

City of Somers Point

Ordinance

No. 15 of 2025

An Ordinance Amending and Supplementing Chapter 114 – Development Regulations, Article XXVIII – Somers Point Historic Preservation Commission

Whereas, the residents of the City of Somers Point, are proud of its lengthy history, which history is reflected in certain the style and construction many of its homes and buildings in the town; and

Whereas, City Council of the City of Somers Point has recognized the importance of the historical nature of such homes and buildings by creating the Somers Point Historic Preservation Commission; and

Whereas, the City lays claim to one property, Somers Mansion, that is on the State/National Registers of Historic Places; and

Whereas, the City has three (3) Historic Village Zones, one of which has been placed on the National Registry of Historic Places; and

Whereas, the City has one (1) Historic District and two (2) Historic District Extensions that have received Certificates of Eligibility or State Historic Preservation Office Opinions of Eligibility; and

Whereas, an additional site with State Historic Preservation Officer Opinions has been demolished; and

Whereas, City Council, by and through its Steering Committee, has reviewed its ordinances for the Somers Point Historic Commission to ensure that, as written, the City can continue to preserve homes and buildings of historical significance, as well as take advantage of any potential grants which can enhance its Historic District and/or these homes and buildings; and

Whereas, in review of its ordinances, it was determined that the City's ordinances do not include a process which would allow the City to designate a structure as a Historic Landmark; and

Whereas, City Council now wishes to amend Article XXVIII – Somers Point Historic Preservation Commission, of Chapter 114 – Development to grant the Somers Point Historic Preservation Commission authorization to make recommendations concerning the designation of a property as a Historic Landmark, as well setting for a process and criteria for such a designation to be implemented.

NOW THEREFORE, IT IS HEREBY ORDAINED by the City Council of the City of Somers Point as follows:

SECTION 1: §114-204 Responsibilities is hereby amended to include a subparagraph "G" which will read as follows:

G. The Commission shall conduct, maintain, and expand, when appropriate, a comprehensive survey of the City to identify historic landmarks and historic districts that are worthy of protection and preservation, as well as recommend to the Planning Board and City Council the designation of buildings, structures, sites, objects or improvements as local historic landmarks and to recommend the designation of local historic districts.

City of Somers Point **Ordinance**

SECTION 2: §114-206 Designation and regulation of historic sites or districts; issuance of permits is hereby amended to include a subparagraph "C" which will read as follows:

C. The criteria for evaluating and designating historic landmarks and historic districts shall be guided by the National Register Criteria as currently published and amended from time to time. The Commission, or any person, may recommend designation of historic landmarks or historic districts that are in accordance with the National Register Criteria or that possess one or more of the following attributes:

1. Character, interest, or value as part of the development, heritage or cultural characteristics of the City, State or Nation; or
2. Association with events that have made a significant contribution to the broad patterns of our history; or
3. Association with the lives of persons significant in our past; or
4. Embodiment of the distinctive characteristics of a type, period or method of construction, architecture, or engineering; or
5. Identification with the work of a builder, designer, artist, architect or landscape architect whose work has influenced the development of the City, State or Nation; or
6. Embodiment of elements of design, detail, material or craftsmanship that render an improvement architecturally significant or structurally innovative; or
7. Unique location or singular physical characteristics that make a district or landmark an established or familiar visual feature; or
8. Ability or potential ability to yield information important in prehistory or history.

SECTION 3: A §221-210 Designation Procedure is hereby added which will read as follows:

A. Proposals to designate a property as historic pursuant to this article may be made by the City Council, the Commission, a City resident, or the Planning Board, in accordance with the following procedures:

1. Nomination report for a historic landmark. A nomination to propose a historic landmark shall include the following information, which addresses the criteria for designation as set forth herein:
 - a. A photograph of the proposed landmark; and
 - b. A copy of the municipal tax map showing the property on which the proposed landmark is located; and
 - c. A physical description of the proposed landmark; and
 - d. A statement of significance.
2. Nomination report for a historic district. A nomination to propose a historic district shall include the following information which addresses the criteria for designation as set forth herein:
 - a. A building-by-building inventory of all properties within the district identifying key, contributing, harmonizing, non-contributing, or intrusions; and

City of Somers Point **Ordinance**

- b. A photograph of each property and building within the district; and
 - c. A copy of the municipal tax map of the district showing boundaries; and
 - d. A physical description of the proposed district; and
 - e. A statement of significance.
- B. Hearing. Following receipt of a nomination to propose a historic landmark or historic district, the Commission shall schedule a public hearing on the proposed designation.
- C. Notification requirements. At least 20 days prior to the public hearing, the Commission shall, by personal service or certified mail, perform the following:
- 1. Notify the owner(s) of record of a property that has been proposed for historic landmark designation, or the owner(s) of record of all properties located within a district that has been proposed for historic district designation, that the property or district, as applicable, is being considered for such designation and the reasons therefor;
 - 2. Advise the owner(s) of record of the significance and consequences of such designation, and of the rights of the owner(s) of record to contest such designation under the provisions of this article;
 - 3. Notify the owner(s) of record of the date, time, and location of the hearing concerning the proposed designation of the property or district; and
 - 4. Serve any further notices as may be required under the provisions of the Municipal Land Use Law.
- D. Public notice of hearing. At least 20 days prior to the public hearing, the Commission shall also cause public notice of the hearing to be published in the official newspaper of the City.
- E. Public report. At least 20 days prior to the public hearing, a copy of the nomination report shall also be made available for public inspection in City Hall.
- F. Public hearing. At the public hearing scheduled in accordance with this article, the Commission shall review the nomination report and accompanying documents. Interested persons shall be given the opportunity to be heard and to comment on the proposed nomination for designation.
- G. Commission report. If the proposed nomination is approved by the Commission, then the Commission shall forward a report to the City Council, which shall contain a statement of the Commission's recommendations and the reasons therefor with regard to proposed designations considered at the hearing, including a list and map of properties approved for designated.
- H. Referral to Planning Board.
- 1. The City Council shall refer the report to the Planning Board, which in turn shall report back to Council within 60 days.
 - 2. Failure of the Planning Board to transmit its report within the sixty-day period provided herein shall relieve the City Council of its obligations relating to the referral of such a report to the Planning Board.
 - 3. The City Council action on historic landmark or historic district designations shall be otherwise subject to those procedures and statutes which apply to a change of a zoning designation and adoption, revision, or amendment of any development regulation.

City of Somers Point **Ordinance**

I. Final designation.

1. As soon as possible after its receipt of the report from the Planning Board or at expiration of the period allowed for Planning Board comment on designations pursuant to §114-210H above of this section, the City Council shall act upon the proposed designation list and/or map.

a. It may approve, reject, or modify by ordinance the designation recommendations made by the Planning Board.

b. In the event that the City Council votes to reject or modify any Planning Board recommendations for a proposed designation, the City Council shall record in its minutes the reasons for not following such recommendation.

2. All action taken by the City Council on proposed designations shall become effective upon a favorable vote except, in cases in which an official protest has been filed with the City Clerk, a proposed designation shall then require a favorable majority vote of a majority of the full authorized membership of the City Council.

3. Public notice of designation.

a. A notice of designation shall be made public by publication in the official newspaper of the City and by distribution to all municipal agencies reviewing development applications and permits.

b. A certificate or letter of designation shall be sent to the owner(s) of record.

J. Incorporation of designated landmarks into City records

1. Upon adoption of an article by City Council designating a historic landmark or a historic district, the said designation shall supplement, rather than supersede, the existing zoning district in which the affected historic landmark or historic district is located.

2. Immediately after designation, the designation, list, and/or map shall be incorporated into the master plan as required by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

3. Designated properties shall also be noted as such on the records for those properties as maintained by the engineering and zoning offices, as well as the offices of the construction official, the tax assessor, and the City Clerk.

4. In addition to the requirement for notation in the foregoing §114-210 J(1)-(3) above, there shall be within 90 days, entered upon the property records a notation which identifies each historic landmark and property located within a historic district and constituted on the date of the adoption hereof in the offices of the:

a. Planning and Development;

b. Tax Assessor;

c. The Construction Division of Licenses and Inspection;

d. The City Engineer;

e. The Zoning Officer; and

f. The City Clerk.

City of Somers Point **Ordinance**

5. Each tax/assessment search requested for a property located within a historic district shall note thereon the subject property is located in the specific Historic District.

6. Similarly, all forms maintained and issued by the Construction Code Official, City Engineer, Zoning Officer, and City Clerk that are responsive to requests for information, permits, and like documents, shall contain a notation which identifies, as applicable, the presence of a property within a historic district as constituted on the date of the adoption hereof and as new landmarks as historic district designations occur hereafter.

K. Amendments. Amendments to historic landmark or historic district designations may be made in the same manner as they were adopted in accordance with the provisions of this article.

SECTION 4: A §221-211 Regulating Underlying Zoning Districts is hereby added which will read as follows:

All properties within the Historic District Overlay Zones shall remain subject to all underlying zoning district regulations.

SECTION 5: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

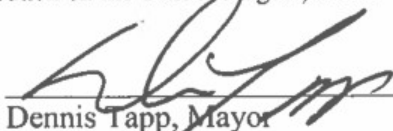
SECTION 6: Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 7: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

FIRST READING:	July 10, 2025
PUBLICATION:	July 16, 2025
FINAL READING:	August 14, 2025
PUBLICATION:	August 20, 2025

The within Ordinance was introduced at a meeting of the Common Council of the City of Somers Point, County of Atlantic and State of New Jersey held on the 10th day of July, 2025 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on the 14th of August, 2025.

08/21/2025
Date


Dennis Tapp, Mayor

