

PLANNING DIVISION STAFF REPORT

May 5, 2025



PREPARED FOR THE LANDMARKS COMMISSION

Project Name & Address: Draft Text Amendments to the Historic Preservation Ordinance
Legistar File ID # [88167](#)
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Background

Building off of the discussion at last year's in-person Landmarks Commission meeting about the [National Alliance of Preservation Commissions Messaging Guide for Local Preservation Programs](#), staff began reviewing our ordinance to evaluate ways to make our process more accessible to the public. In addition to the guidance from NAPC, staff did a review of the rest of the ordinance to find places where we could be more clear and to make sure we were aligning our ordinance with other City processes. A redlined draft of the text amendment is attached in the Legistar file for your review and our discussion at the meeting. Please note that this is a working draft for discussion by the commission. After gathering your feedback, staff will create a draft for introduction at Common Council and then referral back to Landmarks Commission for a formal review at a regular Landmarks Commission meeting.

Topics Addressed in the Draft Text Amendments

Certificate of Appropriateness

Staff agrees with the guide's recommendation to change the language from "Certificate of Appropriateness" to "Certificate of Approval." Changing that language will require the text amendment to also change references elsewhere in the Madison General Ordinances to make sure the language is consistent throughout.

Indigenous Materials and Craftsmanship

Language in the ordinance referring to indigenous materials comes from the original historic preservation ordinance and the intent was to address locally-sourced materials. However, our word usage has changed since that time. Historic mounds are constructed of indigenous materials by indigenous craftspeople. A Madison sandstone house is constructed with local materials, likely by a local craftsman.

"Master"

The term master has a long history with a variety of connotations, many of them problematic. Staff recommends removing the definition of "Master" and replacing this term with "Of Note" in any of the descriptions where this term appears in the ordinance.

Computation of Time

During the first phase of the Landmarks Ordinance Review Committee's process to update the Historic Preservation Ordinance, the public asked for more time to learn about public hearing items. Other Planning bodies (Plan Commission, Urban Design Commission) use a 10-day public notification period for mailing notices. The Historic Preservation Ordinance specified 10 days as well, but excluded weekends and holidays from the time calculation in a special "computation of time" section found elsewhere in the ordinance. This adds in extra time, but it also makes it difficult for the public to know exactly how long before meeting notices will go out and it is complicated for staff to administer. If we intend to have a full 14 days of notification, then we should remove the more complicated approach to computing time and just make it 14 days. This will still provide more notification time than the other Planning bodies.

Size of Accessory Structure and Additions

When we first specified a size threshold for new enclosed square footage that needed a public hearing, we set it at 100 square feet because that was what triggered the need for a building permit at the time. The size threshold for a building permit has increased to 150 square feet. The Landmarks Commission Policy Manual specifies that the Preservation Planner can approve small structures, like garden sheds, and this adjusted threshold would align with that while also making us consistent with Building Permit review processes.

Historic District Standards

Now that the Historic District Standards have been in place for 3 years, we've been able to see how they work and places where we need more clarity. There are a few areas where we are recommending some changes in wording to make the standard more clear. The more substantial change is for allowing more flexibility for changes on the sides of a building when those changes are significantly stepped back away from the front edge of the building. We allow additions to these areas on a building, so allowing for compatible alterations in these areas would align with that approach.