

LPC Permit Guidebook

How to Get Staff-Level Approvals

2019 Edition



Landmarks Preservation
Commission

**LPC Permit Guidebook:
How to Get Staff-Level Approvals
2019 Edition**



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Commission
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New York City Landmarks
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New York City Landmarks
Preservation Commission

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Christopher Postlewaitte/Mayoral Photography Office, City of New York

Foreword from the Chair

For more than fifty years, LPC has been designating and regulating historic districts and landmarks, and I have seen firsthand the power of preservation to revitalize communities, support economic development, drive investment into existing buildings, and bring about pride in neighborhoods. Our approach to regulation is not static; it evolves over time to allow historic buildings to adapt to modern needs and use new technologies. The Commission recognizes that all buildings, especially historic buildings, need to be maintained, used, and appropriately adapted to remain relevant in the future.

Over the past fifty years, the Commission has developed rules that allow a faster and more streamlined review of some applications by staff, which allows the agency to be more efficient and responsive to property owners who want to make these kinds of changes. Most recently, the Commission adopted updated rules in January 2019 to further streamline the permitting process and make the regulatory process more efficient and transparent. The Commission receives approximately 14,000 permit applications a year and approximately 95 percent of permits are issued by staff. If those applications are complete when submitted, they can be issued in as few as ten days.

Our goal is to approve appropriate work as quickly as possible, and to make the agency's processes clear and fair, which is why I am so pleased to present the second and updated edition of the LPC Permit Guidebook. The guidebook explains and illustrates the rules for staff-level approval and the application requirements, and is designed to help property owners successfully work with the Commission so they can get their permits as quickly as possible.

The fastest way to get a permit is if your application is complete when you file it. The purpose of this guidebook is to provide applicants with a clear explanation of the Commission's processes and rules, and what information is needed in order to get staff approval so the appropriate information can be included in the initial submission. The Guidebook breaks down the application into simple steps and identifies what materials are required for the most common work types.

The updated guidebook also addresses important issues facing the city. It includes new guidance on barrier-free access in order to ensure buildings are accessible, and, for the first time, it also addresses sustainability, resiliency, and flood-proofing measures in historic buildings so they may best adapt to the impacts of climate change.

Preservation is a partnership between owners, their agents, and LPC, and I hope that by making this information accessible and the process easier, we can continue to develop these relationships and make preservation of NYC's rich historic and architectural heritage a success!



Sarah Carroll, *Chair*
New York City Landmarks Preservation Commission



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Introduction

This guidebook is intended to help you get a permit as quickly as possible. The easiest way to do so is to **file an application that is complete when you first submit it**. Filing a complete application will allow the staff to approve the work if it conforms to the rules of the Landmarks Preservation Commission. If an application does not conform to the rules, it can be presented to the LPC Commissioners at a public hearing. This guidebook is focused on helping applicants submit applications that meet the rules and can therefore be approved by staff. Staff approval is the fastest way to get a permit.

What does it mean to file a complete application?

It means submitting a **fully filled out application form accompanied by materials that document existing conditions, describe the proposed work, and demonstrate that the work you propose satisfies the criteria of the LPC Rules**. If your application materials fulfill these requirements, staff can quickly issue your permit.

The sooner your application is fully complete, the sooner your permit can be issued. Permits for many work types can be issued in as few as ten business days if your application is complete upon submission. Certain expedited permits can be issued within three days.

The guidebook focuses on the most common work types, such as window replacement, restoration, and maintenance, as well as building additions and accessibility. **If your work type is not included in this guidebook, please contact LPC** at 212-669-7817 or info@lpc.nyc.gov. If you wish to pursue an application that does not meet LPC Rules, staff will guide you through the process.

The LPC Permit Guidebook should be used in conjunction with the LPC Rules, available on our website at www.nyc.gov/landmarks. It does not replace or amend the LPC Rules.



Following this guidebook does not release property owners from the obligation of obtaining a permit for work from the Commission.



How to Use This Guidebook



To help you plan your project and submit a complete application for a work permit, the guidebook offers two main sections:

The Permit Application Process

This section explains the permit application process, including permit types and requirements, and how to submit a complete application. Use it to determine if your work requires a permit and learn how to get started on your application.

LPC Rules and Filing Instructions

This section contains chapters on the most common types of work that staff can approve. Each chapter explains the rules and criteria for specific types of work, lists the application materials you need to show that your project meets the rules, and includes tips for finding information about your building plus other resources and guidance.

To get the most out of this guidebook:

Find the chapter that matches the type of work you plan to do.

Review “How to Get Started” and requirements for staff-level approval. If you understand the criteria, a complete application will be easier to put together.

Make sure your proposal conforms to the LPC Rules. If your proposal does not conform to the rules, you will either need to revise your proposal or present your proposal before the LPC Commissioners.

Submit your application, along with the materials listed in the chapter that show how your work complies with the LPC Rules.

The Permit Application Process



When planning your project and compiling your application materials, use the LPC Rules criteria as a checklist.

Permit applications are reviewed and approved by either LPC staff or the full Commission. Work that meets the LPC Rules can be issued by staff. Work that does not meet the rules must be reviewed by the LPC Commissioners at a public hearing.

Your application must include the application form itself, completely filled out and signed by the property owner, plus materials that explain existing conditions and proposed work. For staff approval, materials must show how the work meets the LPC Rules.

→ In This Section:

[When Is a Permit Required?](#)

[How LPC Processes Your Application](#)

[Permit Types](#)

[How to Get Started](#)

[How to Submit a Complete Application](#)

When Is a Permit Required?

When Is an LPC Permit Required?

With few exceptions, the Landmarks Law (found in Title 25, Chapter 3, Sections 301 to 322 of the New York City Administrative Code) requires owners of landmark properties to obtain permits from the LPC before doing work that affects the exterior and, in some cases, interior of a landmark property.

LPC permits are required for the following exterior work:

Restoration, alteration, reconstruction, demolition, or new construction that affects the exterior of an individual landmark or building in a historic district, even parts of the building that are not visible from the street.

Any project that occurs on a landmark site or within the boundaries of a historic district, such as a new building or other improvement on a vacant lot.

LPC permits are required for the following interior work:

Projects that require a permit from the Department of Buildings (DOB).

Projects that may be thought of as “interior” but affect the exterior of a building, such as HVAC louvers and vents.

Projects that affect interior spaces designated as interior landmarks.

When Is an LPC Permit Not Required?

LPC permits are not required for minor ordinary repairs or maintenance, such as:

Replacing broken window glass.

Repainting a building’s exterior or architectural feature a color that matches the existing color.

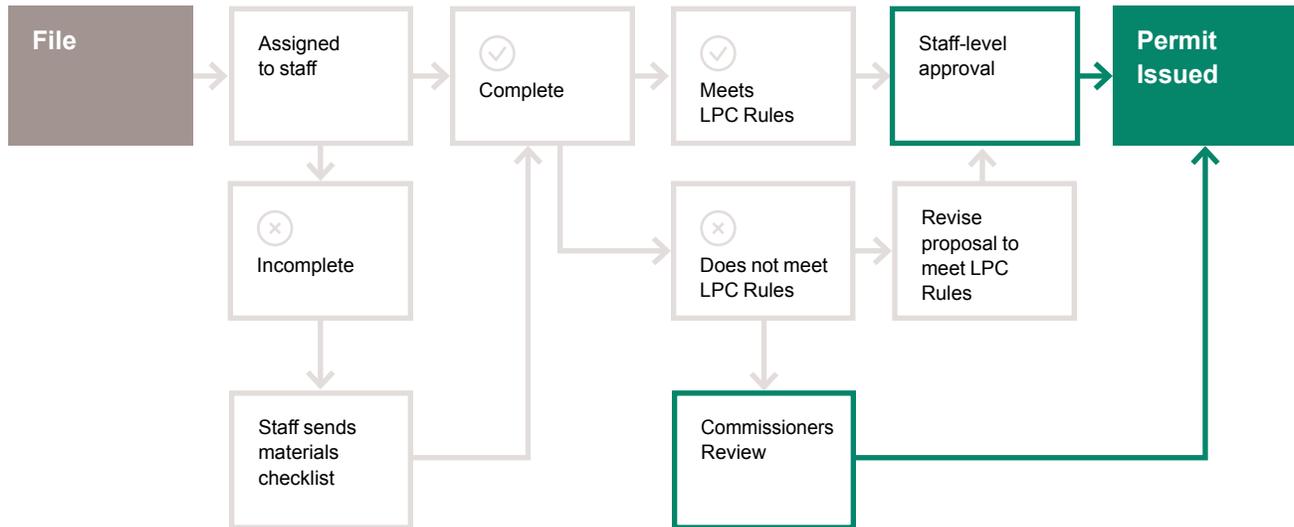
Replacing caulk around windows and doors.

Note: Ordinary repair and maintenance does not include repointing, rebrownstoning, replacing siding, or replacing features like windows. Do not presume your work qualifies as an ordinary repair or maintenance — always check with the Commission.

Unsure whether your work requires a permit?

Contact LPC at 212-669-7817 or info@lpc.nyc.gov.

How LPC Processes Your Application



File

You provide your application, consisting of a fully filled-out application form and supporting materials, to the LPC. You can either mail in your application or submit it in person.

Assigned to Staff

When LPC receives your submission, staff reviews the application form to identify key information (including property address, block and lot, and primary contact name and email) and type of review (standard or expedited). Your application is given a reference number (“docket number”) and assigned to a preservationist.

Staff reviews your application to

determine the permit type and process required: whether the work can be approved at the staff level or must undergo a full Commission review at a public hearing. They also note if your application is complete, and whether it requires additional materials.

If Complete

If your application is complete upon submission, staff can issue a permit in as few as ten days. “Complete” means it includes the descriptive materials necessary for staff to determine that the work conforms to the LPC Rules. LPC can then issue a **staff-level approval**.

Meets Rules

After your application is complete, if your proposed work meets the rules, LPC can then issue a staff-level approval.

Permit Issued

All permits are issued to the property owner. A permit describes the proposed work and explains why it has been approved. Permits must be posted prominently at the building while the work is underway.

If Incomplete

If your application is incomplete, staff will send you a Materials Checklist and request additional materials. After you provide the missing information, staff can determine whether the work meets the LPC Rules.

Does Not Meet Rules

If your application does not meet LPC Rules, staff may suggest modifications or other alternatives that can be approved at the staff level. Otherwise, staff will guide you through the public hearing process for **Commission review**.

Permit Types



The type of permit issued for your project depends on the type of work you plan to do. Permit types are categorized as staff-level permits, Commission-level review, or post-approval actions.

Staff-Level Permits

Standard Review

Permit for Minor Work (PMW) is issued when the proposed exterior work does not require a DOB permit and is found to be restorative or appropriate, such as repairing brownstone or window replacement.

Certificate of No Effect (CNE) is issued when the proposed work requires a DOB permit and the work is found to have “no effect” on protected architectural features, such as facade restoration (Local Law 11), barrier-free access ramps, creating new window openings, or HVAC equipment.

Authorization to Proceed is issued for work that will be done pursuant to a Commission-approved master plan. Master plans establish criteria that allow for approval of repetitive work that will occur over an extended period of time, such as replacing windows or installing through-wall air conditioners. Depending on the work, a master plan can be approved at the staff level or by the full Commission.

Expedited Review

Staff-level permits for certain types of work can be expedited through two different services:

FasTrack Service

Certificates of No Effect and Permits for Minor Work can be processed through FasTrack if the application is for interior work or select exterior work on non-visible facades, such as window replacement, minor restoration, or HVAC equipment. The FasTrack Application Form lists eligible work types and criteria that must be met to qualify for FasTrack service. A permit can be issued **within ten days** if:

The proposed work meets LPC Rules.

The application is complete.

No outstanding LPC violations exist on the associated property.

The application includes the correct application form, plus one copy of signed and sealed DOB filing drawings for interior alterations only or two copies for exterior work.

Expedited Certificate of No Effect

An Expedited Certificate of No Effect (XCNE) permit can be issued for certain interior work. The application form lays out the specific criteria that must be met to qualify for XCNE service. A permit can be issued in **two or three business days** if:

The work is limited to an interior space that is not a landmark.

The work does not include partitions behind windows, through-wall or through-window HVAC equipment, or other work that may affect the exterior.

No outstanding LPC violations exist on the associated property.

The application includes the correct application form with notarized signatures, plus one copy of signed and sealed DOB filing drawings.



If you apply for an expedited review but staff determines that the application is incomplete or does not meet the criteria for expedited review, the application is moved to LPC’s standard review process.

Commission-Level Review

Status Update Letter (SUL) is issued when the Commission approves a proposal presented at a public hearing and notifies the owner of the outcome and the required materials (often, the DOB filing drawings) needed to issue an actual permit. The SUL is not a permit and does not authorize work.

Certificate of Appropriateness (C of A) permit is issued after the owner submits all required materials identified in the SUL. Final drawings are reviewed to ensure they match the design approved by the full Commission, including any modifications required as part of the approval.



Remember

Only work approved by the LPC is legal and permitted. If unauthorized changes are made during construction — even if approved by the DOB — they will later need to be approved by the Commission and may need to be modified to meet LPC’s requirements.

Post-Approval Actions

Amendments

A valid, existing LPC permit can be amended to reflect certain changes and to extend or even reinstate a permit. Staff can approve amendments to a Commission-approved or staff-approved permit if the work meets the rules and/or is found to be in keeping with the intent of the original approval, and/or has no effect on significant protected architectural features. If the changes to the approved work are significant, they may need to be reviewed at the Commission level instead of the staff level.

Notice of Compliance

A Notice of Compliance (NOC) letter or “sign-off” can be issued upon request for approved projects, but LPC does not require an NOC except when addressing open violations and permits issued in connection with related approvals from the City Planning Commission (CPC). However, the DOB often requires an NOC prior to final closeout of the DOB process. Requests for NOCs must be accompanied by clear photos of all approved exterior work, including work not visible from a public thoroughfare, and a list of any “as-built” conditions that differ from the original approval.



If on-site conditions are different from what LPC approved or other conditions require modifications to approved work, speak with your staff preservationist and seek an amendment before beginning work. Otherwise, you risk having to remove or redo the work.

How to Get Started



Before applying for your permit, you should:

Find Information About Your Building

This will help you determine how the rules apply.

What type of building is it?

Search for the building on the [Discover NYC Landmarks map](#) to determine if it is designated and how the LPC Rules apply to your specific building type.

Click on your building to find construction date, architect and style, building and landmark type, and a link to the LPC designation report with historical background.

What did the building look like?

Find **historic tax photos** from the 1940s and 1980s, available through the NYC Department of Records & Information Services' [NYC Municipal Archives Collections](#). Knowing what your building originally or historically looked like will help you plan your project.

Additional information, including guidance on finding **historic maps**, can be found in the **LPC Resource Guide**, [Researching Historic Buildings in New York City](#), available at www.nyc.gov/landmarks.

See If the Work Requires a Permit

See *When Is an LPC Permit Required?* earlier in this section, plus the chapter on the appropriate work type in this guidebook.

Unsure whether your work requires a permit?

Contact LPC at 212-669-7817 or info@lpc.nyc.gov.

Is There a Rule for Your Work Type?

Carefully read the portion of this guidebook relevant to your proposed work. Use the checklists provided for planning your project and compiling application materials.

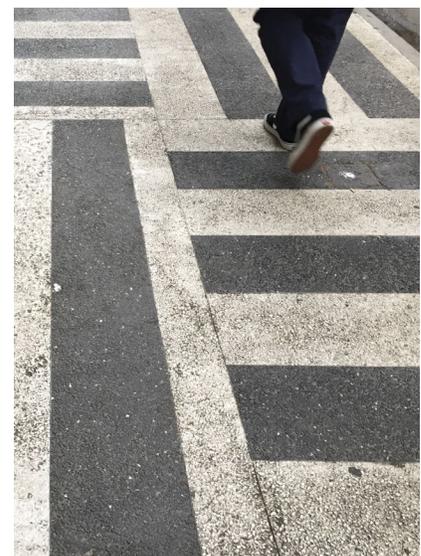
To further understand LPC requirements, review the rules that pertain to your project, available on LPC's website, nyc.gov/landmarks.

If your project does not appear to meet the LPC Rules, or there is no rule for your work type, contact LPC for guidance.

Start Compiling All Necessary Materials

Using the list of required materials in the guidebook chapter that pertains to your project, compile all the materials necessary to show that the work meets LPC Rules criteria for your work type.

Print the appropriate application form to be signed by the property owner or an officer of the cooperative (co-op) or condominium board.

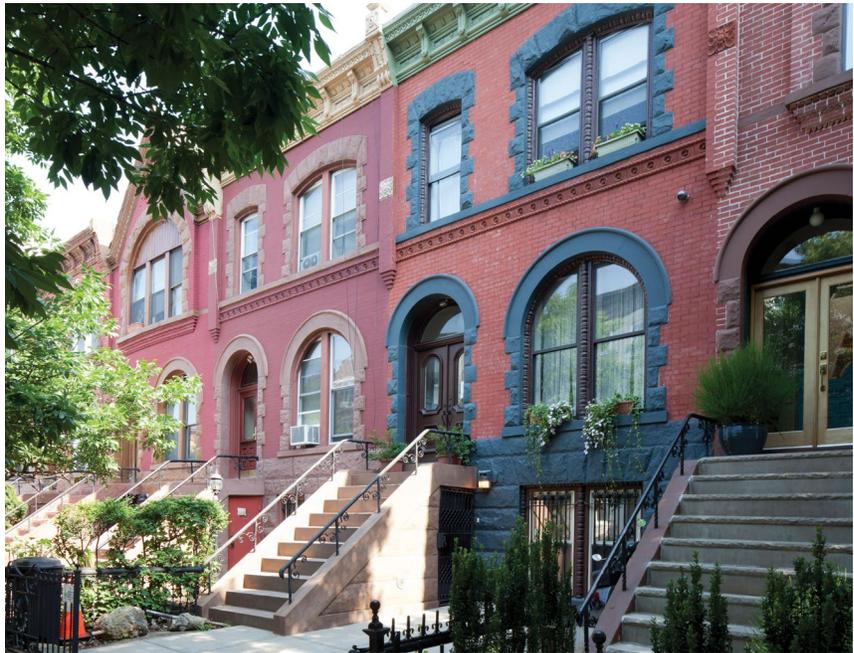


How to Submit a Complete Application for Staff Approval



All forms are available at www.nyc.gov/landmarks.

A complete application consists of the correct LPC application form properly filled out and signed, along with supporting materials that explain the proposed work such as photos, drawings, written specifications, and material/color samples. A staff-level permit can only be issued if the materials you submit allow the staff to determine that the work meets the criteria found in the LPC Rules. Follow the five steps below to ensure that you file a complete application.



Step 1

Fill out your application form.

Start by filling out the appropriate application form. Four types are available:

Standard Application Form

Use this form for interior or exterior work, or to correct or legalize a landmark violation.

FasTrack Application Form

Use this form for interior work and select exterior work ranging from interior alterations to window replacement and HVAC equipment on non-visible facades. The FasTrack Application

Form lists types of work and includes a checklist of required submission materials.

Expedited Certificate of No Effect Application Form

Use this form for most interior work, with some limitations on lower floors as identified on the form. **Absolutely no exterior work can be included on this form.** A checklist of required authorizations and consents is on the form.

Post-Approval Application Form

Use this form to amend or sign off on previously approved work.



Amendment applications must be accompanied by a list of any exterior work that differs from your original approval, plus drawings clearly annotated with notes that explain revisions. Changes not clearly identified in this manner will not be considered part of the amendment, even if they are shown on the filing drawings. Making such changes to your building may result in a violation.

Step 2

Check to see what application materials are required.

Use the guidebook to understand which materials you must include with your Standard or FasTrack application. Chapters are organized by work type and explain which required application materials apply to the most common types of work. Your application materials must show how your work conforms to the LPC Rules criteria for your specific type of work. For FasTrack and Expedited Certificate of No Effect applications, materials and other requirements are listed in the application form itself.

Sign-off or Notice of Compliance applications must be accompanied by clear photos of the completed exterior work, including work that is not visible from a public thoroughfare, and a list of any exterior work that differs from your original approval. Neglecting to clearly identify all work that differs from the original approval may result in delays. As a result, the sign-off may not include the work, leaving it subject to potential enforcement action in the future.

Step 3

Check to see whether a violation exists on the property.

Contact LPC to find out whether an LPC violation or summons is in effect against your property. A violation indicates that conditions at the property have changed without an LPC permit or are in non-compliance with an existing permit.

If a Notice of Violation is in effect, LPC may not process your application unless it meets the following conditions:

The application is limited to work addressing the violation.

The proposed work will correct a hazardous condition.

The proposed work will clearly further the continuing preservation of the building by addressing deterioration or maintenance issues.

A permit has been issued to correct work cited in the violations, and an escrow agreement or other acceptable form of assurance has been established to ensure that corrective work will be completed within a specific timeframe.

These conditions do not apply to a warning letter, which is issued when LPC first learns of a violation and gives owners the opportunity to correct a condition. Visit www.nyc.gov/landmarks to learn more about violations.

How long does it take for LPC to review your application?

Standard applications are reviewed within two weeks of submission. If your application is complete and meets the LPC Rules, staff can issue a permit upon initial review. FasTrack and Expedited Certificates of No Effect are reviewed and issued within ten days and two days of submission, respectively.

If staff cannot determine what your work entails or whether it meets the LPC Rules, you will be sent a Materials Checklist. Each submission in response to a Materials Checklist will be reviewed in the order in which it is received. Issuance of a Materials Checklist and having to submit additional materials in response delays the issuance of a permit.

Step 4

Have your application form signed by the property owner.

Your application form must be signed by the property owner. An improperly signed form, such as a form signed by a tenant, is not sufficient.

For co-op and condominium buildings, the chair or other appropriate officer of the co-op board or condominium association must sign the application. However, a condominium unit owner may sign for interior work only.

Please note that your **original** signed application form (not a copy or a PDF) must be submitted for all application types except for sign-offs and amendments. You still need to submit the form to the Commission for these work types. If the owner is the same, it does not have to be the form with the original signature (i.e., can be a copy).

Step 5

Submit your application.

Applications can be submitted by mail or dropped off at our office. Applications cannot be submitted online, except for amendments and Notices of Compliance.

Landmarks Preservation
Commission
1 Centre Street, 9th Floor North
New York, NY, 10007
Attention: Permit Applications

Applications for amendments and Notices of Compliance can be emailed to applications@lpc.nyc.gov, if there are no DOB filing drawings being submitted and the owner is the same.

If you require guidance, please contact
LPC at 212-669-7817
or email info@lpc.nyc.gov.

How long do applicants have to complete an incomplete application?

If your application remains inactive for **more than 90 days** after a Materials Checklist is issued, it may be withdrawn and a Withdrawn at Staff Level letter will be sent. The application will then be closed, and you will need to reapply if you wish to pursue the proposal.

If an application to legalize a violation remains inactive for a period of **55 days** from issuance of a Materials Checklist, staff will withdraw the application and a Notice of Violation or Warning letter will remain in effect against the property. Failure to resolve this matter may result in a summons that originates from the Office of Administrative Trials and Hearings, and a fine may be imposed. A second summons requires a court appearance, and a civil fine will be imposed.