

Local Historic Advisory Committees (LHAC) For Designated Local Historic Districts

General Purpose: To facilitate neighborhood participation in the administration of local historic districts.

Authority: City of Birmingham Ordinance 00-81, Section 7-1-205(d)

Appointing Agency: The Citizen's Participation Neighborhood Association in which all or a majority of the local historic district is located appoints or votes on members of the LHAC. However, this does NOT occur until after a local historic district has been designated by the Birmingham City Council and a Historic Preservation Plan for the local historic district has been adopted by the Birmingham City Council.

Size of Committee: No more than 7 and not less than 3 members. All members should live within the boundaries of the local historic district.

Composition of Committee: At least one member should be a representative of the following professional groups – architects, building trades, civil engineers, real estate brokers or developers

Required Training to be Designated as an "Advisory Committee": (1) Majority of members must attend orientation program developed by the Dept. of Planning, Engineering & Permits; (2) majority of members must attend at least 4 meetings of the City of Birmingham's Design Review Committee (DRC). (Note: New members will be given a reasonable opportunity to receive orientation and attend DRC meetings).

Duties of the LHAC Committee: To hear cases and make recommendations to the DRC on cases arising in such local historic district. (Note: Requests for Waivers shall be considered by staff and considerations of economic hardship shall be considered by the DRC, not the LHAC). The LHAC makes *recommendations*. Only the DRC has sole authority to make the *decisions*.

Application for LHAC Recommendation: Each applicant must submit to the LHAC the same information required for submittal to the DRC (*i.e.*, elevation drawings, site plan, color rendering, material samples, color samples, color photos of property, etc.)

Procedure for LHAC Committee Meetings: Recommendations shall be considered by the LHAC at its meetings scheduled on an as-needed basis (when there are cases to be heard). The applicant shall be informed of the time and place of the meeting.

Considerations of LHAC in Making Recommendation: (1) Whether the proposed change, erection, or demolition conforms to the design standards established; (2) whether the proposed change, erection, or demolition is compatible with the character of the historic property and historic district and does not detract from their historic value.

Time Within Which LHAC Must Make Decision: Prior to the scheduled DRC meeting for the subject case, the recommendation shall be delivered to the historic preservation staff.

Vote Necessary for DRC to Reverse (wholly or partly) or Modify the Recommendation: A two-thirds (2/3) majority of the DRC members present at the meeting which considers the matter.

STANDARD OF REVIEW
FOR LOCAL HISTORIC ADVISORY COMMITTEES

As noted in Section 7-1-205(d)(2) of the City's Historic Preservation Ordinance, as amended, "The Advisory Committee shall follow and be bound by the same procedures and considerations as the DRC as set out in this Article for consideration of a COA."

Therefore, the LHAC follows the same standard of review as the DRC. That standard of review is found in Section 7-1-205(b)(4), which states as follows:

"Upon acceptance by the Design Review Committee of an application for a COA, or COA with revisions, the DRC shall consider whether it finds that the proposed change, erection or demolition conforms to the design standards established, is compatible with the character of the historic property and historic district and does not detract from their historic value."

ROLES OF VARIOUS ENTITIES IN THE DESIGN REVIEW PROCESS

I. Role of the Department of Planning, Engineering, & Permits in the Design Review Process:

1. To administer the City's Certified Local Government program, which includes administering the design review procedures included in the City's Historic Preservation Ordinance.
2. To act as staff liaison to the Birmingham Historical Commission
3. To provide training to Local Historic Advisory Committees
4. To consult with property owners on Certificate of Appropriateness Applications and Waivers and schedule projects for hearings before the City's Design Review Committee and notify the Local Historic Advisory Committee of the application.

II. Role of the Birmingham City Council:

To adopt (and amend if recommended) the Historic Preservation Plan, including Design Review Guidelines, for the proposed local district.

III. Role of the Local Historic Advisory Committee/Neighborhood Assn.:

1. To review construction plans (for exterior rehabilitations, new constructions, additions, signage, and demolitions) and submit recommendations on Certificate of Appropriateness applications and re-submittals of COA applications to the Design Review Committee.
2. To review projects by using the local district's design guidelines and the Secretary of the Interior's Standards for Rehabilitating Historic Buildings.

IV. Role of the Design Review Committee:

1. To review construction plans (for exterior rehabilitations, new constructions, additions, signage, and demolitions) and render decisions on Certificate of Appropriateness applications; to review re-submittals of COA applications; to make determinations of economic hardship.
2. To review projects by using the local district's design guidelines and the Secretary of the Interior's Standards for Rehabilitating Historic Buildings.
3. To accept the recommendation of the Local Historic Advisory Committee for the neighborhood/district, unless reversed, wholly or partly, or modified by a vote of two-thirds (2/3) majority of the DRC members present at the meeting which considers the matter.

V. Role of Property Owners within the Local Historic District:

1. To submit all plans for rehabilitation, new construction, additions, signage, and demolition to the City of Birmingham's Dept. of Planning, Engineering & Permits for staff review, and if necessary, for scheduling on the agenda of the City's Design Review Committee and for notification to the district's local historic advisory committee or neighborhood association/committee (in the absence of a local historic advisory committee) prior to the issuance of a building permit.
2. To submit all plans for rehabilitation, new construction, additions, signage, and demolition to the district's local historic advisory committee or neighborhood association/committee (in the absence of a local historic advisory committee) for a recommendation to the City's Design Review Committee.
3. If desired, to modify his/her plans and resubmit the COA application for reconsideration by the DRC at any time.
4. If desired, to request in writing a determination of economic hardship from the DRC.
5. If desired, to appeal in writing a denial or a denial of a finding of economic hardship to the Birmingham Historical Commission within 15 days of the denial.
6. If desired, to file a final appeal with the Jefferson County Circuit Court.

VI. Role of the Birmingham Historical Commission:

1. To hear appeals of denials and appeals of denials of findings of economic hardship from the decisions of the Design Review Committee.
2. To render written opinions on appeals within five working days after its decisions

DESIGN REVIEW SUBMITTAL REQUIREMENTS FOR PROPOSALS IN LOCAL HISTORIC DISTRICTS

NOTE: Prior to the City's Design Review Committee meeting to consider the case, the pertinent documentation listed below (except for material samples) should be submitted to the Urban Design Division with the application for a Certificate of Appropriateness. Material samples do not have to be submitted to staff in advance, but must be presented at the Design Review Committee meeting. In order for the Design Review Committee to properly review your proposal, please insure that your presentation includes the items noted below. Please also insure that your proposal conforms to the applicable Design Review Guidelines for your district.

For the City's DRC meeting, please submit 10 submittal packages that include 11x17 copies of the site plan, elevation drawings, landscape plan (if applicable), and color rendering, and 8.5 x 11 copies of the color photographs and any other applicable information, as indicated below.

REMODELING AND ADDITIONS:

- Scaled (see Notes 1 and 2) elevation drawings indicating the proposed alterations or additions, clearly indicating the existing building and what is proposed; Proposed materials for siding, trim, roofing, windows, doors, building walls, retaining walls, etc. should be clearly noted on each elevation drawing.
- Scaled (see Note 1) color rendering showing the proposed alterations or additions in the actual color(s) proposed. Wall signs, if any, on building(s) are to be included on the rendering
- Dimensioned site plan to scale (see Note 1) showing: 1) dimensions of lot, 2) location and dimensions of existing building(s), driveways, and motor courts, if any, 3) location and dimensions of proposed additions, driveways, and motor courts, if any, and 4) location of all existing and proposed ground and roof mounted equipment, including fences, retaining walls, and dumpster enclosures
- Actual manufacturer's material and color samples for shingles, brick, stone, mortar, paint, stain, stucco, lighting, etc. (See Note 2)
- Color photographs of existing conditions from all sides
- Historic photographs, plans, or elevations when replacement windows, doors, and siding are proposed or when the request is to return a structure to an earlier historic appearance

NEW CONSTRUCTION:

- Scaled (see Notes 1 and 2) elevation drawings (all four sides) indicating the proposed building; Proposed materials for siding, trim, roofing, windows, doors, building walls, retaining walls, etc. should be clearly noted on each elevation drawing.
- Scaled (see Note 1) color rendering showing the proposed building in the actual color(s) proposed. Wall signs, if any, on building(s) are to be included on the rendering
- Dimensioned site plan to scale (see Note 1) showing: 1) dimensions of lot, 2) location and dimensions of existing building(s), driveways, motor courts, fences, and retaining walls, if any, 3) location and dimensions of adjacent building(s) and driveways, 4) location and dimensions of proposed building(s) and driveways, and 5) if proposed, location of parking areas or motor courts, fencing, retaining walls, dumpster enclosures, and all roof or ground mounted equipment
- Actual manufacturer's material samples for shingles, brick, stone, mortar, paint, stain, stucco, lighting, etc. (See Note 2)
- Color photographs of the proposed site and the structures within the vicinity of the new building
- Scaled landscape plan showing location, sizes, species, and plant spacing of all landscaping and plant materials to be used, as well as location/size/type of existing trees that will remain and existing trees that will be removed (if any)

RELOCATION:

- Photograph of structure on current site
- Reason for request to move building
- Dimensioned site plan to scale (see Note 1) showing proposed building on new site
- Elevation showing height and width of structure on new site
- Color photographs of structures within vicinity of new site

DEMOLITION:

- Color photographs (exterior and interior) depicting the current state of the structure. Photographs and drawings must clearly label areas of structural deterioration
- Drawings to adequately describe site use after demolition (i.e., the same site plan, elevation drawing, and color rendering submittals required for new construction projects, as indicated above)
- Scaled landscape plan showing location, sizes, species, and plant spacing of all landscaping and plant materials to be used
- Documentation from a qualified real estate appraiser or licensed restoration contractor that the historic building can not be adaptively reused or a structural report by a licensed structural engineer or a licensed restoration contractor that the building is incapable of being repaired

STUCCO, PAINTING, REPOINTING:

- Color photographs of all areas involved and surrounding structures if applicable
- Actual manufacturer's material/color samples for shingles, brick, stone, mortar, paint, stain, stucco, lighting, etc. (See Note 2)

FENCES AND LANDSCAPING:

- Site plan showing location of fence or landscaping, and location of existing building(s) and driveways
- Dimensioned elevations and section to scale (see Note 1), showing design of fence and material (see Note 2)
- Scaled landscape plan showing location, sizes, species, and plant spacing of all landscaping and plant materials to be used, as well as location/size/type of existing trees that will remain and existing trees that will be removed (if any)
- Photograph of the area to be fenced or landscaped

AWNINGS:

- Photograph of building elevation to which awning is to be attached
- Scaled, color rendered drawing (showing the actual colors) noting dimensions, signage, and location on building of each awning
- Description of awning attachment and lighting
- Actual manufacturer's color and material samples

SIGNAGE:

- Scaled, color rendered drawings showing the actual colors and showing the dimensions of each sign, including mounting heights, overall height of pole signs, and dimensions and spacing of text
- Scaled elevation or site plan showing location of each sign on site or on building. Include dimension for front linear feet (straight line length) of the building. For corner properties show dimension of both fronts that face streets
- Description of construction, method of illumination, and mounting
- Calculation of total aggregate area of proposed signs and any existing signs
- Scaled landscaping plan for monument and pole signs showing all sizes, species, and plant spacing
- Actual manufacturer's color and material samples

LIGHTING:

- Location of surface mounted lights
- Location and design of all light standards
- Distribution of light wash on surfaces
- Indication of all readable light sources from public right of way

GENERAL NOTES:

- Note 1: Minimum scale of 1"=30' on all plans, elevations, and section details of new cornices, columns, railings or any other distinctive details, unless otherwise approved
- Note 2: When material descriptions are required, the actual materials to be used must be designated on the elevation drawings.
- Note 3: All plans shall include a north arrow, preferably oriented towards the top of the sheet, and a legend identifying any symbols.