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Sponsors:	Reverend Ricky V. Burgess		
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9/30/2015	1	Standing Committees	Referred for Report and Recommendation	Pass
9/22/2015	1	Standing Committees	Held in Committee	Pass
9/15/2015	1	City Council	Read and referred	

SPONSORED BY COUNCILMAN BURGESS

Ordinance amending and supplementing the Pittsburgh Code of Ordinances, Title XI, Historic Preservation, by adding and deleting language.

Whereas, historic preservation, used properly, is a tool that can protect vital elements of the City's culture and history; and,

Whereas, the City must, however, be cautious to avoid and prevent the arbitrary or capricious application of historic preservation precisely because of its' police powers, which at times have been used by some to punish those with whom we do not agree; and,

Whereas, care must always be taken to ensure that the government does not ask any one person to endure a burden for the supposed benefit to the many where those rules do not apply to all; and,

Be it therefore resolved that the Council of the City of Pittsburgh hereby enact as follows:

Section 1. The Pittsburgh Code of Ordinances, Title XI - Historic Preservation, is hereby amended as follows:

§ 1101.03 - DESIGNATION OF HISTORIC STRUCTURES, DISTRICTS, SITES AND OBJECTS.

<javascript:void(0)>

(a)

[The Council of the City of Pittsburgh may designate Historic Structures, Historic Districts, Historic Sites and Historic Objects upon request or upon its own initiative.]

The Council of the City of Pittsburgh may designate Historic Structures, Historic Objects or Historic Sites only upon the request of the legal owner(s) of record. In the case of Historic Districts, Council may, upon the request of no fewer than seventy (70) percent (70%) of the owners of the affected properties, designate a specified area as an Historic District.

(1)

Nomination.

a.

Nomination of an area, property, site, structure, or object for consideration and designation as a Historic Structure, Historic District, Historic Site, or Historic Object shall be submitted to the Historic Review Commission on a form prepared by the Commission, ***[and may be submitted by any of the following:]***

[1.]

[The Mayor of the City of Pittsburgh.]

[2.]

[A member of the Historic Review Commission.]

[3.]

[A member of the City Planning Commission.]

[4.]

[A member of the Pittsburgh City Council.]

[5.]

[In the case of a nomination as a Historic Structure, Site, or Object, by the owner of record, or any person presently residing in the City of Pittsburgh whom has established residency in the City of Pittsburgh for at least one (1) year prior to nomination.]

[6.]1.

In the case of a nomination as a Historic District, ***[by community-based organizations or by any individual, but in either event]***the nomination shall be accompanied by a petition signed by the owners of record of ***[twenty-five (25) percent]*** **seventy (70) percent** of the properties within the boundaries of the proposed District, ***[or by any of the persons named in paragraphs A through D of this subsection.]***

~~**[7.]**~~

~~**[Nomination of a religious structure shall only be made by the owner (s) of record of the religious structure.]**~~

~~**[b.]**~~

~~**[Submission of a nomination by a member of the Historic Review Commission, the City**~~

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~~**Planning Commission, or the City Council shall not preclude that member from full participation in the review of the nomination nor from voting on the recommendation or designation.]**~~

(2)

Community information process. Preceding submission of a nomination form for a District, the Historic Review Commission shall conduct at least one (1) public information meeting within or near the boundaries of the proposed district, that shall include at least one (1) member of the Department of City Planning and one (1) Commission member, to discuss the possible effects of designation. Notice shall be given to the owners of property in the proposed district in accordance with § 1101.03 <http://library.municode.

(b)

Notification of nomination and public hearing. After submission of a completed nomination form, the Commission shall give notice by the following methods:

(1)

Within five (5) business days of the receipt of a nomination of a Historic Structure, Site, or Object, by mailing such notice to the property owner of record, tax address, and street address for the nominated property.

(2)

Within ten (10) business days of receipt of a nomination of a Historic District, by mailing such notice to each owner of record, tax address, and street address for every property in the District.

(c)

Effects of nomination to the Historic Review Commission.

(1)

a.

No exterior alterations, as defined in § 1101.02(e) shall be undertaken upon a nominated structure, or a structure located within a nominated district, or a nominated site or object, beginning two (2) business days after mailing of the notice of nomination by the Commission until a final determination about the designation has been made by Council, or until the elapse of one hundred twenty (120) days after Council's receipt of the Historic Review Commission and Planning Commission's recommendations, without the review and approval by the Historic Review Commission and the issuance of a Certificate of Appropriateness, as detailed in § 1101.05 <http://library.municode.

b.

If the work authorized by the certificate of appropriateness involves physical improvement which has not been substantially started within six (6) months after the date of issuance of the Certificate, or subsequent to the starting thereof, has been discontinued for a period of six (6) months, no such physical improvement shall be made after such six (6) month period unless the approval is renewed by the Historic Review Commission or its staff (depending on the initial issuance). Such renewal must be requested in writing by the applicant and may extend for

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one (1) additional period of six (6) months.

(2)

a. When the nomination is submitted to the Historic Review Commission, the Commission shall give notice as required in § 1101.03 <http://library.municode.

b.

The Commission shall conduct a public hearing and take comments from any party, subject to the rules and procedures adopted by the Zoning Board of Adjustment, before making its preliminary determination concerning the nomination.

1.

If the Commission deter-mines that reasonable cause exists to determine that the nominated district, structure, site or object will meet the criteria for designation, the restriction against exterior alterations shall continue, in accordance with § 1101.03(c)(1).

2.

If the Commission decides that there is not reasonable cause to determine that a nominated district, structure, site or object will meet the criteria for designation, then the effects of nomination detailed in § 1101.03(c)(1) shall no longer be in effect. The Historic Review Commission shall continue to review the nomination and shall make a recommendation to City Council concerning the proposed designation, as detailed in § 1101.03 <http://library.municode.

(3)

The exceptions to the effects of designation found in § 1101.09 <http://library.municode.

(4)

Whoever constructs, reconstructs, moves, alters, or demolishes any nominated structure, any structure located within a nominated district, or any nominated site or object, after the date of the nomination to the Historic Review Commission in violation of this Chapter, shall be punished as provided in § 1101.10 <http://library.municode.

(d)

Public hearing before the Historic Review Commission.

(1)

The Commission shall schedule a public hearing, held by not less than four (4) members of the Commission, on the nomination within three (3) months following receipt of the completed nomination form. Notice of the time, place and purpose of such hearing shall be given by the Commission at least fifteen (15) days prior thereto.

(2)

The hearing shall be conducted in accordance with the pertinent section of the Rules and Procedures for the Commission. The Commission shall consider all testimony or evidence relating to the designation criteria in § 1101.04 from any person who makes written submissions or appears at the public hearing. The members of the Commission

shall not personally give testimony or present evidence relating to those designation criteria, but may ask questions or make comments concerning any evidence or testimony given or presented by others. The staff of the Department of City Planning shall be requested to provide testimony or evidence and make a recommendation relating to the designation to the Commission.

a.

The owner of any ***[nominated Landmark or of]*** property within a nominated District shall be afforded notice of any hearing of the Historic Review Commission and an opportunity to be heard at said hearing. All testimony may be stenographically recorded and a full and complete record may be kept of the proceedings. In the event all testimony is not stenographically recorded and a full and complete record of the proceedings is not provided by the Historic Review Commission, such testimony shall be stenographically recorded and a full and complete record of the proceedings shall be kept at the request of any person or group agreeing to pay the costs thereof.

b.

The Historic Review Commission shall not be bound by technical rules of evidence, and all relevant evidence of reasonably probative value may be received. The owner of any nominated Landmark shall be afforded the opportunity for reasonable examination and cross-examination of witnesses at public hearings on said nomination. In the event that the nomination involves a Historic District designation, a representative of each side of the nomination debate shall be chosen by the property owners for examination and cross-examination of witnesses.

c.

The recommendation of the Historic Review Commission shall be made in writing, and shall contain findings and the reasons for the recommendation. and shall be served upon the owner of any nominated Landmark or of property within a nominated District, or their counsel personally, or by mail.

(e)

(1) Nomination of an area, property, site structure, or object for consideration and designation as a Historic Structure, Historic District, Historic Site or Historic Object may be withdrawn by its nominator(s), provided such withdrawal is filed in writing with the Historic Review Commission prior to the final vote of ***[the Commission on its recommendation to]*** City Council***,[as described in § 1101.03(f).]***

[(2)

In the event that the nominator(s) withdraw(s) the nomination of a Historic Structure, Historic District, Historic Site or Historic Object, any qualified individual or organization, as provided for in § 1101.03(a)(1)a., may intervene as the nominator of record by filing a written notice with the Historic Review Commission prior to the vote of the Commission on its recommendation to City Council, as described in § 1101.03 (f).]

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(f)

The Historic Review Commission shall make recommendations to City Council relative to the appropriateness of such proposed designations eligible under Definitions (a), (b), (c), or (d) of § 1101.02 and the criteria for designation listed in § 1101.04

(g)

The City Planning Commission shall consider effects of designation on adjoining properties and surrounding neighborhoods within the framework of established planning, development and land use objectives for the City of Pittsburgh.

(h)

The Historic Review Commission and the City Planning Commission shall transmit their recommendations to City Council within five (5) months of the date of the nomination. In the event that said recommendations are not transmitted to Council by that time, Council shall proceed to consider the nomination without said recommendations.

(i)

(1) Prior to making any determination, Council shall conduct a Public Hearing, for the purpose of giving property owners, tenants, and community residents, the right to appear and be heard in person or to be represented by counsel, as to the appropriateness of designation. Any other person or organization, interested in said designation, may also be heard at the hearing.

(2)

Public notice of the time, place and purpose of the public hearing by City Council shall be given at least fifteen (15) days prior thereto, in accordance with § 1101.03(i)(3).

a.

The owner of any ***[nominated Landmark or of]*** property within a nominated District shall be afforded notice of the public hearing personally or by mail.

b.

The owner of any ***[nominated Landmark or of]*** property within a nominated District shall be afforded a reasonable opportunity to be heard at the public hearing, and a reasonable opportunity for examination and cross-examination of witnesses. as set forth in § 1101.03(d)(2)b.

c.

All testimony may be steno-graphically recorded and a full and complete record may be kept of the proceedings. In the event all testimony is not stenographically recorded and a full and complete record of the proceedings is not provided by City Council, such testimony shall be stenographically recorded and a full and complete record of the proceedings shall be kept at the request of any person or group agreeing to pay the costs thereof.

d.

Upon an affirmative vote of City Council designating a historic landmark or historic district, the reasons for said designation shall be placed in writing and served upon the owner(s) of any nominated Landmark or of property within a

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nominated District, or their counsel, personally or by mail.

[(Note: Council may adopt the findings of the Historic Review Commission rather than making their own findings.)]

(3)

Upon notification from City Council of the scheduled date for the public hearing, the chairperson of the Historic Review Commission shall notify the Department of City Planning, who shall publicize the notice of the hearing:

a.

In one (1) newspaper of general distribution in the City, and

b.

By mailing notices via first class mail to the owners of record of all property located within and adjacent to the structure or district, site or object considered for designation.

(4)

City Council shall vote on the designation of a nominated district, structure, site or object within one hundred twenty (120) days of Council's receipt of the recommendations of the Historic Review Commission and the City Planning Commission.

(j)

(1)

The designation of a nominated district, structure, site or object shall require the affirmative vote of six (6) members of Council if either the Historic Review Commission or the City Planning Commission (or both) recommends against designation. The lack of a recommendation from either Commission shall not be considered as a recommendation that Council either designate or not designate the nominated district, structure, site or object.

(2)

The designation of a nominated structure, site, or object shall require the affirmative vote of six (6) members of Council if the owner of record of the property has submitted to Council his or her written and signed opposition to the designation of the property.

(3)

Where Council fails to render its decision within the period required by this subsection, or fails to hold the required public hearing within one hundred twenty (120) days from the date of the Historic Review Commission and the Planning Commission's recommendations, the failure of Council to act shall be a deemed approval if both the Historic Review Commission and the Planning Commission gave affirmative recommendations for the historic designation.

(4)

If the proposed historic designation received a negative recommendation from either the Historic Review Commission or the Planning Commission, then the failure of City Council to act will be a deemed denial.

(5)

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If the proposed historic designation did not receive any recommendation from the Historic Review Commission or the Planning Commission, then the failure of City Council to act will be a deemed denial.

(k)

The Historic Review Commission shall not reconsider a proposed designation within five (5) years of its previous nomination unless petitioned to do so by the owners of at least fifty-one (51) percent of the lots of record being nominated, or unless the previous nomination was withdrawn by its nominator(s) in accordance with § 1101.03(e). The Historic Review Commission shall not consider a proposed amendment or rescission of designation within one (1) year of its previous designation. The restrictions of this paragraph shall not apply to deemed denials under § 1101.03
<http://library.municode.

(l)

Any historic structures or historic districts designated by City Council in previous Ordinances and Resolutions are hereby designated as historic structures or districts under the provisions of this resolution.

(Ord. 25-1997, effective 8-7-97; Ord. 6-2003, § 2, eff. 2-25-03; Ord. No. 27-2008, eff. 1-1-09)

§ 1101.04 - CRITERIA FOR DESIGNATION. <javascript:void(0)>

(a)

Minimum criteria for designation. Every nominated Structure, District, Site, or Object must meet one (1) or more of the specified criteria for designation within each appropriate category of the following criteria for designation.

(b)

Designation of Historic Structures, Historic Districts, Historic Sites, and Historic Objects. The Commission shall limit its consideration to the following criteria in making a determination on a nomination of an area, property, site, structure, or object for designation by ordinance as a Historic Structure, Historic District, Historic Site, or Historic Object.

(1)

Its location as a site of a significant historic or prehistoric event or activity;

(2)

Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological, or related aspect of the development of the City of Pittsburgh, State of Pennsylvania, Mid-Atlantic region, or the United States;

(3)

Its exemplification of an architectural type, style or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship;

(4)

Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Pittsburgh, the State of Pennsylvania, the Mid-Atlantic region, or the United States;

(5)

Its exemplification of important planning and urban design techniques distinguished by innovation, rarity, uniqueness or overall quality of design or detail;

(6)

Its location as a site of an important archaeological resource;

(7)

Its association with important cultural or social aspects or events in the history of the City of Pittsburgh, the State of Pennsylvania, the Mid-Atlantic region, or the United States;

(8)

Its exemplification of a pattern of neighborhood development or settlement significant to the cultural history or traditions of the City, whose components may lack individual distinction.

(9)

Its representation of a cultural, historic, architectural, archaeological or related theme expressed through distinctive areas, properties, sites, structures or objects that may or may not be contiguous; or

(10)

Its unique location or distinctive physical appearance or presence representing an established and familiar visual feature of a neighborhood, community, or the City of Pittsburgh.

(c)

Integrity of Historic Structures, Historic Districts, Historic Sites, and Historic Objects. Any area, property, site, structure or object that meets any one (1) or more of the criteria listed above shall also have sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration.

(Ord. 25-1997, effective 8-7-97)

§ 1101.05 - EFFECTS OF DESIGNATION.

(a)

No Exterior Alterations as defined in § 1101.02 <http://library.municode.

(b)

When an application for a building permit, demolition permit or sign permit involving new construction or the exterior alteration of a Historic Structure or a structure located within a Historic District or a Historic Site or a Historic Object is received by the Bureau of Building Inspection, the Bureau of Building Inspection shall notify the Historic Review Commission for approval prior to issuing a building permit or demolition permit or sign permit.

(c)

The Historic Review Commission may seek recommendations from the community, and shall meet and make a determination, at the first available meeting, concerning the appropriateness of each Certificate of Appropriateness application, taking into consideration the criteria for evaluation contained in § 1101.08 herein, except in the case of those applications for which the Commission has authorized the routine approval, without its formal review of the appropriateness of the application. Notice and the time and date of such meeting shall be given to the applicant for the requested certificate at least seven (7) days prior to the date of such

meeting to allow the applicant to appear and present testimony in support of the request. Failure on the part of the Historic Review Commission to take action within sixty (60) days of the monthly meeting where the Historic Review Commission first considers the application shall be deemed to be a determination of approval of the appropriateness of the request. In the event of its disapproval, the Historic Review Commission shall indicate what changes in the plans and specifications would meet its conditions for protecting the distinctive character of the district, structure, site or object.

(Ord. 25-1997, effective 8-7-97)

§ 1101.06 - CERTIFICATE OF ECONOMIC HARDSHIP. <javascript:void(0)>

(a)

Application.

(1)

Any applicant denied a Certificate of Appropriateness by the Commission may within thirty (30) days make application for a Certificate of Economic Hardship on a form prepared by the Commission and submitted to the Commission.

(2)

Application forms shall be available from the Commission.

(b)

Standard to be applied.

(1)

Exterior Alterations other than Demolition, New Construction, Additions, and Relocation. The Commission shall only approve an application for a Certificate of Economic Hardship upon determination that the denial of the Certificate of Appropriateness for alterations has resulted in substantial hardship to the property owner.

(2)

Demolition, New Construction, Additions, and Relocation. The Commission shall only approve an application for a Certificate of Economic Hardship upon a determination that the denial of the Certificate of Appropriateness, except in the case involving a Certificate of Appropriateness for alteration, has resulted in the denial of all reasonable use of and/or return from the property.

(3)

The Commission may provide for further explanation of the applicable standards in its Rules and Procedures.

(c)

Consideration of evidence. In applying this standard, the Commission shall consider among other things any evidence presented concerning the following:

(1)

Any estimates of the cost of the proposed alteration, construction, demolition or relocation and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for it to be approved.

(2)

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Any opinions from a licensed engineer or architect with experience in renovation, restoration or rehabilitation as to the structural soundness of any structures or objects on the property and their suitability for continued use, renovation, restoration or rehabilitation.

(3)

Any estimates of the market value of the property in its current condition; after completion of the proposed alteration, construction, demolition, or relocation; after any expenditures necessary to comply with the recommendations of the Commission for changes necessary for it to approve a Certificate of Appropriateness; and in the case of a proposed demolition, after renovation of the existing property for continued use.

(4)

In the case of a proposed demolition, any estimates from architects, developers, real estate consultants, appraisers, or other real estate professionals experienced in rehabilitation as to the economic feasibility of restoration, renovation or rehabilitation of any existing structures or objects.

(5)

Any and all applicable zoning provisions, the possibility of modifications to zoning provisions and incentives available to the applicant.

(d)

(1) Information to be supplied by applicant for alterations other than demolition, new construction, additions, and relocation:

The applicant shall submit by affidavit the following information:

a.

Estimate of the cost of the proposed alteration and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for it to approve a Certificate of Appropriateness.

b.

Any other information, documentation or evidence as the Commission determines to be necessary to its application of the standard in § 1101.06(b).

(2)

Information to be supplied by applicant for demolition, new construction, additions, and relocation:

The applicant shall submit by affidavit the following information:

a.

The assessed value of the property for the two (2) most recent assessments.

b.

Real property taxes for the previous two (2) years.

c.

The amount paid for the property by the owner, the date of purchase and the party

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from whom purchased, including a description of the relationship, if any, between the owner and the person from whom the property was purchased.

d.

The current balance of any mortgages or any other financing secured by the property, and the annual debt service, if any, for the previous two (2) years.

e.

All appraisals obtained within the previous two (2) years by the owner or applicant in connection with purchase, offerings for sale, financing or ownership of the property.

f.

All listings of the property for sale or rent, price asked and offers received, if any, within the previous four (4) years.

g.

All studies commissioned by the owner as to profitable renovation, rehabilitation or utilization of any structures or objects on the property for alternative use.

h.

For income producing property, itemized income and expense statements from the property for the previous two (2) years.

i.

Estimate of the cost of the proposed construction, demolition or relocation and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for it to approve a Certificate of Appropriateness.

j.

Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture or other.

k.

Any other information, documentation or evidence as the Commission determines to be necessary to its application of the standard in § 1101.06(b).

l.

Tax status of owner as for-profit or not-for-profit.

(e)

Failure by applicant to submit requested information. In the event that any of the information required to be submitted by the applicant is not reasonably available, the applicant shall file with the affidavit a statement of the information that cannot be obtained and shall describe the reasons why such information is unavailable.

(f)

Public hearing.

(1)

The Commission shall hold a public hearing on the application for Certificate of Economic Hardship within sixty (60) days following receipt of the completed application form.

(2)

Notice of the time and place of the public hearing shall also state the general nature of the question involved, and shall be given not less than ten (10) days prior to the date of such hearing by the following methods:

a.

By the display of not less than one (1) poster on each street frontage of the affected property;

b.

By mailing of notification to the owners of all property abutting and all property directly opposite the Historic Structure or structures or objects in a Historic District.

c.

By mailing a notice thereof to every association of residents or owners who have registered an association name with the Commission for this purpose and whose membership is located within the nominated District, or whose membership is located in property abutting or property directly opposite the Historic Structure or structures or objects in a Historic District.

(3)

The hearing shall be conducted in accordance with the pertinent section of the Rules and Procedures of the Commission.

(4)

No member of the Commission absent from the entire hearing shall be eligible to vote on any matter which is the subject of the hearing until such member is provided with copies, transcripts or tapes of all testimony and evidence presented.

(g)

Determination by the Commission. The determination by the Commission whether the denial of the Certificate of Appropriateness has or has not resulted in the denial of all reasonable use of and return from the property or in substantial hardship to the owner shall be made within forty-five (45) days following close of the public hearing and submission of all information, documentation or evidence requested by the Commission. The determination shall be accompanied by findings of fact and a report stating the reasons for the decision.

(h)

Disapproval by Commission. If the determination of the Commission is to disapprove the application for a Certificate of Economic Hardship, the applicant shall be notified within five (5) business days. The notice shall include a copy of the findings of fact and report.

(i)

Determination of economic hardship.

If the determination of the Commission is that the denial of the Certificate of Appropriateness has resulted in the denial of all reasonable use of and return from the property or in substantial hardship to the owner, the Commission shall consult with the Director of the Department of City Planning to provide incentives that may include, but not be limited to, property tax relief, loans or grants from the City of Pittsburgh or other public or private sources, acquisition by purchase, building and safety code

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modifications to reduce cost of maintenance, restoration, rehabilitation or renovation, changes in applicable zoning regulations including a transfer of development rights. The Historic Review Commission may at its discretion permit variations from the provisions of this Chapter and its design guidelines in conjunction with these incentives.

The Director of the Department of City Planning, in consultation with the Urban Redevelopment Authority and other City departments and agencies, shall provide for an Incentive Plan to relieve the economic hardship found by the Commission within sixty (60) days of the Commission's decision.

(j)

Issuance of Certificate of Economic Hardship. If no Incentive Plan is provided by the Director of the Department of City Planning within sixty (60) days following the Commission's decision finding economic hardship, the Commission shall issue a Certificate of Economic Hardship to the applicant within five (5) business days. The Certificate of Economic Hardship shall be valid for a period of six (6) months from issuance by the Commission.

Upon receipt of the Certificate of Economic Hardship the applicant can apply to the Land Use Control Division of the Department of City Planning and the Bureau of Building Inspection to obtain necessary permits, if any.

(Ord. 25-1997, effective 8-7-97)

§ 1101.07 - ESTABLISHMENT OF THE HISTORIC REVIEW COMMISSION.

(a)

Historic Review Commission is hereby established, and the same shall consist of seven (7) citizen members, each of whom shall reside in the City of Pittsburgh. The membership positions shall be filled by appointment by the Mayor and approved by City Council. The positions shall be filled as follows:

(a)

(1) One (1) member shall be a professional preservationist or an architectural historian active with a broad-based local organization involved with historic preservation and/or history;

(2)

One member shall be an architect who has been selected from a list of individuals recommended by appropriate professional societies;

(3)

One member shall be appointed from the Department of City Planning; one (1) member shall be appointed from the Bureau of Building Inspection; and one (1) member shall be filled by the Mayor from the membership of the Greater Pittsburgh Board of Realtors and this representative shall be selected to fairly represent the viewpoints of the Real Estate sales community.

(4)

Two (2) membership positions shall be filled by the Mayor by appointing any two (2) citizens who have demonstrated an outstanding interest and/or knowledge of historic preservation and restoration in the City of Pittsburgh. and one who shall be a qualified land-use attorney or practiced in constitutional land-use issues.

(b)

The responsibilities of the Historic Review Commission shall be to:

(1)

Investigate and report on the appropriateness of structures, districts, sites and objects which are being considered by City Council for historic designation and to make recommendations to the Council about approval or disapproval of such designations.

(2)

Review all demolition permit, building permit and sign permit applications involving new construction or exterior alteration of Historic Structures or structures in Historic Districts or Historic Sites or Historic Objects and make determinations concerning the appropriateness of the work proposed in such permit applications. The Commission shall also review all proposed exterior alterations as defined in § 1101.02 <http://library.municode.

(3)

See that appropriate standards and guidelines are established for each proposed Historic District and see that the residents of the geographical area being considered for designation are involved in developing and amending those standard guidelines for their district.

(4)

Seek recommendations from community groups on decisions involving applications for Certificates of Appropriateness in the respective districts.

(5)

Carry on educational activities in furtherance of the purpose of this Chapter.

(6)

Act in an advisory role to City departments and agencies related to preservation matters.

(7)

Act as a catalyst to expedite the flow of projects through departments and agencies.

(8)

Facilitate the redevelopment of historic structures and districts in accordance with approved development plans of the city.

(9)

Act as liaison on behalf of the City with preservation organizations, professional societies, community and other groups, private property owners, and interested citizens, concerning conservation of the historic resources of the city.

(10)

Act as a liaison behalf of the City with State Pennsylvania Historic Preservation Officer, agencies of the federal government, the National Advisory Council on Historic Preservation, and the National Trust for Historic Preservation, concerning the historic resources of the city.

(11)

Prepare plans for the conservation and development of historic resources.

(12)

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Undertake or encourage and facilitate the documentation of the architecture and history of the City's historic resources.

(c)

Terms.

(1)

After initial staggered terms of two (2) members for one (1) year, two (2) members for two (2) years, and three (3) members for three (3) years, each Commission member shall serve a three-year term of office. Any appointed member of the Commission may be removed from office by the Mayor only for just cause and with the approval of Council. The Mayor shall submit reason constituting cause in writing to the Commission and to the Council. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

(2)

The current members of the Historic Review Commission, appointed by the Mayor under Ordinance 20 of 1979, shall serve out their terms of office. In addition, every member of the Commission shall continue in office after expiration of his term until his successor shall have been duly appointed.

(d)

Officers. The Mayor shall appoint the Chairman of the Commission who shall be responsible for calling all meetings within the prescribed time limitations as set forth in this resolution. The Vice Chairman, Secretary and any other officers of the HRC shall be elected by the Commission. The secretary shall keep the minutes of the meetings and a permanent record of all resolutions, motions, transactions and determinations.

(e)

Meetings. An official meeting of the Historic Review Commission cannot be called to order without the establishment of a quorum of four (4) Commission members. All members of the HRC shall be entitled to vote and the decision of the Commission shall be determined by a majority vote of the Historic Review Commission members present at the meeting.

(Ord. 25-1997, effective 8-7-97)

§ 1101.08 - CRITERIA FOR EVALUATION. <javascript:void(0)>

The Commission shall consider the following factors when reviewing proposed exterior alterations:

(a)

The extent to which the proposal will promote the general welfare of the City and all of its citizens.

(b)

The extent to which the proposal will preserve or protect the historic architectural nature of the defined district, structure, or site.

(c)

Exterior architectural features, including all signs which are subject to public view from a public street, way or place.

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(d)

General design and arrangement.

(e)

Texture, material and color.

(f)

The relation of the factors in (c), (d) and (e) of this section to similar features of buildings or structures in the immediate surroundings.

(g)

The appropriateness of the proposal when reviewed in light of the Guidelines for the Issuance of Certificates of Appropriateness developed by the Historic Review Commission.

(h)

Alterations as they may impact upon the fire protection and life safety of the affected structure consistent with the Fire and Building Codes.

(Ord. 25-1997, effective 8-7-97)

§ 1101.09 - EXCEPTIONS TO THE EFFECTS OF DESIGNATION. <javascript:void(0)>

(a)

The limitations upon the issuance of demolition or building permits in any Historic District or for any Historic Structure, any Historic Site or Historic Object, shall not apply when the work involved in the permit has been ordered by the Bureau of Building Inspection or the Allegheny County Health Department for the preservation of the public health or safety.

(b)

If the Allegheny County Health Department or the Bureau of Building Inspection has ordered work on or the demolition of a Historic Structure or a structure located within a Historic District, or a Historic Site or a Historic Object, the Historic Review Commission shall be notified of the proposed work or demolition. If the Historic Review Commission disagrees with the plan of either agency, the Commission shall have the right to delay the proposal ninety (90) days by submitting a delay request. During the delay period, the Commission may develop alternative plans for consideration. If after ninety (90) days no such alternative plans can be developed, the proposed work or demolition may proceed as ordered.

(Ord. 25-1997, effective 8-7-97)

§ 1101.10 - PENALTIES FOR NON-COMPLIANCE. <javascript:void(0)>

Whoever makes an Exterior Alteration in violation of this Chapter shall be punished as provided in Title 10 Chapter 1001 Paragraph 1001.10.

(Ord. 25-1997, effective 8-7-97)

§ 1101.11 - AMENDMENTS. <javascript:void(0)>

City Council may, by ordinance, amend, supplement, or change this Chapter after requesting and receiving recommendations from the Historic Review Commission and the City Planning Commission upon such amendments and after conducting a public hearing.

(Ord. 25-1997, effective 8-7-97)

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