

Design Guidelines Template
Courthouse Square

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A. Purpose of Design Guidelines

These Design Guidelines are intended to assist property owners in making informed decisions about their historic properties. Conformance to these Guidelines alone does not necessarily ensure approval, nor are these standards absolute. The Bloomington Historic Preservation Commission (BHPC) has the authority to allow variation from any of the Guidelines on a case-by-case basis. In many decisions, issues of practical utility will be weighed against these preservation standards. However, any request to vary from, the Guidelines must demonstrate the reason for, and advantages gained by such variation.

These Guidelines apply to all exterior building alterations that are visible from any existing or proposed street or way that is open to public travel.

These Guidelines apply to exterior alterations, whether permanent or temporary. In the case of proposed temporary additions, the proposed duration of the addition must be clearly described in an application.

B. Levels of Review

The Commission has no desire to interfere with normal maintenance procedures. In order to provide some guidance for the property owner, manager or developer and the Commission, the activities which might be construed as causing an alteration to the physical character of the exterior have been categorized into:

- a) Activities which are not subject to review by the Commission and do not require an application:
 1. Activities associated with routine maintenance or which do not result in any permanent alterations or attached fixtures, including such items as: in-kind replacement of broken glass, window washing, pruning of vegetation, and holiday decorations.
 2. Alterations which are not visible from any existing or proposed street or way that is open to public travel.
- b) Activities which may be determined by Commission staff to be eligible for a Staff Approval after submittal of an application:
 1. Maintenance, repair, and in-kind replacement involving no change in design, material, color and outward appearance, including such items as tuck pointing of masonry.
 2. Work which is required to comply with BMC 8.12.020 Public safety.

3. Replacement of non-original materials with a design or product previously approved, as for example, windows, lighting fixtures and canopies, when the replacement feature is a replica as determined by staff and that cannot be called an "addition" to the building.

c) Activities requiring Commission review and a Certificate of Appropriateness:

1. Additions
2. Any reconstruction, restoration, replacement, alteration or demolition not based upon photographic or material evidence as being original to the structure. (This includes but is not limited to surface treatments, fixtures and ornaments). New construction of any type; removal of historic features or elements; any alteration involving change in design, material color, location or outward appearance, not justified by historic evidence.

d) Activities not explicitly listed above:

1. In the case of any activity not explicitly covered in these Guidelines, the Commission staff shall determine whether an application is required and if so, whether it shall be an application for a Certificate of Appropriateness or Staff Approval.

e) Concurrent Jurisdiction

1. In some cases, issues will also fall under the jurisdiction of the Division of Historic Preservation and Archaeology. This may occur because of an owner's voluntary participation in either a Rehabilitation Investment Tax Credit application or a review of the use of federal or state funds. In those cases, changes will require a stricter review process by other entities. The Bloomington Historic Preservation Commission will accept either the Certificate of Appropriateness application or the Part 2
*.<http://www.nps.gov/tps/tax-incentives/before-you-apply.htm>

C. General Prioritization of Decisions

The Commission's evaluation of an application will be based upon the degree to which proposed changes are in harmony with the character of this district. The statement of intent at the beginning of each section of the Guidelines should serve as an aid in identifying character-defining design features and the most sympathetic approach to proposed alterations. The following list of approaches illustrates activities from the least amount of intervention to the greatest amount.

The owner, manager or developer should follow them, in order, to ensure a successful project.

- a) Identify, Retain, and Preserve the form and detailing of the materials and features that define the historic character of the structure or site. These are basic treatments that should prevent actions that may cause the diminution or loss of the structure's or site's historic character. It is important to remember that loss of character can be caused by the cumulative effect of insensitive actions whether large or small.
- b) Protect and Maintain the materials and features that have been identified as important and must be retained during the rehabilitation work. Protection usually involves the least amount of intervention and is done before other work.
- c) Repair the character defining features and materials when it is necessary. Repairing begins with the least amount of intervention possible. Patching, piecing-in, splicing, consolidating or otherwise reinforcing according to recognized preservation methods are the techniques that should be followed. Repairing may also include limited replacement in extremely deteriorated or missing part of features. Replacements should be based on surviving prototypes.
- d) Replacement of entire character defining features or materials follows when the deterioration prevents repair. The essential form and detailing should still be evident so that the physical evidence can be used to re-establish the feature. The preferred option is replacement of the entire feature in kind using the same material. Because this approach may not always be technically or economically feasible the commission will consider the use of compatible substitute material. The commission does not recommend removal and replacement of a feature that could be repaired.
- e) Missing historic features should be replaced with new features that are based on adequate historical, pictorial and physical documentation. The commission may consider a replacement feature that is compatible with the remaining character defining features. The new design should match the scale, size, and material of the historic feature.
- f) Alterations or Additions that may be needed to assure the continued use of the historic structure or site should not radically change, obscure or destroy character defining spaces, materials, features or finished. The commission encourages new uses that are compatible with the historic structure or site and that do not require major alterations or additions.

D. Secretary of Interior Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will 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 elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will 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.

E. General Guidelines

1. The design approach to the property should begin with the premise that the features of historical and architectural significance described within this document should be preserved. In general, this will minimize alterations that will be allowed.
2. Changes and additions to the property and its environment which have taken place in the course of time are evidence of the history of the property and the district. These changes to the property may have developed significance in their own right, and this significance should be recognized and respected.
3. Deteriorated materials and/or features, whenever possible, should be repaired rather than replaced or removed.
4. When replacement of features that define the historic character of the property is necessary, it should be based upon physical or documentary evidence of original or later contributing features.
5. New materials should, whenever possible, match the material being replaced in physical properties and should be compatible with the size scale, color, material and character of the property and its environment.
6. New additions or alterations should not disrupt the essential form and integrity of the property and should be compatible with the size, scale, color, material and character of the property and its environment.
7. New additions or related new construction should be differentiated from the existing thus, they should not necessarily be imitative of an earlier style or period.
8. Surface cleaning shall use the mildest method possible. Sandblasting, wire brushing, power washing or other similar abrasive cleaning methods may not be permitted. Consult the following National Park Service technical reports on the appropriate treatment of historic materials. They are available online at <http://www.nps.gov/tps/how-to-preserve/briefs.htm>. Including “The Dangers of Abrasive Cleaning to Historic Buildings Brief #6” and “Removing Graffiti from Historic Masonry Brief #38.” Another accepted reference is “Keeping It Clean,” also published by the National Park Service and available on-line at <http://www.nps.gov/tps/how-to-preserve/preservedocs/Keeping-It-Clean.pdf>.
9. The Commission recommends the use of preservation consultants when dealing with large scale rehabilitation, or specific questions regarding materials conservation.
10. Non-contributing features, structures and properties are not held to the same standards that contributing ones. They do still need a COA for changes since it can affect nearby areas and the general setting and historic value of the district.

F. Owners Checklist

- County Building Department
 - HVAC
 - Electrical upgrades
 - Fire resistance and sprinklers
 - Change of uses

- Planning and Transportation
 - Change of uses
 - Lighting
 - Landscaping
 - Density
 - Parking

- Housing and Neighborhood Development Department
 - Rentals
 - Historic Preservation
 - Code Enforcement

- Public Works
 - Sidewalks
 - Railings
 - Awnings and Encroachments
 - Sprinkler Systems
 - Outdoor Elements
 - Lighting, bike racks, seating, etc.

- Utilities Board
 - Change of use
 - Grease traps

- Fire Department
 - Department's own checklist

- Parks and Recreation
 - Arts Commission
 - Tree removal

- Federal and State
 - State Building Code
 - Variances
 - Tax Credits
 - ADA

G. Understanding District Character

a) History

Although Bloomington was established as a county seat in 1818, Bloomington's contemporary downtown illustrates a later period of architecture that ranges from 1840 to 1970. The historic buildings that survive are mixed with significant losses, substantial remodels and true restorations. This makes Bloomington's contemporary environment an assortment of stylistic contexts. At the center of the square is the magnificent 1908 Wing and Mahurin Courthouse, the third such building on the site. The formal geometry and grandeur of the Beaux Arts courthouse sustains the historic atmosphere of the square. Surrounding individual buildings that face the courthouse gain substance from this setting. The original Bloomington plat is based upon the Shelbyville plan, with main streets intersecting at the corners of the courthouse square. In other Indiana towns, these streets may bisect the square. One of these is Salem Indiana where main streets run perpendicularly into the Courthouse site. Bloomington is improved by its early planning, the centrally located courthouse and the opportunity for walls of commerce surrounding the governmental core.

In the earliest days of the city, buildings around the square were primarily wood construction, but because of fires, a growing regional economy, and continual improvements, none of these survive. The next era of construction on the square was primarily brick and the Faulkner Hotel, built in 1840 on the corner of 6th and Walnut, is a good representative of this development period. Following the connection of the Salem, New Albany and Louisville Railroad in 1853, industries like the Showers Brothers Furniture Company and numerous limestone quarrying and fabrication sites were able to develop regional and eventually national significance. The new commerce dramatically changed the appearance of the downtown. Many brick buildings were resurfaced with limestone facades in the early 20th century to express the new affluence of the town as well as the availability of what became the nation's preeminent building material. The use of limestone was also encouraged by building styles of the day. Embraced nationally after the 1893 Chicago World's Exposition, the Beaux Arts Style influenced the construction of the Courthouse (1908), City Hall (1915) and the Old Post Office (1912). Several 19th century brick buildings later received Art Deco limestone skins. Examples are the Eagle Clothing Store and the Kresge storefronts. The Wicks Building on the north side of the square was given a Chicago Commercial style limestone storefront with tripartite windows.

The Nichols family, Bloomington's earliest local architects, created some of the most dramatic downtown vistas. John L. Nichols was a prolific designer, but his father before him was also active as a contractor. Both described themselves as architects, as was customary in the days before professional certification. John L. Nichols was relatively well-traveled having practiced in Denver. He designed several Queen Anne commercial blocks of rock-faced limestone with cantilevered bays suspended over the street. These features are included prominently in the Allen Building, the Public Service Buildings on 6th Street and the First National Bank at the corner of Kirkwood and

College. This particular design feature repeats itself in nearly every block downtown and is a distinctive local touch.

In the twentieth century Bloomington attracted several regionally significant architects; Wing and Mahurin (the courthouse), Rubush and Hunter (Masonic Temple) and Alfred Grindle (120 N. Walnut) and expanded the range of architectural styles to include Spanish Revival and Egyptian Revival.

Over the years devastating fires were responsible for the loss of many early groups of buildings, however there is a great deal of historic integrity in the single blocks surrounding the courthouse in all directions. More importantly, the sculptural skills displayed and the concern with quality and craftsmanship create a unique and distinctive environment for the conduct of business, entertainment and shopping downtown. This focused energy continues to be an enviable resource appealing to the skilled labor and professional classes needed for the 21st Century.

2. Guidelines for Rehabilitation and Maintenance

A. Primary Façade

a) Storefronts

Language from the National Parks Service Standards

Things to keep in mind when planning for a storefront replacement: scale, materials, cornice, frame, entrances, windows and secondary design elements. These points are expanded below.

1. The scale and proportion of the existing building, including the recognition of the bay spacing of the upper stories, should be respected in the storefront.
2. The selection of construction materials should be appropriate to the storefront assemblage. New materials are permissible especially when they mimic historic fabric in use and material.
3. The horizontal separation of the storefront from the upper stories should be articulated. Typically, there is horizontal separation between the storefront and upper façade. Changes to the primary façade should maintain this separation and be made apparent.
4. The historic planar relationship of the storefront to the façade of the building and the streetscape (if appropriate) should be respected.
5. The placement and architectural treatment of the front entrances shall differentiate the primary retail entrance from the secondary access to the upper floors. In order to meet current code requirements, outswinging doors generally must be recessed.
6. The treatment of the secondary appointments such as graphics and awnings should be as simple as possible in order to avoid visual clutter to the building and its streetscape.

a) Upper Façade Windows

1. The original window design, elements and features (functional and decorative) and the arrangement of window openings should be preserved and repaired using recognized preservation methods, rather than replaced. Windows, window fittings, sash operation, and shutters are important elements of building design that reflect the period of development and the original purpose. Representative window sash includes wood with single glazing, steel ventilator windows, double-hung (single light and multi-light), double vent casements, and pivot windows. Deteriorated or missing window elements and features (functional and decorative), should be replaced with material and elements which match the original in material, color, texture, size, shape, profile, configuration, and detail of installation as closely as technically and economically feasible.
2. Retrofitting existing frames and sash to allow for the insertion of an additional pane of insulating glass for storm window applications may be allowed if the alteration does not visually detract from historic fabric of the original window.
3. Before the Commission will consider window replacement, a survey of existing window conditions shall be submitted for review including photographic documentation. For large scale replacement, a site visit may be appropriate.
4. If it is demonstrated that original windows cannot be repaired, they should be replaced with windows that match the original in material, detail, profile, and dimension. If using the same material is not technically or economically feasible the Commission may consider the use of replacement windows. The Commission may require the retention of some original windows, preferably in situ, to provide documentation of original conditions. Enlarging or reducing window openings for the purpose of fitting stock window sash or air conditioners will not be allowed.
5. The number and arrangement of window panes in the sash design shall not be changed from the original.
6. True divided light window sash with muntins that match the dimension and profile of the original muntins is preferred. Applied muntins may be allowed if the applied muntins match the original muntin dimension and profile, are identical on the interior and exterior of the window, and have a dark spacer bar between the glass.
7. Tinted or reflective-coated glass are not preferred, but may be approved on a case-by-case basis. In particular, solar thermal, energy efficiency and similar “green” properties will be a consideration toward an approval of tinted or reflective-coated glass.

8. Some of these buildings have already lost their original windows or they have been filled in. It is preferred that replacement windows for these properties be based on documentary evidence of the original windows. If such evidence is unavailable, the replacement window design should be based on documentation of original windows on a similar property among the Courthouse Square Historic District. An opening may be adapted for other uses on a case-by-case basis.
9. Exterior combination storm windows and/or screens may be allowed provided the installation has a minimal visual impact. Exterior or interior storm windows are encouraged as long as the windows do not obscure the original sash design. This is done easily by matching the placement of the dividing rails, stiles and rails on double hung windows with features of an equal or smaller dimension on the storm windows.
10. Storm window sashes and frames shall have a finish that matches the primary window sash and frame color, so as not to obscure the original sash design. Interior or exterior storm windows are appropriate.

b) Exterior Walls, General

1. Existing character-defining elements and features (decorative and functional) of exterior walls including masonry, wood, architectural metals, architectural details, and other character-defining features should be retained and repaired using recognized preservation methods, rather than replaced or obscured.
2. When character-defining elements and features (decorative and functional) of exterior walls cannot be repaired, they should be replaced with materials and elements which match the original or building period in material, color, texture, size, shape, profile and detail of installation. Any replacement design for a fixture or window that is within the district and that has been previously approved for a State or Federal tax credit project may be approved at the Staff level.
3. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
4. Using existing openings is preferred, but new openings may be approved on a case-by-case basis.
5. Use of existing original openings in their original size and shape is preferred but other designs may be approved on a case-by-case basis.
6. Re-opening original openings which have over time been filled is encouraged.
7. Changing paint color where paint is the existing application will be reviewed by the Bloomington Historic Preservation Commission and should be done in period appropriate colors.

**[pop out regarding lead paint per BMC]: Peeling, flaking and chipped paint on the exterior of a property or its accessory structures shall be eliminated and done in accordance with any applicable rules or regulations established by the United States Environmental Protection Agency or the state department of environmental management. [Exceptions may apply, see Appendix]

B. Secondary Façade(s)

c) Doors, Equipment and Exterior Mechanicals

1. All contributing entrance, doors, and loading docks and their elements, materials, and features (functional and decorative), should be preserved and repaired using recognized preservation methods, rather than replaced. Where they survive, original doors and door fittings are significant architectural features that lend distinctive historical character to the area. Where fabric has been removed, appropriate infill designs will be considered.
2. The original entrance design and arrangement of openings should be retained. Where alterations are required, they will be reviewed on a case-by-case basis. It is anticipated that some adaptations may require more prominent entrances with compatible new design.
3. When contributing entrance and door elements, materials, and features (functional and decorative) cannot be repaired, they should be replaced with materials and elements which match the original in material, color, texture, size, shape, profile and detail of installation.
4. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
5. Contributing entrance materials, elements, and features (functional and decorative) shall not be sheathed or otherwise obscured by other materials.
6. Proposals for new doors or entrances will be reviewed on a case-by-case basis.

C. Accessibility

1. Alterations to existing buildings for the purposes of providing accessibility shall provide persons with disabilities the level of physical access to historic properties that is required under applicable law and as desired by the property owner, manager or developer to fully adapt the building. Alterations should be consistent with the preservation of each property's significant historical features, with the goal of providing the highest level of access with the lowest level of impact to the character defining features of the property. Modifications to some character defining features may be allowed in providing access, once a review of options for the highest level of access has been completed.
2. It is recommended that applicants consult with staff of the Commission as early in the process as possible when proposing alterations for the purpose of accessibility.
3. Where feasible and appropriate, metal ramps or other reversible solutions to providing accessibility are encouraged.

D. Site Changes and Maintenance

1. It is recommended that distinctive and historic features which contribute to the unique district's character be retained.
2. In order to retain district character, care should be taken when considering site changes and organic landscaping should work within the existing site context.
3. Complete removal of mature, healthy trees should be considered only for compelling reasons because the loss of such trees diminishes the district and site setting. Assistance with all aspects of tree care, including the selection of appropriate tree species for planting, can be found in the City of Bloomington Tree Care Manual.
4. In regards to public art installations, care should be taken as to not obscure the historic features within the district. For more specific goals on public art within Bloomington, consult with the City of Bloomington Arts Commission.

3. Guidelines for Sustainability and Efficiency

[Pop out on Embodied Energy: “*Embodied energy* is the initial energy investment required to produce a material or product. It includes the energy needed for the extraction of natural resources, manufacturing, transportation, and installation. Thus, the embodied energy of a building reflects the total energy needed to produce all materials or assemblies, transport them to a building site, and assemble a building.” –*The Greenest Building Report* by Preservation Green Lab]

1. The guidelines in this document support the goals of sustainability and take a flexible, solution-oriented approach to be used to balance cost-effective implementation of sustainability initiatives with preservation of the historic character of the district.
2. When planning for such projects to a historic structure, care should be taken to preserve character-defining features and historic fabric while accommodating the intervention.
3. Windows:
 - a. Historic windows that are regularly maintained will function with maximum operational efficiency; however, if not properly maintained, could result in loss of historic building fabric or decreased energy efficient performance of the existing systems or features.
 - b. Although windows, historic or new, contribute to energy loss compared to solid walls, adding storm windows can improve the efficiency of existing windows. Wood or metal storm windows sized appropriately to the existing openings and installed correctly will enhance the energy efficiency of a well maintained, weather tight window.
4. Solar Panels
 - a. All solar panel applications should conform to the Secretary of Interior’s Standards for Rehabilitation (See Section D in the Introduction) specifically Standards 2 and 9.
 - b. Utilization of solar installations that are not visible from the primary façade are preferred and will be reviewed on a case-by-case basis.
 - c. Care should be taken during application to not remove or damage any historic roofing materials or character-defining features.
5. Other sustainable building applications are encouraged and will be considered on a case-by-case basis.

4. Guidelines for Signage and Awnings

As a general rule, new signs should preserve, complement, and enhance, rather than compete with, the character of historic buildings and the surrounding district. Careful consideration should be given to historic context, building forms, and site layout when selecting, designing, and reviewing new signage. Not all allowed signage types are appropriate for the district.

A. Signage, General

1. Preference should be given to attachment of signage to building additions rather than directly to historic fabric. If sign exists already, preference is made to affix signage to existing signs.
2. The scale of signage should be in proportion to the façade, respecting the building's size, scale and mass, height, and rhythms and sizes of windows and door openings.
3. Obscuring historic building features such as cornices, gables, pilasters, or other decorative elements with new signs is discouraged.
4. Use of materials such as painted wood, stone, iron, steel, glass, and aluminum is encouraged as historically appropriate to the building.
5. In situations where signage is directly attached to historic fabric, it should be installed in a manner which allows for updates and/or new tenant signage without drilling into stone, brick, or even mortar. If signage or signage parts must be attached directly to the building, it should be attached to wood or to mortar rather than directly into stone or brick. It is encouraged that signage be placed where signage has historically been.
6. If signage must be illuminated, the use indirect or back lit sources that do not produce glare is the preferred method of illuminating signs. Internal illumination is discouraged. In the case of raceway signs, care should be taken to conceal the mechanics from the public right of way.

B. Building Signs

1. Attaching signage to building additions rather than historic fabric is encouraged.
3. Building-mounted signage should be modest in scale and design so as not to compete with the building's historic character.
4. Wall signs should be located above storefront windows and below second story windows.

C. Awnings and Canopies

1. Awnings or canopies should be mounted in a manner which does not damage historic building elements.
2. It is preferred that awning and canopy materials be canvas and in a shape that reflects the door or window openings they cover.
3. In the case of historic theaters, theaters with historic marquees may have historic precedent and will be reviewed on a case-by-case basis.

D. Window signs [pop out- Please see UDO 20.05.079(g)(5) for additional specifications for window signs; Window signage shall not exceed twenty-five percent (25%) of the glass area of any individual window pane.]

1. Window signage may be appropriate for doors and storefront style glass. Window signs are discouraged for divided light windows.
2. Window signage should be uncluttered in appearance. The size/percentage of coverage, color, fonts, and general appearance of signage should complement historic fabric rather than detract from it.
3. The use of individually cut letters and logos with clean lines is encouraged.
4. The chosen color palate for signage should be complementary with the historic fabric (i.e., loud or garish colors would not be preferred except in the case of a business logo, etc.).

E. Applicability and review

These design guidelines are for new signage applied to the exterior of designated structures. They do not apply to:

- repair or in-kind replacement of pre-existing or approved signs;
- new tenant panels attached to approved directory signs; or,
- approved signage for a group within a building.

A Certificate of Appropriateness issued pursuant to Title of Bloomington Municipal Code for a sign shall be deemed void under the following circumstances: (1) a new Certificate of Appropriateness for a sign in the same location has been issued; (2) the sign has ceased to be displayed and no other sign in the same location and on the same supports and furnishings has not been resumed for a continuous period of six months; or when the supports or furnishings associated with the sign have been removed and not replaced with like supports or furnishings for a continuous period of six months.

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5. Guidelines for New Construction and Additions to Existing Structures

The intent of these guidelines is to allow for the creation of additional space that is compatible with the massing, materials, texture, and scale of historic material; to guide the form and design of all new additions to the buildings; and, to ensure that new construction is compatible with the historic physical character of the building, allowing for contemporary expression.

A. Additions to Existing Structures, General

1. These guidelines apply only to façades that are open to view from any existing or proposed street, alley or way that is open to public travel.
2. According to Standard 9 of the Secretary of the Interior Standards for Rehabilitation, additions should be differentiated from the old and be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the building and its environment.
3. In general, new construction should reflect the period in which it was built and should not necessarily be imitative of an earlier style, period, or method of construction. However, new additions shall strive to relate to the urban context and the particular streetscape of which it is a part in building height, massing, setback, rhythm, scale, proportions, and materials.
4. New construction has the potential for reinforcing and enhancing the unique character of the historic buildings. Proposals for new additions will be reviewed for compatibility with the existing architecture including review of such critical factors as building materials, existing buildings, visual association and urban context.
5. New additions shall be designed so that the character defining features of the existing building are not substantially changed, obscured, damaged, or destroyed so that if the new addition were to be removed in the future, the essential form, detail, and overall integrity of the historic building would be unimpaired.
6. The Commission encourages design features associated with new construction that are guided by sustainable building design principles provided such features are compatible with the character of the buildings that are within the district.

B. Rooftop Additions

1. Rooftop additions may be considered if the roof is not a character-defining feature.

2. Where permitted, care should be taken to make it minimally visible from existing or proposed streets, alleys and ways open to public travel. “Minimally visible” is defined as any rooftop addition which, when viewed from public ways, due to its placement and size does not call attention to itself nor detract from any significant architectural features.
3. All rooftop additions, including rooftop equipment and utilities, will be carefully reviewed on a case-by-case basis for their appropriateness of location and visibility. Additionally, the massing, materials, and details will be reviewed for their appropriateness and impact to the character-defining features of the district. See Sustainability section.

C. Utilities

1. The location of mechanical and/or electrical equipment, stair or elevator head houses, satellite dishes, antennas and other communication devices should be integrated into the design of the new addition so as to minimize the visibility of the utilities. When located on the roof, such equipment should be set back as to minimize visibility from an existing or proposed street, alley or way that is open to public travel (see above Rooftop Additions section).

D. New Construction, General

1. New construction should not negatively impact the historic character of a property.
2. The location of new construction should be considered carefully in order to follow the setbacks of historic buildings and to avoid blocking their primary elevations. New construction should be placed away from or at the side or rear of historic buildings and should avoid obscuring, damaging, or destroying character-defining features on these buildings.
3. Protecting the historic setting and context of a property, including the degree of open space and building density, must always be considered when planning new construction.
4. New construction should be distinct from the old and avoid creating a false sense of historic development.
5. The limitations on the size, scale, and design of new construction may be less critical the farther it is located from historic buildings.

6. Guidelines for Demolition

A. Removal of Additions

1. Removal of additions may be considered if the Commission finds that the addition does not contribute to the historic and/or architectural character of the building.
2. The following factors will be considered by the Commission in determining whether later additions can, or should, be removed:
 - a. Compatibility with the original structure.
 - b. Historic association with the property.
 - c. Design and execution of the addition.

B. Demolition (General)

When considering a proposal for demolition, the Commission shall consider the following criteria for determining appropriate action. The commission shall approve a Certificate of Appropriateness for demolition as defined in this chapter only if it finds one or more of the following:

1. The building poses an immediate and substantial threat to public safety as interpreted from the state of deterioration, disrepair, and structural stability of the structure. The condition of the building resulting from neglect shall not be considered grounds for demolition.
2. The historic or architectural significance of the structure is such that, upon further consideration by the Commission, it does not contribute to the historic character of the district.
3. The demolition is necessary to allow development which, in the Commission's opinion, is of greater significance to the preservation of the district buildings than is retention of the building, or portion thereof, for which demolition is sought.
4. The building or property cannot be put to any reasonable economically beneficial use without approval of demolition. See Bloomington Municipal Code, Title 8.12.010.
5. In the case that the building is accidentally damaged by storm, fire, or flood, it may be re-built to its former configuration and materials without a requirement for review if work is commenced within six (6) months. If the work is not commenced within six (6) months, then plans and specifications will be

reviewed according to the guidelines for existing buildings and replication of features in this document using an application for a Certificate of Appropriateness.

6. With the exception of Criterion #5 in this section, all replacement of demolished properties should follow New Construction guidelines. The Commission may ask interested individuals or organizations for assistance in seeking an alternative to demolition. See Bloomington Municipal Code Title 8.

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APPENDIX

**Exemption from HUD 24 CFR § 35
Lead-Based Poisoning Prevention**

**HUD 24CFR §35.115 Exemptions (Residential Lead-Based Poisoning Prevention)
Subpart B through R do not apply to dwelling units that meet one of the following
exemptions:**

___ A residential property for which construction was completed on or after January 1, 1978, or, in the case of jurisdictions which banned the sale or residential use of lead-containing paint prior to 1978, an earlier date as HUD may designate (see § 35.160).

___ A zero-bedroom dwelling unit, including a single room occupancy (SRO) dwelling unit.

___ Housing for the elderly, or residential property designated exclusively for persons with disabilities; except this exemption shall not apply if a child less than age 6 resides or is expected to reside in the dwelling unit (see definitions of “housing for the elderly” and “expected to reside” in § 35.110).

___ Residential property found not to have lead-based paint by a lead-based paint inspection conducted in accordance with §35.1320(a) (for more information regarding inspection procedures consult the 1997 edition of Chapter 7 of the HUD Guidelines). Results of additional test(s) by a certified lead based paint inspector may be used to confirm or refute a prior finding.

___ Residential property in which all lead-based paint had been identified. Removed. And clearance has been achieved in accordance with 40 CFR 745.227(b)(e) before September 15, 2000, or in accordance with §§ 35.1320, 35.1325 and 35.1340 on or after September 15, 2000. This exemption does not apply to residential property where enclosure or encapsulation had been used as a method of abatement.

___ An unoccupied dwelling unit or residential property that is to be demolished, provided the dwelling unit or property will remain unoccupied until demolition.

___ A property or part of a property that is not used and will not be used for human residential habitation. Except that spaces such as entryways, hallways, corridors. Passageways or stairways serving both residential and non residential uses in mixed-use property shall not be exempt.

___ Any rehabilitation that does not disturb a painted surface.

___ For emergency actions immediately necessary to safeguard against imminent danger to human life, health or safety, or to protect property from further structural damage (such as when a property has been damaged by a natural disaster, fire, or structural collapse),

occupants shall be protected from exposure to lead in dust and debris generated by such emergency actions to the extent practicable, and the requirements of subparts B through R of this part shall not apply. This exemption applies only to repairs necessary to respond to the emergency. The requirements of subparts B through R of this part shall apply to any work undertaken subsequent to or above and beyond, such emergency actions.

___ If a Federal law enforcement agency had seized a residential property and owns the property for less than 270 days, §§ 35.210 and 35.215 shall not apply to this property.

___ The requirements of subpart K of this part do not apply if the assistance being provided is emergency rental assistance or foreclosure prevention assistance, provided that this exemption shall expire for a dwelling unit no later than 100 days after the initial payment of assistance.

___ Performance of an evaluation or lead-based paint hazard reduction or lead-based or lead-based paint abatement or an exterior painted surface as required under this part may be delayed for a reasonable time during a period when weather conditions are unsuitable for conventional construction activities.

Interim controls will be used on projects that meet the following HUD 24CFR §35.115 Exemption:

___ Where abatement of lead-based paint hazards or lead-based paint is required by this part and the property is listed or has been determined to be eligible for listing in the National Register of Historic Places or contributing to a National Register Historic District. The designated party may, if requested by the State Historic Preservation Office. Conduct interim controls in accordance with § 35.1330 instead of abatement. If interim controls are conducted, ongoing lead-based paint maintenance and reevaluation shall be conducted as required by the applicable subpart of this part in accordance with § 35.1335 (See attached 106 report).

___ Minor repair and maintenance which is defined as Interior work disturbing less than 6 square feet per room of painted surface and Exterior work disturbing less than 20 square feet of painted surface. This does not include window replacement.