

Date: March 9, 2015  
To: Landmarks Ordinance Review Committee  
From: Franny Ingebritson

Dear Committee Members:

As a member of the Ordinance Subcommittee of the Madison Alliance for Historic Preservation, I strongly support all of the recommendations and submittals that the Alliance has provided to this Committee. In an attempt to cover most bases, I am providing a red strikeout copy of a few areas in the Feb. 26 draft. The changes are in **bold** lettering. Thank you for your time.

- (1) Policy and Purpose. Purpose and Intent. The Common Council recognizes that the City of Madison contains buildings, structures, signs, features, improvements, sites, and districts areas that have significant ~~It is hereby declared a matter of public policy that the preservation, protection, enhancement, perpetuation and use of improvements of architectural, archaeological, and anthropological, significance; historical, political, interest; special character; and cultural value~~ **(referred hereafter as “historic resources”)** which should be conserved, protected, and preserved. ~~The Common Council further recognizes that these historic resources represent are representative of the City’s unique heritage, and character; that they are of great interest to City residents and visitors; that they are important economic, social, cultural and community assets; that they are serving as a source of great civic pride; for its residents and interest for its visitors; and that they foster appreciation of our civic heritage, and of the beauty and noble accomplishments of the past. The Common Council~~ ~~It is therefore hereby declared as a matter of public policy that the identification, preservation, protection, promotion, enhancement, perpetuation, conservation and use of historic resources within the City is~~ a public necessity to foster the health, prosperity, safety and welfare of the people. The purpose of this section is ~~therefore to:~~ **to implement this policy in a clear, effective, fair and systematic way.**

If the Committee chooses to go with a list of purposes, I am providing the following recommendations.

- a) Accomplish the identification, **preservation, protection, promotion, enhancement, perpetuation, conservation and use** of the City's historic resources, as embodied and reflected in the city's landmarks and historic districts. ~~Effect and accomplish the protection, enhancement perpetuation and use of such improvements and of districts which represent or reflect elements of the City's cultural, social, economic, political, archaeological, anthropological, and architectural history.~~
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- (b) Ensure the harmonious, orderly, and efficient growth of the City **through appropriate preservation of irreplaceable historic and cultural resources. that sensitively incorporates historic structures and artifacts.**
- (d) Provide a framework for reinvestment in the City's historic districts **for appropriate restoration and rehabilitation of irreplaceable historic and cultural resources, where appropriate, that ensures new design and construction, when it happens, complements the City's historic resources.**
- (h)f) Promote the use of **and investment in** historic districts and landmarks for the education, pleasure and welfare of the people of the City.
- (i) Provide a clear regulatory framework for **implementing, balancing, and accomplishing** the public policy announced in this section.

(3) Landmarks Commission Composition and Terms.

(1)

A Landmarks Commission is hereby created, consisting of seven (7) members. One (1) shall be a licensed real estate professional; one (1) shall be an alderperson; one (1) shall be a historian; at least one (1) shall be a licensed architect, and three (3) shall be citizen members at least one of whom has expertise in construction. Each member shall have, to the highest extent practicable, a demonstrated, known interest in historic preservation.....

(7) Designation of Landmarks.

- (a) Nomination. The Landmarks Commission and the Common Council ~~may shall~~ consider complete and accurate nominations for landmark designation. Any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural, archeological, anthropological, political or cultural significance to the City of Madison may be nominated as a Landmark. An individual or group may nominate a property for consideration by submitting an application and a nomination on a form provided by the Commission.

~~(b)~~(f) Historic District Ordinances.

1. Architectural elements shall be visually compatible with the structures and environment with which they are visually related (visually related area) in regards to:
  - i. Height and scale
2. The existing rhythm created by existing structure masses and spaces between them shall be preserved.
3. The amount, shape, and pattern of open spaces shall be sensitive to the character of the visually related area. ~~of the district.~~

(12) Standards for Certificate of Appropriateness

- (a) For Exterior Alteration or Construction. The Landmarks Commission shall
- iv. In the case of any exterior alteration or construction for which a Certificate of Appropriateness is required, the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources. ("Not frustrating the public" doesn't seem strong enough considering the potential seriousness of the request.)
- (c) For Signs. The commission shall approve a Certificate of Appropriateness for signs, unless it finds that the size or, number, design, ~~or-or~~ placement placement of the sign(s) would adversely affect the historic fabric a significant

~~architectural feature~~ of the structure ~~or degrade the historic fabric of~~ the district; that the sign(s) fails to comply with Chapter 31 of the Madison General Ordinances;.....

- (e) For Land Divisions and Combinations. The commission shall approve a Certificate of Appropriateness for a land divisions, combinations, and subdivision plats of landmarks sites and properties in historic districts, ~~or combination involving a landmark site or in an historic district~~ unless it finds that the proposed lot sizes adversely impact the historic character or significance of a landmark, are incompatible with adjacent lot sizes, or fail to maintain the general lot size pattern of the visually related area historic district. ~~action would adversely affect a significant architectural feature of the structure or degrade the historic fabric of the district.~~

(134) Appeal.

(d) In making its determination under (c), the Council shall:

2. Balance the public interest in preserving historic resources the subject property expressed in this ordinance with the owner's public interest in using it for his or her own purposes in approving or denying the Certificate of Appropriateness or Variance Waiver Request. In balancing the public interests, the Council shall take into account whether the owner or applicant has failed to meet requirements to maintain the property in accordance with this ordinance.