

Five Easy Steps to a Better Landmarks Ordinance

- 1. Provide reasonable ground-rules for granting “waivers” (“variances” is a better term).** At a minimum, add the following criteria to prevent “waivers” from undermining ordinance standards (criteria similar to zoning variances):
 - A waiver may not violate the spirit, purpose or intent of the standard from which the waiver is granted.
 - The conditions justifying the waiver must be clearly and credibly documented, and must be specific to the property for which the waiver is granted.
 - A waiver must be granted in writing, and must describe the scope, terms and conditions of the waiver.
- 2. Clarify appeals to Common Council.** Clarify that the Council will *apply* (not just “consider”) the same ordinance standards that apply to the Landmarks Commission. Eliminate vague and unnecessary language related to “balancing” interests.
- 3. Require enforceable standards, not “guidelines,” for development in historic districts.**
- 4. Add language to encourage preservation planning and coordination between City agencies.**
- 5. Direct the city attorney to undertake a thorough redraft of the ordinance, to improve clarity and organization.**
 - Authorize the city attorney to:
 - Modernize ordinance text and organization consistent with LORC policy.
 - Add or clarify definitions and other material as needed (including definitions of technical terms like “height,” “gross volume” and “visually-related area”).
 - Consult with the Preservation Planner and others, as needed, on technical matters.
 - Retain authority for final LORC review and approval.