



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 040003

Introduced January 22, 2004

Councilmember Blackwell

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Title 14 of The Philadelphia Code (Zoning and Planning) by amending Chapter 14-2007 (Historic Buildings, Structures, Sites, Objects and District) to require that the Historical Commission make recommendations to City Council and the Mayor regarding the designation of districts of the City as historic; providing for designation of historic districts by ordinance; and amending the procedures for such designations; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

Section 1. Title 14 of The Philadelphia Code is amended as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-2000. SPECIAL CONTROLS IN AREAS ABUTTING PARKWAYS, HISTORICAL SHRINES AND CIVIC PROJECTS.

* * *

§14-2007. Historic Buildings, Structures, Sites, Objects and Districts.

* * *

(2) Definitions. The following words and phrases shall have the meaning ascribed to them in this section:

* * *

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(k) Historic district, object, site or structure. A district, object, site or structure which is designated [by the Commission] *as historic* pursuant to this section.

* * *

(4) Powers and Duties of the Commission. The powers and duties of the Philadelphia Historical Commission shall be as follows:

* * *

(b) [Delineate] *Make recommendations to the Mayor and City Council concerning the delineation of the boundaries of [and designate as historic] those districts which the Commission determines, pursuant to the criteria set forth in Subsection (5) of this Section, [are significant to the City] should be designated as historic;*

* * *

(6) Public Notice and Meeting:

* * *

(b) At least sixty (60) days before [holding a] *the Commission or any committee of the Commission holds any public hearing or meeting* to consider the proposed designation of a district as historic, the Commission shall send written notice of [the proposed designation] *its intent to hold such hearing or meeting* to the owners of each building, structure, site or object within the proposed district. The notice shall indicate the *purpose of the particular hearing or meeting as well as the date, time and place of the hearing or [public] meeting [at which the Commission will consider the proposed designation].* Notice shall be sent to the registered owner's last known address as it appears in the real estate tax records of the Department of Revenue and sent to "Owner" at the street address of the property in question. The Commission shall publish notice of the [proposed designation of a district as historic] *public hearing or meeting* in a newspaper having general circulation within the City at least sixty (60) days before the *hearing or meeting* [Commission holds a public meeting to consider the proposed designation]. The Commission shall post notice of the *public hearing or meeting* [proposed designation] at locations within the proposed district at least sixty (60) days before the *hearing or meeting* [public meeting to consider the proposed designation].

* * *

(d) During the sixty days prior to a Commission hearing on *whether to recommend* designation of a particular historic district, the City Planning Commission

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shall review and comment on creation of the district and transmit its comments to the Historical Commission to assist the Commission in making its determination.

(e) *The Commission shall provide City Council and the Mayor with its recommendation with respect to the designation of a particular historic district, along with the reasons for its recommendation. The Commission shall also provide a copy of the recommendation to the Commissioner of Licenses and Inspections. Council shall act on the recommendation by ordinance as it deems appropriate.*

(f) The Commission shall send written notice of the designation as historic of a building, structure, site[,] or object[, or district] to the owners of each separately designated building, structure, site or object and, *upon an ordinance designating a particular district as historic becoming law*, to the owners of each building, structure, site, or object within *such* [a] district [designated historic], which shall include reasons for the designation. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Department of Revenue and sent to the "Owner" at the street and address of the property in question. The Commission shall send written notice of historic designation to any person appearing at the public hearing who requests notification.

[(f)] (g) * * *

[(g)] (h) * * *

(7) Permits:

* * *

(1) The Department shall not issue any permit for the demolition, alteration or construction of any building, structure, site or object which is being considered by the Commission for designation as historic [or which is located within a district being considered by the Commission for designation as historic where] *when* the permit application is filed on or after the date that notices of proposed designation have been mailed, except that the Department may issue a permit if the Commission has approved the application or has not taken final action on the designation and more than ninety (90) days have elapsed from the date the permit application was filed with the [Commission] *Department*. [Where] *When* the Commission takes final action on designation within the time allotted herein, any permit application on file with the Department shall be deemed to have been filed after the date of the Commission's action for purposes of this section.

(m) *The Department shall not issue any permit for the demolition, alteration or construction of any building, structure, site or object located within a district which*

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the Commission has formally recommended for designation as historic when the permit application is filed on or after the date on which the Commission provides the Mayor and City Council with its recommendation for designation, except that the Department may issue a permit if the Commission has approved the application or the district has not been designated and more than ninety (90) days have elapsed from the date the permit application was filed with the Department. When the district has been designated within the ninety (90) day period, any permit application on file with the Department shall be deemed to have been filed after the date of designation.

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Section 2. The districts designated as historic by the Historical Commission prior to the time of adoption of this ordinance shall remain so designated, unless such designation is removed by ordinance.

Section 3. Property Exemption. Any property that has been identified as part of any urban renewal plan, any city Neighborhood Transformation Initiative development plan, and/or any city redevelopment project shall be exempted from being designated by the Historical Commission.

Section 4. Any districts which application has not yet been approved but has an application pending before the Historical Commission prior to the time of adoption of this ordinance shall be required to comply with the provisions set forth above.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.