enforcement of this plan and penalties for violating this plan is defined by the Goodhue County zoning regulations since this Park Management Plan is an extension of such regulations.
- **Park Activity Approval Process.** Individual property owners can make requests to the HPC to be considered within the guidelines of the Park Management Plan and the limits of the budget. No individual property owner will be allowed to cut trees, use the property for extended periods, dump refuse, remove vegetation, or affect the parks in any way except by written approval from the HPC and the Town Board.

- **Park Alteration Services.** Professional services can be used within the limits of the park management budget as approved by the HPC and the Township Board of Supervisors. Organized volunteers that are managed by the HPC can perform approved services. Donations for approved work projects are allowed. Individual property owners can fund specific approved projects under the supervision of the HPC.
- **Unwanted Plant Species Removal.** Within the limits of the annual park management budget and the availability of volunteers, unwanted plant species such as Buckthorn, vines, parsley, poison ivy, prickly ash, etc. can removed, and growth retarded. All removed vegetation must be moved to an approved disposal site or disposed of in other approved methods.
- **Dead Vegetation Management.** Dead and fallen vegetation can be removed subject to the limitations of budget and volunteer availability and, where appropriate, where it poses a potential safety hazard to residents and visitors. Dead vegetation that does not pose a safety risk and that benefits wildlife may remain in the parks.
- **Valhalla Park Vistas.** Frontenac residents and visitors have historically enjoyed Lake Pepin viewing vistas through and over Valhalla Park from various points along Garrard Avenue. These vistas are spaced along the length of Garrard Avenue and are maintained by managing the height of trees in each specific vista by periodic winter trimming, by removal of dead trees, and by planting new trees of appropriate full growth height. Some vistas will have one or more park benches for residents and visitors to enjoy the vistas.



- **Resident Consideration.** Property owners may not be adversely affected by the design of park vistas or modifications. Sufficient vegetation must exist to provide adequate sight and sound privacy from nearby roads. This requirement must be achieved by maintaining healthy trees at the desired height and by reforesting with the proper trees.

**Other** Work that does not fit into the prior eleven (11) classifications.

**4. Findings of Fact.** The HPC shall make findings of fact prior to approving a *Design Review Application*. These findings shall include:

- In the case of a proposed alteration or addition to an existing building that will not materially impair the architectural or historic value of the building, the HPC shall make written findings considering the existing structures and existing exterior appearance, building height, width, depth, or other dimensions, roof style, type of building materials, ornamentation, paving, setback, and color.
- Additions shall not obscure significant historical features.
- Locate new additions back from primary facades in order to allow the original proportions and character of the historic façade to remain prominent, or set them apart from the main building.

- Additions shall be reversible, such that a future owner may be able to restore the building to its historic condition if so desired.
- In the case of the proposed demolition of a building, prior to approval of such demolition, the HPC shall make written findings on the following:
  - Architectural and historical merit of the building.
  - The effect on surrounding buildings.
  - The effect of any new proposed construction on the remainder of the building in case of partial demolition and on surrounding buildings.
  - The economic value or usefulness of the building as it now exists.
  - If altered or modified, in comparison with the value or usefulness of any proposed structure designated to replace the present building or buildings.
- Original rim details and other architectural features should be photographed or otherwise recorded before they are removed for repair or replacement. Deteriorated trim that is removed should be saved for use in making duplicates.
- In the case of a proposed new building where such building will not in itself, or by reason of its location or the site, materially impair the architectural or historic value of buildings or adjacent sites in the immediate vicinity, the HPC shall make written findings considering the existing structures and their exterior appearance, building height, building width, depth, or other dimensions, roof style, type of building materials, ornamentation, paving, setback, and color.
- The HPC shall compare the proposal with an equivalent pivotal building or similar architectural style that is located within the same local district.

**5. Application Required.** No building permit for demolition, building additions, or new construction for any building, structure, or landscape located within the historic district shall be issued until such time as the applicant has submitted a *Design Review Application* and said application has been reviewed and approved by the HPC. No application shall be accepted unless completed in full and accompanied by any additional information as may reasonably be required by the HPC.

**6. Application Review.** The HPC shall make findings of fact prior to approving a *Design Review Application*.

The HPC shall review applications relating to major elevations and new construction of principal buildings for compatibility of said addition or new construction with standard characteristics found within the surrounding area. Said standard characteristics shall be established for compatibility with the surrounding area for the following:

• Building height	• Building materials	• Lighting
• Massing and scale	• Windows and entries	• Roof lines
• Setback and orientation		

In the case of public improvements, the HPC shall review all plans for curb and gutter, street, or utility reconstruction and comment to the Board on the effects of said improvements within thirty (30) days of notification of the project. No construction or reconstruction of a public improvement shall commence until said comment has been made to the Board or thirty (30) days has elapsed since the HPC was notified of the project. Review shall not be required for routine maintenance, repair, or emergency work such as street patching, street overlays, driveway installations, accessibility ramp improvements, or utility repairs.

No additional construction shall be added to the parks. The footprint of the existing buildings shall not be enlarged, and buildings shall not be plumbed or heated. If any existing buildings are renovated or replaced, they shall fall with the design guidelines.

**7. Standards for Issuance.** A *Design Review Application* shall not be issued until the HPC determines that the project in the *Design Review Application* complies with the guidelines set forth in the Florence Township Heritage Preservation Commission ordinance, the Goodhue County Zoning Regulations, and the Minnesota Building Codes.

**8. No Action Issuance.** If no action upon the *Design Review Application* submitted to the HPC has been taken at the expiration of thirty (30) days for new construction or additions, or 120 days for demolitions, from the date the application is accepted, the *Design Review Application* shall be deemed to be issued.

**9. Review Results.** Upon issuance of a *Design Review Application*, the HPC shall furnish the applicant and the Building Inspector with a copy thereof. In the event the HPC denies the issuance of a *Design Review Application*, the HPC shall furnish the applicant and the Building Inspector with a copy of recommendations for changes necessary to be made before the HPC will reconsider the application. Said certificate of recommendations shall be dated as of the date the HPC reached its decision and shall be sent to the address of the applicant as shown on the application.

**10. Review Appeal.** Any individual having a legal interest in property affected by the HPC's decision pursuant to article 5 of this document shall, within thirty (30) days after the date of said decision, have a right to appeal such decision to the Florence Township Board for review.

**11. Enforcement.** In case any building or structure subject to the regulation of this ordinance is to be erected or constructed, reconstructed, altered, repaired, converted, maintained, moved, or subjected to demolition in violation of the ordinance, the Township Board, in addition to any other remedies, may:

- Institute civil action for injunctive relief to stop, prevent, or abate a violation of this ordinance.
- Issue a stop work order to prevent a continuing violation of this ordinance.
- Work which proceeds in violation of this ordinance, in contravention of a stop work order, or in disregard of a court ordered injunction shall be a public nuisance.