

City of Lambertville
Ordinance Number 23-2021

An Ordinance to Amend the City of Lambertville's Land Use Ordinance to Include
Section 903, Designation of Historic Landmarks and Historic Districts.

§ LDR-903 Designation of historic landmarks and historic districts.

A. The Historic Preservation Commission ("the Commission") shall consider for landmark designation and historic district designation any building(s), structure(s), objects, sites and districts within the City of Lambertville which merit individual landmark and historic district designation and protection, possessing integrity of location, design, setting, materials, workmanship or association; and being:

1. Of particular historic significance to the City of Lambertville by reflecting or exemplifying the broad cultural, political, economic, agricultural or social history of the nation, state, or community; or
2. Associated with historic personages important in national, state, or local history; or
3. The site of a historic event which had a significant effect on the development of the nation, state, or community; or
4. An embodiment of the distinctive characteristics of a type, period, or method of architecture or engineering; or
5. Representative of the work of an important builder, designer, artist or architect; or
6. Significant for containing elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
7. Able or likely to yield information important in prehistory or history.

B. Based on its review or upon the recommendation of other municipal bodies or of concerned citizens, the Commission may make a list of additional individual buildings and structures and collections of buildings and structures recognized as a district recommended for designation as landmarks and historic districts. For each landmark and historic district, there shall be a brief description of the landmark and district, of the landmarks and district's significance pursuant to the criteria in §XXX-XX A. The Commission shall, by certified mail:

1. Notify each owner that his/her/its property is being considered for historic landmark designation or inclusion in an historic district and the reasons therefor.

If the owner objects to such consideration, the owner shall within 30 days of receipt of such notice provide such notice in writing to the Historic Preservation Commission, for removal from consideration, but in no case shall the city add a property without owner consent.

2. Advise each owner of the significance and consequences of such designation, and advise him/her of their opportunities and rights to challenge or contest such designation;

3. Notify each owner of the public meeting to be held in accordance with §XXX-XX C.

C. The list of potential additional landmarks and historic districts as well as the description, significance, location, boundaries, and map siting of each shall be subject to review at a Commission public hearing. At least 10 days before such a hearing, a preliminary list and a map showing proposed additional landmarks and district boundaries shall be published, together with notice of the hearing in an official newspaper of the municipality. At the hearing, interested persons shall be entitled to present their opinions, suggestions and objections on the proposed recommendations for landmark and historic district designation. The Commission shall then prepare a concise report, including a list and a map of its recommendations for sites to be designed as local landmarks. Copies of the report shall be delivered to the City of Lambertville City Council, the Planning Board and the City Clerk, and a notice of the action published by the Commission secretary in an official newspaper of the municipality. The published notice shall state the Commission's recommendations and also that final designation shall be made by the City Council at a public hearing specified on a date not less than 15 nor more than 45 days from the date of publication. The City Council shall then consider the designation list and map and may approve, reject, or modify same by ordinance, **but in no case shall the City Council approve with consent of the owner**. Once adopted, the designation list and map shall also be incorporated by reference into the City's Master Plan and Zoning Ordinance, as required by the Municipal Land Use Law.

D. Copies of the designation list and Historic District map as adopted shall be made public and distributed to all City agencies reviewing development applications and construction permits. A certificate of designation shall be served by certified and regular mail upon each owner included on the list, and a true copy thereof shall be filed with the County Clerk for recording in the same manner as a certificate of lien upon real property. E. Definitions: As used in this section, the following terms shall have the meaning indicated.

1. Historic Landmark: A property, structure or natural object designated as a landmark by ordinance of the City Council, pursuant to procedures prescribed in this title, that is worthy of rehabilitation, restoration and preservation because of its historic or architectural significance to the City of Lambertville.

2. Historic District: An area designated as a historic district by ordinance of the City Council, and which may contain within definable geographic boundaries, one or more landmarks and which may have within its boundaries other or structures that, while not

of such historic or architectural significance to be designated as landmarks, nevertheless contribute to the overall historic or architectural characteristics of the historic district.

INTRODUCTION AND FIRST READING: October 21, 2021

PUBLIC HEARING AND SECOND READING: November 18-2021