

How to Navigate the Historical Review Process in Philadelphia

A Guide for Property Owners

A Publication of the Preservation Alliance for Greater Philadelphia

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Quick Reference Contact information

Preservation Alliance for Greater Philadelphia

This guide is available online at

www.preservationalliance.com/publications

For additional information or assistance call:

Advocacy Associate: 215-546-1146 ext 5

Historic Property Repair Program Grants: 215-546-1146 ext 2

Philadelphia Historical Commission

The requirements of the City of Philadelphia for alterations to historic properties are contained in Section 14-2007 of the Philadelphia Code and in the Rules and Regulations of the Philadelphia Historical Commission, both of which are available online at www.phila.gov/historical.

For additional information, clarification or assistance call: Philadelphia Historical Commission: 215-686-7660

City of Philadelphia, Department of Licenses and Inspections

Building permit requirements and applications can be obtained online at

[www. Phila.gov/li](http://www.Phila.gov/li)

Applications may also be obtained at—and must be filed at—the Service Counter: Lower Level, Municipal Services Building, 1501 JFK Boulevard, Philadelphia 19102. Applications may also be obtained at L&I District offices.

For additional information call: 215-686-2455

Board of Revision of Taxes (BRT)

Information and an application for tax abatement is available online at

www.brtweb.phila.gov/brtapps/OnlineApps/abatement_home.aspx

For additional information call: 215-686-4334

Acknowledgements

This guide to the historical review process has been prepared by the Preservation Alliance for Greater Philadelphia, which is solely responsible for its content. Every effort has been made to ensure that the information in this guide is accurate. The guide is made possible by a grant from the William Penn Foundation. The Preservation Alliance is grateful for this support.

The Preservation Alliance for Greater Philadelphia is a non-profit organization whose mission is to actively promote the appreciation, protection and revitalization of the Philadelphia region's historic buildings, communities and landscapes. For more information on the Preservation Alliance visit our web site at www.preservationalliance.com.



How to Navigate the Historical Review Process in Philadelphia

A Guide for Property Owners

Philadelphia is a city with thousands of historic buildings and many neighborhoods of distinctive historic character. To preserve and protect the most important of these historic resources, the City of Philadelphia adopted an historic preservation ordinance in 1955. This ordinance established the Philadelphia Historical Commission and gave it authority to designate individual buildings worthy of preservation and protection, and to list them on the Philadelphia Register of Historic Places. In 1985, the City revised the ordinance adding the authority to designate historic structures, sites, and objects and historic districts in addition to individual buildings. Since 1955, approximately 10,000 buildings, structures, sites and objects have been designated by the Historical Commission and listed on the Philadelphia Register of Historic Places.

Alterations to all properties listed on the Philadelphia Register that affect the exterior of a building, structure, site or object must be reviewed by the Historical Commission before any work can take place. If you are receiving this brochure it is most likely that your property is listed on the Philadelphia Register. (Step 1 of this guide explains how to confirm that your property is listed on the Register.)

The procedures that property owners must follow to obtain approval of the Historical Commission and the information that must be submitted are described in Section 14-2007 of The Philadelphia Code and in the Rules and Regulations of the Historical Commission, both of which are available online at www.phila.gov/historical/ordinance.html. This guide is designed to assist property owners understand those requirements and to help property owners navigate the historical review process in the most efficient manner when seeking approval of plans to renovate or restore historic properties. The guide outlines the steps that property owners must take, the information that must be submitted, the review process that the Historical Commission follows and the standards it uses to review applications. The guide has been prepared by the Preservation Alliance for Greater Philadelphia, which is solely responsible for its content.

Two types of applications are not discussed in detail in this guide. The Historical Commission must approve applications for **demolition**, all or in part, of a property listed on the Philadelphia Register. The requirements and the process for approval of applications for demolition is different from that for alterations and is not covered in detail in this guide. Information about application for demolition can be found in Section 14-2007(7)(j) of The Philadelphia Code and Section 7 of the Rules and Regulations. The Historical Commission must also review applications for **new construction** on undeveloped land in historic districts. Those applications also follow a slightly different procedure that is not discussed in this guide. Information on applications for new construction in historic districts can be found in Section 14-2007(7)(d) of The Philadelphia Code and Section 8 of the Rules and Regulations and on the Preservation Alliance's web site.

The Preservation Alliance hopes this guide helps you better understand the review process and the submission requirements. **This guide and the information referenced in it can be found on the Preservation Alliance's web site at www.preservationalliance.com/publications.**



FREQUENTLY ASKED QUESTIONS

Most property owners have four basic questions about the historical review process.

1. DO ALTERATIONS TO MY PROPERTY REQUIRE REVIEW BY THE PHILADELPHIA HISTORICAL COMMISSION?

As noted above, the Philadelphia Historical Commission must review alterations to all properties that are listed on the Philadelphia Register of Historic Places. Step 1 of the guide explains how to determine if a property is listed on the Philadelphia Register.

2. WHAT TYPE OF WORK ON MY PROPERTY REQUIRES APPROVAL BY THE HISTORICAL COMMISSION?

The Historical Commission reviews all work on a building, structure, site or object that requires a **building permit or that alters the exterior appearance** of any property listed on the Philadelphia Register. Step 2 of the guide describes the type of work that requires approval of the Commission in more detail. Minor work, such as painting of wood trim, does not require review by the Commission.

3. HOW LONG WILL THE REVIEW PROCESS TAKE?

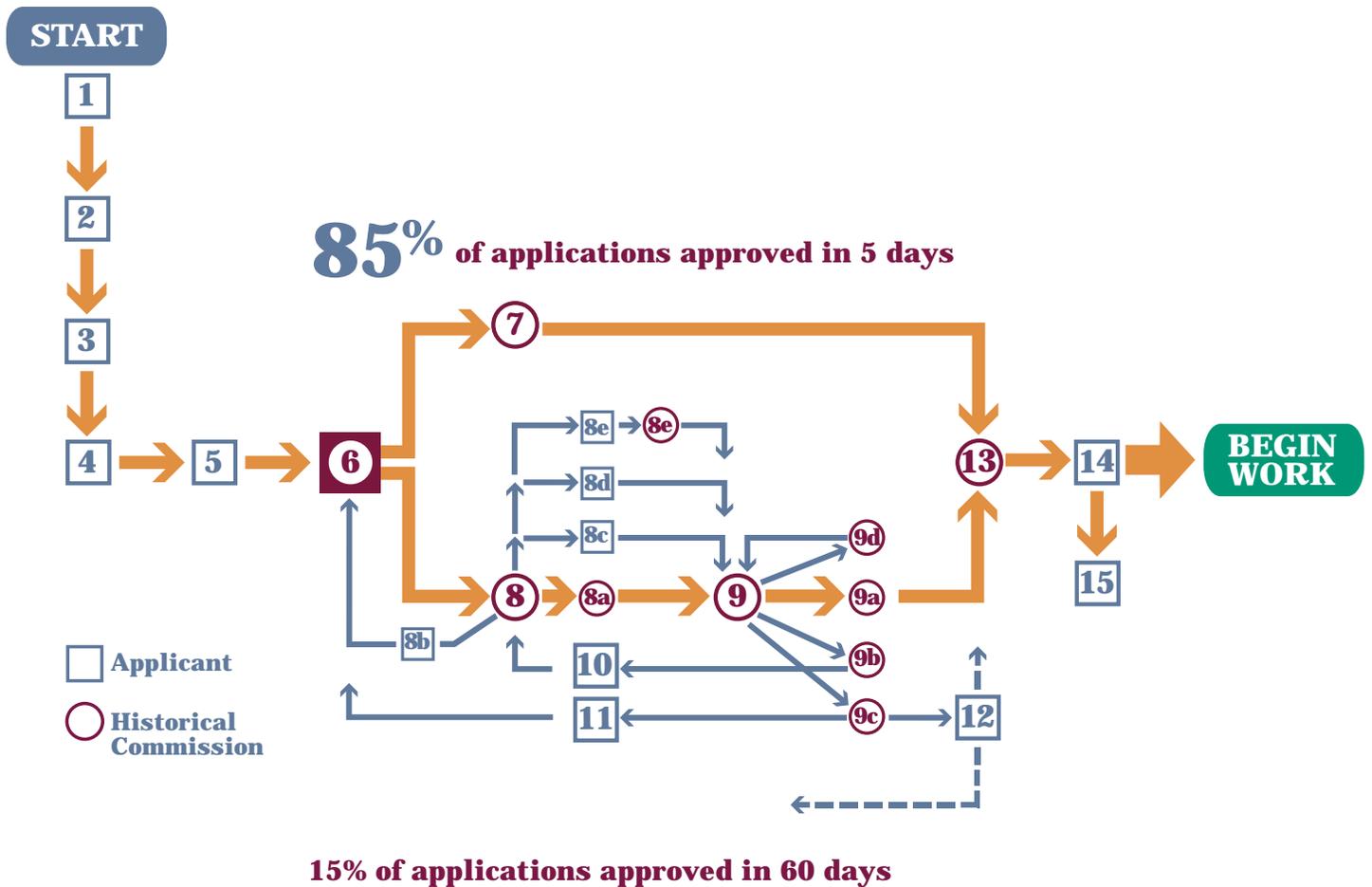
The Historical Commission must act on an application within 60 days after its submission or the application is considered approved. Some applications can be approved by the staff of the Historical Commission, in which case approval is given within 5 working days, and often on the same day as submitted. Approximately 85% of all applications are approved by the staff. So, for most owners of historic properties the review process is quick and relatively simple.

Applications that require approval of the Historical Commission are first referred to the Architectural Committee and then to the Historical Commission. These applications are usually acted on within 30 to 45 days after submission. The complete process for review of these applications is explained in this guide.

4. WHAT STANDARDS DOES THE HISTORICAL COMMISSION USE TO EVALUATE PROPOSED ALTERATIONS?

The Historical Commission follows the standards and procedures set forth in the Section 14-2007 (7)(k) of The Philadelphia Code and its Rules and Regulations. A primary reference used by the Historical Commission for review of alterations to historic properties is the *Secretary of the Interior's "Standards for the Treatment of Historic Properties and Guidelines for Rehabilitating, Restoring and Reconstructing Historic Buildings"* prepared by the National Park Service. It is available online at www.cr.nps.gov/hps/tps/secstan1.htm.

STEP-BY-STEP GUIDE TO NAVIGATING THE HISTORICAL REVIEW PROCESS



Phase One: Preparation

- 1** Determine if your property is listed on the Philadelphia Register of Historic Places.
- 2** Determine if the work requires approval of the Historical Commission.
- 3** Consult with the staff of the Historical Commission.
- 4** Prepare plans.
- 5** Apply to the Department of Licenses and Inspections for a building permit

Phase Two: Application

- 6** Submit an application to the Historical Commission.
- 7** Approval by staff.
- 8** Review by the Architectural Committee.

Phase Three: Approval

- 9** Review by the Historical Commission.
- 10** Approval in concept, prepare final plans.
- 11** Revise plans after denial.
- 12** Appeal decision of the Historical Commission.
- 13** Application approved, plans stamped by staff.
- 14** Building permit review and approval.
- 15** Apply for tax abatement.



STEP-BY-STEP GUIDE TO NAVIGATING THE HISTORICAL REVIEW PROCESS

1. DETERMINE IF YOUR PROPERTY IS LISTED ON THE PHILADELPHIA REGISTER OF HISTORIC PLACES.

The Philadelphia Register of Historic Places includes all properties that have been designated by the Historical Commission, including properties that have been designated individually and those located within designated historic districts. **The Philadelphia Historical Commission must review alterations to all properties that are listed on the Philadelphia Register.**

To determine if a property is listed on the Philadelphia Register, go to www.phila.gov/historical/register and click the “Philadelphia Register of Historic Places” button. The next screen will have a drop down box that lists street names. Select the street name and click the “GO” button, which will take you to a list of the addresses of properties on that street that are listed on the Register. If you do not have Internet access, or would like confirmation or clarification of information on the web site, call the Historical Commission (215-686-7660) and provide the exact street address. A staff member will tell you if the property is listed on the Register.

2. DETERMINE IF THE WORK REQUIRES APPROVAL OF THE HISTORICAL COMMISSION.

Only work that requires a **building permit** or that **alters the exterior—including the site and any appurtenances**—of a property listed on the Philadelphia Register requires approval of the Historical Commission. Building permit applications for work on the *interior* of a listed property are referred to the Historical Commission by the Department of Licenses and Inspections at the time of a building permit application only to ensure that such work will not affect the exterior appearance of a property. The staff automatically approves permits for interior work that does alter the exterior.

Exterior work that requires a building permit from the Department of Licenses and Inspections includes, but is not limited to:

- replacement of doors and windows;
- removal, enclosure or repair of a porch;
- replacement of roof;
- cleaning and pointing of masonry;
- addition of a roof deck;
- an addition to the property; and
- demolition of all or part of an historic property or removal of a property or object from its site.

The Historical Commission must also review new construction on undeveloped land in historic districts. Consult the staff of the Historical Commission for procedures and requirements for review of applications for new construction.

3. CONSULT WITH THE STAFF OF THE HISTORICAL COMMISSION

Although it is not required, it is advisable to check with the staff of the Historical Commission before preparing plans or an application to the Commission. The staff can explain what to include in the application and can also advise you whether the staff can approve the application or whether it will require full review by the Historical Commission. In addition, the staff can advise you about guidelines that have been adopted by the Historical Commission for common changes to historic properties. These include guidelines for replacement of windows, addition of roof decks and painting of wall murals.

The staff also can provide technical assistance that may be helpful in preparing plans. In some instances, it may be appropriate for a staff member to visit your property to discuss your plans.

Properties in historic districts are classified as “significant,” “contributing” or “non-contributing.” Non-contributing buildings are those that do not reflect the historical or architectural character of a district. Although all properties are subject to review by the Historical Commission, the standards used for alterations to non-contributing buildings are not as stringent as those for significant or contributing buildings. To determine if your property is a “non-contributing” building, first determine if it is in an historic district by checking the boundaries of historic districts online at www.phila.gov/historical/register/ and selecting the button for “Historic Districts.” Then call the Historical Commission and consult with the staff to determine its classification and the application requirements that apply.

4. PREPARE PLANS

The Historical Commission can grant either final approval of plans for a project or approval “in concept.” The difference between these two types of approvals affects the nature of the plans you prepare.

For a final approval, an application must include plans that meet the Historical Commission’s requirements (see step 6) and the requirements of the Department of Licenses and Inspections for a building permit, if the proposed work requires a permit. Many applications for building permits require plans prepared by an architect or engineer. Some applications may only require a description of work from a contractor, or the submission of the manufacturer’s specifications for such items as replacement windows. Building permit requirements can be found online at www.phila.gov/li.

Approval “in concept” enables a property owner to obtain a preliminary response from the Commission before preparing detailed architectural plans. This is most useful for projects that are large, involve unusual or multiple changes to an historic property or a property of special historical importance and for new construction in historic districts. An application for an approval in concept requires only schematic plans, but otherwise follows the same procedures and requirements as other applications. After approval in concept, final plans must still be submitted for review and approval.

5. APPLY TO THE DEPARTMENT OF LICENSES AND INSPECTIONS FOR A BUILDING PERMIT.

The review process for historic properties begins with an application to the Department of Licenses and Inspections for a building permit. Building permit applications can be obtained online at www.phila.gov/li/ by selecting “Permits” under the “Services” section of the website. Permit applications may also be obtained at the L&I Service Counter on the lower level of the Municipal Services Building, 1401 JFK Boulevard, or at district offices.

Step-by-Step Guide to Navigating the Historical Review Process

Permit applications may be filled out and taken directly to the Historical Commission. However, it is preferable to **file the application at the Service Counter** in the Municipal Services Building. When filed at the Service Counter, an L&I Plans Examiner will give the permit a log-in number and will inform you if your property is listed on the Philadelphia Register and requires review by the Historical Commission, and whether a zoning variance will also be required. The Plans Examiner will not review your plans for compliance with the building code until after approval is obtained from the Historical Commission.

Building permit applications can be filed by the property owner, or by an architect, contractor or attorney or any individual authorized in writing by the property owner.

If a zoning variance is required, an application for such a variance can be submitted to the Zoning Board of Adjustment while an application is being reviewed by Historical Commission. However, it is often more efficient to obtain approval of the Historical Commission before applying for a zoning variance.

6. SUBMIT AN APPLICATION TO THE HISTORICAL COMMISSION

Applications to the Historical Commission require:

- a completed building permit application;
- a cover letter describing the proposed work and any special circumstances the Historical Commission should consider;
- dated and labeled photographs of the present conditions of all locations where alterations to the property are proposed; and
- accurately scaled architectural or engineering plans, and/or examples of the proposed materials and design, such as catalog specifications or pictures.

The material submitted should show the existing conditions and the proposed changes as clearly and completely as possible and how the property will look once the alterations have been made, including materials and color.

7. APPROVAL BY STAFF

The staff approves approximately 85% of all applications. Staff approvals are given within five working days, and often on the same day as submitted. The staff can approve applications for alterations to secondary facades of a building that face service alleys or are not visible from public rights-of-way; alterations that replace or repair features in their original historic form or materials; and interior work that does not affect the exterior of the building. (See Section 6.3.c.1 of the Rules and Regulations for a full list.) The staff will determine whether it or only the full Historical Commission has the authority to review the application for approval. If approved and stamped by staff, applications can be taken back to the Department of Licenses and Inspections for building permit review (Steps 13 and 14).

8. REVIEW BY THE ARCHITECTURAL COMMITTEE

Applications requiring approval of the Historical Commission are first referred to the Architectural Committee and then to the Historical Commission. Applications must be acted on within 60 days (or are considered approved) and are usually acted on within 30 to 45 days after submission.

Step-by-Step Guide to Navigating the Historical Review Process

Applications requiring review by the Architectural Committee must be submitted nine working days in advance of the committee meeting. The Architectural Committee meets on the last Tuesday of each month. A staff recommendation, based on the Commission's guidelines and the *Secretary of the Interior's Standards*, is presented to the Committee. The staff recommendation is usually placed in the property's file three to five days before the Committee meeting and can be reviewed in advance of the meeting. After presentation of the staff recommendation, the committee hears testimony from the property owner, from the general public or community organizations interested in the project. Committee decisions are advisory to the Historical Commission and are submitted to the Historical Commission at its next meeting. The recommendation of the Architectural Committee is provided to the applicant in writing within one week after the meeting.

The Architectural Committee can take five types of actions.

- a.** The Architectural Committee can recommend **approval** of the application and it will go forward to the Historical Commission with that recommendation. The Committee can also recommend **denial** of the application and the applicant can allow the recommendation to go forward to the Historical Commission and present a counter argument to Commission, which can overrule the Architectural Committee's recommendation.
- b.** If the Architectural Committee recommends denial or approval subject to certain modifications, the applicant also has the right to **withdraw** the application prior to the Historical Commission meeting and to resubmit a new or revised application at a later time. This is often desirable if the applicant wants additional time to revise or reconsider the project.
- c.** The Architectural Committee can recommend approval subject to certain modifications, in which case the applicant can **revise the plans** in accordance with the committee's recommendations and submit the revised plans to the staff prior to the Historical Commission meeting. It is preferable to submit revised plans one week prior to the Historical Commission meeting, but revised plans can be presented at the Historical Commission meeting if they comply with the recommendations of the Architectural Committee.
- d.** The Commission recognizes that low- and moderate-income property owners, or property owners with special financial issues, may not be able to afford completely accurate historic restoration. Such applicants may apply for a waiver or modification of restoration or rehabilitation standards by submitting an **unnecessary hardship request**. Unnecessary hardship requests require the submission of federal income tax returns for the previous two years or similar information. This information is kept confidential. The Historical Commission is guided by the Section 8 Eligible Guidelines of the U.S. Department of Housing and Urban Development, which define low and moderate income as less than 80% of the median income of the Philadelphia area. However, the Commission can also consider other factors. Unnecessary hardship requests must be discussed with the staff, which will determine the information that should be submitted.

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- e. An application for **demolition** of all or part of a property listed on the Philadelphia Register is also submitted to the Architectural Committee for review. The committee and staff may decide that an application for demolition of part of a building is considered an “alteration” in which case the application will be reviewed in the normal manner and a recommendation made to the Historical Commission.

However, if an application is determined to be for full demolition or demolition of a significant part, feature or facade of a building or involves removal of a building or object from its site, the Architectural Committee will recommend denial of the application until such time as the applicant has complied with the requirements of Section 14-2007 (7) (f) and (j) of The Philadelphia Code. These sections of the code require that an application for demolition of an historic property demonstrate that demolition is “necessary in the public interest” or that it is economically infeasible to rehabilitate, sell or lease the property for any purpose. Applications based on financial hardship are reviewed by the Committee on Financial Hardship and must include the items listed in Section 14-2007 (7)(f) and Section 6.6d of the Rules and Regulations. Applications for demolition that are “necessary in the public interest” are heard by the Historical Commission itself. For further information on applications for demolition consult the staff of the Historical Commission.

9. REVIEW BY THE HISTORICAL COMMISSION

The recommendation of the Architectural Committee is presented to Historical Commission, which meets on the second Friday of every month. After the Committee’s recommendation is presented, the property owner may make a presentation, including presenting modifications made to comply with the Architectural Committee’s recommendations. Testimony is also accepted from the public before the Commission makes a decision. If you are unable to attend the Commission meeting or need additional time, the staff can grant a one-month postponement.

The Commission may take one of four possible actions:

- a. The Commission may **approve** the application, in which case the staff is authorized to stamp the plans and the applicant may return to the Department of Licenses and Inspections to obtain a building permit.
- b. The Commission may approve the application **“in concept,”** in which case the applicant must prepare final plans and resubmit those plans to the staff. The plans will be resubmitted to the Architectural Committee (step 10) and steps 7 through 9 will be repeated.
- c. The Commission may **deny** approval of the application in which case the applicant may revise plans (step 11) or appeal the Commission’s decision (step 12).
- d. The Commission may decide to **table** the application for up to six months in order to obtain additional information, research technical issues or for other reasons. The applicant may be requested to provide additional information. Prior to or at the end of six months, the Commission will consider the application again.

Any application not acted on within 60 days after it has been submitted is considered approved and the staff is required to stamp the plans.

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10. APPROVAL IN CONCEPT, PREPARE FINAL PLANS

An approval “in concept” only addresses the basic approach to the project. After an approval in concept, final plans must be submitted for review by the staff and the Architectural Committee and the process described in steps 7 through 9 repeated.

11. REVISE PLANS AFTER DENIAL

If the Commission votes to deny approval of the application, the property owner may revise plans and submit a new application. A new building permit application is required, so the process returns to Step 5 and is repeated.

12. APPEAL THE DECISION OF THE HISTORICAL COMMISSION

If the Historical Commission denies approval of an application, the property owner can appeal the decision of the Commission to the Board of License and Inspection Review. Appeals must be filed within 15 days after the applicant receives written notice of the Commission’s action. An application for an appeal may be obtained at the L&I Service Counter in the Municipal Services Building. An appeal may be filed by the property owner or by an attorney representing the property owner.

If the Historical Commission approves an application, that action can also be appealed by an adjacent or nearby property owner, by a community organization or such organizations as the Preservation Alliance.

The Board of License and Inspection Review will schedule a hearing on any appeal filed, usually within 60 days, and send notice to the property owner. Decisions of the Board of L&I Review can be appealed to the Court of Common Pleas.

13. APPLICATION APPROVED, PLANS STAMPED BY STAFF

Once an application is approved by the staff or by the Historical Commission, the staff will stamp the plans and you may return to the Department of Licenses and Inspections for approval of the building permit. Four copies of plans and/ or specifications are required: one for the Historical Commission’s files and three for the Department of Licenses and Inspections.

14. BUILDING PERMIT REVIEW AND APPROVAL

After approval by the Historical Commission (and by the Zoning Board of Adjustment if a zoning variance is required), the Department of Licenses and Inspections will review your plans for compliance with the building code and will then issue a building permit to allow the work to proceed.

15. APPLY FOR TAX ABATEMENT

Philadelphia offers a 10-year real estate tax abatement on improvements made to existing residential properties. To obtain such a tax abatement, an application must be filed at the time a building permit is being obtained. Instructions for filing an application for a real estate tax abatement can be found by selecting Ordinance 961 at the Board of Revision of Taxes website www.brtweb.phila.gov/brtapps/OnlineApps/abatement_home.aspx. An application for tax abatement is also available online.

GOOD LUCK WITH YOUR PROJECT.



**PRESERVATION
ALLIANCE**

for greater philadelphia

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protection, and appropriate use and development of the Philadelphia
region's historic buildings, communities and landscapes.*

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