

PROVIDENCE HISTORIC DISTRICT COMMISSION

# DESIGN GUIDELINES

*for the Providence Landmarks District:*

## INDUSTRIAL & COMMERCIAL BUILDINGS

*Adopted January 29, 2002, Amended May 24, 2004, December 15, 2014.*

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**CITY OF PROVIDENCE**

Jorge O. Elorza, Mayor

**PROVIDENCE HISTORIC DISTRICT COMMISSION**

**STANDARDS AND GUIDELINES FOR THE  
PROVIDENCE LANDMARKS DISTRICT:  
INDUSTRIAL AND COMMERCIAL BUILDINGS (PLD-ICBD)**

**A SUPPLEMENT TO THE STANDARDS AND GUIDELINES, DATED 3/24/97  
ADOPTED JANUARY 29, 2002, AMENDED MAY 24, 2004, DECEMBER 15, 2015.**

**I. INTRODUCTION**

The Providence Historic District Commission (PHDC) was established by City Council in 1960 to safeguard and preserve buildings and districts which reflect elements of the City's cultural, social, economic, political and architectural history. The PHDC Standards and Guidelines have been adopted (in accordance with R.I.G.L. 45-24.1-10 and Chapter 27 of the Providence Code of Ordinances) to assist the property owner and the PHDC in processing applications for Certificates of Appropriateness. The PHDC reviews proposed work affecting the exterior appearance of each structure, site or its appurtenances designated as a landmark building or district including major alterations, additions, and demolition. PHDC staff determines if any of the proposed exterior work listed above will need review by the PHDC. Once the review process has been completed, staff issues a Certificate of Appropriateness, which is required before commencing any of the exterior work listed above. Building permits for exterior work on a landmark building or in a district cannot be issued without a Certificate of Appropriateness. If it is determined that no review by the PHDC is required, staff issues a release form to the Department of Inspection and Standards. In certain instances, a building permit may be required for work that is not reviewed by the PHDC.

The intent of the Standards and Guidelines is to guide the inevitable changes to the exteriors of landmark buildings and buildings within a district. As each individual structure and its site are unique, each application is considered on its own merits in accordance with these Standards and Guidelines. A copy of the PHDC Standards and Guidelines for the local historic districts can be obtained from the Providence Department of Planning and Development.

This supplement to the PHDC Standards and Guidelines is intended to regulate the Providence Landmarks District - Industrial and Commercial Buildings (PLD-ICBD) that became effective on March 12, 2002. The PLD-ICBD established historic landmark status to certain lots throughout the City that were designated by the City Council by amendment to the zoning map. These sites are not in any contiguous zone, but nonetheless are subject to the regulations contained herein.

## A. WHAT MUST BE REVIEWED BY THE HISTORIC DISTRICT COMMISSION

The following projects are **reviewed by the PHDC at a public meeting** and require a Certificate of Appropriateness in accordance with these Standards and Guidelines for the Industrial and Commercial Buildings District. Applications for demolition shall be reviewed at a public hearing.

### DEMOLITION:

The demolition of any building, structure or unique architectural feature including towers, turret, entrance porticos, etc.

### MAJOR ALTERATIONS:

Any exterior alteration which affects a total of 10% or more of the surface area of a given façade or elevation that can be seen from any public right-of-way, or other place upon which the public is regularly allowed or invited to traverse through, travel upon or gather. Any alteration undertaken pursuant to these standards and guidelines shall not be cumulative, meaning that if 10% or more of the surface area of a given façade or elevation is altered after January 29, 2002, no further alterations shall be permitted. Such exterior alterations include the following:

- *Changes to window and door openings* - creation of new openings or irreversible blocking-up of existing openings when the changes affect 10% or more of the surface area of the elevation.
- *Changes to exterior materials* - cladding, siding or resurfacing over original material when the change affects 10% or more of the surface area of the elevation. Sand blasting is not permitted under any circumstances. Replacing or the covering of brick with stucco or EFFIS is considered irreversible.
- *Changes to rooflines and roof slopes* - roof top additions and changes to roof shapes that affect 10% or more of the roof surface area.

### ADDITIONS:

Additions shall be reviewed when the proposed addition covers or engages 10% or more of any original facade or elevation.

## B. WHAT IS NOT REVIEWED BY THE HISTORIC DISTRICT COMMISSION

The following items **will not be reviewed by the PHDC** and do not require a Certificate of Appropriateness. Some of the items will require a building permit. (Please check with the Department of Inspections and Standards before commencing any work).

- **Alterations that are reversible or do not have an adverse effect on the integrity of the structure**
- **Demolition or Renovations of non-contributing structures on the same lot as contributing structures**
- **New Construction independent of other structures**
- **Replacement of Windows and Doors**
- **Repairs, In-Kind Replacement and Restoration**
- **Storage Sheds and Dumpsters**
- **Awnings and Canopies**
- **Portable Window Air Conditioners**
- **Storm Windows**
- **Hardware and Electrical Devices**

- **Paving/Site Improvements**
- **Window Boxes**
- **Skylights**
- **Signs, Banners and Flags**
- **Painting of Previously Painted Surfaces/Paint Color**
- **Safety and Security Devices**
- **Barrier-Free Access**
- **Striping for Parking Areas**
- **Fire Escapes**
- **Mechanical and Communications Equipment**
- **Sidewalks and Street Paving**
- **Lighting**

## II. APPLICATION REVIEW PROCESS

1. **Confirm that the property is located within the Industrial and Commercial Building District** Contact the PHDC staff at 401.680.8400.
2. **Determine if PHDC review is required.** If staff determines that the building is a non-contributing structure or that the proposed alterations are reversible and do not have an adverse effect on the integrity of the structure, no review will be necessary. If staff determines that the building is a contributing structure or that the alterations are not reversible or adversely affects the integrity of the structure, an application will be required for PHDC review.
3. **Arrange a site visit with staff to discuss the proposed work.** Consultation with PHDC staff and a site visit are recommended before filing an application.
4. **Contact the Department of Inspection and Standards.** Some projects will require a building Permit, which cannot be issued until a Certificate of Appropriateness has been obtained from the PHDC. Contact Department of Inspections and Standards at 401.421.7740 or visit the office at 444 Westminster Street, Providence.
5. **If applying for State and Federal Tax Credits,** contact the Rhode Island Historical Preservation Commission at 401.222.2678, 150 Benefit Street, Providence for more information.
6. **File an application for certificate of appropriateness.** Applications may be prepared by the property owner or a representative, but must be signed by the property owner. Applications should be filed in person by appointment with the PHDC staff **at least fourteen (14) days prior** a scheduled PHDC meeting. Applications for demolition must be **filed at least thirty (30) days prior** to a scheduled hearing for review. Make sure all necessary information accompanies the application when it is filed.

Any necessary **zoning variances** shall be obtained prior to filing an application for Certificate of Appropriateness. It is the applicant's responsibility to find out whether a zoning variance is needed and to obtain one. Contact the Zoning Board of Review at 401.421.7740 for more information.

7. **Staff determines if the application is complete.** If the application is complete, it is accepted for review. If the application is not complete, staff informs the applicant what additional information will be required. The

official review period does not begin until the application is complete and accepted for review. Acceptance of an application does not preclude the PHDC from requesting any additional information that may help it to make a determination on the application.

8. **Staff determines how the application will be reviewed: at a public hearing or public meeting before the PHDC (or exempt from review).** The application will be directed to the PHDC for review at the next available public meeting. The PHDC meets regularly on the 4<sup>th</sup> Monday of each month. Applications for demolition require a public hearing and 14-day advance notice in the *Providence Journal* (advertising, postage and stenographic services, if needed, to be paid for by the applicant).
9. **The application is reviewed by the PHDC.** Public Meeting: An agenda is mailed to applicants, owners, abutters, and PHDC members seven (7) days before the meeting, listing the time and place of the meeting, and the order in which the applications will be heard. Staff also prepares a written report on each application that is distributed to PHDC members before the hearing and is available to applicants upon request. Applicants are required to attend the hearing to present the proposal to the PHDC. Public comment is taken. The testimony of applicants, owners, and other interested parties is sworn. After all testimony is received, the PHDC deliberates the proposal and makes a determination to approve as submitted, approve with conditions, or deny. (An application may also be continued to a future PHDC meeting, with the applicant's consent, if additional information is needed.) After the hearing, a written resolution describing the decision of the PHDC is mailed to the applicant.
10. **If the application is approved,** a Certificate of Appropriateness placard and two sets of all accompanying drawings are stamped, signed, and delivered to the Department of Inspections and Standards (DIS), 444 Westminster Street, Providence. The applicant must appear in person at DIS to claim the certificate and one set of stamped drawings; a copy of the certificate and the other set of stamped drawings is retained by DIS, which will also determine if a building permit is necessary for the project. Building permits for exterior work within historic districts cannot be issued until PHDC approval has been obtained.

A Certificate of Appropriateness placard must be displayed on the property where the work will occur. Certificates of Appropriateness are valid only for the work specifically approved. Any changes to the project which result from other reviews, or which are made during construction, must be brought back to the PHDC for approval prior to commencing work. Certificates are valid for one (1) year, and may be extended upon request. A project cannot be reviewed unless all variances have been approved by the Department of Inspection and Standards.

**It is the applicant's responsibility to obtain all necessary building permits and zoning variances for their project!**

11. **If the application is not approved,** the decision may be appealed. Appeals of PHDC decisions are made to the Zoning Board of Appeal (which will only review for procedural errors or if the HDC had sufficient evidence to make its decision) within 20 days of the date of the written resolution. Without substantial changes, a denied application may not be resubmitted for one year from the date of the decision.
12. **A permanent record of each application is retained in the PHDC's files.**

### III. DOCUMENTATION REQUIREMENTS FOR APPLICATIONS

Applications for Certificates of Appropriateness must be accompanied by photographs, drawings, and other information to illustrate a proposal and its impact on an individual structure or site, as well as its impact on the district as a whole. Documentation requirements vary depending on the scope of work and are listed below. If your project is not listed herein, contact staff for advice. Incomplete applications cannot be accepted for review. Staff or the PHDC may request additional information.

#### A MAJOR ALTERATIONS AND ADDITIONS

An application for major alterations and additions that requires PHDC review pursuant to Section I.A of these Standards and Guidelines (*What Must Be Reviewed By the Historic District Commission*)

- ❑ A completed application form for a Certificate of Appropriateness, signed by the applicant and the property owner, describing existing conditions and proposed changes.
- ❑ 35mm or digital photographs of the building, showing the entire building elevation(s) and close-ups of the area where the work will occur. Photos must be labeled with the street address, compass direction and date. Color Polaroid may be acceptable if the images reproduce clearly. Xeroxed photographic prints and instant (Polaroid) snapshots are not acceptable due to their poor quality.
- ❑ One (1) set of scaled plan, elevation and section drawings as necessary, illustrating existing conditions as well as proposed changes in relationship to major architectural features. **INCLUDE ONE (1) COMPLETE SET OF DRAWINGS REDUCED TO 11X17 INCHES FOR MAILING PURPOSES.** Drawings should be titled, indicate the scale, labeled with the street address and dated. Examples of the drawings needed for varying types of projects are listed below. This is not an exhaustive list; check with staff about documenting your particular project.
- ❑ Site Plan: for projections and recesses, additions, etc. Show the entire building, adjacent buildings, and property lines. Indicate north arrow.
- ❑ Floor Plans: for projections and recesses, window and door openings, additions, storefronts, etc.
- ❑ Roof Plan: for headhouses, decks and changes to the roofline, including volumetric additions. Indicate north arrow.
- ❑ Elevations: for changes in wall materials and surfaces, fenestration, ornamentation, roof forms and elements, foundations, storefronts, etc. Show front and side views of three-dimensional elements.
- ❑ Sections: for projections and recesses, volumetric additions and changes in roof form.
- ❑ Copy of any required zoning, building, or access code variances obtained for the project.
- ❑ Manufacturer's specifications or literature for elements such as windows and doors, etc. indicating all dimensions, details and finishes.
- ❑ List of the names and mailing addresses of all abutting property owners, derived from the most current records of the City Tax Assessor. "Abutter" is defined as any property whose lot lines touch the front, side or rear lot lines of the subject property; since streets are common property lines, properties across the street

are included as abutters. Properties on a corner should include the three opposite corner properties as abutters, in addition to those sharing side or rear lot lines.

## **B. DEMOLITION**

An application for demolition that requires PHDC review pursuant to Section I.A of these Standards and Guidelines (*What Must Be Reviewed By the Historic District Commission*).

- ❑ A completed application form for a Certificate of Appropriateness signed by the applicant and the property owner, describing existing conditions and proposed changes.
- ❑ 35mm or digital photographs of the building, showing the entire building elevation(s) and close-ups of the area where the work will occur. Photos must be labeled with the street address, compass direction and date. Color copies may be acceptable if the images reproduce clearly. Copied photographic prints and instant (Polaroid) snapshots are not acceptable due to their poor quality.
- ❑ List of the names and mailing addresses of all abutting property owners, derived from the most current records of the City Tax Assessor. "Abutter" is defined as any property whose lot lines touch the front, side or rear lot lines of the subject property; since streets are common property lines, properties across the street are included as abutters. Properties on a corner should include the three opposite corner properties as abutters, in addition to those sharing side or rear lot lines.
- ❑ Written description of the architectural and historic significance of the building.
- ❑ Written evaluation of the structural condition of the building and its adaptability for rehabilitation, by the building inspector or professional structural engineer licensed in Rhode Island. All dangerous conditions should be identified. Include a copy of any outstanding building codes violations cited on the property.
- ❑ An itemized breakdown of the feasibility of all possible alternatives to demolition that were considered, and reasons why such alternatives were rejected. Alternatives may include rehabilitation, adaptive reuse, relocation, or sale of the property to another owner willing to preserve it.
- ❑ One copy of a site plan, to scale, showing the location of the structure proposed to be demolished in relationship to other structures on the property, and to the property lines. Also, one additional set of drawings reduced to 11x17 inches for mailing purposes.
- ❑ Form of ownership of the property, including the names and addresses of the owners. If the owner is an organization, governmental entity or corporation, include the name, address and telephone number of a contact person.
- ❑ The fair market value of the property, as determined by a qualified professional expert.
- ❑ The amount paid for the property, the date of purchase, and the name of the seller, including the relationship between the applicant or owner of record and the party from whom the property was purchased.
- ❑ The price asked for the property and any offers received in the previous three years.

- ❑ If the property is commercial or income-producing: the gross annual income from the property for the past three years, the itemized operating and maintenance expenses for the previous three years, the depreciation deduction and annual cash flow before and after debt service for the previous three years.
- ❑ The remaining balance on any mortgage or other financing secured by the property and the annual debt service for the past three years.
- ❑ Three bids for the cost of the proposed demolition compared to the cost of stabilizing or "mothballing" the structure, and compared to the cost of rehabilitating the structure.
- ❑ A list of all economic incentives for preserving the structure available to the applicant through federal, state, city or private programs.
- ❑ The thirty (30) day filing deadline for demolition may be waived under certain circumstances as determined by PHDC staff. All thirty (30) day filing deadlines waved are then due fourteen (14) days before a scheduled PHDC meeting.

#### **IV. STANDARDS FOR MAJOR ALTERATIONS AND ADDITIONS TO EXISTING BUILDINGS**

**A. LIMIT OF JURISDICTION.** Only those structures or portions of a structure or site determined to be contributing and which are visible from a public right-of-way will be subject to review by the PHDC. Determination of contributing/non-contributing status will be made by PHDC staff. If staff is unable to make a determination, the decision will be forwarded to the PHDC to be considered at a regularly scheduled meeting.

**B. GENERAL.** For those structures that meet the jurisdictional criteria in A above, the following will apply:

Height. The PHDC may not approve additions in height to the maximum allowable limit if such additions would be incompatible with the historic facade, scale, and proportions of the structure.

Scale. The historic scale of buildings and streetscapes should be retained.

Street facades. Historic or original street facades should be preserved; this includes items such as crenellation and chimneys/smoke stacks.

Reconstruction. Reconstruction or portions of original buildings may be appropriate if sufficient documentation exists to assure that the reconstruction is accurate.

Alteration. Any change or addition should be compatible with the original design of the building. Never try to make a building look older than it really is by using details from periods before the building was built.

#### **C. CORNICES AND ROOFS**

Cornices. Historic or original cornices should be retained and preserved; this includes items such as crenellation.

Roofing materials. Original roofing materials such as slate and copper should be retained and preserved on roofs visible from a public way. Repair is encouraged over replacement. If replacement is necessary, new materials should be consistent with the original in texture, dimensions, design and color; natural materials are preferred



over synthetics, but substitute materials may be considered. New copper should be allowed to weather naturally. Flashing should be copper or other metal with a dark finish.

Rooftop Additions. Vertical additions to buildings must not exceed the height limit set forth the Zoning Ordinance. If an addition is feasible, it should be set back from the street out of view from the public way so that it will not alter the original scale of the building facade, and so that it will be compatible with surrounding buildings.

#### **D. EXTERIOR WALLS/MASONRY**

General. Avoid concealing original facade materials, especially on historic buildings. Wherever possible, original facade materials should be preserved.

Finishes. The original finish of masonry is historically important and should be retained. In most cases, painting masonry will not help stabilize it, unless the condition is so poor that a protective coating is necessary. It is preferable to leave masonry unpainted unless it was painted originally. If masonry has previously been painted, it may be advisable to repaint rather than attempt to remove the paint; removal of paint is very difficult and can be harmful to the facade surface. If repainting previously painted masonry, use breathable masonry paint and choose a color than matches that of the original masonry as closely as possible. Avoid cladding exterior walls with any new materials including stucco, vinyl or aluminum siding, corrugated metal, synthetic stucco systems, etc.

### **V. STANDARDS FOR DEMOLITION**

#### **A. LIMIT OF JURISDICTION.**

Only those structures or portions of a structure or site determined to be contributing and which are visible from a public right-of-way will be subject to review by the PHDC. Determination of contributing/non-contributing status will be made by PHDC staff. If staff is unable to make a determination, the decision will be forwarded to the PHDC to be considered at a regularly scheduled meeting.

#### **B. GENERAL**

Demolition is discouraged. The loss of a historic structure constitutes an irreplaceable loss to the City of Providence. In order to preserve the historic fabric of the city, demolition of historic or contributing structures or appurtenances, or the removal of a portion of a portion of a historic or contributing structure, is discouraged.

Structures or Appurtenances Deemed Valuable to the City, State or Nation. A Certificate of Appropriateness for demolition of a structure or appurtenance deemed by the PHDC to be valuable to the city, state or nation may be issued only if the PHDC is satisfied that the retention of such structure or appurtenance constitutes a hazard to public safety, which hazard cannot be eliminated by economic means available to the owner, including sale of the structure or appurtenance to any purchaser willing to preserve such structure or appurtenance. In such cases, the PHDC may require that the historic structure be recorded at the owner's expense according to documentation standards of the Historic American Buildings Survey (HABS) and the Historic American Engineering Record (HAER), for deposit with the PHDC.

### C. CRITERIA TO ALLOW DEMOLITION

Structures or Appurtenances Deemed Valuable for the Period or to the District. A Certificate of Appropriateness for demolition of a structure or appurtenance deemed by the PHDC to be valuable for the period of architecture which it represents and its importance to the district may be issued only if at least one of the following exists:

- a. Retention of such structure or appurtenance constitutes a hazard to the public safety, which hazard cannot be eliminated by economic means available to the owner, including sale of the structure or appurtenance on its present site to any purchaser willing to preserve such structure or appurtenance.
- b. Preservation of such structure or appurtenance is a deterrent to a major improvement program which will be of substantial benefit to the community.
- c. Preservation of such structure or appurtenance would cause undue or unreasonable financial hardship to the owner, taking into account the financial resources available to the owner including sale of the structure or appurtenance to any purchaser willing to preserve such structure or appurtenance.
- d. Preservation of such structure or appurtenance would not be in the interest of the majority of the community.

Seek Alternatives. The applicant and the PHDC have an affirmative obligation in good faith to attempt the sale of the property, to seek tenants for it, and to explore potential reuses. Before approving any application for demolition, the PHDC will work with the applicant to investigate alternatives to demolition, including:

- a. Sale of the structure on its present site;
- b. Whether there is a reasonable likelihood that some person or group other than the owner is willing to purchase, move and preserve such structure;
- c. Whether the owner has made continuing bona fide and reasonable efforts to sell the structure to any such purchaser willing to move and preserve such structure; and
- d. Whether any public or quasi-public agencies have any potential use for the property, know of any potential users or purchasers for it or have financial programs that could assist in the preservation of the structure.

Demolition By Neglect. Failure to maintain any structure or appurtenance within the district may be deemed to be demolition by neglect. In such cases, the property owner shall be notified of such determination and required to begin repairs within 30 days. Failure to comply with such order shall cause the City to make the required repairs and to place a lien against the property for recovery of expenses.

## VI. DEFINITIONS

The following terms are used throughout these guidelines:

### MAJOR ALTERATION

An alteration which affects the historic, cultural, or architectural integrity, interpretability, or character of a building, structure, site or district. Generally includes the kind of work which is normally done with the aid of a professional drafter or professional quality plans.

### APPURTENANCES

Features other than primary or secondary structures which contribute to the exterior historic appearance of a property, including but not limited to paving, doors, windows, signs, materials, decorative accessories, fences, and historic landscape features.

### BUILDING CHARACTERISTICS

Fenestration: The proportion and size of window and door openings and the rhythm and order in which they are arranged.

Height: The vertical distance from the average grade level to the average level of the roof.

Proportions: The dimensional relationship between one part of a structure or appurtenance and another. Facade proportions involve relationships such as height to width, the percent of the facade given to window and door openings, the size of these openings, and floor-to-ceiling heights. Often described as a ratio, proportions may be vertical (taller than wide), horizontal (wider than tall), or non-directional (equally tall and wide).

Scale: The relative proportion of a building to neighboring buildings, or of a building to a pedestrian observer.

Setback: The horizontal distance between a structure's vertical planes and a reference line, usually the property line.

### CONTRIBUTING (BUILDING/STRUCTURE/SITE)

A building, structure or site which reinforces the visual integrity or interpretability of a historic district. A contributing building is not necessarily "historic" (50 years old or older). A contributing building may lack individual distinction but may add to the district's status as a significant and distinguishable sociocultural entity.

### DEMOLITION

An act or process that destroys or razes a structure or its appurtenances in part or in whole, or permanently impairs its structural integrity, including its ruin by neglect of necessary maintenance and repairs.

### MOVING

The relocation of a structure on its site or to another site.

### NON-CONTRIBUTING (BUILDING/STRUCTURE/SITE)

A building, structure or site which detracts from the visual integrity or interpretability of a historic district.

### ORDINARY MAINTENANCE AND REPAIR

Work meant to remedy damage to deterioration of a structure or its appurtenances, which will involve no change in materials, dimensions, design, configuration, color, texture or visual appearance.

**PRESERVATION**

Keeping an existing building in its current state by a careful program of maintenance and repair.

**REHABILITATION**

Making a structure sound and usable again, through repair or alteration, without attempting to restore to any particular period appearance but respecting and preserving those portions and features of the property which are significant to its historic, architectural and cultural values.

**RESTORATION**

Repairing or re-creating the original architectural elements in a building so that it closely resembles the appearance it had at some previous point in time.

**STOREFRONT COMPONENTS**

Awning: A roof-like cover extending over a window or door, intended to provide the pedestrian protection against sun, rain and wind. Awnings are usually made of soft canvas or other fabric and may be fixed or adjustable.

Cornice: A horizontal projecting band that caps an architectural composition.

Crenellation: A pattern along the top of a cornice or roof, most often in the form of multiple, regular, rectangular spaces in the top of the wall.

Display Window: Large area of glass within the storefront opening. The display window is used to show merchandise and provide a means of interaction between the public outside and the business inside.

Entrance Area: The point of entry into the storefront, traditionally recessed to provide additional window display, weather protection, and protection from the outward swing of a door. Made up of the following components: door, transom window (above the door), sidelights or display windows, floor area.

Kickplate: The solid panels (usually wood) below the display window. The kickplate provides the base support for the display window frame.

Lintel: A horizontal structural element (usually a steel beam covered by masonry) which spans the storefront opening and supports the upper portion of the facade wall above it. Also defines the upper boundary of the storefront.

Ornamentation: Decorative objects which are used to increase the beauty of the facade.

Sign: A lettered board or other display, mounted either parallel or perpendicular to the building face somewhere above the display window, used to identify or advertise a place of business. The sign is one of the most important components on the facade because it is the first perception of the business image. A window sign is applied to or located behind glass.

Storefront Columns: Slender vertical elements within the storefront opening which help support the lintel.

Support Wall or Pier: Large vertical masses on either side of the storefront opening which support the lintel and define the right and left boundaries. In large buildings, support walls (piers) define bays which may contain individual storefronts and/or display windows.

Transom: Glass panel above a horizontal frame bar (transom bar) atop a display window or door, used to allow greater light into the store interior.

Upper Facade: The mostly solid part of the wall above the display window. May be a plain surface on a one-story building, or contain rows of windows defining the number and location of floors in a multi-story building. May include decorative bands or patterns. Usually presents the largest surface of color on the building, since the first floor is mostly glass.

#### STRUCTURE

Anything constructed or erected, which requires permanent or temporary location on the ground or attachment to something having a location on the ground, including but not limited to buildings, gazebos, billboards, outbuildings, and swimming pools.

#### VISIBILITY FROM A PUBLIC WAY

Able to be seen from any public right-of-way, or other place, whether privately or publicly owned, upon which the public is regularly allowed or invited to be.