

**FILE OF THE CITY CLERK**

**ADMINISTRATION ORDINANCE NO. 2 - 2014**

**ADMINISTRATION BILL NO. 2 – 2014**

**INTRODUCED – APRIL 8 , 2014**

**ADOPTED BY COUNCIL – APRIL 22, 2014**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF LANCASTER AMENDING ORDINANCE NO. 6 – 1999, KNOWN AS THE HERITAGE CONSERVATION DISTRICT ORDINANCE, AS FIRST AMENDED BY ADMINISTRATION ORDINANCE NO. 4- 2005 (CHAPTER 155, ARTICLE II, OF THE CODE OF THE CITY OF LANCASTER) IN ORDER TO AMEND AND ADD CERTAIN DEFINITIONS AND TO CLARIFY THOSE ACTIVITIES REQUIRING CERTIFICATES OF APPROPRIATENESS.**

**WHEREAS**, the Council of the City of Lancaster has heretofore adopted an ordinance establishing a Heritage Conservation District; and

**WHEREAS**, the Council adopted the Heritage Conservation District Ordinance for the purposes, among others, of safeguarding the City’s historic, aesthetic and cultural heritage, as embodied and reflected in the City’s historic buildings and areas; protecting and enhancing the City’s nationally recognized historic character thereby providing support and stimulation for the City’s economy; and preserving and protecting the cultural, historical and architectural assets of the City which have been determined to be of local, state and/or national significance; and

**WHEREAS**, the Heritage Conservation District Ordinance provides for the regulation of demolition and construction of buildings, structures, and elements thereof; for the appointment of a Historical Commission to give recommendation to the City Council; and for the establishment of procedures for applications for demolition and construction approval, public notification, conduct of public meetings of the Historical Commission and City Council, and notification to applicants.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the City of Lancaster that the Heritage Conservation District Ordinance shall be amended as follows:

**Section 1.** Section 155-20, Definitions, of the Heritage Conservation District Ordinance, is amended by revising certain definitions and adding new definitions as follows:

. . . . .

Alteration – Any visual or physical change to a building, including the repair, painting or replacement of any exterior structural element or the repair,

replacement or installation of any decorative or accessory element or feature. The exemption of alterations, as referenced in Section 155-27.C(2), does not include the removal of character-defining porches, balconies, cornices, dormers, or roofs, the enclosure of porches, balconies, or decks, or the resurfacing, concealment, or reconstruction of character-defining exterior walls or cornices.

. . . . .

Building Wall – An exterior wall of a building permanently affixed to the land

. . . . .

Construction – The erection, assembling, or building from components or materials of a new building or structure, or part thereof, including the extension in height or area of an existing building or structure, the introduction of new elements or additions to existing buildings and structures, including porches, balconies, dormers, decks, and building walls or portions thereof, and the reconstruction or restoration of a demolished or destroyed building or structure or part thereof.

**Section 2.** Section 155-22. B. Historical Commission Membership of the Heritage Conservation District Ordinance is amended by revising the last sentence as follows:

. . . . .

All members of the Historical Commission, with the exception of the registered architect, licensed real estate broker and Building Official, must own property or reside in the Heritage Conservation District.

**Section 3.** Section 155-27. Activities within the Heritage Conservation District Requiring Certificates of Appropriateness of the Heritage Conservation District Ordinance is amended as follows:

A. Demolition

- (1) Demolition activity impacting the streetscape, including demolition of any character-defining porch, balcony, deck, cornice, dormer, roof, or building wall shall require the issuance of a Certificate of Appropriateness by City Council, unless specifically listed as exempt below.

. . . . .

B. Construction

(1) Construction of buildings or structures, including a porch, porch enclosure, balcony, deck, cornice, dormer, roof, or wall, and including installation of new exterior wall materials over existing building walls or portions thereof impacting the streetscape shall require a Certificate of Appropriateness, unless specifically listed as exempt below.

**Section 4.** All other parts, sections and subsections and provisions of the Historic District Ordinance shall remain in effect as heretofore enacted.

**Section 5.** In the event any provision, section, sentence, clause or part of this ordinance shall be held to be invalid, illegal or unconstitutional, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that such remainder shall remain in full force and effect.

**Section 6.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 7.** This Ordinance shall become effective within the time provided by law.

Approved this 22<sup>nd</sup> day of April, 2014

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J. Richard Gray, Mayor

Attest:

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Janet E. Spleen, City Clerk