



# CONSERVATION OVERLAYS OR HISTORIC DISTRICTS: WHICH ONE TO USE?

## INTRODUCTION

The role and the nature of city planning as an activity of local government continues to evolve. New importance has been given to physical development as a result of environmental concerns, interest in historic preservation, the increasing complexity and magnitude of development proposals, and the special emphasis placed on humanizing the scale of the City through urban design.

Neighborhood groups have also evolved, becoming more knowledgeable and involved in the development process. As you look at your neighborhood and evaluate your individual needs to guide changes and new development, you should consider two important tools which the Philadelphia Code offers.

## CONSERVATION OVERLAY OVERVIEW AND OBJECTIVES

- Created by City Council in 2004 for residential areas only with the change to the code in 2012 they are no longer just residential.
- Recognize that neighborhoods have integrity of form and streetscape that warrant conservation
- Regulate significant work to a building façade that is visible from a public right-of-way, replacement of existing buildings and construction of new structures
  - Do not regulate interiors or use
- Overall goal is to maintain the public streetscape (i.e. setbacks, cornice lines, landscaping) and visual qualities of the district
- Cannot overlap with an existing or proposed municipal historic district
- Maximum size is 25 blocks

## APPLICATION PROCESS

- 1 Require initiation by neighbors or a community group with proof of interest by the affected residents (either minutes from a public meeting of the group or signatures from 30% of the affected property owners).
- 2 Process includes the creation of community- based design guidelines for the proposed district
  - Guidelines address such items as materials, setbacks, massing
  - Guidelines are written by the community in conjunction with the City Planning Commission
- 3 Once guidelines and boundaries of district are set, City Council votes to create district
- 4 Any work to properties within district must receive Certificate of Compliance from the Planning Commission before building permit can be issued
- 5 In its reviews of permit applications, Planning Commission uses the guidelines approved for that particular district



# CONSERVATION OVERLAYS OR HISTORIC DISTRICTS: WHICH ONE TO USE?

## MUNICIPAL HISTORIC DISTRICTS OVERVIEW AND OBJECTIVES\*

- Historical Commission was created by City Council in 1955, and local historic districts were created when the Historic Preservation Ordinance was revised in 1984
- Recognize historic, cultural, and architectural importance of a neighborhood or area
- Regulate any work that requires a building permit or alters the exterior appearance of a property – jurisdiction is entire building envelope
  - Does not regulate interiors or use
- Overall goal is to preserve the historic fabric that makes up the district

## APPLICATION PROCESS

- 1 Initiated by a community group
- 2 Nominations are submitted to the Philadelphia Historical Commission, which votes on the districts' creation
- 3 Work to a property, including demolition, within an historic district must receive approval from the Historical Commission before a permit can be issued
- 4 In its reviews of permit applications, Historical Commission uses the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties. These guidelines adopt the hierarchy that calls for the preservation of historic material; if preservation is no longer feasible, the repair that would save as much material as possible; if replacement must occur, the element should be replaced in kind. The Standards do allow for additions and alterations that are considered part of modern living, such as roof decks.

---

## CONSERVATION DISTRICT OR MUNICIPAL HISTORIC DISTRICT?

If a neighborhood would like to maintain some specific design characteristics that are broad neighborhood features, a conservation overlay would be a better tool. Conservation overlays provide regulations which require that distinct neighborhood characteristics must be included in new development and new construction, yet does not forbid the demolition of existing buildings. In a conservation overlay, the area may have many new buildings, yet the overall visual character of the area is retained. Conservation overlays must also allow for a variation of architectural styles and cannot be as prescriptive as maintain just one architectural identity.

If residents are concerned about preserving buildings and the neighborhood's historic fabric, a municipal historic district should be used. In historic districts, a demolition may only happen when a building cannot feasibly be reused or if a profound public interest exists. Any changes to the properties within an historic district are viewed through the lens of protecting the existing building fabric.