

OFFICIAL ZONING CODE INTERPRETATION (No. 12)
(Planned Development District PD96-002 – Policy Statement)

ZONING CODE PROVISION INTERPRETED:

PD96-002 Policy Statement – Design Guidelines and Procedures for the Northeast Roseland Planned Community District and its Historic Neighborhoods Section II.C.i., Procedures for Historic Neighborhood Review/Design Review (adopted by the City Council on October 1, 1996 – Ordinance No. 3283).

At issue is whether a Landmark Alteration Permit is required for properties located within the historic neighborhoods identified in the PD96-002 Zoning District Policy Statement.

Section II.C.i. of the Design Guidelines and Procedures for the Northeast Roseland Planned Community District and its Historic Neighborhoods, a subset of the PD96-002 Policy Statement, states the following: “Applications for new development and applications to change the exterior appearance of any existing building on, adjacent to, or opposite from a contributing historic neighborhood property shall be reviewed by the Cultural Heritage Board.”

Zoning Code Section 20-58.060(A)(1), Landmark Alteration Permits – Applicability, states that a Landmark Alteration Permit is required for restoration, rehabilitation, alteration, development, construction, demolition, removal or change to the exterior appearance of any designated landmark or any structure, building or significant feature within a preservation district.

Zoning Code Section 20-58.050(B), Preservation District Defined, states that a preservation district is an area within the City having historical significance or representing one or more architectural periods or styles typical to the history of the City, that has been designated a preservation district by the Council.

Zoning Code Section 20-58.050 sets forth the process by which preservation districts may be designated by the City Council.

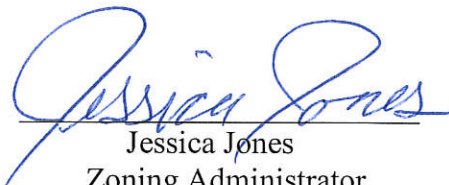
The City has eight Council designated preservation districts. The five historic neighborhoods identified in the Northeast Roseland Planned Community District Policy Statement (Goodman Avenue, Dutton Avenue, South Olive Park, Avalon Avenue and West Avenue) have not been designated as preservation districts by the Council.

However, the PD96-002 Policy Statement itself requires proposals for new development or changes to the exterior appearance of properties located within the historic neighborhoods identified be reviewed by the Cultural Heritage Board.

Therefore, it is determined that, while a Landmark Alteration Permit is not required under Zoning Code Section 20-58.060 for new development or changes to the exterior appearance of properties located within the historic neighborhoods listed in the PD96-002 Policy Statement, conceptual review by the Cultural Heritage Board is required prior to issuance of a building permit.

This determination is consistent with the General Plan.

Date: 6-21-16


Jessica Jones
Zoning Administrator