

# Historic Preservation Commission Design Guidelines





## Table of Contents

Article I. Introduction.....	1
Article II. Working in Historic Districts or on Historic Property, Generally.....	2
A. Certificate of Appropriateness Required .....	2
B. Types of Work in Historic Districts or Historic Properties.....	2
C. Painting .....	2
D. Signs .....	2
E. Public Property.....	2
F. Requirement to Provide Ordinary Maintenance .....	2
G. Recording of Applications for Certificate of Appropriateness.....	3
H. Certificate of Appropriateness Void .....	3
I. Certificate of Appropriateness Duration.....	3
J. Requirement of Conformance with Certificate of Appropriateness.....	3
K. Judicial Enforcement.....	3
L. Penalties for Violations .....	3
Article III. Application for Certificate of Appropriateness .....	5
A. Process of Approval .....	5
B. Application Review Procedures .....	5
1. Determine if the Project Requires Commission Approval. ....	5
2. Pre-Application Meeting with City staff.....	5
3. Filing an Application.....	6
4. Review by Commission .....	6
5. Commission Meeting .....	7
Article IV. Determinations by the Commission.....	8
A. Approval.....	8
B. Denial of Application.....	8
C. Time Limitation .....	8
D. Notice of Commission Decision .....	8
E. Continuances .....	9
F. Reconsideration .....	9
G. Appeal .....	9
H. Variances from General Design Guidelines.....	9
I. Certificates of Economic Hardship.....	9
1. Substantial Economic Hardship. ....	9
2. Burden of Proof.....	10

3.	Applications.....	10
4.	Standards for Consideration.....	10
5.	Hearing.....	10
J.	Demolitions/Relocations within Designated Districts .....	11
1.	Required Findings – Demolition/Relocation.....	11
2.	Content of Applications .....	12
3.	Post-Demolition or Relocation Plans Required.....	12
4.	Relocation into Historic Districts or Historic Property.....	12
Article V.	Expedited Review Procedures.....	13
A.	Generally.....	13
B.	Routine Maintenance .....	13
C.	Minor Work.....	13
D.	Matters Affecting Immediate Safety or Welfare .....	13
Article VI.	Fundamental Design Guidelines.....	14
A.	Generally.....	14
B.	Building Orientation and Setback .....	14
C.	Directional Emphasis.....	15
D.	Shape.....	16
E.	Massing .....	18
F.	Rhythm.....	19
G.	Scale and Height.....	20
Article VII.	Design Guidelines Relative to Rehabilitation and Alteration .....	21
A.	Generally .....	21
B.	Secretary of the Interior’s Standards for Rehabilitation.....	21
C.	Standards for Rehabilitation and Alteration .....	22
1.	Design Character .....	22
2.	Repairing Original Features.....	22
3.	Replacing Original Features .....	22
4.	Existing Alterations .....	22
5.	Materials .....	22
Article VIII.	Design Guidelines Relative to Specific Work Activity.....	24
A.	Additions .....	24
1.	Generally.....	24
2.	Location.....	25
3.	Materials .....	25

4.	Original Design Character .....	25
B.	New Construction .....	25
1.	Generally .....	25
2.	Doors and Windows .....	26
3.	Form and Scale .....	26
4.	Foundations .....	26
5.	Massing and Orientation .....	26
6.	Materials .....	27
C.	Demolition .....	27
D.	Public and Common Areas and Facilities .....	27
1.	Standards for Public and Common Areas and Facilities .....	28
E.	Signs .....	28
F.	Cross-Applicability of Design Guidelines .....	29
Article IX. Design Guidelines Relative to Architectural Materials and Features of the Primary Structure .....		30
A.	Exterior Blinds, Awnings, and Shutters .....	30
B.	Entrances and Doorways .....	30
C.	Foundations .....	30
D.	Porches and Railings .....	30
E.	Roofs .....	31
F.	Storm Doors and Windows .....	31
G.	Surface Cleaning .....	31
H.	Trim and Ornament .....	31
I.	Windows .....	31
Article XII. Design Guidelines Relative to Site Features and Lot Improvements .....		33
A.	Accessory Buildings, Structures, and Appurtenances .....	33
1.	Detached Garages or Carports .....	33
2.	Dumpsters and Mechanical Equipment .....	33
3.	Pergolas and Pavilions, Storage and Work Sheds .....	33
4.	Yard Accessories .....	33
B.	Decks, Porches, and Railings .....	33
1.	Decks .....	33
2.	Porches and Railings .....	34
C.	Exterior Lighting .....	34
D.	Fences and Walls .....	34
E.	Landscape and Plant Materials .....	35

F.	Mailboxes .....	35
G.	Overall Continuity .....	35
H.	Pools, Hot Tubs, and Saunas .....	36
I.	Satellite Dishes, Antennae, Solar Panels, Electronic Devices, and Other Appurtenances.....	36
J.	Sidewalks, Drives, Parking, and Paving .....	36
1.	Sidewalks and Paving .....	36
2.	Parking .....	37
3.	Driveways.....	37
K.	Wheelchair Ramps .....	37
Appendix A.	Classification of Work.....	39
Appendix B.	Definitions.....	44

## Article I. Introduction

- A. The City of Tuscaloosa Historic Preservation Commission (Commission) was created by Ordinance No. 6590 duly enacted by the City Council of The City of Tuscaloosa, Alabama, on May the 6<sup>th</sup> 2004. This ordinance and subsequent ordinances dealing with the Commission are codified in the Tuscaloosa, Ala. Code §§ 20-15.25 to 15.34 (1983). The City of Tuscaloosa created the Commission by authority of Act No. 2004-267 of the Legislature of the State of Alabama, now codified at Ala. Code §§ 11-68-1 to 15 (1975). These Rules, Regulations and General Design Guidelines are promulgated by the Commission pursuant to the authority of Ala. Code § 11-68-9(c)(1975) and Tuscaloosa, Ala., Code § 20-15.29(i). For information regarding the Commission's organization, meetings, membership, voting and procedural matters, etc., see *Bylaws and Rules for Transaction of Business of the City of Tuscaloosa Historic Preservation Commission* (2015).
- B. Among the purposes for which the Commission was created was the recognition by the City of Tuscaloosa that:
- Many significant historic structures in the City have either been destroyed, demolished, or are in ill repair, which has an adverse impact on the public health, safety and welfare; and
  - The City's historical, cultural, and aesthetic heritage is essential to the promotion of the health, prosperity, and general welfare of the people; and
  - Historic preservation stimulates revitalization of the business districts; protects and often increases property values in historic neighborhoods; and protects and enhances local historical and aesthetic attractions for residents and tourist, thereby promoting and stimulating commerce; and
  - The designation, protection, preservation, and rehabilitation of historic properties and historic districts enables Tuscaloosa's citizens to participate in federal and state programs and enhances opportunities for federal and state tax benefits. [Tuscaloosa, Ala., Code § 20-15.25(d)]
- C. Although the Commission is fully aware of the individual nature of each property and its context within a historic district or a historic property, and while each petition will be considered on its own merits, these General Design Guidelines will be utilized by the Commission to determine whether or not and/or to what extent to grant or deny a petition for a Certificate of Appropriateness for major work or minor work in a historic district or historic property. As a consequence, these General Design Guidelines provide primary guidance to entities seeking a Certificate of Appropriateness.
- D. Finally, please note that these General Design Guidelines also include an appendix (Appendix A) categorizing proposed projects and work activity in historic districts and historic property by type, nature, and the appropriate level of review related to each. An appendix (Appendix B – Definitions), containing interpretive sources and definitions of terms of significance utilized herein. Both appendices are adopted herein as part of these Design Guidelines.

## **Article II. Working in Historic Districts or on Historic Property, Generally**

### **A. Certificate of Appropriateness Required**

After the designation by ordinance of a historic property or of a historic district, no historic property may be demolished, no building or structure in a historic district may be erected or demolished and no material change in the exterior appearance of such historic property, or of a structure, site, object, or work of art within such historic district, shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a Certificate of Appropriateness has been submitted to and approved by the Commission and any appropriate building permit has been issued by the city's chief building official. Signs shall be considered as structures and no sign on a historic property or in a historic district shall be changed, erected or demolished unless and until a Certificate of Appropriateness is approved by the Commission. [Tuscaloosa, Ala., Code §§ 20-15.29(a) to (c)]

### **B. Types of Work in Historic Districts or Historic Properties**

Major Work and Minor Work including rehabilitation, new construction and demolition requires a Certificate of Appropriateness. Routine maintenance does not require a Certificate of Appropriateness unless it involves a material change in appearance in which case a Certificate of Appropriateness is required. Provided, however, both minor work and routine maintenance involving a material change in appearance that is still considered Minor Work as well as any work activity in Historic Districts and upon Historic Property that poses an immediate threat to public safety may be dealt with by City staff pursuant to Expedited Review procedures herein.

### **C. Painting**

The painting of originally unpainted surfaces shall require a Certificate of Appropriateness. Other painting does not require a Certificate of Appropriateness. [Tuscaloosa, Ala., Code § 20-15.29(f)]

### **D. Signs**

Signs shall be considered as structures and no sign on a historic property or in a historic district shall be changed, erected or demolished unless and until a Certificate of Appropriateness is approved by the Commission. [Tuscaloosa, Ala., Code § 20-15.29(c)]

### **E. Public Property**

The requirement of a Certificate of Appropriateness shall apply to public property which has been designated as a historic property or which is contained in a historic district, and shall apply to all actions by public authorities which involve historic properties and historic districts. [Tuscaloosa, Ala., Code § 20-15.29(e)]

### **F. Requirement to Provide Ordinary Maintenance**

Owners of properties within historic districts shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. At a minimum, owners shall keep such structure or property, including all accessory structures, adequately maintained and repaired in accordance with the 2003 International Property Maintenance Code, section 304.

The Commission shall monitor the condition of historic properties and existing buildings in historic districts to determine if they are being allowed to deteriorate by neglect. Such



conditions as broken windows, doors and openings, which allow the elements and vermin to enter, the deterioration of exterior architectural features; or the deterioration of a building's structural system shall constitute failure to provide ordinary maintenance or repair. [Tuscaloosa, Ala., Code § 20-15.30]

**G. Recording of Applications for Certificate of Appropriateness**

The Commission shall keep a public record of all applications for Certificates of Appropriateness and of all the Commission's proceedings in connection with said application. [Tuscaloosa, Ala., Code § 20-15.29(q)]

**H. Certificate of Appropriateness Void**

A Certificate of Appropriateness shall become void unless construction is commenced within six (6) months from the date of issuance. [Tuscaloosa, Ala., Code § 20-15.29(r)]

**I. Certificate of Appropriateness Duration**

Certificates of Appropriateness shall be valid for a period of eighteen (18) months and are renewable. [Tuscaloosa, Ala., Code § 20-15.29(r)]

**J. Requirement of Conformance with Certificate of Appropriateness**

All work performed pursuant to an issued Certificate of Appropriateness shall conform to the requirements of such certificate. In the event work is performed not in accordance with such certificate, the Commission shall issue a cease-and-desist order and all work shall cease. [Tuscaloosa, Ala., Code § 20-15.29(s)]

**K. Judicial Enforcement**

The City Council or the Commission are authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property or historic district, except those changes made in compliance with the provisions of the applicable laws and/or these Design Guidelines or to prevent any illegal act or conduct with respect to such historic property or historic district and to recovery any damages or cost that may have been incurred by such act or conduct. [Tuscaloosa, Ala., Code § 20-15.29(s)]

**L. Penalties for Violations**

It shall be unlawful for an owner of property and any person, contractor, individual, partnership, firm, corporation, organization or institution working on behalf of the owner on any portion of the property that is contained within a historic district or historic property to:

- (1) Make or permit to be made any material change in the exterior appearance of an historic property or any building, structure or site within an historic district, or demolish historic property or erect a building or structure in an historic district without first obtaining Certificate of Appropriateness and or building permit as required by this chapter; or
- (2) Fail to provide for ordinary maintenance and repair as required by this chapter; or
- (3) To alter, deviate, or make structural changes or make a change in materials to a structure or property where a Certificate of Appropriateness was previously issued based upon plans or drawings submitted at the Commission hearing without providing notice and receiving the consent of City staff or the Commission for any such changes or alterations.

An owner of property or any person, individual, contractor, partnership, firm, corporation, organization or institution that performs work which violates this section shall be required to pay an additional filing fee of five hundred dollars (\$500.00) to petition the Commission for a Certificate of Appropriateness or amended Certificate of Appropriateness upon a first offense. A stop work order for such construction may likewise be issued.

An owner of property or any person, individual, contractor, partnership, firm, corporation, organization or institution that performs work that constitutes a repeat violation of this section within a twelve (12) month period shall pay an additional filing fee of one thousand dollars (\$1,000.00) to petition the Commission for a Certificate of Appropriateness or amended Certificate of Appropriateness and such violation of this section shall also be a misdemeanor and upon conviction be punishable pursuant to Section 1-8. A stop work order for such construction may likewise be issued.

If a stop work order for illegal construction is issued, an owner and any person, contractor, individual, partnership, firm, corporation, organization or institution performing said work, shall be required to pay a fine of one hundred (100) percent of the amount of the cost of any building permit as required in § 6-116(b)(8) that should have been obtained in addition to any fees or penalties as set forth in subsections (3) and (4). A stop work order will not be released until all filing and permit fees have been paid and a Certificate of Appropriateness has been issued.

In the event that the planning and development services department receives a request to waive any additional filing fee from the Commission or the owner of property or any person, individual, contractor, partnership, firm, corporation, organization or institution, the director of planning and development services and or the directors designee shall have the discretion, with the approval of the Commission, to waive or remit the additional filing fee imposed in subsections d and e of the applicable laws for good cause shown. The director and or the director's designee shall weigh and review the mitigating factors and circumstances related to the violation and may waive or remit the additional filing fee in their discretion, if in their opinion, circumstances warrant that such fee is waived.

An additional filing fee will not be waived if it is determined that a violation was intentionally committed with the intent to circumvent any provision of the applicable laws and/or committed by any person with knowledge of the provisions of this article with disregard thereof. [Tuscaloosa, Ala., Code § 20-15.32]

## **Article III. Application for Certificate of Appropriateness**

### **A. Process of Approval**

A complete application for a Certificate of Appropriateness must be submitted by the owner or the owner's representative and returned with the appropriate attachments to the City staff before applying for any building permits, or before applying for any commercial or residential site plan approval, if required. Applications requiring approval by the Commission must be received by City staff, in completed form, at least ten (10) business days prior to the next Commission meeting. Major work must be considered at a public hearing.

The hearing before the Commission is a quasi-judicial proceeding. Applicants should not contact Commissioners prior to the hearing to solicit advice or to try to influence the outcome of the review process. Only factual evidence in favor or opposed to the request may be presented at the hearing. The Commission's decision as to whether or not or to what extent it will approve the Certificate of Appropriateness will be based upon the extent to which the work proposed in the application complies with the General Design Guidelines and all applicable laws, ordinances and regulations as well as relevant factual information provided at the hearing. Applicants may present evidence or have a representative speak on their behalf. Further information regarding the conduct of the hearing and the materials to be submitted with the application for a Certificate of Appropriateness are available from the City staff.

The Commission does not have jurisdiction to consider the following:

- Property Use
- Occupancy
- Interior Features (having no effect on exterior architectural features)
- Painting of previously painted surfaces

An application for Certificate of Appropriateness shall be accompanied by such drawings, photographs, plans or other documentation as may be required by the Commission. Applications involving demolition or relocation shall be accompanied by post-demolition or relocation plans for the site. [Tuscaloosa, Ala., Code § 20-15.29(j)]

### **B. Application Review Procedures**

#### **1. Determine if the Project Requires Commission Approval.**

Other permitting agencies require a Certificate of Appropriateness from the Commission before they will act on any permit application in a designated local Historic District or historic property. Therefore, an applicant should contact City staff as early as possible in the planning of the project.

#### **2. Pre-Application Meeting with City Staff.**

At the request of the applicant, the City staff may arrange a pre-application meeting, to include staff representatives from other affected boards, agencies, departments, and Commissions. If this is requested, it should be done prior to the design of any proposed changes to the exterior of a property to assist the applicant to determine what coordination with other agencies may be necessary. The meeting may also help identify the appropriate level of detail for the attachments to the application form.

### 3. **Filing an Application**

If a Certificate of Appropriateness is required, the City staff will advise the applicant regarding completion of an application and in identifying what documentation will be needed for the project to be evaluated. Supporting documentation to be submitted will be in substantial conformance to the application submission requirements established by the Commission and delegated to the staff for enforcement. All proposed projects require a completed application form. Most applications will require some form of drawings, and the detail will be determined by the scope and nature of the project. A checklist is attached to the application, which the applicant and Commission shall use to determine what will be required to adequately document and support the project application. For major work (as defined in Appendix A) the application should include at least the following drawings:

- **Dimensioned Site Plans.** One with existing site conditions, one with proposed site conditions at a scale not less than 1"=10' showing the location of all buildings, additions, drives, sidewalks, fences, exterior lighting, large trees, landscaping, and other site work in context with the same information (except lighting) on adjoining properties within fifty feet of the subject property);
- **Dimensioned Exterior Elevations of All Sides of New Buildings.** For additions and other significant alterations, elevations should be provided of all sides of the building from which new work is visible. Drawings for additions and alterations should include elevations of both existing and proposed construction ("before and after" elevations), with each condition labeled appropriately. All elevations should be at a scale not less than ¼"=1'-0", and all should be of sufficient detail, both graphic and written, to describe all exterior design features and materials to the satisfaction of the Commission. Note that the Commission may require exterior elevations to include elevations of adjacent buildings if, for example, there is concern the scale or massing of a proposed new building or alteration might adversely affect other nearby properties or the street or district as a whole.
- **Additional Information.** The Commission may establish other application submission requirements for work other than as described above when the Commission considers such additional information necessary to make informed decisions. For example, three-dimensional drawings (perspectives or isometrics), though not generally required, are recommended for additional clarity and may be required by the Commission as necessary on a case-by-case basis. Applicants shall submit electronic files of required exhibits when possible. If such submission is not possible, then the applicant must submit twelve (12) copies of such exhibits for distribution to the Commission and for the permanent file relating to the application.

### 4. **Review by Commission**

Completed applications will be placed on the agenda of the next available monthly Commission meeting. These meetings are typically held on the second Wednesday of each month, and application deadlines for each monthly meeting are ten (10) business days prior to each meeting. A report is prepared by staff for each project, an outline of

which is provided to Commission members and to the applicant prior to the meeting at which the application is to be reviewed. The City staff is charged with documentation of the applications to be reviewed, reviewing the subject site and surroundings, and notifying owners of property likely to be affected and consulting with relevant public officials.

## **5. Commission Meeting**

The Commission has prescribed the following typical project presentation format for public hearings to assure adequate information is available to the Commission and to the public:

- A. Introduction by staff of site and situation, to include an overview of:
  - i. Style of existing structure(s) and those adjacent;
  - ii. Nature and significant aspects of the surrounding neighborhood;
  - iii. Contribution of the property to the historic district.
- B. Presentation of proposed plans by applicant or the applicant's designated representative.
- C. Comments by other interested parties
- D. Consideration by the Commission
  - i. Questions by the Commission to applicant and others;
  - ii. Discussion by the Commission
  - iii. Commission review and discussion of the appropriateness of the proposed project.
- E. Commission determination (motion, second, vote) regarding the application.

## **Article IV. Determinations by the Commission**

### **A. Approval**

The Commission shall approve the application and issue a Certificate of Appropriateness if it finds that the proposed material change(s), erection or demolition:

- (1) Conforms to the General Design Guidelines;
- (2) Is compatible with the character of the historic property or historic district;
- (3) Does not detract from the value of the historic property or historic district.

In making this determination the Commission shall consider:

- (1) Other pertinent factors;
- (2) The historical and architectural features involved and the proposed change thereto; and
- (3) The relationship thereof to the exterior architectural style and pertinent features of the other structures in the immediate neighborhood.

[Tuscaloosa, Ala., Code § 20-15.29(k)]

Provided, however, the Commission may also approve an application subject to specifically stated conditions. [Tuscaloosa, Ala., Code § 20-15.29(n)]

### **B. Denial of Application**

If the Commission may denies (rejects) an application, in whole or in part, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant and the chief building official of the city. The Commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The Commission may also deny any application in part, or may approve an application subject to stated conditions.

In cases where the application would also require the issuance of a building permit, the rejection of the application for a Certificate of Appropriateness by the Commission shall be binding upon the building inspector or other administrative officer charged with issuing building permits and, in such cases, no building permit shall be issued. [Tuscaloosa, Ala., Code § 20-15.29(n)]

### **C. Time Limitation**

The Commission shall act on an application for a Certificate of Appropriateness within Sixty (60) days after the filing of a completed application by the owner of a historic property, or of a historic structure, site, object or work of art located within a historic district.

Failure of the Commission to act within said Sixty (60) days after the filing of a completed application, absent a continuance as otherwise provided for herein, shall constitute approval and no other evidence of approval shall be needed. [Tuscaloosa, Ala., Code § 20-15.29(m)]

### **D. Notice of Commission Decision**

Evidence of approval shall be by a Certificate of Appropriateness issued by the Commission. Notice of the issuance or denial of a Certificate of Appropriateness shall be sent by United States mail to the applicant and all other persons who have requested such notice in writing filed with the Commission. [Tuscaloosa, Ala., Code § 20-15.29(m)]

## **E. Continuances**

The Commission, with the consent of the property owner, may table an application until the next scheduled meeting. The property owner must consent each time an application is tabled. A property owner can consent to a successive tabling of the application in person at the Commission meeting, or in writing seven (7) days prior to the scheduled meeting. No application shall be tabled more than twice. [Tuscaloosa, Ala., Code § 20-15.29(m)]

## **F. Reconsideration**

No case which has been decided adversely against the petitioner shall again be placed on the Commissions docket for consideration by the Commission within a period of six (6) months from the date of the decision previously rendered except with the consent of a majority of the Commission. [*Bylaws and Rules for Transaction of Business of the City of Tuscaloosa Historic Preservation Commission* § 11]

## **G. Appeal**

Any person having a request for a Certificate of Appropriateness denied by the Commission may appeal such denial to the Circuit Court of Tuscaloosa County within fifteen (15) days from the date of denial by the Commission. [Ala. Code § 11-68-10 (1975), Tuscaloosa, Ala., Code § 20-15.29(o), *Bylaws* § 12]

## **H. Variances from General Design Guidelines**

If requested to do so in writing by the applicant, the Commission may grant an application, in specific cases, a variance from the design guidelines such as will not be contrary to the public interest, where owing to special conditions applying to the property in question and not applicable generally to other buildings, structures or properties, a literal enforcement of the standard would result in unnecessary hardship, but where the spirit of the policies, guidelines and standards of the Commission shall be observed and substantial justice done.

Such special conditions shall be limited to those for which the Commission finds that the granting of the application for a variance is necessary, does not merely serve as a convenience to the applicant, and that the standard from which variance is sought would:

- (1) Result in peculiar, extraordinary or practical difficulties to the subject property (as opposed to the applicant); or
- (2) As applied to an existing building, structure or other condition on the property, serve to decrease the historic or aesthetic value or condition of the district in which the property is located.

## **I. Certificates of Economic Hardship**

### **1. Substantial Economic Hardship.**

If the Commission denies an application for a Certificate of Appropriateness, a property owner may apply for a Certificate of Economic Hardship. The purpose of the Certificate of Economic Hardship is to provide relief where the application of this chapter would otherwise impose a substantial economic hardship.

**2. Burden of Proof.**

The burden of proof rests on the applicant to show that the denial of the Certificate of Appropriateness will result in a substantial economic hardship.

**3. Applications.**

The applicant shall provide such information as may reasonably be required by the Commission to establish the owner's claim of substantial economic hardship. The data provided by the applicant must be substantiated by either professionals in an applicable field or by thorough documentation of how the information was obtained. The Commission may request additional information from the applicant as necessary to make informed decisions. Certificates of Economic Hardship are granted only to the applicant and are not transferable.

**4. Standards for Consideration.**

In making its determination, the Commission may consider, but is not limited to the following described factors, evidence, and testimony:

- A. Date property was acquired and status of the property under this ordinance at the time of acquisition, e.g., whether property was protected by this chapter, condition, etc.;
- B. The structural soundness of the building, or any structures on the property and their suitability for rehabilitation;
- C. The current level of economic return on the property;
- D. The economic feasibility of rehabilitation or refuse of the existing property;
- E. The marketability of the property for sale or lease, considered in relation to any listing of the property for sale or lease, and the price asked and offers received, if any, within the previous two (2) years. This determination can include testimony and relevant documents regarding: (1) Any real estate broker or firm engaged to sell or lease the property; (2) Reasonableness of the price or rent sought by the applicant; and (3) Any advertisements placed for the sale or rent of the property by the owner or applicant;
- F. Comments and/or reports from any community organizations, preservation groups, other associations and private citizens that wish to comment on a submission made under the financial hardware provision; and
- G. The extent to which the owner is responsible for his or her own economic hardship, if any, such as the owner's failure to:
  - i. Perform normal maintenance and repairs;
  - ii. The failure to diligently solicit and retain tenants;
  - iii. The failure to prescribe a rental amount which is reasonable;
  - iv. The failure to provide normal tenant improvements;
  - v. The owner's purchase of the subject property after the enactment of the relevant provisions of this chapter without making said purchase contingent upon the owner's first obtaining the approvals required by this chapter.

**5. Hearing**

The Commission shall hold a public hearing as soon as practical but not longer than forty-five (45) days of receipt of a completed application for a Certificate of Economic Hardship. Notice shall be provided in the same manner the Commission uses for hearings on Certificates of Appropriateness. At the hearing, the Commission shall take



testimony presented by the owner and any other interested parties on the standards set forth above. The Commission shall issue its decision within forty-five (45) days of the hearing.

- A. **Deadlines.** If the Commission fails to timely hold a public hearing, or having conducted a hearing fails to render a decision within forty-five (45) days, the applications for a Certificate of Economic Hardship shall be deemed granted.
- B. **Denial.** If the Commission determines to deny the application for a Certificate of Economic Hardship, the applicant shall be notified in writing and shall be provided a copy of the Commission's final order.
- C. **Initial Determination.** If the Commission makes an initial determination that the applicant has presented a case which may establish substantial economic hardship, but finds that reasonable alternatives may exist which should be addressed by the applicant, the Commission may delay its final order for a period of no more than six (6) months. The applicant shall be notified of the initial determination and shall be provided a copy of the Commission's findings and reasons for the postponement.
- D. **Postponement.** Within the period of postponement, the Commission, in cooperation with the city and the owner, may explore alternatives that will assure reasonable use of the property including, but not limited to loans or grants from public or private sources, acquisition by purchase or eminent domain, building and safety code modifications to reduce cost of maintenance, restoration, rehabilitation or renovation, changes in applicable zoning regulations, or relaxation of the provisions of this chapter sufficient to allow reasonable use of the property.
- E. **Final Determination.** Upon the expiration of the period of postponement, the Commission shall approve or deny the application for a Certificate of Economic Hardship. The certificate may be subject to conditions including design guidelines for subsequent construction not inconsistent with the standards set forth in this chapter and the Commission's design guidelines. The Certificate of Economic Hardship shall be valid for a period of one hundred twenty (120) days from approval by the Commission.

[Tuscaloosa, Ala., Code § 20-15.29]

## **J. Demolitions/Relocations within Designated Districts**

### **1. Required Findings – Demolition/Relocation.**

The Commission shall not grant Certificates of Appropriateness for the demolition or relocation of any property within a historic district unless the Commission finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the Commission shall consider:

- A. The historic or architectural significance of the structure;

- B. The importance of the structure to the integrity of the historic district, the immediate vicinity, an area or relationships to other structures;
- C. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail, or unique location;
- D. Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;
- E. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.

**2. Content of Applications**

All applications to demolish or remove a structure in a historic district shall contain the following minimum information:

- A. The date the owner acquired the property, purchase price, and condition on date of acquisition;
- B. The number and types of adaptive uses of the property considered by the owner;
- C. Whether the property has been listed for sale, prices asked and offers received, if any;
- D. Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expirations of such option;
- E. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
- F. Financial proof of the ability to complete the replacement project, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
- G. Such other information as may reasonably be required by the Commission.

**3. Post-Demolition or Relocation Plans Required.**

In no event shall the Commission entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site. [Tuscaloosa, Ala., Code § 20-15.29(d)]

**4. Relocation into Historic Districts or Historic Property.**

If a contributing structure is relocated to a site within a Historic District or Historic Property, all General Design Guidelines for rehabilitation, alterations and additions shall apply. If a non-contributing structure is relocated to a site within a historic district or historic property, all General Design Guidelines for new construction shall apply.

## **Article V. Expedited Review Procedures**

### **A. Generally**

The Commission authorizes City staff to receive applications for expedited approval of Certificates of Appropriateness for Routine Maintenance and certain Minor work, as both are herein defined. City Staff is further authorized to approve such Certificates of Appropriateness upon ascertaining that the proposed work includes only Routine Maintenance and/or Minor Work. Under such circumstances the Commission waives the requirements for submission of an application for a Certificate of Appropriateness and for consideration at a public meeting.

[Ala. Code § 11-68-9(e), Tuscaloosa, Ala., Code § 20-15.30(a)]

### **B. Routine Maintenance**

The City staff may receive applications for expedited approval of a Certificate of Appropriateness for routine maintenance and shall be entitled to grant such certificate upon ascertaining that the proposed work includes only ordinary maintenance or repair to exterior, architectural or environmental features to correct deterioration, decay or damage and does not involve a material change in design, material or outer appearance. Such expedited review shall not require an application for a Certificate of Appropriateness, a public hearing or notice to adjoining owners. [See Appendix (Article XII)]

### **C. Minor Work**

The City staff, on a case-by-case basis, may approve those projects listed in the Appendix in the Minor Work category, provided that a complete application for a Certificate of Appropriateness, including exhibits and fees, is submitted, and that the proposal also meets all relevant current policies and standards adopted by the Commission. Such review and approval shall not require a public hearing or notice to adjoining owners.

### **D. Matters Affecting Immediate Safety or Welfare**

In instances where there is demonstrated a clear present and imminent danger to the public by the existence of any set of facts pertaining to a historic district, which shall be certified by the Chief Building Official of the City, the Chair and the Secretary *ex officio* of the Commission may, upon their joint concurrence, grant an expedited Certificate of Appropriateness only to the extent necessary to remove the imminent danger. Such expedited review shall not require an application for a Certificate of Appropriateness, a public hearing or notice to adjoining owners.

## Article VI. Fundamental Design Guidelines

### A. Generally

The design of buildings is determined by the way in which various basic design concepts and elements are utilized: building orientation and setback, shape, proportion, scale/height, directional emphasis, massing, rhythm, and architectural and site elements. These concepts form the basis for visual relationships among buildings, which in turn influence the ways in which the public perceives buildings.

When new work is added or a new structure is built among existing buildings, the level of success with which it relates to those existing buildings—and whether it contributes to or detracts from the area in which it is to be located—will be determined by the ways in which its design recognizes the prevailing design expression in the area of influence. The following identify and define several principal concepts of design and offer guidelines for referencing predominant design characteristics in evaluating the appropriateness of a proposed new building or addition.

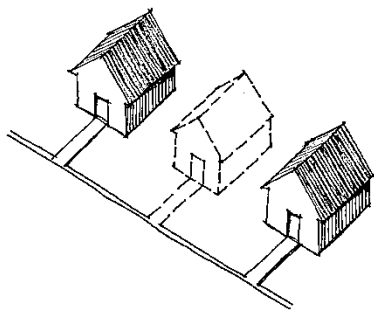
The following illustrations are intended only to point out the types of relationships between new buildings and existing buildings of importance and are not meant to serve as specific design solutions. The Commission reserves the right to amend or append these guidelines at any time. Accompanying the illustrations is written guidelines, such as the following:

*Identify and respect the prevailing character of adjacent buildings and surrounding development.*

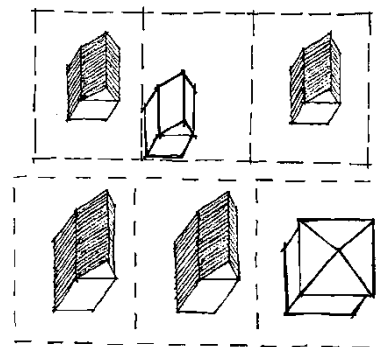
### B. Building Orientation and Setback

Building orientation refers to the directional placement of the building on the site; while setback refers to how far back the building is from the street and side lots lines.

*The orientation of a new building and its site placement shall appear consistent with dominant patterns within the area of influence, if such patterns are apparent.*



*Building Orientation/Setback—Appropriate: The proposed (center) building respects prevailing orientation and setback patterns.*

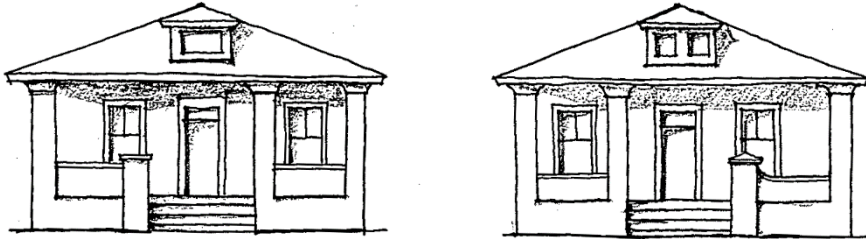


*Building Orientation/Setback—Inappropriate: The middle building at the top violates the established setbacks from the street and property lines. The building on the right at the bottom, with its square plan, is inconsistent with the established front-to-back orientation pattern of the adjacent houses*

### C. Directional Emphasis

Most buildings are either vertical or horizontal in their directional emphasis, which is determined by the size and placement of elements and openings on a building's front façade as well as by the building's overall shape. Surface materials and architectural detailing may also influence directional emphasis.

*A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.*



*Directional Emphasis—Appropriate: The two nearly identical houses above both exhibit horizontal directional emphasis.*

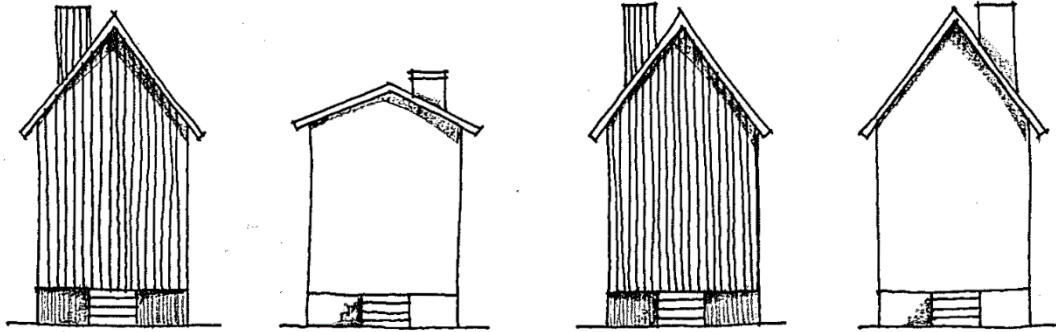


*Directional Emphasis—Inappropriate: Shown above are two houses, typical for the neighborhood and each with a vertical directional emphasis, and a new house that is clearly horizontal in emphasis. This new building is neither sympathetic nor consistent with the established pattern of directional emphasis along this street.*

## D. Shape

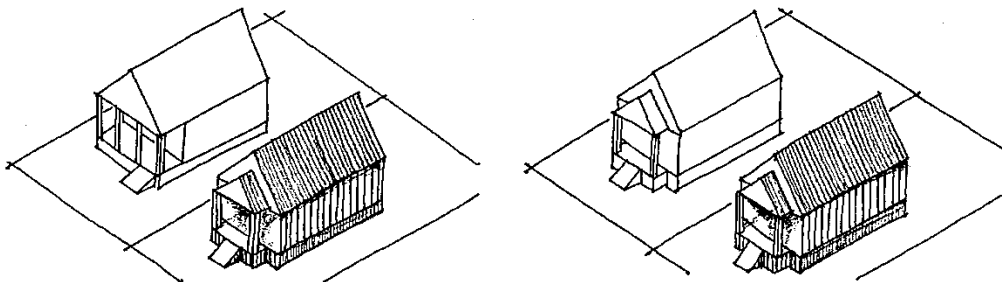
A building's surfaces and edges define its overall shape. This overall shape, in concert with the shapes of individual elements (such as roof pitch, porch form, and window and door openings), is important in establishing rhythms in a streetscape. Shape can also be an important element of style.

*Roof Pitch: The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are apparent.*



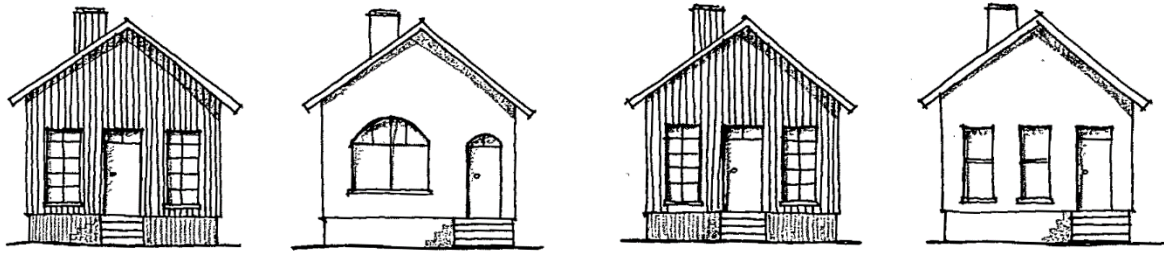
*Shape—Roof Pitch—Inappropriate/Appropriate Examples: These two comparisons depict relationships between historic and new buildings in terms of roof pitch. The example on the left is that of a historic house (shaded) with a steeply pitched roof standing next to a new building with an inappropriate shallow-pitched roof. The example on the right shows a more compatible roof pitch on the new building.*

*Porch Form: The shape and size of a new porch should be consistent with those of existing buildings within the area of influence, if dominant patterns are apparent.*



*Shape—Porch Form—Inappropriate/Appropriate Examples: These two comparisons depict relationships between historic and new buildings in terms of porch form. The example on the left is that of a historic house (shaded) with an extending front gable porch standing next to a new building with an inappropriate integral porch. The example on the right shows a more compatible porch form on the new building.*

*Building Elements: The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are apparent.*

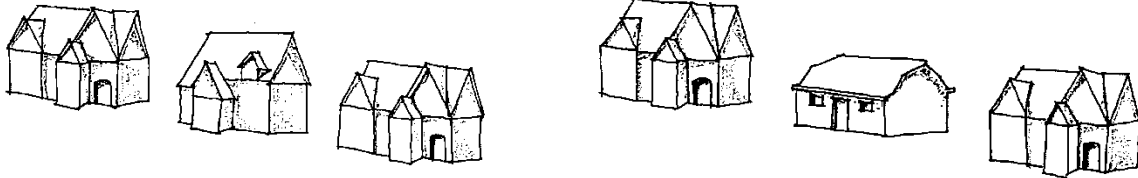


*Shape—Building Elements—Inappropriate/Appropriate Examples: These two comparisons depict relationships between historic and new buildings in terms of building elements. The example above left is that of a historic house (shaded) with flat-arched windows and door openings standing next to a new building with inappropriate round-arched window and door openings. The example above right shows more compatible window and door openings on the new building.*

## E. Massing

Massing has to do with the way in which a building's volumetric components (i.e., main body, roof, bays, overhangs, and porches) are arranged and with the relationship between solid wall surfaces and openings.

*The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are apparent.*

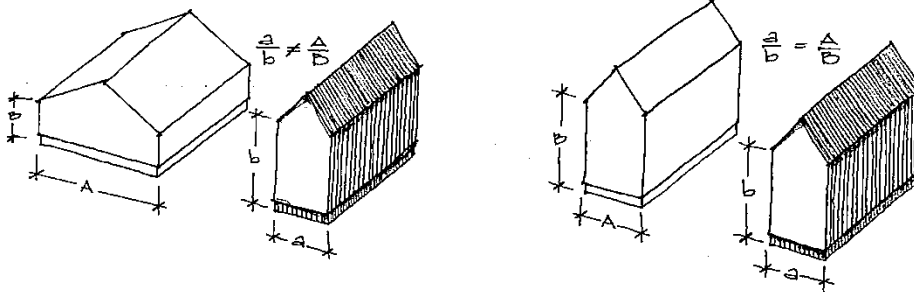


*Massing—Compatible New Development: The new building in the middle has used a massing scheme that is compatible with the patterns established by the historic buildings to either side.*

*Massing—Incompatible New Development: The new building in the middle has used a massing scheme that is not compatible with the patterns established by the historic buildings to either side.*

Proportion is the relationship of one dimension to another; for example, the relationship of the height to the width of a building, or the height and width of windows and doors. Individual elements of a building should be proportional to each other and the building.

*The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are apparent.*



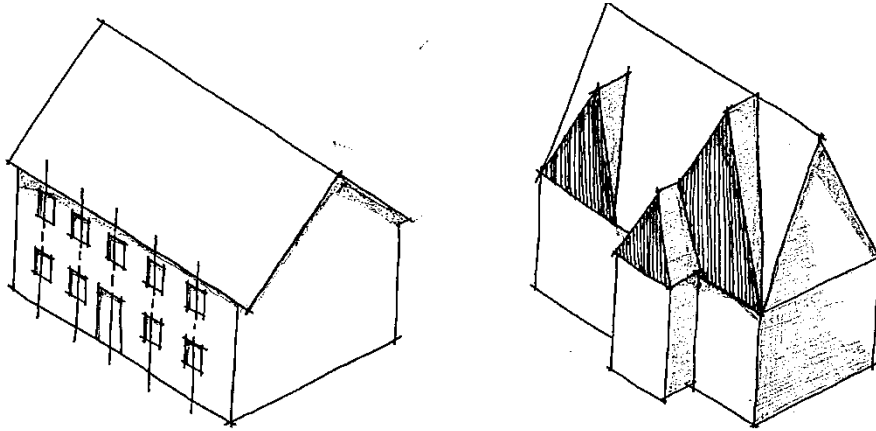
*Proportion—Inappropriate/Appropriate Examples: These two comparisons depict relationships between historic and new buildings in terms of front-façade height-to-width ratio. The example on the left is that of a historic house (shaded) with a height-to-width ratio resulting in a very vertical expression standing next to a new building with a horizontal height-to-width ratio. The example on the right shows a more compatible height-to-width ratio on the new building.*



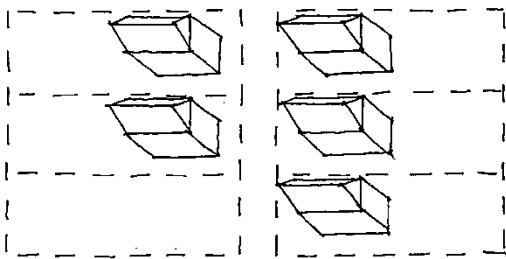
## F. Rhythm

Rhythm is the recurring patterns of lines, shapes, forms, or colors (materials) on a building or along a streetscape. For example, the rhythm of openings on a house refers to the number and placement of windows and doors on a façade. Rhythm also occurs on the larger scale of streetscapes as created by development patterns (orientation and setback) and details of individual buildings (directional emphasis, scale, height, massing, etc.)

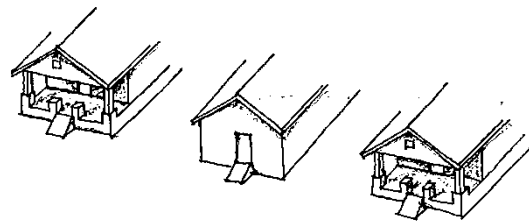
*New construction should respect and not disrupt existing rhythmic patterns set in the area of influence, if such patterns are apparent.*



*Rhythm—Symmetrical/Asymmetrical: These two houses illustrate different types of rhythms created by individual building elements. On the left is a building with a regular placement of elements creating a symmetrical façade. The building on the right has an irregular placement of elements creating an asymmetrical façade.*



*Rhythm—Established Setback Rhythm: These five houses have expressed a well-defined setback and placement rhythm along this street. A new building on the vacant parcel will either continue to or disrupt this pattern.*

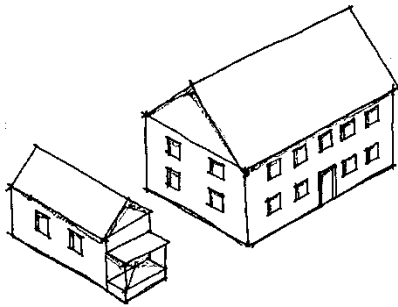


*Rhythm—Inappropriate New Construction: Patterns of solid and voids help create rhythm along a street. The existing buildings in this illustration display a characteristic open porch space. The proposed building in the middle presents a solid front wall surface that disrupts the existing rhythm.*

## G. Scale and Height

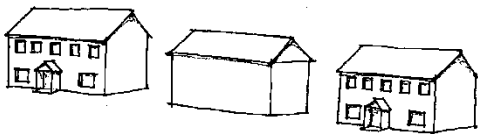
Scale refers to the apparent relationship between two entities, such as the relationship of a building's height to human height, the relationship between different buildings' heights and sizes, or the relationship between the size of an addition and the building to which it is attached. In the Historic Districts the two most important issues are (1) the relationship of new construction to structures in the area of influence, and (2) the relationship of additions to the building to which they are being added.

*A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence.*

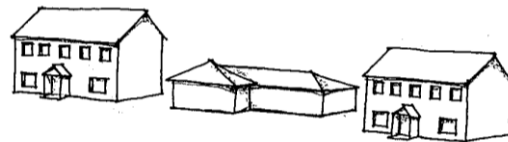


*Scale/Height—Illustrations of Different Scales: The buildings to the left obviously express different scales.*

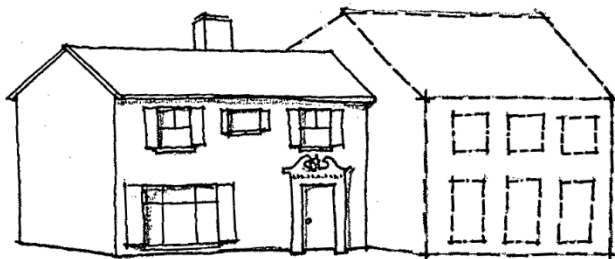
*New construction should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions should not appear to overwhelm the existing building.*



*Scale/Height—Appropriate New Construction: The scale of the proposed building in the middle is compatible with that of the historic buildings to either side.*



*Scale/Height—Inappropriate New Construction: The scale of the proposed building in the middle is incompatible with that of the historic buildings to either side.*



*Scale/Height—Inappropriate Addition: This addition (dashed) is too large and overwhelms the original structure. It also juts forward, thus accenting its presence.*

## **Article VII. Design Guidelines Relative to Rehabilitation and Alteration**

### **A. Generally**

The primary objectives of rehabilitation in a historic district should be to preserve all important, character-defining architectural materials and features of the structure, designed and executed in a manner that provides for a safe and efficient contemporary use compatible with the particular location within the district. To assure these objectives are met, there should be prepared for any rehabilitation effort an *overall plan for rehabilitation* that contains strategies for:

- Protection and maintenance of historic features that survive in a generally good condition;
- Repair of historic materials and features that may be deteriorated;
- Replacement of historic materials and features with new materials where deterioration is so extensive that repair is not possible.

To provide overall guidance to property owners, the Commission has adopted the following *Secretary of the Interior's Standards for Rehabilitation* as general guidelines for planning, design, and execution of all rehabilitation projects, taking into reasonable consideration economic and technical feasibility.

### **B. Secretary of the Interior's Standards for Rehabilitation**

1. A property shall be used for its historical purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires the replacement of a distinctive feature, the new one shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historical materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated

from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## **C. Standards for Rehabilitation and Alteration**

The following standards shall be applied to all rehabilitation or alteration of contributing buildings and structures in the district:

### **1. Design Character**

- Respect the original design character of the structure.
- Express the character of the structure—do not attempt to make it appear older or younger than it is.
- Do not obscure or confuse the essential form and character of the original structure.
- Do not allow alterations to hinder the ability to interpret the design character of the historic period of the district.

### **2. Repairing Original Features**

- Avoid removing or altering any historic material or significant architectural features.
- Preserve original materials and details that contribute to the historic significance of the structure.
- Do not harm the historic character of the property or district.
- Protect and maintain existing significant stylistic elements.
- Minimize intervention with historic elements.
- Repair, rather than replace, deteriorated architectural features.
- Use like-kind materials, and utilize a substitute material only if its form and design conveys the visual appearance of the original.
- Disassemble historic elements only as necessary for rehabilitation, using methods that minimize damage to original materials, and use only methods of reassembly that assure a return to the original configuration.

### **3. Replacing Original Features**

- Base replacement of missing architectural elements on accurate duplications of original features, substantiated by physical or pictorial evidence.
- Use materials similar to those employed historically, taking care to match design, color, texture, and other visual qualities.
- Employ new design that relates in style, size, scale and material wherever reconstruction of an element is not possible due to lack of historical evidence.

### **4. Existing Alterations**

- Preserve older alterations that have achieved historic significance in themselves in the same manner as if they were an integral part of the original structure.

### **5. Materials**

- Maintain original materials and finishes.

- Retain and repair original siding, generally avoiding the use of synthetic siding. When replacement is required, use like-kind materials that conform to the original in profile and dimension, unless such materials are not available.

## Article VIII. Design Guidelines Relative to Specific Work Activity

### A. Additions

New additions to existing buildings are common, but there are certain guidelines that should be followed in order to respect the architectural integrity of the individual building and the district as a whole. Property owners considering making an addition to an existing building should ask themselves three questions:

1. Does the proposed addition preserve significant existing materials and features?
2. Does the proposed addition preserve the character of the building and the surrounding context?
3. Does the proposed addition protect the significance of the building by making a visual distinction between old and new?

*In most cases, additions to existing buildings should not be placed on the main façade(s) of a building. Locate the proposed addition away from the principal public view, ideally to the rear or side of the building. Additions that are flush with the front façade of the building are highly discouraged. Respect the proportions of the building to which it is being added so the addition does not dominate its environment. Whenever possible, an addition should be made so that at a later date it could be removed without compromising the character of the building.*

*Additions should respect the design characteristics and architectural integrity of original buildings. However, the design of the addition should be clearly differentiated so that the addition is not mistaken for part of the original building. While the addition should be compatible, it is acceptable and appropriate for the addition to be clearly discernible as an addition rather than appearing to be an original part of the building. Consider providing some differentiation in material, color, and/or detailing and setting additions back from the existing building's wall plane. The new addition should be designed so that a minimum of existing materials and character-defining elements are obscured, damaged, or destroyed.*

*In most cases, an added structure should be located to the rear of the existing building, where it will have little or no impact on the streetscape. If the new building will be visible from the street, respect the established setbacks and orientations of the buildings in the area. Landscaping is also an important component. For example, a concrete or brick plaza adjacent to the sidewalk is incompatible with an area dominated by grassy lawns.*

#### 1. Generally

An exterior addition to a historic building can significantly alter its appearance and thereby adversely affect both adjacent properties and the character of the entire district. Additions to existing structures in the district have a responsibility to complement and reflect the design, scale and architectural type of the original structure. Before an addition is planned, every effort should be made to accommodate the new use within the existing structure. When an addition is necessary, it should be designed and constructed so that it will complement the original and not confuse the viewer or detract from the character-defining features of the building.

*It should be noted that all additions shall be designed and constructed in accord with the following standards and with the standards for new construction that follow.*

The following standards shall be applied to all construction in the district that involves additions to existing buildings and structures.

**2. Location**

- Maintain the pattern created by the repetition of building fronts, bays and sections in the particular area of the district.
- Locate additions so they will not obscure or damage significant architectural features, ornament or detail.
- Place additions to the side or rear, or set back slightly from the building front.

**3. Materials**

- Use materials that are inspired by and compatible with those of the general character of the original structure.
- Do not obscure window proportions with inappropriate storm windows.

**4. Original Design Character**

- Maintain the size, scale, materials, and character of additions, including their foundations, in a manner compatible with the main building and its context.
- Design and construct additions in such a manner that, if the change were to be removed in the future, the essential form and integrity of the original structure would not be impaired.
- Limit the size of additions to those that do not visually overpower the existing structure.
- Do not allow additions to hinder the ability to interpret the historic character of the structure or district.

**B. New Construction**

After identifying the area of influence and assessing the prevailing character of the development within that area, the next step is to begin the design of the project. Each project is unique and needs to be taken on a case-by-case basis to meet the needs of the owner while at the same time protecting the character of the property and area. There are some general concepts, however, that can assist with the design of the new development.

*New construction should reference and not conflict with the predominant site and architectural elements of existing properties in the area of influence.*

To be compatible with its context, new construction should respect established design patterns within the area of influence. Following are some additional guidelines for new construction.

*New construction should reference predominant design characteristics that make an area distinctive in order to achieve creative and compatible design solutions that are more than just mere imitations of existing buildings. However, new construction is not limited to historical styles, and new buildings should not be imitations of earlier styles.*

**1. Generally**

New construction has an obligation to harmonize with the historic character and scale of the district. Designs for infill and other new construction must be designed with the surroundings in mind. The setback, scale, mass, and size of a structure are as important

as the style or decorative details. However, style, decoration, building materials and landscape treatment and planting shall be utilized in the design to provide the attributes necessary for new construction to be compatible with the district, while creating a distinctive character for the new structure.

The following standards shall be applied to all new construction, *including additions*, in the district.

## **2. Doors and Windows**

- Design new construction so that the rhythm, patterns, and ratio of solid to void (walls to windows and doors) on public facades are compatible with those of adjacent contributing buildings.
- Design new construction so that the size and proportion (ratio of width to height) of window and door openings of primary facades are similar to and compatible with those on facades of adjacent contributing buildings.
- Use doors and windows whose size, proportions and degree of setback from the exterior wall are similar to those of historic designs used in the district.

## **3. Form and Scale**

- Design new buildings to be compatible with contributing buildings in that particular part of the district, yet retain enough of the individuality in form, scale, or level of complexity to avoid confusing the viewer as regard to the age of the new structure.
- Design new buildings to respect the overall relationship of height to width of surrounding contributing structures.
- Proportion new construction to the size of the lot in a manner similar to typical examples of contributing structures within the particular part of the district.
- Provide features on new construction that reinforce the scale and character of the surrounding area by including elements such as porches, porticos, and decorative features, as appropriate.
- Use roof forms and pitches appropriate for and that harmonize with those used historically in the particular part of the district.
- Design all new garage(s) and outbuilding(s) to be compatible with the style of the major buildings on the property and scaled to be subordinate to the main building and the lot.

## **4. Foundations**

- Use foundations that harmonize with those in the surrounding part of the district.

## **5. Massing and Orientation**

- Respect the site planning, massing and building orientation precedents set by nearby similar-size contributing buildings of the district.
- Align the facade of the new building with the predominant setbacks of nearby buildings within the district.
- Orient the main entrance of the building in a manner similar to established patterns in the particular part of the district.



## **6. Materials**

- Use materials and finishes for all major building surfaces, including roofs, that are similar to those employed historically in the particular location in the district and appropriate to their form and location.

## **C. Demolition**

The Commission shall not grant Certificates of Appropriateness for the demolition or relocation of any property within a historic district unless the Commission finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the Commission shall consider:

- The historic or architectural significance of the structure;
- The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationships to other structures;
- The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
- Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;
- Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.

All applications to demolish or remove a structure in a historic district shall contain the following minimum information:

- The date the owner acquired the property, purchase price, and condition on date of acquisition;
- The number and types of adaptive uses of the property considered by the owner;
- Whether the property has been listed for sale, prices asked and offers received, if any;
- Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expirations of such option;
- Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
- Financial proof of the ability to complete the replacement project, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
- Such other information as may reasonably be required by the Commission.

In no event shall the Commission entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site.

## **D. Public and Common Areas and Facilities**

The public rights-of-way and other parts of the public realm are critically important in helping to define the unique character of a historic district. The following standards are aimed at retaining important character-defining features, expanding their use as the opportunity arises, and

making additional improvements to open space and streetscape trees and landscape planting that will complement the historic character of the district.

### **1. Standards for Public and Common Areas and Facilities**

- Maintain the overall continuity of the district and its character.
- Maintain and enhance over time the canopy effect of mature deciduous shade trees, and replace damaged or missing trees with appropriate species, especially indigenous, hardy species that require minimal maintenance.
- Retain and enhance historic plant materials, mindful of the differences in scale and types of landscaping relative to various parts of the district and to the size, age and use of the buildings, insofar as practicable.
- Design fences and walls to maintain the overall continuity of the district as viewed from public rights-of-way and properties owned or maintained by the City of Tuscaloosa.
- Do not exceed the average height of fences and walls of comparable type and location found on adjacent properties.
- Use only materials that have historic precedent in the district, taking care to preserve historic paving materials by saw cutting when inserting new materials or repairing damaged areas.
- Situate and design paving in a manner and of material, color and texture to be compatible with the historic character of the property and its neighbors.
- Screen new parking areas through use of low walls, iron fences or landscape plantings, mindful of the need to maintain the overall continuity of the district, and especially as it may be viewed from public rights-of-way and properties owned or maintained by the City of Tuscaloosa.
- Design, install, and maintain exterior lighting to maintain the character of the district and to direct light only on intended areas.
- Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.
- Screen service, mechanical, and electrical equipment and trash containers and permanent dumpsters from public view with walls, fences, or plant materials that conform to all pertinent provisions set forth elsewhere in these standards.

### **E. Signs**

- Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.
- Retain and preserve original signs that contribute to the overall historic character of the building or district.
- Introduce new signage that is compatible in material, size, scale and character with the building or the district. Design signage to enhance the architectural character of a building.
- If desired install small identification signs and historic plaques for residential buildings so that no architectural features or details are obscured or damaged.
- Construct new signs of traditional sign materials:

**Examples of Appropriate Materials:**

- Stone
- Brick
- Vinyl lettering and/or sign face
- Wrought iron or metal
- Canvas awning
- Wood
- Stucco
- High Density Urethane (HDU) sign board (or equivalent) resembling wood or metal for lettering or logo
- Install freestanding signs in appropriate locations on low standards or grown bases. Screening the base of ground signs with plantings to enhance its appearance is required.
- Mount flush signboards in appropriate locations on façades so that no architectural details or features are obscured or damaged. On masonry buildings, holes for fasteners should be placed in the mortar joints, not the masonry units.
- Light signs in a manner compatible within the historic character and the pedestrian scale of the historic district.
- For commercial and institutional buildings, design signs to be integral to the overall building façade. Avoid covering a large portion of the façade, front yard, or any significant architectural features with signage.
- Temporary signs, including sales advertising, and real estate signs should be located so as not to damage or obscure significant architectural features, and shall be removed upon completion of work, sale, campaign, etc. The maximum number of allowable signs shall be one per street frontage.
- Signs directing users to an accessible entrance or parking space should be installed to avoid damaging or obscuring significant architectural features, while conforming to Accessibility Standards (ADAAG).

**Examples of Inappropriate Materials:**

- Vinyl sign structure or vinyl awning
- Internally illuminated signs
- Plastic

**F. Cross-Applicability of Design Guidelines**

To the extent applicable, all Design Guidelines relative to specific items enumerated in Article VIII shall apply to work activity as appropriate and necessary.

## Article IX. Design Guidelines Relative to Architectural Materials and Features of the Primary Structure

### A. Exterior Blinds, Awnings, and Shutters

- Use exterior blinds and shutters only as appropriate to the style, proportion, and character of the structure, and sized to cover the window.

#### Examples of Appropriate Materials:

- Wood: louvered or solid panel
- Fabric awnings
- Copper
- Standing seam metal or steel

#### Examples of Inappropriate Materials:

- Plastic or vinyl blinds, shutters, awnings
- Aluminum awnings (unless original)

### B. Entrances and Doorways

- Maintain the historic character of the building entrance.
- Retain historic doors and openings, together with any moldings, transoms, or sidelights.

#### Examples of Appropriate Materials:

- Wood panel
- Wood panel with glass lights
- Leaded glass with lead cams
- Aluminum-clad wood
- Fiberglass

#### Examples of Inappropriate Materials:

- Metal, except for security doors on rear or side of the house or other appropriate situations, with simulated divided lights and internal muntins.

### C. Foundations

- Keep cellar and crawl space vents open so that air may flow freely, being sure to retain any vents that are original to the building.
- Ensure that land is graded so that water flows away from the foundation and, if necessary, install drains around the foundation.

#### Examples of Appropriate Foundations:

- Stucco piers or infill
- Brick piers or infill
- Wood lattice
- Vertical picket infill
- Stuccoed concrete block
- Stone

#### Examples of Inappropriate Foundations:

- Metal infill
- Plywood panels
- Mineral board panels
- Plastic or vinyl sheeting
- Unfinished concrete block
- Imitation brick or stone
- Vinyl lattice

### D. Porches and Railings

- Maintain and repair historic porches to reflect their historic period and the relationship to the structure.
- Use materials that blend with the style of the structure or other structures in the district. Balustrades of stairs and ramps should match the design and materials of the porch or be unobtrusive.
- Do not permit enclosure of front porches. Where rear or side porches are to be enclosed, the enclosure shall preserve the original configuration of columns, handrails and other important architectural elements.

## **E. Roofs**

- Preserve the original roof form, pitch and overhang of all structures, and use roof materials appropriate to the form and pitch of the roof.
- Preserve the character of the original roofing materials and details.
- Retain elements such as chimneys, skylights, and light wells that contribute to the style and character of the structure.
- Use roofing materials similar to those used in the district and that are comparable in style, shape, and color as those found on surrounding structures.

### **Examples of Appropriate Roof Materials:**

- Slate
- Tile
- Metal of appropriate style, gauge, color, and fastening system based on the type of structure
- Wood shingle
- Cement fiber shingle
- Asphalt or fiberglass shingle
- Built-up or membrane on slopes of 3-and-12 or less where hidden by parapets

### **Examples of Inappropriate Roof Materials:**

- Corrugated fiberglass
- Asphalt roll roofing
- Built-up membrane on slopes greater than 3-and-12
- Corrugated metal or tin

## **F. Storm Doors and Windows**

- Permit storm doors, storm windows, and screens so long as they do not obscure doors or windows with inappropriate materials, finishes, colors, or other elements.

### **Examples of Appropriate Materials:**

- Wood
- Metal with baked enamel or anodized finish to match frame or sash color

### **Examples of Inappropriate Materials:**

- Mill finish aluminum
- Vinyl

## **G. Surface Cleaning**

- Use no abrasive cleaning methods on exterior surfaces, such as those involving grit, sand, high-pressure water blasting, or mechanical sanding.
- Use only those cleaning techniques that have proved effective while having little or no adverse impact on the underlying materials (these include low-pressure water cleaning and gentle chemical washes, scrubbing with a brush and detergent, and hand sanding and scraping to remove paint).

## **H. Trim and Ornament**

- Maintain historic trim and ornament in place.
- Replace missing original trim and ornament with like-kind materials whose designs, proportions and finishes match those of the original.

## **I. Windows**

- Maintain the original number, location, size, and glazing pattern of windows on primary building elevations.
- Maintain historic window openings and proportions.

- Permanently affixed internal and external muntins should be employed where appropriate.

**Examples of Appropriate Window Materials:**

**Examples of Inappropriate Window Materials:**

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Wood sash windows in double-hung, single-hung, and casement styles</li><li>• Aluminum-clad wood</li><li>• Fiberglass (Pella, Marvin, or equal) that mimics wood</li><li>• Steel, if original to the structure</li><li>• Composite material with wood sash, frame, and glides</li><li>• Cellular PVC material (All-Season or equal) that mimics wood</li><li>• Monarch M-Cell vinyl-clad window, Hurd vinyl-clad window, or equal that mimics wood</li></ul> | <ul style="list-style-type: none"><li>• Aluminum or vinyl</li><li>• Snap-in or artificial muntins</li><li>• Reflective or tinted glass</li></ul> |
|---|--|

## **Article XII. Design Guidelines Relative to Site Features and Lot Improvements**

Site features and lot improvements are critical to the character of the district, regardless of the contributing or non-contributing nature of the structures in any particular part of the district. Much of the character of an historic district is attributable to the continuity of its open space, distinctive tall shade trees, and richly textured lawns and landscape plantings. Outbuildings, walks, driveways, and parking areas also play an important part in defining not only the setting for individual structures, but also the district as a whole.

### **A. Accessory Buildings, Structures, and Appurtenances**

#### **1. Detached Garages or Carports**

- Locate garages to the rear of the main structure, and set back at least five (5) feet from the side yard property line(s).
- Garages or carports should complement the main structure through the use of similar building materials, including siding, windows, and roof. If windows are to be installed in the garage, they should match or complement the window pattern of the main structure while maintaining an appropriate scale and proportion to the garage.
- Garage doors, when used, should be compatible with the main structure or character of the district. Typically, garage doors should be metal (steel or aluminum), fiberglass, or wood, and in keeping with the character of the main structure and district.

#### **2. Dumpsters and Mechanical Equipment**

- Place site and building appurtenances to the side and rear of the main building, and screen service and mechanical and electrical equipment and trash containers and permanent dumpsters from public view with walls, fences, or plant materials.

#### **3. Pergolas and Pavilions, Storage and Work Sheds**

- Locate pergolas, pavilions, and storage and work sheds to the rear of the main building, and set back at least five (5) feet from the side yard property line(s).
- Pergolas, pavilions, storage, and work sheds should complement the main structure through the use of similar building materials, including siding, windows, and roof. If windows are to be installed in the structure, they should match or complement the window pattern of the main structure while maintaining an appropriate scale and proportion to the structure.

#### **4. Yard Accessories**

- Yard accessories such as large play equipment, trampolines, tents, etc., are to be located to the rear of the main building. Yard accessories also include outdoor appurtenances less than and up to 120 square feet.

### **B. Decks, Porches, and Railings**

#### **1. Decks**

- Locate and construct decks so that the historic fabric of the structure and its character-defining features and details are not damaged or obscured. Install

decks so that they are structurally self-supporting and may be removed in the future without damage to the historic structure.

- Introduce decks in inconspicuous locations, usually on the building's rear elevation and inset from the rear corners, where they are not visible from the street.
- Design and detail decks and associated railings and steps to reflect the, scale and proportions of the building. Materials for decks should be compatible with the building. Deck and deck railing designs should be coordinated with existing elements wherever possible.
- In rare occasions where it is appropriate to site a deck in a location visible to the public right-of-way (i.e. the side of a building), it should be treated in a more formally architectural way. Careful attention should be paid to details and finishes, including painting or staining the deck's rails and structural support elements in colors compatible with the colors of the building.
- Align decks generally with the height of the building's first-floor level. Visually tie the deck to the building by screening with compatible foundation materials such as skirtboards, lattice, masonry panels, and dense evergreen foundation plantings.
- It is not appropriate to introduce a deck if doing so will require removal of a significant building element or site feature such as a porch or a mature tree.
- It is not appropriate to introduce a deck if the deck will detract from the overall historic character of the building or the site.
- It is not appropriate to construct a deck that significantly changes the proportion of built area to open space for a specific property.

## **2. Porches and Railings**

- Maintain and repair historic porches to reflect their historic period and the relationship to the structure.
- Use materials that blend with the style of the structure or other structures in the district. Balustrades of stairs and ramps should match the design and materials of the porch or be unobtrusive.
- Do not permit enclosure of front porches. Where rear or side porches are to be enclosed, the enclosure shall preserve the original configuration of columns, handrails and other important architectural elements.

## **C. Exterior Lighting**

- Design, install, and maintain exterior lighting to focus only on intended areas within the property, and to avoid invading surrounding areas.

## **D. Fences and Walls**

- Design fences and walls to maintain the overall continuity of the district as viewed from public rights-of-way.
- Complement the buildings and do not detract from their character and relation to their neighbors with the design, scale, placement, and materials of fences, walls, and gates.
- Locate fences and walls no closer to the street than the side yard setback of any structure adjacent to a side street.
- Do not exceed the average height of fences and walls of comparable type and location found on adjacent properties, generally not to exceed six (6) feet.



- Present the finished side of all fences to the exterior of the property being fenced.
- Relate scale, height, materials and level of ornateness of the design of new fences and walls to that of the existing structure and/or its neighbors.

**Examples of Appropriate Fence Materials:**

- Wood picket
- Wood slat
- Wood lattice
- Iron
- Brick
- Stone
- Stucco over masonry
- Historically appropriate wire
- Powder-coated aluminum mimicking cast/wrought iron

**Examples of Inappropriate Fence Materials:**

- Chain link
- Stockade
- Post and rail
- Unstuccoed concrete block
- Masonite
- Plastic
- Plywood or asbestos panels
- Vinyl

**E. Landscape and Plant Materials**

- Design and install landscape plantings to maintain the overall continuity and aspect of the district. Look at patterns that exist and work with those patterns.
- Maintain and/or enhance the historic plant materials, mindful of the differences in scale and types of landscaping relative to the size, age and use of the buildings, insofar as practicable.
- Specify and locate trees to avoid conflict with or damage to buildings, sidewalks and driveways.
- When appropriate, retain and preserve the building and landscape features that contribute to the overall historic character of the district, including trees, gardens, yards, arbors, groundcovers, fences, accessory buildings, patios, terraces and fountains, fish ponds, and significant vistas or views.
- Retain and preserve the historic relationship between buildings and landscape features on the site. It is not recommended to alter the topography of substantially through grading, filling or excavation.
- Replace seriously diseased or severely damaged trees (as defined by Sec. 24-252 of the Zoning Ordinance) or hedges with new trees or hedges or equal or similar species.
- Large canopy trees (12" dbh) should not be removed unless seriously diseased or severely damaged or if it poses immediate threat to persons or property.

**F. Mailboxes**

- Mailboxes should be placed in a location consistent with other structures in the district and be of similar design and material. For example mailboxes should not be placed on a post at the street when mailboxes on other structures in the district are attached to the structure at or about the structure's entrance.

**G. Overall Continuity**

- Maintain the overall continuity of the district and its aspect and character, especially as viewed from public rights-of-way.

## **H. Pools, Hot Tubs, and Saunas**

- Pools and hot tubs must meet the requirements of Section 24-107 of the Zoning Ordinance, in addition to the following guidelines:
  - Locate pools to the rear of the main building, and behind the side yard setback of any structure adjacent to a side street or common alleyway.
  - Pools should not disrupt the building and landscape features that contribute to the overall historic character of the district, including trees, gardens, yards, arbors, groundcovers, fences, accessory buildings, patios, terraces and fountains, fish ponds, and significant vistas or views.
  - Pool decking should complement the historic character of the district.
- Saunas should be located to the rear of the main structure, and set back at least five (5) feet from the side yard property line(s).

## **I. Satellite Dishes, Antennae, Solar Panels, Electronic Devices, and Other Appurtenances**

- Satellite dishes, antennae, solar panels, electronic devices, and other appurtenances should be located at the rear of the primary building or attached to rear of the primary building (either on the rear walls or the rear slopes of the roof) and not be visible from the public right of way.
- Any satellite dish, antennae, solar panels, electronic devices, and other appurtenances located on the front one-third of the structure, in the front yard of a structure, on the side of a structure on a corner lot, or otherwise where it is clearly visible from the public right of way, will require an application and review by the Commission. These options are only available if there are no other alternative locations and would be considered as a hardship situation.
- Televisions may be placed on front porches or other locations visible from the public right of way on a temporary basis (less than 7 calendar days) only. Televisions may not be permanently mounted to the structure in a location visible from the public right of way. Mounting hardware for televisions to be temporarily located in a place visible from the public right of way may be maintained on a permanent basis so long as it is hidden from public view to the maximum extent possible.
- Green technology equipment or devices such as wind collectors, geothermal equipment and the like shall be located at the rear of the structure and not visible from the public right of way.

## **J. Sidewalks, Drives, Parking, and Paving**

### **1. Sidewalks and Paving**

- Use only materials that have historic precedent in the district, taking care to preserve historic paving materials by saw cutting when inserting new materials or repairing damaged areas.
- Situate, design, and install paving materials of a color and texture and in a manner to be compatible with the historic character of the property and its neighbors.

## 2. Parking

- Residential parking areas should not exceed 35% of the total rear yard area. For the purposes of these Design Guidelines:
  - For interior lots, the rear yard is the area not defined as the “front yard” in Section 24-125(b) of the Zoning Ordinance or the side yard, being the area along a side property line between the front and rear walls of the primary structure. The rear yard shall also exclude the footprint of the primary structure and any additional roofed structures.
  - For corner lots, the rear yard shall be the area not defined as the “front yard” in Section 24-125(b). The rear yard shall also exclude the footprint of the primary structure and any additional roofed structures.
- Use only materials that have historic precedent in the district. The use of permeable materials is encouraged.

### Examples of Appropriate Materials:

- Concrete
- Brick or stone pavers
- Gravel or crushed stone
- Other materials as approved by the Commission

### Examples of Inappropriate Materials:

- Asphalt

- Minimize the presence and appearance of all parking areas visible from a public street through site planning and design.
- Parking should be screened in a manner so that the parking is not the dominant feature of the property. Screen new parking areas through use of low walls (4-6 feet high), iron fences, or landscape plantings, mindful of the need to maintain the overall continuity of the district as viewed from public rights-of-way and adjacent properties. Screening should extend to the edges of the driveway.
- No residential or commercial parking should be installed between the front face of the primary structure and the front right-of way line of the property.
- All residential and commercial parking should be set back a distance that will maintain the pattern and alignment of primary building setbacks in the neighborhood.

## 3. Driveways

- Locate driveways to the side and rear of the main building.
- Extend all driveways at least to the rear of the main building.
- Install residential driveways in a manner and width compatible with those historically installed, and generally not wider than ten feet.

## K. Wheelchair Ramps

- Consider locations which will have the least visual impact on the historic building and setting. On some buildings, ramps can be integrated into existing stairs or porches with little visual impact.
- Materials for ramps and railings should be compatible with the building: wooden ramps are often appropriate for frame buildings and converted residences, while concrete or brick ramps may be best for masonry buildings. Ramp and railing designs should be coordinated with existing elements wherever possible.

- Wooden ramp surfaces can be punted with a sanded punt for slip resistance. In some cases, altering grade levels to accommodate a very shallow ramp slope can alleviate the requirement for railings. Ramps can be concealed with landscaping.

## Appendix A. Classification of Work

	TYPE OF WORK	ROUTINE MAINTENANCE	MINOR WORK (Staff)	MAJOR WORK (THPC)	INSPECTION REQUIRED
1	New Construction or Additions to Primary Building			X	X
2	Demolition of any primary structure or any part of a primary structure			X	X
3	Relocation of buildings			X	X
4	Alteration/Removal of Architecturally Significant Features			X	X
5	Alteration/Removal of Contributing Historical Features			X	X
6	Accessory Structures or Buildings: Repair/Replacement with no change in design, materials, or general appearance	X			
7	Accessory Structures or Buildings: Alteration		X		
8	Accessory Structures or Buildings: Additions			X	X
9	Accessory Structures or Buildings: New			X	X
10	Accessory Structures or Buildings: Removal of not architecturally or historically significant		X		X
11	Accessory Structures or Buildings: Removal of architecturally or historically significant			X	X
12	Architectural Details: Repair or Replace with no change in design, materials, or general appearance	X			
13	Architectural Details: Alteration, Addition, or Removal		X		
14	Awnings, Canopies or Shutters: Repair or Replace with no change in design, materials, or general appearance	X			
15	Awnings, Canopies, or Shutters: Alteration, Addition, or Removal		X		
16	Awnings, Canopies, or Shutters: Installation of New		X		
17	Carport: Alteration, Addition, or Removal			X	X
18	Carport: Construction of New			X	X
19	Chimney: Construction, Alteration, or Removal			X	X
20	Deck: Repair or Replace with no change in design, materials, or general appearance	X			

	<b>TYPE OF WORK</b>	<b>ROUTINE MAINTENANCE</b>	<b>MINOR WORK (Staff)</b>	<b>MAJOR WORK (THPC)</b>	<b>INSPECTION REQUIRED</b>
21	Doors: Alteration, Addition, or Removal		X		Case by case basis
22	Doors: Installation of New		X		Case by case basis
23	Doors (Storm): Installation, Alteration or Removal		X		Case by case basis
24	Driveway: Repair or Replacement with no change in design, materials, or general appearance	X			Case by case basis
25	Driveway: Alteration, Addition, or Removal		X		X
26	Driveway: Construction of New		X		X
27	Fences or Walls: Repair or Replacement with no change in design, materials or general appearance	X			
28	Fences or Walls: Construction of New		Side and Rear Yards	Front Yards	X
29	Fences or Walls: Removal		Side and Rear Yards	Front Yards	X
30	Foundations (Exposed): Repair or Replacement with no change in design, materials, or general appearance	X			
31	Foundations (Exposed): Alteration		X		Case by case basis
32	Gutters and Downspouts: Repair or Replace with no change in design, materials, or general appearance	X			
33	Gutters and Downspouts: Installation, Addition, or Removal		X		Case by case basis
34	House Numbers and Mailboxes: Installation		X		
35	Interior Alterations		X		
36	Landscaping, excluding the removal of trees 12" dbh		X		
37	Lighting Fixtures: Repair or Replacement with no change in design, materials, or general appearance	X			
38	Lighting Fixtures: Installation, Alteration, or Removal		X		
39	Masonry: Repair or Replacement with no change in design, materials, or general appearance	X			
40	Masonry: Construction, Alteration, or Removal		X		X
41	Mechanical Equipment: Installation of (such as heating and air conditioning units)		X		Case by case basis

	<b>TYPE OF WORK</b>	<b>ROUTINE MAINTENANCE</b>	<b>MINOR WORK (Staff)</b>	<b>MAJOR WORK (THPC)</b>	<b>INSPECTION REQUIRED</b>
42	Painting (Generally)	X			
43	Painting of previously unpainted brick			X	
44	Parking Area: Repair or Replace with no change in design, materials, or general appearance	X			
45	Parking Area: Alteration or Removal of an existing lot		X		
46	Parking Area: Construction of New (Residential or Commercial)			X	X
47	Patios: Repair or Replacement with no change in design, materials or general appearance	X			
48	Patios: Alteration, Addition, or Removal of an existing patio		X		Case by case basis
49	Patio: Construction of New		X		X
50	Porches: Alteration of Existing			X	X
51	Porches: Construction of New			X	X
52	Roof: Repair or Replacement of sloped coverings with no change in design, materials, or general appearance	X			
53	Roof: Alteration of sloped coverings			X	X
54	Roof: Repair or Replacement of flat coverings with no change in design, materials, or general appearance	X			
55	Roof: Alteration of flat coverings			X	
56	Roof: Alteration to a roof form to prevent damage to the resource			X	X
57	Signs: Repair, Replacement, or Re-Facing with no change in design, materials, or general appearance		X		
58	Signs: Installation, Alteration, or Removal			X	X
59	Stairs and Steps (Exterior): Repair or Replacement with no change in design, materials, or general appearance	X			
60	Stairs and Steps (Exterior): Alteration, Addition, or Removal			X	X
61	Stairs and Steps (Exterior): Construction of New			X	X
62	Surfaces (Exterior): Repair or Replacement with no change in design, materials, or general appearance	X			
63	Surfaces (Exterior): Alteration, Addition, or Removal			X	X
64	Swimming Pools, Hot Tubs, and Saunas: Repair to existing with no change in design, materials, or general appearance	X			

	TYPE OF WORK	ROUTINE MAINTENANCE	MINOR WORK (Staff)	MAJOR WORK (THPC)	INSPECTION REQUIRED
65	Swimming Pools, Hot Tubs, and Saunas: New Construction, Alteration, or Addition			X	X
66	Swimming Pools, Hot Tubs, and Saunas: Removal		X		
67	Temporary Features: Installation, Alteration, or Removal of features necessary to ease difficulties associated with a medical condition		X		Case by case basis
68	Tree Removal (Large trees 12" dbh)		Damaged or Diseased Trees (with arborist letter)	All other trees	
69	Vents and Ventilators: Repair or Replacement with no change in design, materials, or general appearance	X			
70	Vents and Ventilators: Installation, Alteration, or Removal		X		Case by case basis
71	Satellite Dishes, Television Antennas, Televisions, Solar Panels, and/or other Electronic Equipment, Decks, Ramps, and Appurtenances <u>not visible</u> from the public right of way		X		Case by case basis
72	Satellite Dishes, Television Antennas, Televisions, Solar Panels, and/or other Electronic Equipment, Decks, Ramps, and Appurtenances <u>visible</u> from the public right of way			X	Case by case basis
73	Walks (Existing): Repair or Replacement with no change in design, materials, or general appearance	X			
74	Walks (Existing): Alteration, Addition, or Removal		X		Case by case basis
75	Walks: Construction of New		X		X
76	Walls (See Fences)				
77	Windows: Repair or Replacement with no change in design, materials, or general appearance	X			
78	Windows: Alteration or Removal of Existing			X	X
79	Windows: Installation of New			X	X
80	Windows: Caulking and Weatherstripping with no change in design, materials or general appearance	X			



	<b>TYPE OF WORK</b>	<b>ROUTINE MAINTENANCE</b>	<b>MINOR WORK (Staff)</b>	<b>MAJOR WORK (THPC)</b>	<b>INSPECTION REQUIRED</b>
<b>81</b>	Windows (Storm): Installation, Alteration, or Removal		X		Case by case basis
<b>82</b>	Yard Accessories (play equipment, trampolines, tents, etc. placed in rear yards)		X		
<b>83</b>	Other Features Not Specifically Listed: Repair or Replacement with no change in design, materials, or general appearance	X			
<b>84</b>	Other Features Not Specifically Listed: Addition, Alteration, or Removal		X		
<b>85</b>	Certificates of Appropriateness: Changes to Previous		Most Changes	Changes deemed by staff to be substantial in nature	
<b>86</b>	Certificates of Appropriateness: Renewal		X		
<b>87</b>	Emergency installation of temporary features to protect a historic resource (that do not permanently alter the resource: six month duration; replacement with in-kind reconstruction or an approved Certificate of Appropriateness		X		

## Appendix B. Definitions

The words and terms as used in these General Design Guidelines have the following meanings ascribed to them herein unless the context clearly indicates otherwise. Illustrations of various architectural types and styles may be found in Virginia Savage McAlester, *A Field Guide to American Houses* (New York: Knopf, 2<sup>nd</sup> ed. 2013) and in Ernest Burden, *Illustrated Dictionary of Architectural Preservation* (New York: McGraw-Hill, 2004). The word "may" is permissive, the word "shall" is mandatory. The singular shall include the plural where appropriate:

### Accessory Structure

A building, structure, or use (on Historic Property or within a Historic District, as herein defined), which is:

- (1) Subordinate to and serves a principal building or principal use; and
- (2) Is subordinate in extent, area, or purpose to the principal building or use served; and
- (3) Is located on the same lot as the principal building or use served.

[Tuscaloosa, Ala., Code § 24-5]

### Addition

Any construction or change in a building, (on historic property or within a historic district) that increases its cubic contents by increasing its exterior dimensions. Also, designing one or more rooms joined to the main structure so as to create one architectural whole, with both parts constituting one and the same building in purpose and use, as distinct from alterations within an existing structure. [Ernest Burden, *Illustrated Dictionary of Architectural Preservation*.]

### Alteration

A term in the applicable building code duly adopted by the City Council of the city of Tuscaloosa referring to any change in a structure that does not increase any exterior dimension, or any modification in construction or grade of occupancy. [*Id.* pg. 6]

### Applicant

An owner, or authorized representative of an owner, who submits an application to the Commission for a Certificate of Appropriateness, Certificate of Economic Hardship, or other action by the Commission.

### Certificate of Appropriateness or COA

A document evidencing approval by the Commission of an application to make a "material change in the appearance" of a designated historic property or of a property located within a designated historic district. [Tuscaloosa, Ala., Code § 20-15.26]

### Certificate of Economic Hardship

A document evidencing the Commission's approval of an owner's application for relief from the provisions of Tuscaloosa, Ala., Code §§ 20-15.25 to 15.34, and these General Design Guidelines or a provision thereof as provided in § 20-15.29. [Tuscaloosa, Ala., Code § 20-15.26]

### Chimney

A vertical noncombustible structure, containing one or more flues to carry smoke from the fireplaces to the outside, usually rising above the roof. [Burden, pg. 49]

## **Column**

A vertical structural compression member or shaft supporting a load, which acts in the direction of its vertical axis. [Burden, pg. 59]

## **Commission**

The City of Tuscaloosa Historic Preservation Commission. [Tuscaloosa, Ala., Code § 20-15.26]

## **Cornice**

The uppermost division of an entablature; a projecting shelf along the top of a wall supported by a series of brackets; the exterior trim at the meeting of a roof and wall, consisting of a soffit, fascia, and crown molding. [Burden, pg. 66]

## **Dentils**

A series of closely spaced ornamental rectangular blocks resembling teeth, used as moldings; most often found in continuous bands just below the cornice. [Burden, pg. 75]

## **Door**

A hinged, sliding, tilting, or folding panel for closing openings in a wall or at entrances to buildings, rooms, or cabinets and closets. [Burden, pg. 79]

## **Dormer**

A structure projecting from a sloping roof, usually housing a vertical window which is placed in a small gable, or containing a ventilating louver. [Burden, pg. 81]

## **Exterior Architectural Features**

The architectural style, general design and general arrangement of the exterior of a building or other structure, including, but not limited to, the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, features, details or elements relative to the foregoing. [Tuscaloosa, Ala., Code § 20-15.26]

## **Exterior Environmental Features**

All those aspects of the landscape or the development of a site which affect the historical character of the property. [Tuscaloosa, Ala., Code § 20-15.26]

## **Fascia**

Any flat horizontal member or molding with minimal projection; any narrow vertical surface that is projected or supported on elements other than a wall below. [Burden, pg. 100]

## **Gable**

The entire triangular end of a wall, above the level of the eaves, the top of which conforms to the slope of the roof that abuts against it; sometimes stepped and sometimes curved in a scroll shape. [Burden, pg. 114]

## **Historic District**

A geographically definable area designated by the City Council as a historic district, including all historic districts existing as of May 13, 2004. [Tuscaloosa, Ala., Code § 20-15.26]

## **Historic Property**

An individual building, structure, site, object or work of art including the adjacent area necessary for the proper appreciation thereof listed in the National Register of Historic Places, and located in a historic district designated by the City Council. [Tuscaloosa, Ala., Code § 20-15.26]

## **Lintel**

The horizontal beam that forms the upper structural member of an opening for a window or door and supports a part of the structure above it. [Burden, pg. 162]

## **Lintel Course**

In stone masonry, a course set at the level of a lintel. It is commonly differentiated from the wall by its greater projection, its finish, or thickness, which often matches that of the lintel. [Burden, at 162]

## **Major Work**

A “material change in appearance,” which is identified in the Appendix of the General Design Guidelines as Major Work or which is not identified as Minor Work.

## **Material Change in Appearance**

A change that will affect either, the exterior architectural, or environmental features of a historic property or any building, structure, site, object, landscape feature or work of art within a historic district, such as:

- (1) A reconstruction or alteration of the size, shape or facade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details or elements;
- (2) Demolition or relocation of a historic structure;
- (3) Commencement of excavation for construction purposes;
- (4) A change in the location or advertising visible from the public right of way; or
- (5) The erection, alteration, restoration or removal of any building or other structure within a historic property or district, including walls, fences, steps and pavements or other appurtenant features.

[Tuscaloosa, Ala., Code § 20-15.26]

## **Minor Work**

A “material change in appearance” which is identified in the Appendix of the General Design Guidelines as Minor Work. Provided; however, if a “material change in appearance” is not identified as Minor Work it shall be presumed to be Major Work.

## **Mullion**

A dividing piece between the lights of windows, usually taking on the characteristics of the style of the building. [Burden, pg. 176]

## **Muntin**

A secondary framing member to hold panes in a window, window wall, or glazed door; an intermediate vertical member that divides panels of a door. [Burden, pg. 176]

## **Owner**

The holder of the fee simple title as revealed on the relevant property tax rolls, and any person (natural, legal or corporate) or groups of persons, companies, associations, corporations, or partnerships who, alone or jointly or severally with others: (1) shall have legal title to any property, with or without an accompanying right of possession; or (2) shall have charge, care or control of any property as owner, executor, executrix, administrator, trustee, guardian of the estate owner, mortgagee or vendee in possession, or assignee of rents, lessee, or other person, firm or corporation in control of a property. [Tuscaloosa, Ala., Code § 20-15.26]

## **Pediment**

A low-pitched triangular gable above a façade, or a smaller version over porticos above the doorway or above a window; a triangular gable end of the roof above the horizontal cornice; often decorated with sculpture. [Burden, pg. 189]

## **Pergola**

An arbor formed of horizontal trelliswork supported on columns or posts, over which vines or other plants are trained. Also a colonnade having the form of such an arbor.

## **Porte Cochere**

A roofed structure extending from the entrance of a building over an adjacent driveway and sheltering those getting in or out of vehicles.

## **Portico**

A range of columns or arches in front of a building, often merged into the façade, including a covered walkway of which one or more sides are open; includes every kind of covered ambulatory. [Burden, pg. 197]

## **Preservation**

A range of columns or arches in front of a building, often merged into the façade, including a covered walkway of which one or more sides are open; includes every kind of covered ambulatory. [Burden, pg. 197]

## **Project**

Activity in an historic district or on historic property involving a material change, including, but not limited to, construction or demolition.

## **Rehabilitation**

The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. [United States Department of the Interior, *Secretary of the Interior's Standards and Guidelines, for Archaeology and Historic Preservation* (1983)]

## **Roof**

The external upper covering of a house or other building.

## **Routine Maintenance**

Work Activity upon the exterior architectural or environmental features of a historic property or any building, structure, site, object, landscape feature or work of art within a historic district, that is not a “material change in the appearance” and consist entirely of ordinary maintenance or repair to maintain and/or prevent deterioration of any exterior architectural or environmental feature in or on a historic property to correct deterioration, decay or damage or to sustain the existing form that does not involve a material change in design, material or outer appearance. Routine Maintenance DOES NOT involve a material change in design, material or exterior appearance. [Tuscaloosa, Ala., Code § 20-15.30(a)]

## **Sash**

Any framework of a window; may be movable or fixed; may slide in a vertical plane or be pivoted. [Burden, pg. 223]

## **Sidelight**

A framed area of fixed glass, set vertically on each side of a door, usually made up of a number of small panes. [Burden, pg. 231]

## **Soldier Course**

A row of bricks all oriented in the same direction which have been placed on their sides so that the long, narrow side of the brick shows. Bricks of any size and style can be used to make a soldier course, and there are variations on this bricklaying course.

## **Transom**

A horizontal bar of wood or stone across a door or window; the crossbar separating a door from the fanlight above it; a window divided by a transom bar. [Burden, pg. 258]

## **Wall**

A structure that encloses or subdivides a space with a continuous surface, except where fenestration or other openings occur. [Burden, pg. 267]

## **Window**

An assembly consisting of a window frame, its glazing, and any operating hardware. [Burden, pg. 272]

*OR*

An opening in an exterior wall of a building to admit light and air, usually glazed; an entire assembly consisting of a window frame, its glazing, and any operating hardware. [Burden, pg. 350]

## **Window, Double-Hung**

A window having two vertically sliding sashes, each closing a different part of the window; the weight of each sash is counterbalanced for ease of opening and closing. [Burden, pg. 353]

## **Window, Single-Hung**

A framed area of fixed glass, set vertically on each side of a door, usually made up of a number of small panes. [Burden, pg. 231]

**Rule of Plain Meaning:**

*An aid to construction of words and provisions; general power of interpretation and administration.* Unless any applicable law, rule, or regulation requires a particular meaning for any word, term, or provision not expressly defined herein and, unless the context indicates otherwise all other words and terms, shall be interpreted and construed in accordance with the rule of plain meaning. Solely as a nonbinding aid to assist in interpreting and defining any word or term, the Commission or City staff may utilize Ernest Burden's *Illustrated Dictionary Of Architectural Preservation* (2004) or *Illustrated Dictionary Of Architecture* (2<sup>nd</sup> Ed. 2002), or any other any reasonable source, including without limitation the Code Of Tuscaloosa, Ala., other ordinances and resolutions of the Tuscaloosa City Council; judicial decisions, rulings, and opinions; dictionaries and encyclopedias; rules, regulations, rulings, and promulgations of any department, agency, Commission, authority, or bureau of the City, the State, Or the United States. To the extent allowed by law the interpretation, construction, and administration by the Commission of theses General Design Guidelines shall be final and binding.