

Legistar File No. 70641 – Body

DRAFTER’S ANALYSIS: This ordinance constitutes the second phase of a comprehensive revision of the landmarks ordinance. The Common Council created the Landmarks Ordinance Review Committee (LORC) in 2014 for the sole purpose of reviewing and drafting the first comprehensive revision to the ordinance. The work of LORC consisted of two phases (LORC 1 and LORC 2). LORC 1 restructured the ordinance, updated administrative provisions, introduced the demolition by neglect process, and specified how to review proposed work affected the 182 designated landmarks. That work was completed and adopted by Council in 2015. LORC 2 was tasked with updating the process for how the Landmarks Commission conducts project reviews in the City’s five historic districts.

Under this proposed ordinance, consistent standards and procedures are proposed across the City’s five historic districts. The individual historic district sections are repealed and a subchapter on historic districts standards is created. Instead of geographically individualized preservation practices, the standards for maintenance, repairs, alterations, additions, and new structures will be universal. A section on the safe management of lead paint is added to address community concerns about the prevalence of lead paint in historic structures. Finally, this ordinance contains other edits including gender neutral pronouns and consistent definitions between zoning and historic preservation.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 41.02 entitled “Definitions” of the Madison General Ordinances is amended as follows:

“In this chapter:

Building means any structure having a roof that may provide shelter, support, protection or enclosure of persons, animals, or property of any kind (~~See see structure Structure~~).

Certificate of Appropriateness means an official form issued by the Preservation Planner stating that the proposed work on a designated landmark ~~or on a building~~ historic resource in a historic district is in accord with the requirements of this ordinance and that (1) the proposed work may be completed as specified in the certificate; and (2) that the Building Inspector may issue any permits needed to do the work specified in the certificate.

Construction means the erection of any new structure or the alteration of any existing structure (~~See see structure Structure and alteration Alteration~~).

Developed Public Right of Way means any human-made change to a public thoroughfare or easement granted for the purpose of public access, included but not limited to paved or unpaved highways, streets, bicycle/pedestrian/multi-use paths, or sidewalks. This does not include alleys.

Development means any improvement or alteration to an existing improvement. any human-made change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or substantial alterations to buildings, structures or accessory structures; the placement of buildings or structures; ditching, lagooning, dredging, filling, grading, paving, excavation or drilling operations; and the deposition or extraction of earthen materials.

Height (of a Building) means the vertical distance in feet measured from the arithmetic mean ground level adjoining the structure to the highest point of the roof or parapet of a building, whichever is higher, or to the top of a structure. means the following:

- (a) For accessory buildings and structures, height is measured from the average elevation of the approved grade at the front of the building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, and to the midpoint of the ridge of a gable, hip, or gambrel roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.
- (b) For principal buildings and structures, height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
- (c) For new buildings, alterations, additions, or replacement of existing buildings, height shall be measured from the natural grade prior to redevelopment. Natural grade shall be determined by reference to a survey or other information as determined by the Zoning Administrator.
- (d) Height in the DC, UOR, UMX, DR1 and DR2 districts shall be measured from the highest point along a building setback line paralleling any street adjacent to the site. In these districts accessible roofs, including the minimum structure necessary to provide access, shall not be counted as a story. However, this provision shall not be applied in violation of the Capitol View Preservation Section 28.134(3).

Historic Resource means any building, structure, sign, feature, improvement, site, or area having significant architectural, archaeological, anthropological, historical, or cultural value. Historic Resources include properties designated as landmarks or historic resources in a ~~historic ordinance~~ this chapter.

Landscape means the improvements, topography, plants and open spaces in an area and their arrangement and patterns (~~See see improvement Improvement~~).

Landscape Feature means any improvement to the natural landscape including plants, gardens, parks, greenways and landscaping around structures (~~See see improvement Improvement~~).

Object means any improvement that is of relatively small scale or of simple construction for primarily ornamental or artistic purposes including fountains, monuments, or sculptures (~~See see improvement Improvement~~).

2. Subsection (5) entitled "Measuring 200 Feet Around Properties" of Section 41.03 entitled "General Administrative Provisions" is amended as follows:

"(5) Measuring 200 Feet Around Properties. Certain provisions of this chapter reference properties that are within two hundred (200) feet of a subject property. Under this chapter, measurements around properties shall be taken from the lot lines of the subject property two hundred (200) feet in all directions. In the case of landmark properties, measurements shall take into account all historic resources within the two hundred (200) foot measurement. In the case of historic districts, measurements shall take into account all historic resources within two hundred (200) feet that are contained within the district. Any improvements located on lots that fall within this measurement shall be considered within two hundred (200) feet of the subject property."

3. Section 41.05 entitled "Preservation Planner" of Subchapter 41B entitled "Landmarks Commission" of the Madison General Ordinances is amended as follows:

"The Preservation Planner is a staff member of the Department of Planning and Community and Economic Development. The Preservation Planner shall staff the Landmarks Commission and

carry out the duties that the Landmarks Commission properly delegates to the Preservation Planner under this chapter. In carrying out those duties, the Preservation Planner shall exercise ~~his or her~~ their own professional judgment and expertise, consistent with this chapter and subject to general oversight by the Landmarks Commission.”

4. Section 41.11 entitled “Historic District Ordinance Requirements” of the Madison General Ordinances is amended as follows:

“(1) General. An ordinance creating a historic district under Sec. 41.10 shall do all of the following:

- (a) Clearly delineate the boundaries of the historic district.
- (b) Specify the rationale for creating the historic district.
- (c) Identify historic resources in the historic district, including landmarks, landmark sites, and properties constructed during the district's period of significance.
- (d) Establish development standards and guidelines for reviewing development in the district, as provided in sub. (2) below. Be nominated following the process as outlined in Sec. 41.1007(3).

~~(2) — Development Standards and Guidelines. In any proposed ordinance under this section, the Landmarks Commission should consider including the following as standards or guidelines:~~

- ~~(a) — Any new structure located on a lot that lies within two hundred (200) feet of a designated historic resource shall be visually compatible with that historic resource, particularly in regards to:
 - 1. — Bulk and massing.
 - 2. — In the street elevation of a structure, the facade's proportion of width to height.
 - 3. — The proportions and relationships between doors and windows in the street and publicly visible facade.
 - 4. — The proportion and rhythm of solids to voids, created by openings in the facades.
 - 5. — Colors and patterns used on all facades.
 - 6. — The design of the roof.
 - 7. — The landscape treatment.
 - 8. — The texture and materials used in all facades.~~
- ~~(b) — The existing rhythm created by existing structure masses and spaces between them shall be preserved.~~
- ~~(c) — The amount, shape, and pattern of open spaces shall be sensitive to the character of the district.~~
- ~~(d) — The landscape plan shall be sensitive to the individual structure, its occupants and their needs.~~
- ~~(e) — All street facades shall blend with other structures via directional expression. When adjacent structures have a dominant horizontal or vertical expression, this expression shall be carried over and reflected.~~
- ~~(f) — Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the historic character of the district.~~
- ~~(g) — Gross volume, height, and other quantitative measurements of the proposed structure shall be sensitive to similar quantitative measurements of historic resources within two hundred (200) feet of the proposed structure.~~

(2) Mansion Hill Historic District

- (a) 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:

1. Are identified with historic personages or with important events in national, state or local history;
2. 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;
3. Are representative of the notable work of a master builder, designer or architect whose individual genius influences their age;

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

(b) Historic Resources in the Mansion Hill Historic District.

1. Designated Landmarks.
2. Designated Landmark sites.
3. Properties constructed during the period of significance, 1850-1930.

(3) Third Lake Ridge

(a) 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:

1. Are identified with historic personages or with important events in state or local history; and
2. Embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction, or of local materials or craftsmanship;

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

(b) Historic Resources in the Third Lake Ridge Historic District.

1. Designated Landmarks.
2. Designated Landmark Sites.
3. Properties constructed during the period of significance, 1850-1929.

(4) University Heights

(a) 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:

1. Are identified with historic personages or with important events in national, state, or local history;
2. Embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction, or of local or craftsmanship; and,
3. Are representative of the notable work of a master builder, designer, or architect whose individual genius influenced their age,

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

(b) Historic Resources in the University Heights Historic District.

1. Landmarks.
2. Landmark sites.
3. Properties constructed during the period of significance, 1893-1928.

(5) Marquette Bungalows

- (a) Criteria for the Creation of the Marquette Bungalows Historic District. In that the Marquette Bungalows 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 designation criteria in Sec. 41.10(2) of this chapter, specifically:
1. Many of the structures in the district embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction, or of local materials or craftsmanship.
 2. The area described by the map and legal description shall be designated a historic district.
- (b) Historic Resources in the Marquette Bungalows Historic District.
1. Landmarks.
 2. Landmarks sites.
 3. Properties constructed during the period of significance. 1924-1930.

(6) First Settlement

- (a) 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:
1. Identified with historic personages or with important local historical events
 2. Embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style, method of construction or of local material or craftsmanship
- The area described by the map and legal description shall be designated a historic district.
- (b) Historic Resources in the First Settlement Historic District.
1. Landmarks.
 2. Landmark sites.
 3. Properties constructed during the period of significance, 1850-1930.”

5. Subdivisions (b) and (c) of Subsection (2) entitled “Enforcement” of Section 41.14 entitled “Maintenance Obligation; Enforcement; Penalties” of the Madison General Ordinances is amended as follows:

- “(b) The Building Inspector or designee may issue an official written notice to a property owner, requiring the property owner to correct a violation of Sec. 41.14(1) above by a date specified in the notice, and may issue an official written notice to a property owner who is in violation of Sec. 41.14(1)(d) or (e) above.
- (c) The Building Inspector or designee shall notify the Preservation Planner of all official compliance notices issued to owners of landmarks or improvements in historic districts. The Building Inspector or designee shall further notify the Preservation Planner whenever a property owner fails to correct a violation by the compliance date specified in an official notice.”

6. Subsection (3) entitled “Public Hearing” of Section 41.14 entitled “Maintenance Obligation; Enforcement; Penalties” of the Madison General Ordinances is amended as follows:

- “(3) Public Hearing. A property owner may file a request with the Landmarks Commission for a public hearing if the property owner has made attempts to maintain their property as required by this ordinance but has been prevented from doing so by a neighbor whose property directly abuts that of the property owner seeking relief. Upon receiving such a

request, the Landmarks Commission shall issue a hearing notice under Sec. 41.06 and hold a public hearing. If, after a public hearing, the Landmarks Commission finds that the property owner seeking relief has made efforts to correct the alleged violation but has been prevented from doing so by a directly abutting property owner, the Landmarks Commission shall find that reasonable efforts to maintain have been made. In considering whether efforts to maintain have been made under this section, the Landmarks Commission shall take into account whether the property owner seeking relief has also prevented ~~his or her~~ their directly abutting neighbors from maintaining their own property. If such a finding is made, the enforcement of any maintenance notice or citation shall be suspended as to that violation and the finding may be used as a defense to a charge of Demolition by Neglect under Sec. 41.15. Furthermore, upon making such a finding, the Landmarks Commission shall report its finding to the Building Inspector for the issuance of a citation under Sec. 41.14(1)(d) or (e) above. A Landmarks Commission decision under this section that one neighbor is unreasonably preventing the owner of a directly abutting property from maintaining their property is prima facie evidence of a violation of sub. (1)(e) above for purposes of any municipal court or civil court action. An owner that is affected by the decision of the Landmarks Commission under this subsection may appeal as provided in Wis. Stat. § 62.23(7)(em)3.”

7. Subsection (1) entitled “Notice of Demolition by Neglect” of Section 41.15 entitled “Demolition by Neglect” of the Madison General Ordinances is amended as follows:

“(1) Notice of Demolition by Neglect. If the Building Inspector or designee believes that a landmark or improvement is undergoing demolition by neglect, the Building Inspector or designee shall give written notice of that belief to the owner of the landmark or improvement. The Building Inspector or designee shall give a copy of the notice to the Preservation Planner and the Landmarks Commission”.

8. Subsection (3) entitled “Signs” of Section 41.18 entitled “Standards for Granting a Certificate of Appropriateness” of the Madison General Ordinances is amended as follows:

“(3) Signs. The Commission shall approve a certificate of appropriateness for signs if it finds that the following are true:

- (a) Signs are located within the façade areas set aside for signs as part of the façade design or are integrated and compatible with the structure where the façade areas have not been set aside for signs;
- (b) New signs shall be consistent with the traditional signage pattern locations on a structure or a property, and shall feature materials and style of illumination typical of the period of significance for the property or district;
- (c) Signs shall comply with Chapter 31, MGO;
- (d) Signs shall comply with specific standards and guidelines adopted for historic districts under this ordinance.”

~~(3) Signs. The commission shall approve a certificate of appropriateness for signs unless it finds that any of the following are true:~~

- ~~(a) The size or design of the sign(s) would adversely affect the historic fabric of the structure or the district;~~
- ~~(b) The sign(s) fails to comply with Chapter 31, MGO;~~
- ~~(c) The sign(s) fails to comply with specific standards and guidelines for signs adopted in each historic district under this ordinance.~~

9. Subchapter 41G entitled “Designated Historic Districts, Historic District Ordinances” of Chapter 41 entitled “Historic Preservation” of the Madison General Ordinances is hereby repealed in its entirety and recreated as follows:

“SUBCHAPTER 41G: HISTORIC DISTRICT STANDARDS

41.22 SPECTRUM OF REVIEW

- (1) Property owners should conduct Maintenance activities in compliance with the historic district Standards for Maintenance. When a project only involves Maintenance work, it does not require a Certificate of Appropriateness.
- (2) The Preservation Planner or designee can administratively approve Repair and Alterations proposals in conformance with the Landmarks Commission Policy Manual, or may refer the application to the Landmarks Commission for their review.
- (3) Applications for Additions and New Construction must go before the Landmarks Commission for their review.

41.23 STANDARDS FOR MAINTENANCE

- (1) General
 - (a) All structures in historic districts are required to be maintained pursuant to Sec. 41.14. The highest priority of this ordinance is on the proper proactive and continued maintenance to preserve the integrity of the structure utilizing the least degree of intervention. This section provides standards for building maintenance. Work beyond the level described below, as determined by the Preservation Planner, shall be considered a repair and be governed by the Standards for Repair section (Sec 41.32~~24~~).
- (2) Building Site
 - (a) General
 1. Buildings and site features shall be protected and maintained by providing proper drainage to ensure that water does not erode foundation walls, drain toward the building, or damage or erode the landscape.
- (3) Exterior Walls
 - (a) Masonry
 1. The Preservation Planner shall approve proposed masonry cleaning methods.
 2. Abrasive methods (including sandblasting, other media blasting, or high-pressure water or acids on limestone or marble) which can damage the surface of the masonry and mortar joints are prohibited.
 3. Masonry building walls and features shall be maintained with tight mortar joints and operational rain water conduction systems.
 4. Sealants and water-repellent coatings applied to the face of the masonry are prohibited.
 5. Previously painted masonry may be repainted, but the painting of previously unpainted masonry is prohibited.
 - (b) Wood
 1. Paint or stain shall be retained and applied to protect wood features.
 - (c) Metals
 1. Non-corrosive chemical methods shall be used to clean soft metals (such as lead, tinfoil, terneplate, copper, and zinc) whose finishes can be easily damaged by abrasive methods.
 - (d) Vegetation
 1. Growing new vegetation directly on building walls and roofs is prohibited.
 2. Exterior walls with pre-existing vegetation shall be maintained to ensure exterior surfaces remain undamaged.
- (4) Roofs

- (a) General
 - 1. The materials comprising the roof covering, flashing, gutters and downspouts and related trim shall be protected and maintained in functional and operational condition.
- (5) Windows and Doors
 - (a) Windows and Doors
 - 1. The wood or metal comprising the window or door jamb, sash, and trim shall be protected and maintained through appropriate treatments.
- (6) Entrances, Porches, Balconies and Decks
 - (a) Entrances and Porches
 - 1. Entrances and porches and their functional and decorative features that are important in defining the overall historic character of the building, that are historic to the structure, or that date to the period of significance of the district shall be retained and preserved.
 - 2. The materials that comprise entrances and porches shall be protected and maintained through appropriate surface treatments.

41.24 STANDARDS FOR REPAIRS

- (1) General
 - (a) This section provides standards for building repair when the scope of a project exceeds normal on-going maintenance and a limited amount of repair of any exterior element is necessary. Work beyond the level described below, as determined by the Preservation Planner, shall be considered an alteration and be governed by the Standards for Alterations section (**Sec 41.3325**).
 - 1. Materials and features shall be repaired by patching, splicing, consolidating, or otherwise reinforcing using recognized conservation and preservation methods for the material or feature needing repair.
 - 2. Compatible substitute materials shall be similar in design, scale, architectural appearance, and other visual qualities.
- (2) Building Site
 - (a) General
 - 1. Historic site features, not including landscaping, which have been damaged, are deteriorated, or have missing components shall be repaired to reestablish the whole feature and to ensure retention of the integrity of the historic materials. When damage or deterioration requires repair that cannot be met by these conditions, work will be considered an alteration (**Sec. 41.3325**)
- (3) Walls
 - (a) Masonry
 - 1. Remove failed mortar so as to not damage the masonry unit, and new mortar will match the historic in strength, composition, color, texture, and profile of the historic mortar.
 - 2. Stucco and concrete shall be repaired by removing the damaged material and patching with new material that duplicates the old in strength, composition, color, and texture.
 - 3. Application of sealers and abrasive cleaning of masonry is prohibited.
 - 4. For replacement of masonry units, see Standards for Alterations.
 - (b) Wood
 - 1. Materials and features shall be repaired by patching, splicing, consolidating, or otherwise reinforcing using recognized conservation and preservation methods for the material or feature needing repair.
- (4) Roofs

- (a) General
 - 1. Roof repairs shall ensure that the existing roof covering is sound and waterproof.
- (5) Windows and Doors
 - (a) Windows & Doors
 - 1. Deteriorated or broken components or features shall be repaired.
 - 2. Replacement in kind or with a compatible substitute materials shall be used when materials or features are missing or are physically beyond repair and/or are not economically feasible to repair.
- (6) Entrances, Porches, Balconies and Decks
 - (a) Entrances and Porches
 - 1. Deteriorated or broken components or features shall be repaired.
 - 2. Replacement in-kind or with a compatible substitute materials shall be used when materials or features are extensively deteriorated or missing.

41.25 STANDARDS FOR ALTERATIONS

- (1) General
 - (a) Alterations are defined as any change to any portion of the exterior of a building or site that replaces existing materials or changes its appearance. This section provides standards for building alterations.
 - (b) Materials and Features
 - 1. Alterations shall be in keeping with the original design and character of the building.
 - 2. The removal of historic features on elevations visible from the developed public right-of-way is prohibited.
 - 3. The introduction of conjectural architectural features without historic precedent on the building is prohibited.
 - (c) Replacement
 - 1. Existing features shall be replaced in-kind if they are too deteriorated to repair.
 - (d) Accessibility
 - 1. Whenever possible, access to historic buildings should be through a primary building entrance.
 - 2. Barrier-free access requirements shall be complied with in such a manner that the historic building's character-defining exterior features and features of the site and setting are preserved or impacted as little as possible.
 - (e) Lead Paint
 - 1. Window replacement due to lead may not be eligible for state preservation tax credits. In order to replace a feature due to lead paint, the proposal must meet the following conditions:
 - a. A test result that demonstrates that a feature has tested positive for lead.
 - b. Documentation of the existing original feature, including profiles, dimensions, configuration, etc. This documentation should include drawings, photographs, and any other relevant documentation.
 - c. Documentation of the proposed replacement feature, which includes a cut sheet or shop drawing of the proposed replacement feature, and a detailed description of the profile, dimensions, configuration, material, finish, etc.
- (2) Building Site

- (a) General
 - 1. Fences and retaining walls in the front yard shall be in character with the style of fences or retaining walls historically found in the district or in keeping with the materials and character of historic resources in the district.
- (3) Exterior Walls
 - (a) Masonry
 - 1. Masonry not previously covered shall not be covered with stucco, exterior insulation and finish systems (EIFS), paint, or other covering.
 - 2. Removing a chimney visible from the developed public right-of-way or altering its appearance is prohibited.
 - 3. Replacement brick units shall be of a similar dimension, color, and permeability as the historic bricks
 - 4. Composite patching, epoxy repair, mechanical repair, or a Dutchman repair of large masonry units shall follow established conservation methods, with the alteration to match the historic appearance as closely as possible.
 - (b) Wood
 - 1. Replacement siding shall imitate the original siding within one inch of historic exposure/reveal.
 - 2. Where more than one layer of siding exists on the structure, all layers except the first must be removed prior to re-siding.
 - 3. All trim must project beyond the face of the siding to the same extent it did with the historic siding.
 - 4. Wrapping of trim and ornament is prohibited.
 - (c) Metals
 - 1. Replacement of part or all of a decorative metal feature should be in-kind or with a compatible substitute material, replicating the original appearance.
- (4) Roofs
 - (a) General
 - 1. Alterations to a roof shall include a roof style that is compatible with the existing roof.
 - 2. The form of the roof visible from the developed public right-of-way shall not be altered except to restore it to the historic documentable appearance.
 - 3. The removal of decorative and functional features visible from the developed public right-of-way is prohibited, except to restore the building to its historic appearance.
 - (b) Materials.
 - 1. A roof feature may be replaced in kind if it is too deteriorated to repair.
 - 2. Replacement materials shall replicate the appearance of historic roofing materials found on the structure or be compatible with roofing found on historic resources in the district.
 - (c) Skylights
 - 1. Skylights visible from the developed public right-of-way shall be flat, parallel to the slope of the roof, and have the frame painted to match the roof material, and be located least twelve (12) feet back from the front edge of the roof.
 - 2. Other forms of skylights are allowed on elevations not visible from the developed public right-of-way.
 - (d) Chimneys

1. Removing a chimney visible from the developed public right-of-way or altering its appearance, is prohibited.
- (e) Vents
1. Low-profile continuous ridge vents are permitted when the vents extend to the front edge of the fascia and are clad with the same material as the roof.
 2. Rectangular or continuous soffit vents are permitted if they are finished or painted the same color as the adjacent soffit.
 3. Round soffit vents, static vents, electric vents, wind turbines, and attic fans visible from the developed public right-of-way are prohibited.
- (5). Windows and Doors
- (a) Openings
1. A limited number of openings in walls above the foundation not visible from the developed public right-of-way may be filled in a manner that retains the original opening pattern and size, and is similar in design, scale, architectural appearance, and other visual qualities of the surrounding wall.
 2. New window openings may be added to elevations not visible from the developed public right-of-way.
 3. The new openings and the windows or doors in them shall be compatible with the overall design of the building.
- (b) Sill and Head Height
1. Infilling at the head or jambs is prohibited.
 2. The new or reconfigured openings shall have similar appearance to the historic windows or doors of the structure.
 3. The sills of historic window openings on elevations not visible from the developed public right-of-way may be raised to serve bathrooms and kitchens.
- (c) Windows
1. Original decorative windows shall be repaired and retained.
 2. Only when original windows are too deteriorated or hazardous to repair may they be replaced with new windows that replicate all design details.
 3. Replacement multi-light windows shall use true divided lights or simulated divided lights with window grids on the exterior and interior with spacer bars between the panes of glass.
 4. A historic single-glazed sash may be modified to accommodate insulated glass when it will not jeopardize the soundness of the sash or significantly alter appearance of the window.
 5. Incompatible, non-historic windows may be replaced with new windows compatible with the historic character of the building.
 6. Storm windows shall have a matching or a one-over-one pane configuration that will not obscure the characteristics of the historic windows and have frames and trim painted or have a non-reflective coating.
 7. New windows that are compatible with the historic character of the building may be reinstated in openings that had previously been filled in.
- (d) Pedestrian Doors
1. Historic entrance doors or those dating from the period of significance may be replaced with a door that blends with the character of the structure when the original is beyond repair.
 2. Doors shall not have a textured fake wood grain.

3. Storm doors shall be full-light or full-view, wood or aluminum, and shall be compatible with the entrance door and the overall design of the building.
- (e) Garage Doors
1. Garage doors shall be similar in design, scale, architectural appearance, and other visual qualities prevalent within the historic district.
- (6) Entrances, Porches, Balconies and Decks
- (a) Replacement
1. An entire entrance or porch that is too deteriorated to repair shall be replaced using any available physical evidence or historic documentation as a model to reproduce the porch features.
 2. A historic entrance or porch shall be retained in all instances, including change of use or space function.
- (b) Porch Elements
1. Where physical evidence of the overall historic form and detailing are not evident, porch elements shall be of a simple design found on similar historic resources within the district.
 2. Accessible graspable railings may be added to stair railings and should be painted to match the associated railing.
 3. Spaces beneath porches and stairs shall be enclosed with a framed lattice of crisscross design, narrow vertical boards, masonry, or other approved openwork design to allow ventilation.
 4. All wood on exterior porches shall be painted or opaquely stained.
- (c) Enclosing Porches
1. Porches on elevations visible from the developed public right-of-way may have framed screens or storm windows, similar in proportion to windows on the structure and painted or coated to match the trim on the porch, installed on the condition that the balustrade be retained and preserved, repaired, or replaced in a design compatible with the historic character of the structure.
 2. Enclosing porches visible from the developed public right-of-way with solid walls is prohibited.
- (d) Balconies and Decks
1. Rear yard decks and balconies shall have simple railings in keeping with the character of the structure.
 2. All parts of the deck shall be painted or opaquely stained.
- (7) Building Systems
- (a) Mechanical Systems
1. Mechanical and service equipment shall be installed so that it is as unobtrusive as possible and does not damage or obscure character-defining historic features.
 2. Grilles, vents, equipment, meters, and other equipment attached to the building shall be finished or painted to match the building.
 3. Installing mechanical equipment on the roof that is highly visible from the developed public right-of-way is prohibited.
- (b) Solar
1. Roof-mounted solar arrays on sloped roofs shall be flat, parallel to the slope of the roof, and arranged in a pattern or grid parallel to the roof's ridge and eaves.
 2. Roof-mounted solar arrays on flat roofs shall be installed so as to be minimally visible from the developed public right-of-way.
- (c) Lighting and Electrical Systems

1. Decorative light fixtures shall replicate the original in style and placement.
 2. Security light fixtures or security cameras shall be installed so that they are as unobtrusive as possible and do not damage or obscure character-defining historic features.
 3. Exterior mounted conduit on elevations visible from the developed public right-of-way is prohibited.
 4. Roof appurtenances such as antennas, satellite dishes, or communications equipment should be installed so that they are minimally visible from the developed public right-of-way and do not damage or obscure historic features.
- (d) Rooftop Features
1. Rooftop decks or terraces and green roofs or other roof landscaping, railings, or furnishings shall be installed so that they are inconspicuous and minimally visible on the site and from the street.

41.26 STANDARDS FOR ADDITIONS

- (1) General
- (a) General
1. New additions on the front of the principal structure are prohibited, except for restoring or reconstructing missing historic features that can be documented.
 2. A new addition shall be designed to be subordinate and compatible with the character of the structure.
 3. The addition shall be visually separated from the principal building.
 4. The alignment, rhythm, and size of the window and door openings of the new addition shall be similar to those of the historic building.
 5. Rooftop additions, decks, terraces, and mechanical and service equipment shall be located to be set back from elevations visible from the developed public right-of-way in order to minimize its visibility and impact on the historic character of the building.
- (b) Materials and Features
1. A new addition shall be constructed on a secondary or non-character defining elevation so that historic materials and features are not obscured, damaged or destroyed.
 2. New additions that destroy significant historic materials or character-defining features are prohibited.
- (c) Accessibility
1. Whenever possible, access to historic buildings should be through a primary building entrance.
 2. Barrier-free access requirements shall be complied with in such a manner that the historic building's character-defining exterior features and features of the site and setting are preserved or impacted as little as possible.
- (d) Exceptions
1. Additions to structures in Marquette Bungalows Historic District shall be no taller than the existing historic resource.
- (2) Building Site
- (a) General
1. Exterior additions to historic buildings shall be designed to be compatible with the historic character of historic resources within two hundred (200) feet and to maintain the pattern of the district.

2. New site features (such as parking areas, access ramps, trash or mechanical equipment enclosures) shall be designed so that they are as unobtrusive as possible, retain the historic relationship between the building and the landscape, and are visually compatible with historic resources within two hundred (200) feet.
- (3) Exterior Walls
- (a) General
 1. Materials used for exterior walls of the addition shall be similar in design, scale, architectural appearance, and other visual qualities of the historic building, but differentiated enough so that it is not confused as historic or original to the building.
 - (b) Wood
 1. Products that replicate wood shall have a smooth surface without textured faux wood grain.
- (4) Roofs
- (a) General
 1. The form and pitch of the addition roof shall be similar to and compatible with the existing roof form and pitch.
 - (b) Materials
 1. Visible roof materials shall be similar to the historic roof materials on the structure.
 2. Any roofing materials shall be permitted on flat or slightly sloped roofs not visible from the developed public right-of-way.
 - (c) Skylights
 1. Skylights not visible from the developed public right-of-way shall be permitted.
 2. Skylights visible from the developed public right-of-way shall be located on side roof slopes where the front edge of the skylight is at least twelve (12) feet back from the front edge of the main roof. They shall be flat, parallel to the slope of the roof, and painted to match the roof material.
 - (d) Chimneys
 1. New chimneys shall be constructed of compatible materials that are similar in design, color, scale, architectural appearance, and other visual qualities as the masonry features on the rest of the structure or similar historic resources in the district.
 - (e) Vents
 1. Roof vents shall be minimally visible and as unobtrusive as possible.
 - (f) Dormers
 1. Dormer additions not visible from the developed public right-of-way shall be permitted.
 2. Dormer additions visible from the developed public right-of-way shall be located on side roof slopes where the front edge of the dormer is no less than twelve (12) feet from the front edge of the roof.
 3. The ridge line of a dormer shall not extend above the ridge line of the main roof or extend beyond the face of the main structure wall below.
 4. Dormer roof form, overhang, cladding, trim, and window shall be compatible with the character of the structure.
 - (g) Rooftop Features
 1. Rooftop decks or terraces and green roofs or other roof landscaping, railings, or furnishings shall be installed so that they are inconspicuous and minimally visible from the developed public right-of-way.

(5) Windows and Doors

(a) General

1. Openings and the windows or doors in them shall be compatible with the overall design of the historic building.
2. The new openings shall have similar dimensions, operation, components, and finish as the historic windows or doors of the structure.

(b) Windows and Storm Windows

1. Simulated divided lights are permitted with window grids on the exterior and interior with spacer bars between the panes of glass.
2. Storm windows shall minimally obscure the window beneath and have a non-reflective coating.

(c) Entrance Doors and Storm Doors

1. Doors shall be compatible with the overall design of the building.
2. New door openings shall have a similar height to width ratio, components, and finish as the historic doors of the structure.
3. Storm doors shall be full-light or full-view and have a non-reflective coating.

(d) Garage Doors

1. Garage doors shall be similar in design, scale, architectural appearance, and other visual qualities prevalent within the historic district.

(6) Entrances, Porches, Balconies and Decks

(a) Porch Elements

1. The style of porch posts, balusters and rails shall be compatible with the overall design of the historic porch but, in most cases, not duplicate the historic features.
2. Spaces beneath porches and stairs shall be enclosed with a framed lattice of crisscross design, narrow vertical boards, masonry, or other openwork design.
3. All wood on exterior porches shall be painted or opaquely stained.
4. Second exit stairways and second exit platforms and stairs shall be as unobtrusive as possible.

(b) Balconies and Decks

1. Rear yard decks shall be constructed so that they are not visible from the developed public right-of-way to which the building is oriented.
2. Spaces beneath decks and stairs visible from the developed public right-of-way shall be screened.
3. All parts of the deck or balcony, except the flooring and steps, shall be painted or opaquely stained.
4. Projecting, partially projecting, and inset balconies are prohibited on elevations visible from the developed public right-of-way.

(7) Building Systems

(a) Mechanical Systems

1. A split system mechanical unit may be installed in a manner that will have minimal impact on the historic character and result in minimal loss of historic building material and shall be placed on an elevation not visible from the developed public right-of-way.
2. Installing mechanical equipment on the roof that is highly visible from the developed public right-of-way is prohibited.
3. Grilles, vents, equipment, and meters shall be placed in a location on an elevation not visible from the developed public right-of-way or on the roof. Grilles, vents, equipment, and meters on elevations visible

from the developed public right-of-way are prohibited, unless technically infeasible. Grilles, vents, equipment, and meters shall be finished or painted to match adjacent materials.

(b) Solar

1. Roof-mounted solar arrays on sloped roofs shall be flat, parallel to the slope of the roof, and arranged in a pattern or grid parallel to the roof's ridge and eaves.
2. Roof-mounted solar arrays on flat roofs shall be installed so as to be minimally visible from the developed public right-of-way.

(c) Lighting and Electrical Systems

1. Decorative light fixtures shall be compatible in style and location with the overall design of the building.
2. Security light fixtures or security cameras shall be installed so that they are as unobtrusive as possible.
3. Exterior mounted conduit on elevations visible from the developed public right-of-way is prohibited.
4. Roof appurtenances such as antennas, satellite dishes, or communications equipment should be installed so that they are minimally visible from the developed public right-of-way and do not damage or obscure historic features.

(d) Rooftop Features

1. Rooftop decks or terraces and green roofs or other roof landscaping, railings, or furnishings shall be installed so that they are inconspicuous and minimally visible on the site and from the street.

41.27 STANDARDS FOR NEW STRUCTURES

(1) General

(a) Primary Structures

The design for a new structure in a historic district shall be visually compatible with other historic resources within two hundred (200) feet in the following ways:

1. Building Placement. When determining visual compatibility for building placement, the Landmarks Commission shall consider factors such as lot coverage, setbacks, building orientation, and historic relationships between the building and site.
2. Street Setback. When determining visual compatibility for street setbacks, the Landmarks Commission shall consider factors such as the average setback of historic resources on the same block face within two hundred (200) feet, and the setback of adjacent structures.
3. Visual Size. When determining visual compatibility for visual size, the Landmarks Commission shall consider factors such as massing, building height in feet and stories, the gross area of the front elevation (i.e., all walls facing the street), street presence, and the dominant proportion of width to height in the façade.
4. Building Form. When determining visual compatibility for building form, the Landmarks Commission shall consider factors such as building type and use, roof shape, symmetry or asymmetry, and its dominant vertical or horizontal expression.
5. Architectural Expression. When determining visual compatibility for architectural expression, the Landmarks Commission shall consider factors such as the building's modulation, articulation, building planes, proportion of building elements, and rhythm of solids to voids created by openings in the façade.

- (b) Accessory Structures
 - 1. Comply with requirements for new primary structures with other historic accessory structures serving as comparables.
 - 2. Minimally visible from the developed public right-of-way, or be minimally visible from the front of the property for corner lots.
 - 3. Clearly be secondary to the primary structure.
- (c) Exceptions
 - 1. New principal structures in Marquette Bungalows Historic District shall be no taller than the existing historic resources in the district.
- (2) Building Site
 - (a) General
 - 1. New parking areas, access ramps, trash or mechanical equipment enclosures shall be designed so that they are as unobtrusive as possible, retain the historic relationship between the buildings and the building and the landscape, and are visually compatible with other historic resources in the district.
 - 2. Fences and retaining walls in the front yard shall be in character with the style of fences or retaining walls historically found in the district, or in keeping with the materials and character of historic resources in the district.
- (3) Exterior Walls
 - (a) General
 - 1. Materials used for new structures shall be similar in design, scale and architectural appearance to materials that date to the period of significance on historic resources within two hundred (200) feet, but differentiated enough so that it is not confused as a historic building.
- (4) Roofs
 - (a) Form
 - 1. Roof form and pitch shall be similar to the form and pitch of the roofs on historic resources within two hundred (200) feet.
 - (b) Materials
 - 1. Roof materials shall replicate materials found on historic resources within two hundred (200) feet.
 - 2. Any roofing material shall be permitted on flat or slightly pitched roofs not visible from the developed public right-of-way.
 - (c) Skylights
 - 1. Skylights visible from the developed public right-of-way shall be flat, parallel to the slope of the roof, and have the frame painted to match the roof material, and be located least twelve (12) feet back from the front edge of the roof.
 - 2. Other forms of skylights are allowed on elevations not visible from the developed public right-of-way.
 - (d) Chimneys
 - 1. A chimney's form and materials shall be similar to other chimneys on historic resources within the district.
 - (e) Rooftop Features
 - 1. Rooftop decks or terraces and green roofs or other roof landscaping, railings, or furnishings shall be installed so that they are inconspicuous and minimally visible on the site and from the street.
- (5) Windows and Doors
 - (a) General

1. Door and window styles should both match the style of the new structure and be compatible with those on historic resources within two hundred (200) feet.
- (b) Windows and Storm Windows
 1. Multi-light windows shall have true divided lights or simulated divided lights with muntin grids on the exterior and interior with spacer bars between the panes of glass.
- (c) Entrance Doors and Storm Doors
 1. Sliding glass doors shall not be installed on the ground floor elevation along any street frontage.
- (d) Shutters
 1. Shutters shall be allowed if they are found on historic resources in the district, and shall replicate their operable appearance.
- (e) Awnings
 1. Awnings will be of a configuration and form consistent with the awnings in the district.
 2. Awning materials shall have the appearance of the materials found on historic resources with awnings.
- (f) Garage Doors
 1. Garage doors shall be similar in design, scale, architectural appearance, and other visual qualities prevalent within the historic district.
- (6) Entrances, Porches, Balconies and Decks
 - (a) Porch Elements
 1. Entrances and porches shall be of a size and configuration consistent with the historic resources in the district.
 2. The primary entrance for the structure shall be located on the front elevation, or, structures on a corner lot may have a corner entrance.
 3. Second exit stairways shall be provided on the interior of the structure.
 - (b) Balconies and Decks
 1. Projecting, partially projecting/inset, and inset balconies are prohibited on elevations visible from the developed public right-of-way, unless there is precedent on the historic resources in the district.
- (7) Building Systems
 - (a) Mechanical Systems
 1. Mechanical equipment shall be screened if it is visible from the developed public right-of-way.
 2. Static vents, electric vents, wind turbines, and attic fans visible from the developed public right-of-way are prohibited.
 3. Grilles, vents, equipment, and meters shall be finished or painted to match adjacent building materials.
 - (b) Solar
 1. Roof-mounted solar arrays on sloped roofs shall be flat, parallel to the slope of the roof, and arranged in a pattern or grid parallel to the roof's ridge and eaves.
 2. Roof-mounted solar arrays on flat roofs shall be installed so as to be minimally visible from the developed public right-of-way.
 - (c) Lighting and Electrical Systems
 1. Decorative light fixtures shall be compatible in style and location with the overall design of the building.
 2. Security light fixtures or security cameras shall be installed so that they are as unobtrusive as possible.

3. Exterior mounted conduit on elevations visible from the developed public right-of-way is prohibited.
4. Roof appurtenances such as antennas, satellite dishes, or communications equipment should be installed so that they are minimally visible from the developed public right-of-way and do not damage or obscure historic features.”