

District-Specific Ordinances: Changes Shown

Note: *The Madison Alliance for Historic Preservation has proposed basic minimum standards for development in all historic districts. These general standards could be incorporated into each of the current district-specific ordinances for ease of reference. District-specific standards that supplement these general standards would stay in place for now, pending further review. **This document shows, with cross-outs and underlines, how each of the current district-specific ordinances would change.** Applicable definitions (with changes proposed by the Alliance) are attached at the end of this document as an Appendix.*

In this document:

- *General standards for development are shown in red (Alliance proposal).*
- *General clarifications are shown in blue (Alliance proposal).*
- *Retained district-specific standards are shown in green (current standards with non-substantive edits).*

*Some current districts (Mansion Hill and Third Lake Ridge) have very few district-specific standards. This document **deletes** those current standards, because they are redundant with or weaker than the proposed general standards.*

*Other districts (University Heights, Marquette Bungalows and First Settlement) currently have detailed district-specific standards that supplement the proposed general standards. This document **keeps** those district-specific standards for now, but edits them for clarity, readability, consistent use of terms, and compliance with Wis. Stats. s. 62.23(7)(em)2m (created by 2017 Wis. Act 317). These edits create a cleaner “look” for the current district-specific standards, but are not intended to change their basic substance.*

*Although there are some similarities across districts, current district-specific standards reflect the unique characteristics and architectural styles of the individual districts, as well as the consensus of district property owners. Some district-specific standards also vary **within** individual districts (e.g., between commercial and residential zones within a district).*

There is room for substantive improvement in the current district-specific standards, but that may require a longer process of review and stakeholder input. The proposed new Madison Comprehensive Historic Preservation Plan should include a short description and rationale statement for each current district (incorporating by reference prior preservation plans and justifications for that district). This draft cross-references some familiar guideline documents, which could be used to help interpret ordinance standards; but these are merely intended as “placeholder” examples for now.

41.22 - MANSION HILL HISTORIC DISTRICT.

(1) Purpose and Intent Creation. ~~It is hereby declared a matter of public policy that a specific area of the City be identified, designated, and protected because of its special character and historical interest. This area, to be called the Mansion Hill Historic District, shall be described in general by the map and specifically by the legal description on file in the City Clerk's office. The purpose and intent of this ordinance shall be to designate this area in accordance with Subchapter D of this chapter. There is hereby created a *Mansion Hill Historic District*. The boundaries of the district are shown in the map attached as *Appendix B.1* to this chapter, and are more specifically described in the legal description on file with the City of Madison Planning Division. The purposes and characteristics of this district are described in the *City of Madison Comprehensive Historic Preservation Plan (2019)*, which is on file with the Planning Division and available online at [\[insert specific city website address\]](#).~~

(2) Criteria for Creation of Mansion Hill Historic District. ~~In that the Mansion Hill Historic District reflects a pattern in the broad social history of Madison, the State and the Nation, and in that elements within the District meet the other three designation criteria, namely that many of the structures in the District:~~

~~(a) Are identified with historic personages or with important events in national, state or local history;~~

~~(b) Embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;~~

~~(c) Are representative of the notable work of a master builder, designer or architect whose individual genius influences his age;~~

~~The area described by the map and legal description shall be designated a historic district.~~

(2) Historic Period of Significance. The historic period of significance for the Mansion Hill Historic District is 1850 through 1930.

(3) Historic Resources in the Mansion Hill Historic District. The following properties are hereby designated as historic resources within the Mansion Hill Historic District, pursuant to Sec. 41.11(1)(b):

(a) Designated Landmarks landmarks, and the landmark sites associated with those landmarks.

(b) Designated Landmark sites.

(c) Properties Buildings and accessory structures constructed during the district's period of significance, 1850-1930 under sub. (2).

(4) Development Standards. Development in the Mansion Hill Historic District shall comply with the following standards:

(a) New Construction. New construction shall be visually compatible with the historic character of the district, and may not detract from that historic character. A new structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to:

1. Height, bulk, gross volume, overall design and overall proportions.

2. Directional expression and proportions of street facades.

3. The proportions and relationships between doors and windows in street facades.

4. The proportion and rhythm of solids to voids, including voids created by openings between facades and setbacks within facades.

5. Architectural features.

6. Roof design.

7. Landscape treatment.

8. Surface textures and materials.

(b) Exterior Alterations; All Structures. Exterior alterations to existing structures shall be visually compatible with the historic character of the district, and may not detract from that historic character. Exterior alterations to a structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to the characteristics listed in pars. (a)1 to 8.

(c) Exterior Alterations to Historic Resources. Exterior features of a historic resource that contribute to its historic character shall be identified and preserved in any alteration to that historic resource. Alterations to landmarks shall comply with applicable standards referenced in Sec. 41.18.

(d) Alterations May Not Cause or Aggravate Nonconformities.

1. Alterations to an existing structure that was constructed in compliance with par. (a) may not cause that structure to violate any provision of par. (a) that would apply if the entire altered structure were being newly constructed.

2. Alterations to an existing structure that is, with respect to par. (a), a prior nonconforming structure may not aggravate the prior nonconformity.

(e) Repair and Replacement Materials. The standards in this subsection shall be interpreted in a manner consistent with Wis. Stats. s. 62.23(7)(em)2m, as applicable, related to acceptable repair and replacement materials.

Note: The new standards under sub. (4) are the general standards provided for all historic districts under Sec. 41.11(2). Supplementary district-specific standards could be added. This draft deletes current district-specific standards that merely duplicate or are weaker than the general standards (see deleted sub. (4) below).

~~(4) Standards for Review of Development in the Mansion Hill Historic District.~~

~~(a) Any new structure located within two hundred (200) feet of other historic resources shall be visually compatible with these historic resources in the following ways:~~

~~1. Height.~~

~~2. Gross Volume.~~

~~3. In the street elevation(s) of a structure, the proportion of width to height in the facade(s).~~

~~4. The proportions and relationships of width to height of the doors and windows in street facade(s).~~

~~5. The proportion and rhythm of solids to voids created by openings in the facade.~~

~~(b) All street facades shall blend with other structures via directional expression. When adjacent structures have a dominant vertical or horizontal expression, this expression should be carried over and reflected.~~

~~(5) Reference to Plan.~~ The requirements in this section derive from a plan entitled "The Mansion Hill Historic Preservation Plan and Development Handbook," City Planning Department, 1975.

Note: See updated plan reference under sub. (1). The new Madison Comprehensive Historic Preservation Plan should, in the case of historic districts, reference prior plans applicable to those districts.

(5) Development Guidelines.

(a) When interpreting and applying the development standards under this section, the Landmarks Commission may consider, as guidelines, relevant portions of the following documents:

1. The *U.S. Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (2017)

2. The *Mansion Hill Design Criteria* (2009).

(b) The guidelines under par. (a) may be viewed, and downloaded without charge, at [insert specific city website address].

41.23 – THIRD LAKE RIDGE HISTORIC DISTRICT.

(1) **Creation.** It is hereby declared a matter of public policy that a specific area of the City be identified, designated, and protected because of its special character and historical interest and significance. This area, to be called the Third Lake Ridge Historic District, shall be described in general by the map and specifically by the legal description on file in the City Clerk's Office. The purpose and intent of this ordinance shall be to designate this area in accordance with Subchapter D of this Chapter. There is hereby created a *Third Lake Ridge Historic District*. The boundaries of the district are shown in the map attached as *Appendix B.2* to this chapter, and are more specifically described in the legal description on file with the City of Madison Planning Division. The purposes and characteristics of this district are described in the *City of Madison Comprehensive Historic Preservation Plan (2019)*, which is on file with the Planning Division and available online at [insert specific city website address].

(2) **Criteria for the Creation of the Third Lake Ridge Historic District.** In that the Third Lake Ridge Historic District area reflects a broad pattern of social history of Madison and the State and the Upper Midwest, and in that elements within the District meet other designation criteria in Sec. 41.10(2) of this chapter, namely that many of the structures and sites in the District:

(a) Are identified with historic personages or with important events in state or local history; and

(b) Embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;

The area described by the map and legal description shall be designated a historic district.

(2) **Historic Period of Significance.** The historic period of significance for the Third Lake Ridge Historic District is 1850 through 1929.

(3) **Historic Resources in the Third Lake Ridge Historic District.** The following properties are hereby designated as historic resources within the Third Lake Ridge Historic District, pursuant to Sec. 41.11(1)(b):

(a) Designated Landmarks landmarks, and the landmark sites associated with those landmarks.

(b) Designated Landmark sites.

(c) Properties Buildings and accessory structures constructed during the district's period of significance, 1850-1929 under sub. (2).

(4) **Development Standards.** Development in the Third Lake Ridge Historic District shall comply with the following standards:

(a) **New Construction.** New construction shall be visually compatible with the historic character of the district, and may not detract from that historic character. A new structure located on a lot that lies within two hundred (200) feet of a lot containing a

landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to:

1. Height, bulk, gross volume, overall design and overall proportions.
2. Directional expression and proportions of street facades.
3. The proportions and relationships between doors and windows in street facades.
4. The proportion and rhythm of solids to voids, including voids created by openings between facades and setbacks within facades.
5. Architectural features.
6. Roof design.
7. Landscape treatment.
8. Surface textures and materials.

(b) Exterior Alterations; All Structures. Exterior alterations to existing structures shall be visually compatible with the historic character of the district, and may not detract from that historic character. Exterior alterations to a structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to the characteristics listed in pars. (a)1 to 8.

(c) Exterior Alterations to Historic Resources. Exterior features of a historic resource that contribute to its historic character shall be identified and preserved in any alteration to that historic resource. Alterations to landmarks shall comply with applicable standards referenced in Sec. 41.18.

(d) Alterations May Not Cause or Aggravate Nonconformities.

1. Alterations to an existing structure that was constructed in compliance with par. (a) may not cause that structure to violate any provision of par. (a) that would apply if the entire altered structure were being newly constructed.

2. Alterations to an existing structure that is, with respect to par. (a), a prior nonconforming structure may not aggravate the prior nonconformity.

(e) Repair and Replacement Materials. The standards in this subsection shall be interpreted in a manner consistent with Wis. Stats. s. 62.23(7)(em)2m, as applicable, related to acceptable repair and replacement materials.

Note: *The new standards under sub. (4) are the general standards provided for all historic districts under Sec. 41.11(2). Supplementary district-specific standards could be added. This draft deletes current district-specific standards that merely duplicate or are weaker than the general standards (see deleted subs. (4) to (9) below).*

~~**(4) Standards for New Structures in the Third Lake Ridge Historic District– Parcels Zoned for Employment Use.** Any new structure on parcels zoned for employment use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways:~~

- ~~(a) Gross volume.~~
- ~~(b) Height.~~

~~**(5) Standards for Exterior Alterations in the Third Lake Ridge Historic District– Parcels Zoned for Employment Use.** Any exterior alterations on parcels zoned for employment use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways:~~

- ~~(a) Height.~~

~~**(6) Standards for New Structures in the Third Lake Ridge Historic District– Parcels Zoned for Mixed-Use and Commercial Use.** Any new structures on parcels zoned for mixed-use and commercial use that are located within two hundred (200) feet of other~~

~~historic resources shall be visually compatible with those historic resources in the following ways:~~

- ~~(a) Gross Volume.~~
- ~~(b) Height.~~
- ~~(c) The proportion and rhythm of solids to voids in the street facade(s).~~
- ~~(d) The materials used in the street facade(s).~~
- ~~(e) The design of the roof.~~
- ~~(f) The rhythm of buildings masses and spaces.~~

**~~(7) Standards for Exterior Alterations in the Third Lake Ridge Historic District –
Parcels Zoned for Mixed-Use and Commercial Use.~~**

~~(a) Any exterior alterations on parcels zoned for mixed-use and commercial use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways:~~

- ~~1. Height~~
- ~~(b) Alterations of street façade(s) shall retain the original or existing historical proportion and rhythm of solids to voids.~~
- ~~(c) Alterations of street facade(s) shall retain the original or existing historical materials.~~
- ~~(d) Alterations of roof shall retain its existing historical appearance.~~

**~~(8) Standards for New Structures in the Third Lake Ridge Historic District –
Parcels Zoned for Residential Use.~~** Any new structures on parcels zoned for mixed-use and residential use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways: (Am. by ORD-16-00082, 9-15-16)

- ~~(a) Gross Volume.~~
- ~~(b) Height.~~
- ~~(c) The proportion and rhythm of solids to voids in the street facades.~~
- ~~(d) Materials used in the street facades.~~
- ~~(e) The design of the roof.~~
- ~~(f) The rhythm of buildings and masses.~~
- ~~(g) Directional expression.~~
- ~~(h) Materials, patterns and textures.~~
- ~~(i) Landscape treatment.~~

**~~(9) Standards for Exterior Alterations in the Third Lake Ridge Historic District –
Parcels Zoned for Residential Use.~~**

~~(a) Any exterior alterations on parcels zoned residential use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways:~~

- ~~1. Height.~~
- ~~2. Landscape treatment.~~
- ~~3. Rhythm of mass and spaces.~~
- ~~(b) Alterations of the street façade(s) of any existing structure shall retain the original or existing historical proportion and rhythm of solids to voids.~~
- ~~(c) Alterations of the street façade(s) of any existing structure shall retain the original or existing historical materials.~~
- ~~(d) Alterations of the roof of any existing structure shall retain its existing historical appearance.~~
- ~~(e) Alterations of the street facade(s) shall retain the original or existing historical proportional relationships of door sizes to window sizes.~~

(5) Development Guidelines.

(a) When interpreting and applying the standards under sub. (4), the Landmarks Commission may consider, as guidelines, relevant portions of the following documents:

1. The U.S. Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (2017).

2. The Design Guidelines and Criteria for Preservation of Williamson Street (Build II, 2004 edition).

(b) The guidelines under par. (a) may be viewed, and downloaded without charge, at [insert specific city website address].

Note: *The guidelines identified under sub. (5)(a)1 are those that apply to all historic districts, pursuant to Sec. 41.11(3). The guidelines identified under sub. (5)(a)2 are specific to portions of the Third Lake Ridge Historic District.*

~~**(10) Reference to Plan.** The public policy guidelines in this subsection derive from a plan entitled "Third Lake Ridge Historic District," City Planning Department, January, 1978.~~

Note: *See updated plan reference under sub. (1). The new Madison Comprehensive Historic Preservation Plan should, in the case of historic districts, reference prior plans applicable to those districts.*

41.24 UNIVERSITY HEIGHTS HISTORIC DISTRICT.

~~**(1) Purpose and Intent Creation.** It is hereby declared a matter of public policy that a specific area of the City be identified, designated and protected because of its special character of historic interest and significance. This area, to be called University Heights Historic District, shall be described generally by the map and specifically by the legal description on file in the City Clerk's Office. The purpose and intent of this ordinance shall be to designate this area in accordance Subchapter D of this Chapter. There is hereby created a *University Heights Historic District*. The boundaries of the district are shown in the map attached as *Appendix B.3* to this chapter, and are more specifically described in the legal description on file with the City of Madison Planning Division. The purposes and characteristics of this district are described in the *City of Madison Comprehensive Historic Preservation Plan (2019)*, which is on file with the Planning Division and available online at [insert specific city website address].~~

~~**(2) Criteria for the Creation of the University Heights Historic District.** In that the University Heights Historic District reflects a pattern in the broad social history of Madison and in the state and the nation and in that elements within the district meet the other three designation criteria in Sec. 41.10(2) of this chapter, namely that many of the structures in the district:~~

~~(a) Are identified with historic personages or with important events in national, state, or local history;~~

~~(b) Embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; and,~~

~~(c) Are representative of the notable work of a master builder, designer, or architect whose individual genius influenced her/his age, the area described by the map and legal description shall be designated a historic district.~~

~~**(2) Historic Period of Significance.** The historic period of significance for the University Heights Historic District is 1893 through 1928.~~

(3) Historic Resources in the University Heights Historic District. The following properties are hereby designated as historic resources within the University Heights Historic District, pursuant to Sec. 41.11(1)(b):

(a) Designated ~~Landmarks~~ landmarks, and the landmark sites associated with those landmarks.

~~(b) Designated Landmark sites.~~

(c) ~~Properties~~ Buildings and accessory structures constructed during the district's period of significance, 1893-1928 under sub. (2).

(4) Development Standards; General. Development in the University Heights Historic District shall meet the standards in this subsection and the supplementary standards in subs. (5) to (7). Except as otherwise clearly stated, no supplementary standard in subs. (5) to (7) constitutes an exemption from any standard in this subsection.

(a) New Construction. New construction shall be visually compatible with the historic character of the district, and shall not detract from that historic character. A new structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to:

1. Height, bulk, gross volume, overall design and overall proportions.

2. Directional expression and proportions of street facades.

3. The proportions and relationships between doors and windows in street facades.

4. The proportion and rhythm of solids to voids, including voids created by openings between facades and setbacks within facades.

5. Architectural features.

6. Roof design.

7. Landscape treatment.

8. Surface textures and materials.

(b) Exterior Alterations; All Structures. Exterior alterations to existing structures shall be visually compatible with the historic character of the district, and may not detract from that historic character. Exterior alterations to a structure located on a lot that lies within two hundred (200) feet of a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to the characteristics listed in pars. (a)1 to 8.

(c) Exterior Alterations to Historic Resources. Exterior features of a historic resource that contribute to its historic character shall be identified and preserved in any alteration to that historic resource. Alterations to landmarks shall comply with applicable standards referenced in Sec. 41.18.

(d) Alterations May Not Cause or Aggravate Nonconformities.

1. Alterations to an existing structure that was constructed in compliance with par. (a) may not cause that structure to violate any provision of par. (a) that would apply if the entire altered structure were being newly constructed.

2. Alterations to an existing structure that is, with respect to par. (a), a prior nonconforming structure may not aggravate the prior nonconformity.

(e) Repair and Replacement Materials. The standards in this subsection and in subs. (5) to (7) shall be interpreted in a manner consistent with Wis. Stats. s. 62.23(7)(em)2m, as applicable, related to acceptable repair and replacement materials.

Note: *The new standards under sub. (4) are the general standards provided for all historic districts under Sec. 41.11(2). This draft also retains current district-specific standards for the University Heights District, because they supplement or add detail to the general standards (see renumbered subs. (5) to (7) below). This draft edits and reorganizes the current standards for clarity.*

(4)(5) Standards for the Review of New Structures in the TR-V1, TR-V2, TR-U1, TR-U2, TR-C2, TR-C3, TR-C4, MNX, TSS, and LMX Zoning Districts; Supplementary Standards. New structures shall meet the following standards, in addition to applicable standards in sub. (4):

(a) New Principal Structures; Height.

1. ~~Height.~~ The maximum height in the New principal structures located in a TR-C2, TR-C3, TR-C4, TR-V1, and or TR-V2 Zoning Districts shall be zoning district may not exceed thirty-five (35) feet and shall in height and may not exceed two and a half (2½) stories except as provided in the height regulations for the district.

2. ~~The maximum height in the New principal structures located in a TR-U1, NMX, TSS, and or LMX Zoning Districts shall be zoning district may not exceed forty (40) feet in height.~~

3. ~~The maximum height in the New principal structures located in a TR-U2 Zoning District shall be zoning district may not exceed fifty (50) feet in height.~~

4. All new principal structures in all zoning districts within University Heights shall be no less than shall be at least fifteen (15) feet high in height.

2.(b) New Principal Structures; Materials. ~~Materials for the exterior walls Exterior wall materials on new principal structures shall be the same as or similar in appearance to materials that are prevalent in the University Heights Historic District ditrict. These include materials such as brick, narrow gauge horizontal clapboards having less than 4 inches of exposed width, stone, stucco and smooth shingles. Permitted materials include brick, narrow gauge horizontal clapboards four or less inches in exposed width, stone, stucco, smooth shingles or combinations of the above, provided the combinations occur in a manner and location similar to the materials Material combinations shall be reasonably consistent with combinations prevalent on existing structures in the district (e.g., brick on first floor with clapboard on second floor). Other~~ All materials, such as including aluminum or vinyl if appropriate, must shall be visually compatible with structures historic resources located within two hundred (200) feet of the subject property new principal structure. The following materials are prohibited shall be avoided: concrete block, asbestos, wide clapboards having over four inches in of exposed width, diagonal boards, vertical boards, rough sawn wood, rough split shingles, and shakes.

3.(c) Visual Size New Principal Structures; Street Facade Size. The

1. Except as provided in subd. 2, the gross area of the front facade of a new principal structure, i.e., consisting of all walls facing the street, of a single-family, two-unit or commercial structure shall be no greater than one hundred twenty-five percent (125%) of the average gross area of the front facades of structures historic resources located within two hundred (200) feet of the subject property the new principal structure. If the new principal structure is located on a corner lot, both street-facing facades shall meet this standard.

2. The gross area of the front facade of a multiple family dwelling shall be no more than may exceed one hundred twenty-five percent (125%) of the average gross area of the front facades of all structures within two hundred (200) feet of the subject property or Subd. 1 does not apply to a multiple family dwelling variations in the setback shall be designed in if the front facade of the structure to repeat the rhythm and proportions of structures to space between them- if all street-facing facades of that dwelling include adequate setback variations, such that the facade appears to repeat the proportions and rhythm of historic resources located within two hundred (200) feet of the subject property multiple family dwelling.

4.(d) New Principal Structures; Roof Shape and Pitch. The Roof shapes and pitches of roofs on a new principal structure shall be similar to the roof shapes and pitches on existing structures historic resources within two hundred (200) feet of the subject property new principal structure.

~~5.(e) New Principal Structures; Roof Materials. Roofing~~ Roof materials on a new principal structure shall be similar in appearance to roofing roof materials used on structures historic resources within two hundred (200) feet of the subject property new principal structure. Modern-style shingles, such as thick wood shakes, Dutch lap, French method and interlock shingles, that are incompatible with the historic character of the district, are prohibited. Rolled roofing, tar and gravel, and other similar like roofing materials are prohibited, except that such materials may be used on flat or slightly sloped roofs which that are not visible from the ground.

~~6.(f) New Parking Lots. No new New parking lots will be approved are prohibited~~ unless they are accessory to ~~and on the same zoning lot as a commercial structure or multiple family dwelling on the same zoning lot.~~

~~(b)(g) New Accessory Structures. Accessory~~ New accessory structures shall be visually compatible with the design of the existing structures on the zoning lot the principal structure, shall not exceed fifteen (15) feet in height, and shall be as unobtrusive as possible. No accessory structure shall may be erected in any yard except a rear yard. Exterior wall materials shall be the same as those for construction of Exterior wall materials on new accessory structures shall meet the same standards that apply to new principal structures as set forth in Sec. 41.24(4)(a)2 under par. (b).

(5)(6) Standards for the Review of Exterior Alterations and Repairs in TR-C2, TR-C3, and TR-C4, Zoning Districts; Supplementary Standards. Exterior alterations to structures that are located in a TR-C2, TR-C3 or TR-C4 zoning district shall meet the following standards, in addition to applicable standards in sub. 4:

~~(a) Height. No alterations shall be higher than~~ No alteration may result in a structure that exceeds the height of the existing structure; however, if the existing structure is already a nonconforming one, the alteration shall be made thereto except in accordance with Section 28.192. Roof alterations resulting in an increased structure volume are prohibited unless they meet the requirements in Sec. 41.24(4)(a)5. and are permitted under Chapter 28, or approved as a variance pursuant to Sec. 28.184 or approved as a conditional use or as part of a planned residential development.

Note: *The last sentence of par. (a) and the second clause of the first sentence are redundant with the zoning code, and with visual compatibility requirements under this chapter.*

~~(b) Second Exit Platforms and Fire Escapes. Second exit platforms and fire escapes shall be invisible from the street, wherever as unobtrusive as possible when viewed from the street, and shall be of a plain and unobtrusive in design in all cases. In instances where an automatic combustion products detection and alarm system is permitted as an alternative to second exits, use of such a system shall be mandatory.~~

Note: *The second sentence of par. (b) seems more appropriate as a zoning or housing code requirement, rather than a historic district standard.*

~~(c) Repairs Surface Materials. Materials used in exterior repairs shall duplicate the Surface materials shall match existing or original building materials in texture and appearance whenever possible, unless the Landmarks Commission approves duplication of the existing building materials where the existing building materials differ from the original, and shall be visually compatible with the existing structure. Repairs using materials that exactly duplicate the original in composition are encouraged.~~

~~(d) Restoration. Projects that will restore the appearance of a structure A structure may be restored to its original appearance are encouraged, and will be approved by the Landmarks Commission if such projects are documented, notwithstanding any other standards under this section, if the owner can document that original appearance by~~

photographs, architectural or archeological research, or other suitable evidence. Such documented restorations are encouraged.

~~(e) *Re-Siding.* Re-siding with aluminum or vinyl that replaces or covers siding may be used to replace or cover original clapboards or non-original siding on structures originally sided with clapboards will be approved by the Landmarks Commission provided that Imitation clapboard siding made of aluminum, vinyl or other approved material may be used to replace or cover wood clapboards, or non-original siding on structures originally sided with wood clapboards, if all of the following apply:~~

~~1. the new The imitation clapboard siding imitates the width of the original clapboard siding to within one (1) inch.~~

~~2. and provided further that all All existing architectural details, including, but not limited to, window trim, wood cornices and ornament, either remain uncovered or are duplicated exactly in recreated with the same appearance.~~

~~3. Where more than one layer of siding exists If there are two or more layers of siding on the existing structure, all layers except the first must be oldest is removed before new siding is applied.~~

~~4. If insulation is applied under the new siding, all trim must be is built up so that it projects from the new siding to the same extent that it did with from the original siding.~~

~~(f) *Alterations Visible from the Street and Alterations to Street Facades.* Alterations visible from the street, including alterations to the tops of structures, and alterations to street facades shall be compatible with the existing structure in architectural design, scale, color, texture, proportion and rhythm of solids to voids and proportion of widths to heights of doors and windows. Materials used in such alterations shall duplicate in texture and appearance, and architectural details used therein shall duplicate in design, the materials and details used in the original construction of the existing structure or of other structures in University Heights of similar materials, age and architectural style, unless the Landmarks Commission approves duplication of the texture and appearance of materials and the design of and architectural details used in the existing structure where the existing building materials and architectural details differ from the original. Alterations that exactly duplicate the original materials in composition are encouraged. Alterations visible from the street shall be visually compatible with the character of the existing structure and the historic district. Alterations that may not destroy or detract from significant architectural features are prohibited that contribute to the historic character of the structure or the district. Side alterations shall not detract from the design composition of the original side facade. If the structure is a historic resource, surface materials and architectural details shall match the appearance of those used on the existing or original structure.~~

~~(g) *Additions and Exterior Alterations Not Visible from the Street.* Additions and exterior alterations that are not visible from any streets contiguous to the lot lines upon which the structure is located will be approved by the Landmarks Commission if their design is compatible with the scale of the existing structure and, further, if the materials used are compatible with the existing materials, in texture, color and architectural details. Additions and alterations shall harmonize with the architectural design of the structure rather than contrast with it. Exterior alterations that are not visible from the street shall be visually compatible with the existing structure.~~

~~(h) *Roof Shape Shapes.* The roof shape of the front of a structure shall not be altered except to restore it to the original documentable appearance or to add a dormer or dormers in a location and shape compatible with the architectural design of the structure and similar in location and shape to original dormers found on structures of the same vintage and style within the district. Alterations of the roof shape of the sides or back of a structure shall be visually compatible with the architectural design of the existing structure. Roof shapes that are visible from the street may not be altered, except to restore them to their documented original appearance or to add dormers that are visually compatible with the~~

structure and the historic character of the district. Alterations to other roof shapes shall be visually compatible with the existing structure.

(i) ~~Roof Material Materials.~~

1. If the existing roof of an existing structure is tile, slate or ~~other~~ another material that is original to the structure ~~and/or and~~ contributes to its historic character, all repairs thereto shall be made using the same materials roof repairs and replacements shall use that same material or, if that is not practicable, a material that matches its appearance. Repair is preferred over replacement, whenever practicable. In addition, in all cases any such roof must be repaired rather than replaced, unless the documented cost of repair exceeds the documented cost of re-roofing with a substitute material that approximates the appearance of the original roofing material as closely as possible, in which case re-roofing with a material that approximates the appearance of the original roofing material as closely as possible will be approved by the Landmarks Commission.

2. If the existing roofing material is asphalt shingles, sawn wood shingles or a non-historic material such as fiberglass, all repairs shall match in appearance the existing roof material; however, if any such roof is covered or replaced, re-roofing must be done using rectangular sawn wood shingles or rectangular shingles that are similar in width, thickness and apparent length to sawn wood shingles, for example, 3-in-1 tab asphalt shingles. Modern style shingles, such as thick wood shakes, Dutch lap, French method and interlock shingles, that are incompatible with the historic character of the district are prohibited. Materials used to repair a roof shall match the appearance of that roof.

3. Materials used to cover or replace a roof shall be visually compatible with the character of the existing structure and the district. If a roof consisting of asphalt shingles, sawn wood shingles, or non-historic materials such as fiberglass is covered or replaced, the replacement materials shall match those used on the original roof or shall consist of sawn wood or other rectangular shingles (such as 3-in-1 tab asphalt shingles) that are similar in width, thickness and apparent length to sawn wood shingles. An existing roof may not be covered or replaced with modern style shingles, such as thick wood shakes, Dutch lap, French method or interlock shingles.

34. Rolled roofing, tar and gravel, and ~~other~~ similar roofing materials are prohibited, except that such materials may be used on flat or slightly sloped roofs ~~which~~ that are not visible from the ground.

(j) ~~Parking Lots. No new~~ New parking lots will be approved are prohibited unless they are accessory to, and on the same zoning lot as, a commercial structure or multiple family dwelling.

(6)(7) Standards for the Review of Exterior Alterations and Repairs in the TR-V1, TR-V2, TR-U1, TR-U2, NMX, TSS and LMX Zoning Districts; Supplementary Standards. Exterior alterations to structures located in a TR-V1, TR-V2, TR-U1, TR-U2, NMX, TSS or LMX zoning district shall meet the following standards, in addition to applicable standards in sub. (4):

(a) ~~Height.~~ No alterations shall be higher alteration to an existing structure may result in a structure that is of greater height than the existing structure; however, if the existing structure is already nonconforming, no alteration shall be made thereto except in accordance with Sec. 28.192, MGO. In addition, all alterations, including alterations to the top of a structure, shall conform to the height restrictions for the zoning district in which the structure is located.

Note: Both the second sentence and the second clause of the first sentence are redundant.

(b) ~~Alterations.~~ Alterations shall be compatible in scale, materials and texture with the existing structure.

~~(b) Compatibility with Existing Structure. Exterior alterations shall be visually compatible with the character of the existing structure.~~

~~(c) Repairs. Materials used in repairs shall harmonize with the existing materials in texture, color and architectural detail.~~

Note: Paragraph (c) is deleted, because it is redundant with par. (b).

~~(d)(c) Re-Siding. The standards for the review of re-siding are the same as the standards for review of re-siding in the TR-C2, TR-C3 and TR-C4 Zoning Districts set forth in Sec. 41.24(5)e. Aluminum or vinyl siding may be used to replace or cover original clapboards, or non-original siding on structures originally sided with clapboards, if all of the following apply:~~

- ~~1. The new siding imitates the width of the original clapboard to within one (1) inch.~~
- ~~2. All existing architectural details, including window trim, wood cornices and ornament, remain uncovered or are recreated with the same appearance.~~
- ~~3. If there are two (2) or more layers of siding on the existing structure, all layers except the oldest are removed before the new siding is applied.~~
- ~~4. If insulation is applied under the new siding, all trim is built up so that it projects from the new siding to the same extent that it did from the original siding.~~

Note: Renumbered par. (c) avoids an unnecessary cross-reference by simply reproducing the substance of the referenced paragraph.

~~(e) Roof Shape. Roof alterations to provide additional windows, headroom or area are prohibited unless permitted under Chapter 28, or otherwise approved pursuant thereto as a variance or as part of a conditional use. In addition, all roof alterations shall be visually compatible with the architectural design of the structure.~~

Note: Paragraph (e) is deleted, because it is redundant with the zoning code and par. (b).

~~(f)(d) Roof Materials. All repairs shall match in appearance the existing roofing materials; however, when a roof is covered or replaced, roofing materials shall duplicate as closely as practicable the appearance of the original materials.~~

- ~~1. Materials used to repair a roof shall match the appearance of that roof.~~
- ~~2. Thick An existing roof may not be covered or replaced with modern style shingles, such as thick wood shakes, Dutch lap, French method or interlock shingles are prohibited.~~
- ~~3. Rolled roofing, tar and gravel, and other similar roof materials are also prohibited, except on flat or slightly sloped roofs which that are not visible from the street.~~

~~(g)(e) Parking Lots. No new New parking lots will be approved are prohibited unless they are accessory to, and on the same zoning lot as, a commercial structure or multiple family dwelling.~~

(8) Guidelines. When interpreting and applying the standards under this section, the Landmarks Commission may consider, as guidelines, relevant portions of the U.S. Secretary of Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (2017).*

41.25 – MARQUETTE BUNGALOWS HISTORIC DISTRICT

(1) Creation. There is hereby created a *Marquette Bungalows Historic District*. The boundaries of the district are shown in the map attached as *Appendix B.4* to this chapter, and are more specifically described in the legal description on file with the City of Madison Planning Division. The purposes and characteristics of this district are described

in the *City of Madison Comprehensive Historic Preservation Plan (2019)*, which is on file with the Planning Division and available online at *[insert specific city website address]*.

(2) Historic Period of Significance. The historic period of significance for the Marquette Bungalows District is 1923 through 1930.

(3) Historic Resources in the Marquette Bungalows Historic District. The following properties are hereby designated as historic resources within the Marquette Bungalows Historic District, pursuant to Sec. 41.11(1)(b):

(a) ~~Designated Landmarks~~ landmarks, and the landmark sites associated with those landmarks.

(b) ~~Properties~~ Buildings and related structures constructed during the district's period of significance, ~~1893-1928~~ under sub. (2).

(4) Development Standards; General. Development in the Marquette Bungalows Historic District shall meet the standards in this subsection and the supplementary standards in subs. (5) and (6). Except as otherwise clearly stated, no supplementary standard in sub. (5) or (6) constitutes an exemption from any standard in this subsection.

(a) *New Construction.* New construction shall be visually compatible with the historic character of the district, and may not detract from that historic character. A new structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to:

1. Height, bulk, gross volume, overall design and overall proportions.
2. Directional expression and proportions of street facades.
3. The proportions and relationships between doors and windows in street facades.
4. The proportion and rhythm of solids to voids, including voids created by openings between facades and setbacks within facades.
5. Architectural features.
6. Roof design.
7. Landscape treatment.
8. Surface textures and materials.

(b) *Exterior Alterations; All Structures.* Exterior alterations to existing structures shall be visually compatible with the historic character of the district, and may not detract from that historic character. Exterior alterations to a structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to the characteristics listed in pars. (a)1 to 8.

(c) *Exterior Alterations to Historic Resources.* Exterior features of a historic resource that contribute to its historic character shall be identified and preserved in any alteration to that historic resource. Alterations to landmarks shall comply with applicable standards referenced in Sec. 41.18.

(d) *Alterations May Not Cause or Aggravate Nonconformities.*

1. Alterations to an existing structure that was constructed in compliance with par. (a) may not cause that structure to violate any provision of par. (a) that would apply if the entire altered structure were being newly constructed.

2. Alterations to an existing structure that is, with respect to par. (a), a prior nonconforming structure may not aggravate the prior nonconformity.

(e) *Repair and Replacement Materials.* The standards in this subsection and in subs. (5) and (6) shall be interpreted in a manner consistent with Wis. Stats. s. 62.23(7)(em)2m, as applicable, related to acceptable repair and replacement materials.

Note: The new standards under sub. (4) are the general standards provided for all historic districts under Sec. 41.11(2). This draft also retains current district-specific standards for the Marquette Bungalows Historic District, because they supplement or add detail to the general standards (see renumbered subs. (5) and (6) below). This draft edits the current standards for clarity.

(5) New Structures; Supplementary Standards. New structures shall meet the following standards, in addition to applicable standards in sub. (4):

(a) ~~Accessory~~ **New Accessory Structures.** A new accessory structure shall meet the following standards:

1. It shall be visually compatible with the design character and architectural style of the principal structure on the zoning lot, to which it is accessory.

2. It shall not exceed fifteen (15) feet in height, ~~and~~

3. It shall be as unobtrusive as possible.

4. ~~Accessory structures~~ It shall be erected in the rear yard.

5. Its siding shall be visually compatible with siding used on the principal structure, and if practicable shall match the appearance of siding used on the principal structure. ~~If the structure on the lot is sided in wood or stucco, the siding on the accessory structure shall match the appearance of the siding on the structure. Imitation siding materials that approximate the look of the siding on the structure, such as vinyl, aluminum or applied stucco-like surfaces, may be approved. If the siding on the structure is brick, the garage may be sided in brick to match, clapboard, stucco, narrow-gauge vinyl or aluminum or applied stucco-like surfaces.~~

6. ~~Garage doors shall blend~~ If it is a garage, its vehicle doors shall be visually compatible with ~~the historic appearance of the neighborhood~~ the character and prevailing bungalow style of the district. Horizontally paneled ~~doors~~ and flat paneled garage doors are prohibited.

7. ~~Windows~~ Its windows, if any, shall be either casements or double-hung units ~~of a that are similar in proportion to the, and visually compatible with,~~ windows on the principal structure. Alterations to accessory structures shall comply with this subdivision (e) and with subdivision (d) above.

8. ~~The~~ Its roof shape may be a hip or gable of any pitch; single slope roofs are prohibited shall be visually compatible with that of the principal structure. Single slope roofs are prohibited.

9. The Its roof material shall match as closely as possible the color and appearance of the roof material, in appearance, the roof material used on the principal structure to which it is accessory.

(b) ~~New Principal Structures.~~ New principal structures shall ~~match the design of other structures in the district in materials, roof shape, architectural details, the proportion and rhythm of solids to voids, the proportion of widths to heights of doors and windows, the scale, height, setbacks, side yards and other visual features~~ be visually compatible with the prevailing bungalow style of the district, and shall match that style to the maximum extent feasible. The intention is to have new structures virtually duplicate the design of other structures in the neighborhood, since all parcels in the district are currently developed and any new construction would be replacing an existing structure.

(c) ~~New Fences.~~ Chain **New chain** link fences, metal mesh fences, and other rustic style fences, such as rough sawn wood or split-rails, ~~are prohibited in the front yard~~ may not be installed in front yards. Fences ~~in the front yard~~ shall installed in front yards may not exceed three (3) feet in height.

(5)(6) Standards for the Review of Exterior Alterations and Repairs; Supplementary Standards. Exterior alterations to existing structures shall comply with the following standards, in addition to applicable standards in sub. (4):

(a) General. All exterior alterations and repairs must be compatible with the historic character of the structure and the Marquette Bungalows Historic District. Alterations shall be visually compatible with the existing structure, and with the character and prevailing bungalow style of the district. Materials and architectural details shall match the appearance of those used on the original structure or comparable structures in the district, whenever practicable. Alterations may not destroy significant architectural features that contribute to the historic character of the district.

(b) Re-Siding with Imitation Clapboards. Re-siding with aluminum or vinyl imitation clapboard siding made of aluminum, vinyl or other approved material may be used to replace or cover wood clapboards, or non-original siding on structures originally sided with wood clapboards will be approved by the Landmarks Commission provided that, if all of the following apply:

1. ~~the new~~ The imitation clapboard siding imitates the width of the original ~~clapboard siding~~ wood clapboards to within one (1) inch and provided further that,

2. ~~all~~ All architectural details, including, but not limited to, window trim, wood cornices and other ornament, ~~either remain uncovered or are duplicated exactly in~~ recreated with the same appearance.

3. All trim ~~must continue~~ continues to project out beyond the plane of the siding.

(c) Brick, Stucco and Half-timber Details. Brick, stucco, and half-timber detailing shall match the original detailing in appearance. Brick, stucco and half-timber details that contribute to the historic character of a structure or the district shall be retained or, when necessary, repaired or replaced with brick, stucco or half-timber details that match the appearance of the originals. New brick, stucco, and half-timber details shall match the appearance of those found on the existing or original structure.

(d) Original Wood Shingle Siding. Original wood shingle siding should be repaired or replaced to match the original in appearance, whenever possible; however, covering wood shingles with double four vinyl or aluminum may be approved. Original wood shingle siding that contributes to the historic character of a structure or the district shall be retained or, when necessary, repaired or replaced with siding that matches the appearance of the original siding. New wood shingle siding shall match the appearance of that used on the existing or original structure.

(b)(e) Roof Materials. Reroofing shall be done with asphalt shingles, fiberglass shingles, or other rectangular composition shingle shingles that are similar in appearance to 3-in-1 tab asphalt shingles. Sawn wood shingles may also be approved. Modern style shingles, such as thick wood shakes, Dutch lap, French method and interlock shingles are incompatible with the historic character of the district and are prohibited. Vents shall be located as inconspicuously as possible and shall be similar in color to the color of the roof. Rolled roofing, tar and gravel, and other similar like roofing materials are prohibited except that such materials may be used on flat or slightly sloped roofs which that are not visible from the ground.

(e)(f) Skylights. Skylights on street-facing roof slopes are prohibited. Skylights may be permitted on side roof slopes provided the front edge of the skylight is at least ten (10) feet back from the front edge of the roof. Skylights on any roof area not visible from the street may be permitted. The design should be as simple as possible of the flat type (not bubble) and shall be painted to blend with the color of the roof. New skylights may not be installed on roofs that are visible from the street. The front edge of a new skylight shall be at least 10 feet from the edge of the roof. New skylights shall be simple in design, and shall be of the flat (not bubble) type. Skylight trim colors shall be visually compatible with roof colors.

(d)(g) Dormers and Other Roof Alterations Roof Structures.

1. New or altered roof structures shall be visually compatible with the shape and features of the existing roof. New or altered roof structures may not extend above the ridgeline of the main roof of the existing structure. Roofing materials shall match the appearance of materials used on unaltered portions of the existing roof.

~~2. New dormers shall be greater than shall be set back at least three (3) feet from the front edge of the roof. New dormers shall match the appearance of original dormers on the structure, (or original dormers on similar structures in the district), in terms of roof shape, roofing material, width of overhang, siding, window design and trim details. The ridgeline of a new dormer shall may not extend above the ridgeline of the main roof of the structure. The New dormer walls shall may not extend beyond the line of the main structure wall below. Shed New shed dormers may be located behind existing dormers or gables on non-street sides of the structure may be approved provided that if the roof material, siding, window design and trim details match in appearance the original features of the structure. Other roof alterations shall be compatible with the roof shape and other features of the structure, such as siding and trim details, and shall not extend above the ridgeline of the structure.~~

~~(e)(h) Chimneys. Chimney exteriors shall be preserved and repaired as necessary to maintain their appearance, except that chimneys not visible from the street may be removed. The exterior appearance of chimneys visible from the street shall be maintained in good repair. The removal of the exterior portions of such chimneys is prohibited. Chimneys not visible from the street may be removed. New chimneys visible from the street shall be constructed of brick to match as closely as possible the brick that is visually compatible with the existing structure. The brick used on such chimneys shall match the appearance of brick used on the existing structure, or, if there is no brick on the existing structure, chimneys may be made of brick similar in dimensions and color to brick on other in the neighborhood brick used on comparable structures in the district. New chimneys not visible from the street may also be constructed of metal or other non-historic material.~~

~~(f)(i) Windows and Doors.~~

~~1. General Standards. New or replacement windows and doors shall be visually compatible with the existing structure. The original appearance of leaded glass and other non-rectangular decorative windows (e.g., curved top windows) on any facade of the structure shall be retained. Replacement of such windows shall duplicate, regardless of the location of the window; any replacement for such a window shall match the original in size, configuration and appearance. Picture windows are prohibited. Trim on new or remodeled windows shall match the existing or documented original window trim on the structure.~~

~~2. Street Facades. Windows Replacement windows and doors on the front or the street facade of the structure and on side faces or on a side façade within ten (10) feet of the front street facade of the structure shall retain their original or existing match the appearance of the window or door being replaced, including and shall include true window muntins where they currently exist. Replacement windows and doors may be approved if they match the original appearance.~~

~~3. Non-Street Side Facades. Retention of the original appearance of windows and doors on the sides of the structure is encouraged. However, if replacement or new windows are proposed, the muntin design of the original windows on the structure may either be replicated with true divided lights or with exterior or interior applied grids or with grids applied between the panes of glass. Windows and doors located on a side façade, more than ten (10) feet from the street façade, may be replaced with windows or doors that are visually compatible with the existing structure. On those windows and doors, applied grids may replace true muntins. New or replacement windows shall either be casement windows or double-hung windows units. Sash on new or replacement windows over four (4) feet square shall be divided by true muntins or mullions by applied grids that match the appearance of true muntins. Bay windows may be approved if they have their sides are perpendicular to the wall façade and if they do not extend beyond the eaves of the roof.~~

~~4. Rear Facade. Replacement, remodeling or installation of new doors and New or replacement windows and doors on the rear facade will not be restricted except as discussed under "General Standards" above shall comply with subd. 1.~~

~~(g)(i) Porches, Railings, Stairways and Decks. Porches and stairway railings shall match the original railings in appearance wherever possible. Wrought iron railings with~~

~~vertical balusters at least one-half (1/2) inch in width, wood railings with vertical square balusters spaced no more than three (3) inches apart, and solid wall railings covered in siding to match the structure will be approved. Other designs may be permitted if they blend with the character of the structure and the district.~~

1. New and replacement porches, railings and stairways shall be visually compatible with the character of the structure and the prevailing bungalow style of the district. Replacement porches, railings and stairways shall match the appearance of the originals whenever practicable. Acceptable railing designs may include wrought iron railings with vertical balusters at least one-half (1/2) inch in width, wood railings with vertical square balusters spaced no more than three (3) inches apart, and solid wall railings covered in siding to match the appearance of existing siding on the structure.

2. Porches may be enclosed with windows or screens provided that the new windows be casements are casement or double-hung units similar in proportion to other windows on the structure.

3. Steps may be constructed of wood, concrete or brick. If wood is used, steps shall have risers and be enclosed on the sides by lattice or a wing wall.

4. Rear yard decks shall have a railing as described above, shall have the underside screened by lattice or evergreen shrubs, and all parts of deck, except the flooring and steps, shall be painted or opaque-stained in a color to blend with the colors on the structure. Decks shall be confined to rear yards, and shall have railings that comply with subd. 1. Lattice or evergreen shrubs shall screen the underside of a deck. All parts of a deck, except the flooring and steps, shall be painted or opaque-stained. Deck colors shall be visually compatible with those on the structure.

~~(h)(k)~~ Second Exits. Second exit platforms and stairways shall be as unobtrusive as possible. ~~No second~~ Second exit platforms or stairways shall be permitted are not allowed on the front facade of a structure. ~~When possible, second exit stairways shall be provided on the interior of the. When this is not possible, they shall be added onto the rear section of the structure.~~ Second exit stairways shall be located inside the structure if reasonably possible, or on the rear exterior of the structure. Railings and design shall follow the railing and deck standards listed under "Porches" above. Railings on second exit platforms and stairways shall meet requirements for porch railings under par. (j)1.

~~(i)(l)~~ Additions and Other Alterations. ~~New additions on the front of the structure are prohibited. Additions on the sides or rear shall be permitted if they are compatible with the structure in architectural design, scale, color, texture, proportion and rhythm of solids to voids and proportion of widths to heights of doors and windows. Materials and architectural details used in additions and alterations shall duplicate in texture, appearance, and design, the materials and details used in the original construction of the structure or of other structures in the district. The Landmarks Commission may approve an exception to this policy where the existing structure materials and architectural details differ from the original. Additions and exterior alterations that exactly duplicate the original materials in composition are encouraged. Additions or exterior alterations that destroy significant architectural features are prohibited. Side additions shall not detract from the design composition of the original facade. New additions to the front of an existing principal structure are prohibited. Additions on the sides or rear shall be visually compatible with the existing structure and the prevailing bungalow style of the district. Side additions may not detract from the design composition of the original facade.~~

Note: See also par. (a).

~~(j)(m)~~ Foundations. The original or existing exterior finish on the foundation of a principal structure shall be retained, whenever practicable. Brick Exterior brick or stone shall may not be covered with a cementitious or other surface materials. Foundation insulation shall be applied only to the interior Insulation may not be applied to the exterior side of a foundation. Basement windows A basement window may be removed provided that if the

space is filled with a material to match as closely as possible the that matches the appearance of the surrounding foundation, and provided that the new material is inset at least one inch from the plane of the existing wall plane.

~~(k)(n)~~ Tuckpointing and Brick Repair. Mortar and other materials used in tuckpointing and brick repair shall match the original in color, hardness and appearance. Brick ~~shall~~ may not be painted.

~~(l)(o)~~ Storm Windows and Doors. ~~Storm~~ New and replacement storm windows and doors shall be visually compatible with the existing structure, and shall match the appearance of original storm windows and doors whenever practicable. Storm windows and doors shall be enameled, painted or otherwise coated with a colored surface; raw aluminum is prohibited. Storm door designs doors that are constructed of wood and glass to match the original design on the structure or on similar structures in the district is to match original designs found on the structure or in the district, are encouraged. Storm doors of simple design, with having no stylistic references (e.g., such as colonial cross-bars), may also be used. Storm doors with metal grilles may be approved provided that they blend if they are visually compatible with the style of the existing structure.

(7) Guidelines. When interpreting and applying the standards under this section, the Landmarks Commission may consider, as guidelines, relevant portions of the U.S. Secretary of Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (2017)*. That document may be viewed, and downloaded without charge, at [insert specific city website address].

41.26 – FIRST SETTLEMENT HISTORIC DISTRICT

~~(1) Purpose and Intent Creation.~~ It is hereby declared a matter of public policy that a specific area of the city be identified, designated and protected because of its special character of historic interest and significance. This area, to be called the First Settlement Historic District, shall be described generally by the map and specifically by the legal description on file in the City Clerk's Office. The purpose and intent of this ordinance shall be to designate this area in accordance Subchapter D of this Chapter. There is hereby created a *First Settlement Historic District*. The boundaries of the district are shown in the map attached as *Appendix B.5* to this chapter, and are more specifically described in the legal description on file with the City of Madison Planning Division. The purposes and characteristics of this district are described in the *City of Madison Comprehensive Historic Preservation Plan (2019)*, which is on file with the Planning Division and available online at [insert specific city website address].

~~(2) Standards for the Creation of the First Settlement Historic District.~~ In that the First Settlement Historic District reflects the broad cultural, political, economic and social history of Madison, the state and the nation and in that elements within the district meet designation criteria in Sec. 41.10(2) of this chapter, specifically that they are identified with historic personages or with important local historical events and/or that they embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction or of indigenous material or craftsmanship, the area described by the map and legal description shall be designated a historic district.

(2) Historic Period of Significance. The historic period of significance for the Marquette Bungalows District is 1893 through 1928.

(3) Historic Resources in the First Settlement Historic District. The following properties are hereby designated as historic resources within the First Settlement Historic District, pursuant to Sec. 41.11(1)(b):

(a) Designated Landmarks landmarks and the landmark sites associated with those landmarks.

~~(b) Designated Landmark sites.~~

~~(c) Properties Buildings and related structures constructed during the district's period of significance, 1893-1928 under sub. (2).~~

(4) Development Standards; General. Development in the First Settlement Historic District shall meet the standards in this subsection and the supplementary standards in subs. (5) to (7). Except as otherwise clearly stated, no supplementary standard in sub. (5) to (7) constitutes an exemption from any standard in this subsection.

(a) New Construction. New construction shall be visually compatible with the historic character of the district, and may not detract from that historic character. A new structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to:

1. Height, bulk, gross volume, overall design and overall proportions.
2. Directional expression and proportions of street facades.
3. The proportions and relationships between doors and windows in street facades.
4. The proportion and rhythm of solids to voids, including voids created by openings between facades and setbacks within facades.
5. Architectural features.
6. Roof design.
7. Landscape treatment.
8. Surface textures and materials.

(b) Exterior Alterations; All Structures. Exterior alterations to existing structures shall be visually compatible with the historic character of the district, and may not detract from that historic character. Exterior alterations to a structure located on a lot that lies within two hundred (200) feet of a lot containing a landmark or designated historic resource shall be visually compatible with that landmark or historic resource, particularly with respect to the characteristics listed in pars. (a)1 to 8.

(c) Exterior Alterations to Historic Resources. Exterior features of a historic resource that contribute to its historic character shall be identified and preserved in any alteration to that historic resource. Alterations to landmarks shall comply with applicable standards referenced in Sec. 41.18.

(d) Alterations May Not Cause or Aggravate Nonconformities.

1. Alterations to an existing structure that was constructed in compliance with par. (a) may not cause that structure to violate any provision of par. (a) that would apply if the entire altered structure were being newly constructed.

2. Alterations to an existing structure that is, with respect to par. (a), a prior nonconforming structure may not aggravate the prior nonconformity.

(e) Repair and Replacement Materials. The standards in this subsection and in subs. (5) to (7) shall be interpreted in a manner consistent with Wis. Stats. s. 62.23(7)(em)2m, as applicable, related to acceptable repair and replacement materials.

Note: *The new standards under sub. (4) are the general standards provided for all historic districts under Sec. 41.11(2). This draft also retains current district-specific standards for the First Settlement Historic District, because they supplement or add detail to the general standards (see renumbered subs. (5) and (6) below). This draft edits the current standards for clarity, and deletes standards that merely replicate general standards under sub. (4).*

(4)(5) Standards for the Review of New Principal Structures; Supplementary Standards. New principle structures shall meet the following standards, in addition to the standards in sub. (4):

(a) ~~Structure Height, Scale, Proportion and Rhythm.~~ New principal structures shall be similar in height to the structures directly adjacent to each side. If the structures directly adjacent to each side are different in height, the new structure shall be of a height compatible with the structures within two hundred (200) feet of the proposed structure. New principal structures shall be compatible with the scale, proportion, and rhythm of masses and spaces of structures within two hundred (200) feet of the proposed structure visually compatible in height with adjacent structures.

(b) ~~Siding Materials.~~ Narrow gauge clapboards made of wood, composite wood material, or concrete, and/or brick and stone may be permitted. Stucco and split-faced concrete block may be permitted only as trim, rather than the primary siding material may not be used on exterior surfaces, except as trim. Stucco panels and pebble dash are prohibited. If the first two floors of a proposed structure are masonry, the Landmarks Commission may permit the use of artificial siding (i.e. vinyl or aluminum) on the upper floor or floors. In such circumstances, the artificial siding must conform to the following requirements on the upper floor or floors. In such circumstances, the artificial siding must conform to the following requirements Vinyl and aluminum siding are prohibited on the first two (2) floors, but may be used on higher floors if all of the following apply:

1. The material shall be of siding is the highest grade offered by the manufacturer.
2. The gauge of the siding is at least material shall have a minimum gauge of .042.
3. The color and sheen of the siding shall be consistent with those used in the era in which adjacent structures were constructed siding is visually compatible with the color and sheen of siding material used on adjacent structures.
4. The siding shall does not have a false wood grain.
5. The visible width of each apparent the clapboard shall does not exceed four (4) inches.
6. ~~The use of visible~~ The siding and related elements such as j-channel trim and other prefabricated elements that differ in appearance from those used on historic structures in the neighborhood is prohibited are visually compatible with the historic character of the district, and with the wall surfaces of historic resources that lie within 200 feet of the lot on which the new principal structure is located.

(c) ~~Roof Materials.~~ Roofing materials shall be asphalt shingles; fiberglass or other composition shingles similar in appearance to multi-layered architectural shingles or 3-in-1 tab; or Dutch lap, French method or interlock shingles. Sawn wood shingles ~~may also be approved~~ may be approved if they are visually compatible with the historic character of the district and with historic resources located within 200 feet of the lot on which the new principal structure is located. Thick wood shakes are prohibited. Vents shall be located as inconspicuously as possible and shall be similar in color to the color of the roof. Rolled roofing, tar-and-gravel, rubberized membranes and ~~other similar roofing like~~ materials are prohibited, except that such materials may be used on flat or slightly sloped roofs that are not visible from the ground.

(d) ~~Roof Shape.~~ If a principal structure does not have a flat roof, the Roofs shall be flat, or have a pitch of the new roof shall be no not less than 4-in-12.

(e) ~~Facade Design~~ Facades. Street facades shall be modulated with setbacks incorporated into the design at on the first floor level. Facades visible from the street shall reflect the rhythm and directional expression of historic resources in the district. The main entrance shall be on the street facade, and shall either be inset or projecting projected from the plane of the main facade. Porches on main street facade entrances are encouraged. Street facades shall reflect the rhythm and directional expression of pre-1930 structures within two hundred (200) feet of the subject property.

(f) *Windows and Doors.* The proportion of width to height proportions and rhythm of doors and windows and the proportion and rhythm of solids to voids in the front and side facade designs shall be similar to pre-1930 structures within two hundred (200) feet of the subject property on facades visible from the street shall be similar to those prevalent on historic resources in the district. Windows shall be trimmed with bead molds similar in design to other pre-1930 window to original trim prevalent on historic resources in the district, and windows and doors shall be inset at least one (1) inch from the exterior trim. The main entrance to the structure shall be on the front facade. Garage doors shall be located on the side or rear facades whenever feasible. If A one-car garage door may be located on the street facade if it is not feasible to locate the garage door on the sides or rear facades a side or rear facade, one-car garage doors will be permitted on the front facade.

(5)(6) Standards for the Review of Exterior Alterations and Repairs; Supplementary Standards. All additions, exterior alterations and repairs must be compatible with the historic character of the structure and the First Settlement Historic District. The standards listed below are intended to maintain a historically accurate appearance. Modern materials that do not meet the exact requirements of the standards but which duplicate the historic appearance may be considered on an individual basis for a variance as listed in Sec. 41.19 of this chapter. Exterior alterations shall meet the following standards, in addition to the standards in sub. (4):

(a) *Porches.*

1. Porches that are original to the structure, or that pre-date 1930 and blend with contribute to the historic character of the structure, shall be retained, rehabilitated or rebuilt to match the appearance of the original porch in all details. Porches on street facades may be enclosed with wood-framed screens, on the condition that if the porch railing must be retained or restored in a design remains visually compatible with the historic character of the structure. Porches on street facades shall may not be enclosed as a heated space spaces. If a porch is on a A street facade porch and the owner can demonstrate to the Landmarks Commission that it is may not be removed unless it has deteriorated or been damaged beyond repair, then a new porch must be constructed in its place in which case a replacement porch shall be constructed. Construction of new porches to approximate the dimensions of original porches is encouraged The replacement porch shall be visually compatible with the structure, and shall be constructed with the same approximate design and dimensions as the original porch whenever practicable.

2. All porches shall present A new or altered porch shall have a finished appearance, e.g., all floor. Floor joists shall be hidden from view, and all porches the porch shall be finished with ceilings and frieze boards. Porch ceilings shall have the appearance of narrow beaded boards, unless another original material is approved by the Landmarks Commission or documented original materials. First floor porch flooring shall be tongue-in-groove boards, and may not consist of carpeting and or two-by-four (2 x 4) decking are prohibited. All wood on exterior porches surfaces, except flooring and stair treads, shall be painted or opaque stained.

3. All railings on Railings on new or altered porches shall be constructed of wood, or another material that duplicates matches the appearance of wood, with top and bottom rails. Bottom rails shall be raised above the floor level and shall be no higher than three and one-half (3½) inches from the floor. All balusters on porch railings shall be square posts, unless the owner can demonstrate to the Landmarks Commission documents that a different design is original to the structure. If the building code requires a forty-two (42) inch high railing, the lower portion of the railing may be include solid framed panels. Railings on stairways may be either wood to match the railings on shall be constructed of wood matching the porch, or of wrought iron with one-by-one (1 x 1) plain vertical balusters. Twisted or other decorative wrought iron is prohibited. All balusters shall be constructed such so that a four (4) inch ball may not cannot pass through the railing at any point. All balusters shall be located in

~~between extend from the top and to the bottom rail and shall may not extend across beyond~~
the face of either rail. ~~Siding on porch rails is prohibited~~ Porch railings may not be sided
unless ~~the existing rail is sided~~ the existing porch railing is sided. Porch posts shall be
trimmed with decorative molding at ~~the top and bottom of the posts~~.

4. ~~All Spaces beneath new or altered porches and stairways shall be enclosed~~
~~between the frieze under the first floor and the ground with a framed lattice of crisscross~~
~~design, or with narrow vertical boards or other openwork design spaced to the approximate~~
~~width of the boards. The lattice enclosure shall be designed such so that a three (3) inch ball~~
~~could not cannot pass through any portion of the lattice it.~~ All stairways shall have solid wood
risers.

5. ~~Porches on street facades may be enclosed by storm windows. Storm windows~~
~~on porches street facades shall have the appearance of double-hung windows, with or~~
~~without a transom, and shall fill the space between the top of the porch railing and the upper~~
~~frieze board. When porches are enclosed with storm windows, the railing area underneath~~
~~may be filled in with consist of solid framed panels. Porches on street facades shall may not~~
be enclosed as a four-season heated space spaces.

(b) ~~Decks. Decks in rear yards will be approved by the Landmarks Commission~~
~~provided that the design complies with par. 1., except that tongue in groove flooring is not~~
~~required. Decks in front and side yards may be permitted if they are not replacing an~~
~~entrance porch, do not detract from the historic character of the structure and neighborhood,~~
~~and if they comply with par. 1. Decks shall be visually compatible with the principal structure,~~
~~and may not detract from the historic character of the structure or the district. A deck may~~
~~not replace an existing entrance porch. Deck railings shall comply with porch railing~~
~~requirements under par. (a)3.~~

(c) ~~Accessibility Ramps. It is the intent of this section to permit accessibility ramps~~
~~wherever possible, especially when required by ADA provisions Accessibility ramps are~~
~~allowed when needed. Accessibility ramps shall be as inconspicuous as possible, and shall~~
~~be screened by landscaping where possible. Landscape screening shall be provided where~~
~~possible. The details of such Railings on accessibility ramps shall conform to the~~
~~requirements for porches in par. 1 meet porch railing standards under par. (a)3.~~

(d) ~~Windows.~~

1. ~~On the front facade and on side facades within ten (10) feet of the front facade, all~~
~~original windows or pre-1930 windows that are compatible with and windows that contribute~~
~~to the historic character of the structure shall retain their existing historic size, appearance,~~
~~and trim detail. If any of the original windows or pre-1930 windows that are compatible with~~
~~the historic character of the structure those windows have true divided lights (i.e., with small~~
~~panes of glass between muntin bars), replacement sash shall duplicate the existing~~
~~appearance and have true divided lights. If windows have been altered in the past,~~
restoration to the original appearance is encouraged.

2. ~~On portions of side facades not within that are more than ten (10) feet of from the~~
~~front façade, and on rear facades of the structure, the sills of original windows or pre-1930~~
~~windows that are compatible with the historic character of the structure window sills may be~~
~~raised to serve bathrooms and kitchens. In other respects, the design new windows on those~~
~~facades shall duplicate match the original appearance of the existing window windows that~~
~~they replace.~~

3. ~~On portions of side facades that are more than ten (10) feet from the front façade,~~
~~and on rear facades, new windows may be installed in locations where no window previously~~
~~existed may be approved, provided they retain a similar ratio of height to width as original~~
~~windows on the structure, are the same type of window as others on the structure (e.g.,~~
~~double-hung or casement), and are trimmed and finished to match the appearance of the~~
other windows.

(e) ~~Doors. If the entrance door is original or is pre-1930 and blends with the historic~~
~~character of the structure, it should be retained unless the owner can demonstrate to the~~

Landmarks Commission that it is beyond repair. Metal doors may be approved, provided they blend with the historic appearance of the structure. Unpaneled, modern-style doors, and doors with a fake wood grain are prohibited. All doors shall be painted or varnished.

~~(f) Double or Multiple Doors.~~ Double or multiple doors, such as doors leading onto patios or decks, may be permitted, provided they have frames similar to full view doors. Raw aluminum or other metallic finishes are prohibited. Patio doors shall be painted or finished with a material that resembles a painted finish. Such doors on street facades shall be hinged doors, rather than sliding doors.

1. If a door visible from the street is original or contributes to the historic character of the structure, it shall be retained unless the owner can document that it is deteriorated or damaged beyond repair.

2. Metal replacement doors are allowed if they are visually compatible with the historic character of the structure. Unpaneled, modern-style doors, and doors with a fake wood grain are prohibited. All doors shall be painted or varnished. Raw aluminum or other metallic finishes are prohibited.

3. Double or multiple doors, such as doors leading onto patios or decks, are allowed if they have frames similar to full view doors. Double or multiple doors visible from the street shall be hinged doors, rather than sliding doors.

~~(g)(f) Storm Windows and Doors.~~ Storm windows and doors shall be enameled, painted or otherwise coated with a colored surface to resemble a painted surface. Raw aluminum or other metallic finishes on storm windows and doors are prohibited. Painted or varnished wood and glass storm doors of wood and glass to that match the original design designs found on the structure, or on similar structures in the district, are encouraged. ~~Storm doors of simple design. Simple storm doors with no stylistic references may be used. Full and full view storm doors will be permitted are allowed.~~ Storm doors with metal grills are prohibited.

~~(h)(g) Skylights.~~ Skylights on the roof slope over the main street facade are prohibited unless not visible from the street. Skylights may be permitted on rear roof slopes and on side roof slopes, provided the front edge of the skylight is at least ten (10) feet back from the front edge of the main roof and provided that the skylight is not so obtrusive as to detract from the general appearance of the structure. Skylights on any roof area not visible from the ground will be permitted. New skylights may not be installed in locations that are visible from the street, except that they may be installed on side façade roofs if they do not detract from the historic character of the structure or the district. All skylights shall be set back at least 10 feet from the front edge of the roof. The design of new skylights shall be as simple as possible. Skylights shall be of simple design, and of the flat (not bubble) type, and. Skylight trim shall be finished to blend with match the color of the roof.

~~(i)(h) Roof Materials.~~ Reroofing shall be done with asphalt. Fiberglass Acceptable roof materials include asphalt shingles; fiberglass or other rectangular composition shingles that are similar in appearance to 3-in-1- tab asphalt shingles; or sawn wood shingles that are visually compatible with the structure and the historic character of the district. Modern style shingles such as thick wood shakes, Dutch lap, French method, and interlock shingles are prohibited. Vents shall be located as inconspicuously as possible and shall be similar to the roof in color to the color of the roof. Rolled roofing, tar-and-gravel, rubberized membranes, and other similar roofing like materials are prohibited, except that such materials may be used on flat or slightly sloped roofs that are not visible from the ground.

~~(j) Dormers and Other Roof Alterations.~~ New dormers shall match the appearance of original dormers on the structure in roof shape and material, width of overhang, siding, window design, and trim details whenever feasible. If the original roof shape is not practical, another shape may be approved, provided that it does not detract from the historic character of the structure or the neighborhood. New dormers shall be no less than twelve (12) feet from the front edge of the roof. The ridge line of a new dormer shall not extend above the ridge line of the main roof of the structure unless such higher roof line is not visible from the

~~ground. Shed dormers behind existing dormers or gables on non-street sides of the structure may be approved, provided that the roof material, siding, window design and trim details match the original features of the structure. Other roof alterations shall be compatible with the roof shape and other historic features of the structure, such as siding and trim details, and shall not extend above the ridge line of the structure unless such extension is not visible from the ground.~~

~~(i)~~ Roof Structures.

~~1. All new and altered roof structures shall be visually compatible with the existing principal structure and the historic character of the district. Alterations visible from the ground or the street may not extend above the ridgeline of the main roof of the existing principal structure.~~

~~2. New dormers shall match the appearance of original dormers to the maximum extent feasible, and shall be set back at least twelve (12) feet from the front edge of the roof. Shed dormers behind existing dormers or gables on non-street sides of the structure shall match the appearance of the existing structure in terms of roof materials, siding, window design and trim details.~~

~~(k)(j)~~ Chimneys. The exterior appearance of original or pre-1930 chimneys visible from the street shall be maintained in good repair. The removal of the exterior portions of such chimneys is prohibited. Chimneys not visible from the street may be removed. Chimney exteriors shall be preserved and repaired as necessary to maintain their appearance, except that chimneys not visible from the street may be removed. New chimneys shall be constructed of brick, stone, stucco, or other compatible material. Metal chimneys are prohibited.

~~(l)(k)~~ Siding. Original wood siding or pre-1930 siding that is visually compatible with and siding that contributes to the historic character of the a structure shall be retained and restored as necessary except that if the owner can demonstrate to the Landmarks Commission that the original siding is beyond repair, it may be replaced with wood, composite wood, or concrete clapboard siding to match the original or existing pre-1930 appearance, rather than being replaced or covered, whenever practicable. Replacement siding shall match the appearance of the existing or original material. Restoration of original wood Original decorative details is encouraged shall be retained whenever practicable, or replaced with details that match the appearance of the originals. Soffits Original soffits may be replaced or sided covered with wood or artificial materials, provided the appearance of the proposed material matches as closely as possible the original appearance materials that match the appearance of the original materials. Original brick, stone and stucco siding shall be retained. Installation of artificial siding on such structures is prohibited. Painting of unpainted brick is prohibited Unpainted brick may not be painted. Mortar and other materials used in tuck pointing and brick repair shall match the original material in color, hardness, and appearance.

~~(m)(l)~~ Foundations. All original foundation masonry, such as brick, stone, or rusticated concrete block, shall be retained unless the owner can demonstrate to the Commission that significant repairs are required, in which case replacement with materials to duplicate the original appearance is encouraged. If duplicating the original appearance is not practical, other materials may be approved, provided they blend documents that replacement is necessary. Materials used in the repair or replacement of a foundation shall match the appearance of the original materials, whenever practicable.

~~(n)(m)~~ Additions. Additions on the front of the a principal structure, other than open porches, are prohibited, except for open porches. Additions on the sides or rear shall be are permitted if they are visually compatible with the character of the structure in architectural design, scale, color, texture, proportion and rhythm of solids to voids, and proportion of widths to heights of doors and windows and the district. Additions that exactly duplicate the original materials in composition are encouraged. Surface materials shall match the appearance of materials used on the existing structure, whenever practicable, and shall in all

cases be visually compatible with the character of the existing structure and the district. Additions that may not destroy significant architectural features are prohibited that contribute to the historic character of the structure or the district. Side additions shall not detract from the design composition of the main facade. Siding on new additions shall be the same as shall match the appearance of that used on the principal structure, unless the existing structure has masonry siding, in which case narrow-gauge clapboards will be permitted may be used on the addition. Foundation material on additions shall duplicate the original foundation material whenever practicable. Other foundation materials may also be permitted, provided they do not detract from the historic character of the structure.

(e)(n) Fire Escapes and Rescue Platforms. Fire New fire escapes and rescue platforms shall be located such that they are as unobtrusive from the street as possible be invisible from the street, or as unobtrusive as possible when viewed from the street. No fire escapes escape or rescue platforms shall be permitted on platform may be installed on the front facade of a structure unless the owner can demonstrate to the Landmarks Commission documents that no other location is practical practicable. The design of fire escapes and rescue platforms shall comply with the requirements of par. 1., Railings on fire escapes and rescue platforms shall meet the standards for porch railings under par. (a)3, except that balusters on fire escapes and second exit platforms may be metal with one-by-one plain vertical balusters, painted to blend with the colors of the structure. Twisted or other decorative wrought iron is prohibited.

(p)(o) Lighting Fixtures. Lighting New lighting fixtures that are visible from the street shall be of a design that is visually compatible with the historic appearance character of the existing structure and the district.

(q)(p) Permanently Installed Air Conditioners. Permanently installed air conditioners shall be as inconspicuous as possible. Ground air conditioners shall be screened with landscaping where possible.

(r)(q) Shutters. The installation of new shutters requires approval of the Landmarks Commission. Shutters will be permitted, provided they are New or replacement shutters shall be visually compatible with the historic character of the structure and are of a size and the district. Shutters shall be large enough so that, if the shutters they were workable, they would cover the window opening.

(s)(r) Repairs. Repairs to structures shall either match the existing or the original appearance of the repaired structure. Restoration to the original appearance is encouraged.

(t)(s) Alterations to Post-1930 Structures. Alterations to structures that post-date originally built after 1930 shall be visually compatible with the original character of the structure and shall not detract from the historic character of older structures in the district. Alterations that bring the structure into compliance with the regulations of this section regarding siding, decks, foundations, porches, the proportion of windows and doors, and the proportion and rhythm of solids to voids of the street facades of such structures are encouraged. It is not the intent of this ordinance to create fake historic structures, but to allow modern style structures to retain their essential style while still blending with the appearance of historic structures in the district.

(6)(7) Standards for the Review of Accessory Structures, Fences and Retaining Walls; Supplementary Standards. Accessory structures, fences and retaining walls shall meet the following standards, in addition to any standards under sub. (4) that may be applicable.

(a) Accessory Structures. Accessory New or altered accessory structures shall be visually compatible with the design of the existing principal structure on the zoning lot, shall not exceed fifteen (15) feet in height, and shall be as unobtrusive as possible. Garage doors shall either be entirely flat or shall have approximately square panels. Horizontally paneled garage doors are prohibited. Windows shall be either be double or single-hung units of a that are similar in proportion to the windows on the principal structure, or shall be six-paned units

(three panes across and two panes high) units similar to those seen on 1920s era garages. Siding ~~may either match the~~ match the appearance of siding used on the principal structure or ~~shall~~ be narrow-gauge clapboard, vertical board-and-batten, or a smooth stucco or stucco-like applied material. The roof ~~shape~~ shall have a pitch and style similar to the roof ~~shape~~ on the principal structure. The roof material shall ~~match as closely as possible the material on~~ match the appearance of roof material used on the principal structure. ~~Alteration of existing accessory structures shall comply with this subdivision and with subdivision (d).~~

(b) *Fences*. Chain link and rustic style fences, such as rough sawn wood or split rails, ~~are prohibited in the front yard~~ may not be installed in front yards.

(c) *Retaining Walls in Front Yards*. ~~For retaining New or replacement retaining walls in front yards, may not be constructed of railroad ties, landscape timbers, boulders, and or concrete blocks are prohibited. Poured concrete walls with a smooth rubbed finish and under twenty-four (24) inches in height, flagstone and stone ashlar are permitted. Retaining walls in front yards may be constructed of flagstone, wall stone, or like natural materials. Poured concrete walls up to two (2) feet high, having a smooth rubbed finish, are also allowed. Proposals to construct front yard retaining walls of other materials must be submitted to Landmarks Commission for approval prior to installation.~~

~~(7) — Reference to Plan . The history of the First Settlement Historic District is derived from the Downtown Historic Preservation Plan, City of Madison Department of Planning and Community and Economic Development, 1998."~~

Note: See updated plan reference under sub. (1). The new Madison Comprehensive Historic Preservation Plan should, in the case of historic districts, reference prior plans applicable to those districts.

(8) Guidelines. When interpreting and applying the standards under this section, the Landmarks Commission may consider, as guidelines, relevant portions of the U.S. Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (2017). That document may be viewed, and downloaded without charge, at [insert specific city website address].

Appendix - Definitions

- **Accessory structure** means a structure that is located on the same zoning lot as a principal structure, and which is separate from and incidental to the use of the principal structure. Accessory structures include structures such as detached garages and storage sheds.
- **Alteration** means any change, addition or modification to an improvement or grading.
- **Architectural feature** means the distinguishing exterior elements of a building or structure including shape, size, design, style, fenestration, materials and decorative details.
- **Building** means any structure having a roof that may provide shelter, support, protection or enclosure of persons, animals, or property of any kind.
- **Bulk** means ~~the size and setbacks of buildings or structures and the location of such buildings or structures with respect to one another~~ a structure's apparent size relative to its site and surrounding context, as reflected by all of the following:
 - Height and gross volume.
 - The location of exterior walls, at all levels, relative to lot lines, adjacent streets and adjacent structures.

- Ratio of floor area to lot area.
- Setbacks and open spaces.
- Lot area per dwelling unit.

Note: This revised, and more detailed, definition of “bulk” is consistent with the definition found in the Madison zoning code.

- **Character** means ~~the sum of all, in the case of a structure, the impression created by the structure’s combined physical attributes in a historic place (including a building or historic district) which can include setting, property types, form, proportion, architectural style, construction methods, and materials~~ including setting, property type, height, bulk, gross volume, directional orientation, overall design and proportions, architectural features, surface textures and materials, rhythm of solids to voids, roof design, proportions and relationships between doors and windows, street setbacks, landscaping and surrounding open spaces. In the case of a historic district, character means the impression created by the combined physical attributes of all designated historic resources within the district.
- **Construction** means the erection of any new structure or the alteration of any existing structure.
- **Development** means any improvement, or any alteration to an existing improvement.
- **Guideline** means a principle put forward to help determine a course of action. Guidelines may be used to help interpret standards to which the guidelines are relevant, but are not themselves standards. Under this ordinance, guidelines adopted in under this Chapter for a historic district shall serve as a collective set of principles may be used, where applicable, to promote architectural the compatibility of new construction and exterior alterations in a the historic district.

Note: See suggested definition of “standard” below.

- **Gross volume** means the entire volume measured in cubic feet enclosed by a structure including attached structures, dormers, attics, crawl spaces, ~~or and~~ penthouses. Gross volume is measured from the outside surface of the exterior walls including any portions above existing grade to the roofline. It does not include courtyards with no roof, balconies, canopies, or portions below grade. ~~Decorative or structural features that extend beyond the plane of the outside face of the exterior wall, ; nor does it include features such as trim, cornices, pilasters, buttresses and overhangs are not included that extend beyond the plane of the outside face of the exterior wall.~~
- **Height** means the vertical distance in feet measured from the arithmetic mean ground level adjoining the structure to the highest point of the structure. In the case of a building, the highest point of the structure means the highest point of the roof or parapet of a building, whichever is higher, or to the top of a structure.
- **Historic resource** means ~~any a~~ building, structure, sign, feature, improvement, site, or area having significant architectural, archaeological, anthropological, historical, or cultural value, which has been designated as a landmark or which is designated as a historic resource by a historic district ordinance. Historic resources include properties designated as landmarks or historic resources in a historic district ordinance.

Note: Ordinances creating historic districts under must identify historic resources within the district (see Sec. 41.11(1)(c) of the current ordinance). These may include, but are not limited to, landmarks as well as non-landmark structures erected during the historic district’s “period of significance.”

- **Improvement** means any structure, landscape feature or object intended to enhance the value or utility of a property.
- **Landmark** means any ~~land or~~ improvement ~~which has architectural, cultural, or historic character or value reflecting the development, heritage or cultural characteristics of the~~

~~City, state or nation and, which that has been designated as a landmark pursuant to the provisions of this chapter, under Sec. 41.07 or a prior ordinance, or any land of historic significance due to a substantial value in tracing the history of humankind, or upon which an historic event has occurred, and which has been designated as a landmark pursuant to the provisions of this chapter.~~

- **Landmark Site** means the lot or parcel identified in the official landmark designation maintained by the City Planning Division. If a landmark designation does not identify a lot or parcel, landmark site means any lot, or part thereof, on which ~~is situated~~ a landmark is situated, and any abutting lot, or part thereof, ~~used as and constituting that constitutes~~ and is used as part of the premises on which the landmark is situated.
- **Landscape** means the improvements, topography, plants and open spaces in an area and their arrangement and patterns.
- **Period of significance** means ~~the duration of time between beginning and ending years~~ the time period, specified in the ordinance creating a historic district, during which a the historic district ~~is~~ was associated with the important events, activities, persons, or attained characteristics which ~~that~~ qualify it the district for historic district status. ~~Specific periods of significance are identified for each historic district.~~
- **Principal structure** means a structure in which the principal use of the lot on which the structure is located is conducted.
- **Standard** means a rule ~~that is required~~ legal requirement. ~~Under this ordinance, all standards adopted in a historic district must be complied with in every instance of development in that district (unless the Landmarks Commission grants a formal variance).~~
- **Structure** means any building or improvement attached to land.
- **Visible from the street** means, with respect to any structure, readily visible to a person walking on either side of any street that is contiguous to any lot line of the lot on which the structure is located.
- **Visually compatible** means ~~harmonious with location, context, setting and in character.~~ Except as otherwise required by this chapter, a structure need not replicate or mimic a historic structure, or create a false impression of age, in order to be visually compatible with the historic structure.

Certain provisions of this ordinance refer to historic resources that are located within 200 ft. of a subject property. According to the Sec. 41.03(5) of the current ordinance, that distance is measured as the shortest distance between the lot lines of the respective lots on which the subject property and the historic resource are located.