

## District-Specific Ordinances: How They Would Look

**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, in clean final draft format, how the resulting district-specific ordinances would look.** 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 current districts (University Heights, Marquette Bungalows and First Settlement) 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** 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) Creation.** 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) Historic Period of Significance.** The historic period of significance for the Mansion Hill Historic District is 1850 through 1930.

**(3) Historic Resources.** 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, and the landmark sites associated with those landmarks.
- (b) Buildings and accessory structures constructed during the district's period of significance 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, retained 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.

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

**(3) Historic Resources.** 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, and the landmark sites associated with those landmarks.

(b) Buildings and accessory structures constructed during the district's period of significance 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, retained 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.

**(5) 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]*.

**41.24 UNIVERSITY HEIGHTS HISTORIC DISTRICT.**

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

**(3) Historic Resources.** 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, and the landmark sites associated with those landmarks.

(b) Buildings and accessory structures constructed during the district's period of significance 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 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, retained 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.

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

(a) *New Principal Structures; Height.*

1. New principal structures located in a TR-C2, TR-C3, TR-C4, TR-V1, or TR-V2 zoning district may not exceed thirty-five (35) feet in height and may not exceed two and a half (2½) stories.

2. New principal structures located in a TR-U1, NMX, TSS, or LMX zoning district may not exceed forty (40) feet in height.

3. New principal structures located in a TR-U2 zoning district may not exceed fifty (50) feet in height.

4. All new principal structures shall be at least fifteen (15) feet in height.

(b) *New Principal Structures; Materials.* Exterior wall materials on new principal structures shall be similar in appearance to materials that are prevalent in the district. These include materials such as brick, narrow gauge horizontal clapboards having less than 4 inches of exposed width, stone, stucco and smooth shingles. 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). All materials, including aluminum or vinyl if appropriate, shall be visually compatible with historic resources located within two hundred (200) feet of the new principal structure. The following materials shall be avoided: concrete block, asbestos, wide clapboards having over four inches of exposed width, diagonal boards, vertical boards, rough sawn wood, rough split shingles, and shakes.

(c) *New Principal Structures; Street Facade Size.*

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

2. Subd. 1 does not apply to a multiple family dwelling 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 multiple family dwelling.

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

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

(f) *New Parking Lots.* New parking lots are prohibited unless they are accessory to a commercial structure or multiple family dwelling on the same zoning lot.

(g) *New Accessory Structures.* New accessory structures shall be visually compatible with the principal structure, shall not exceed fifteen (15) feet in height, and shall be as unobtrusive as possible. No accessory structure may be erected except a rear yard. Exterior wall materials on new accessory structures shall meet the same standards that apply to new principal structures under par. (b).

**(6) Exterior Alterations 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 alteration may result in a structure that exceeds the height of the existing structure.

(b) *Second Exit Platforms and Fire Escapes.* Second exit platforms and fire escapes shall be as unobtrusive as possible when viewed from the street, and shall be plain and unobtrusive in design.



(c) *Surface Materials.* Surface materials shall match existing or original materials in texture and appearance whenever possible, and shall be visually compatible with the existing structure.

(d) *Restoration.* A structure may be restored to its original appearance, 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.* 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 imitation 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 or more layers of siding on the existing structure, all layers except the oldest are removed before 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.

(f) *Alterations Visible from the Street.* Alterations visible from the street shall be visually compatible with the character of the existing structure and the historic district. Alterations may not destroy or detract from significant architectural features that contribute to the historic character of the structure or the district. 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) *Alterations Not Visible from the Street.* Exterior alterations that are not visible from the street shall be visually compatible with the existing structure.

(h) *Roof Shapes.* 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 the shapes of other roofs shall be visually compatible with the existing structure.

(i) *Roof Materials.*

1. If the roof of an existing structure is tile, slate or another material that is original to the structure and contributes to its historic character, 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.

2. 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 in 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.

4. Rolled roofing, tar and gravel, and similar roofing materials are prohibited, except on flat or slightly sloped roofs that are not visible from the ground.

(j) *Parking Lots.* New parking lots are prohibited unless they are accessory to, and on the same zoning lot as, a commercial structure or multiple family dwelling.

**(7) Exterior Alterations in 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 under sub. (4):

(a) *Height.* No alteration to an existing structure may result in a structure that is of greater height than the existing structure.

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

(c) *Re-Siding.* 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 imitation clapboard 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.

(d) *Roof Materials.*

1. Materials used to repair a roof shall match the appearance of that roof.

2. Materials used to cover or replace a roof shall be visually compatible with the character of the existing structure and the district, and shall match the appearance of original roof materials whenever practicable.

3. 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.

4. Rolled roofing, tar and gravel, and similar roof materials are prohibited, except on flat or slightly sloped roofs that are not visible from the street.

(g) *Parking Lots.* New parking lots 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)*. That document may be viewed, and downloaded without charge, at *[insert specific city website address]*.

## **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.** 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, and the landmark sites associated with those landmarks.

(b) Buildings and related structures constructed during the district's period of significance 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, retained 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.

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

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

1. It shall be compatible with the character and architectural style of the principal structure to which it is accessory.
2. It shall not exceed fifteen (15) feet in height.
3. It shall be as unobtrusive as possible.
4. 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.

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

7. Its windows, if any, shall be casement or double-hung units that are similar in proportion to, and visually compatible with, windows on the principal structure.

8. Its roof shape shall be visually compatible with that of the principal structure. Single slope roofs are prohibited.

9. Its roof material shall match, in appearance, the roof material used on the principal structure.

(b) *New Principal Structures.* New principal structures shall be visually compatible with the prevailing bungalow style of the district, and shall match that style to the maximum extent feasible.

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

**(6) Exterior Alterations; Supplementary Standards.** Exterior alterations to existing structures shall meet the following standards, in addition to applicable standards in sub. (4):

(a) *General.* 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.* 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 imitation clapboard siding imitates the width of the original wood clapboards to within one (1) inch.

2. All architectural details, including window trim, wood cornices and other ornament, remain uncovered or are recreated with the same appearance.

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

(c) *Brick, Stucco and Half-Timber Details.* 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 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.

(e) *Roof Materials.* Reroofing shall be done with asphalt shingles, fiberglass shingles, or other rectangular composition 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 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 like roofing materials are prohibited except on flat or slightly sloped roofs that are not visible from the ground.

(f) *Skylights.* 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.

(g) *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 set back at least three (3) feet of the edge of the roof. New dormers shall match the appearance of original dormers on the structure, or 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 may not extend above the ridgeline of the main roof. New dormer walls may not extend beyond the line of the main structure wall below. New shed dormers may be located behind existing dormers or gables on non-street sides of the structure if the roof material, siding, window design and trim details match in appearance the original features of the structure.

(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. New chimneys visible from the street shall be constructed of 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, brick used on comparable structures in the district.

(i) *Windows and Doors.*

1. 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) shall be retained, regardless of the window's location; 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. Replacement windows and doors on the street facade or on a side facade within ten (10) feet of the street facade shall match the appearance of the window or door being replaced, and shall include true window muntins where they currently exist.

3. Windows and doors located on a side facade, more than ten (10) feet from the street facade, 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 be casement or double-hung units. Sash on new or replacement windows over four (4) feet square shall be divided by true muntins or by applied grids that match the appearance of true muntins. Bay windows may be approved if their sides are perpendicular to the facade and they do not extend beyond the eaves of the roof.

4. New or replacement windows and doors on the rear facade shall comply with subd. 1.

(j) *Porches, Railings, Stairways and Decks.*

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 include wrought iron railings with vertical balusters at least one-half ( $\frac{1}{2}$ ) 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 windows 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. 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.

(k) *Second Exits.* Second exit platforms and stairways shall be as unobtrusive as possible. Second exit platforms or stairways are not allowed on the front facade of a structure. Second exit stairways shall be located inside the structure if reasonably possible, or on the rear exterior of the structure. Railings on second exit platforms and stairways shall meet requirements for porch railings under par. (j)1.

(l) *Additions.* 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.

(m) *Foundations.* The original or existing exterior finish on the foundation of a principal structure shall be retained, whenever practicable. Exterior brick or stone may not be covered with cement or other surface materials. Insulation may not be applied to the exterior side of a foundation. A basement window may be removed if the space is filled with a material that matches the appearance of the surrounding foundation, and the new material is inset at least one inch from the existing wall plane.

(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 may not be painted.

(o) *Storm Windows and Doors.* 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 doors that are constructed of wood and glass, to match original designs found on the structure or in the district, are encouraged. Storm doors of simple design, having no stylistic references such as colonial crossbars, may also be used. Storm doors with metal grilles may be approved if they are visually compatible with the style of the 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) Creation.** 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) Historic Period of Significance.** The historic period of significance for the First Settlement Historic District is 1850 through 1920.

**(3) Historic Resources.** 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 and the landmark sites associated with those landmarks.

(b) Buildings and related structures constructed during the district's period of significance 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) 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, retained 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.

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

(a) *Height.* New principal structures shall be visually compatible in height with adjacent structures.

(b) *Siding Materials.* Stucco and split-faced concrete block may not be used on exterior surfaces, except as trim. Stucco panels and pebble dash are prohibited. 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 siding is the highest grade offered by the manufacturer.



2. The gauge of the siding is at least .042.
3. The color and sheen of the siding is visually compatible with the color and sheen of siding material used on adjacent structures.
4. The siding does not have a false wood grain.
5. The visible width of the clapboard does not exceed four (4) inches.
6. The siding and related elements such as j-channel trim 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 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 like materials are prohibited, except on flat or slightly sloped roofs that are not visible from the ground.

(d) *Roof Shape.* Roofs shall be flat, or have a pitch of not less than 4-in-12.

(e) *Facades.* Street facades shall be modulated with setbacks 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 be inset or projected from the plane of the facade. Porches on street facade entrances are encouraged.

(f) *Windows and Doors.* The proportions and rhythm of doors and windows 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 to original trim prevalent on historic resources in the district. Windows and doors shall be inset at least one (1) inch from the exterior trim. Garage doors shall be located on side or rear facades whenever practicable. A one-car garage door may be located on the street facade if it is not feasible to locate the garage door on a side or rear facade.

**(6) Exterior Alterations; Supplementary Standards.** Exterior alterations and repairs 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 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 if the porch railing remains visually compatible with the historic character of the structure. Porches on street facades may not be enclosed as heated spaces. A street facade porch may not be removed unless it has deteriorated or been damaged beyond repair, in which case a replacement porch shall be constructed. The replacement porch shall be visually compatible with the existing structure, and shall be constructed with the same approximate design and dimensions as the original porch whenever practicable.

2. A new or altered porch shall have a finished appearance. Floor joists shall be hidden from view, and the porch shall be finished with ceilings and frieze boards. Porch ceilings shall have the appearance of narrow beaded boards or documented original materials. First floor porch flooring shall consist of tongue-in-groove boards, and may not consist of carpeting or two-by-four (2 × 4) decking. All wood surfaces, except flooring and stair treads, shall be painted or opaque stained.

3. Railings on new or altered porches shall be constructed of wood, or another material that 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 documents that a different design is original to the structure. If the building code requires a forty-two (42) inch high railing, the railing may include solid framed panels. Railings on stairways shall be constructed of wood matching the porch, or of wrought iron with one-by-one (1 × 1) plain vertical balusters. Twisted or other decorative wrought iron is prohibited. All balusters shall be constructed so that a four (4) inch ball cannot pass through the railing at any point. All balusters shall extend from the top to the bottom rail and may not extend beyond the face of either rail. Porch railings may not be sided unless the existing porch railing is sided. Porch posts shall be trimmed with decorative molding at top and bottom.

4. Spaces beneath porches and stairways on new or altered porches shall be enclosed with framed lattice, or with narrow vertical boards spaced to the approximate width of the boards. The enclosure shall be designed so that a three (3) inch ball cannot pass through any portion of it. All stairways shall have solid wood risers.

5. Porches may be enclosed by storm windows. Storm windows on 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 may consist of solid framed panels. Porches on street facades may not be enclosed as four-season heated spaces.

(b) *Decks*. 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*. Accessibility ramps are allowed when needed. Accessibility ramps shall be as inconspicuous as possible, and shall be screened by landscaping where possible. Railings on accessibility ramps shall meet porch railing requirements under par. (a)3.

(d) *Windows*.

1. On the front facade and on side facades within ten (10) feet of the front facade, original windows and windows that contribute to the historic character of the structure shall retain their existing size, appearance, and trim detail. If any of those windows have true divided lights, 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 that are more than ten (10) feet from the front facade, and on rear facades, the sills of original windows and windows that contribute to the historic character of the structure may be raised to serve bathrooms and kitchens. In other respects, new windows shall match the appearance of the windows that they replace.

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

(e) *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.

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

(g) *Skylights.* New skylights may not be installed in locations that are visible from the street, except that they may be installed on side facade 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. New skylights shall be simple in design, and of the flat (not bubble) type. Skylight trim shall be finished to match the color of the roof.

(h) *Roof Materials.* Acceptable roof materials include asphalt shingles; fiberglass or other rectangular composition shingles that are similar in appearance to 3-in-1- tab asphalt shingles; and 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. Rolled roofing, tar-and-gravel, rubberized membranes, and like materials are prohibited, except on flat or slightly sloped roofs that are 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.

(j) *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. New chimneys shall be constructed of brick, stone, stucco, or other compatible material. Metal chimneys are prohibited.

(k) *Siding.* Original siding and siding that contributes to the historic character of the structure shall be retained and restored, rather than being replaced or covered, whenever practicable. Replacement siding shall match the appearance of the existing or original siding. Original decorative details shall be retained whenever practicable, or replaced with details that match the appearance of the originals. Original soffits may be replaced or covered with materials that match the appearance of the original materials. Original brick, stone and stucco siding shall be retained. 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.

(l) *Foundations.* All original foundation masonry, such as brick, stone, or rusticated concrete block, shall be retained unless the owner 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.

(m) *Additions.* Additions on the front of a principal structure, other than open porches, are prohibited. Additions on the sides or rear are permitted if they are compatible with the character of the structure and the district. 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 may not destroy significant architectural features that contribute to the historic character of the structure or the district. Siding on new additions shall ~~be the same as~~ match the appearance of that used on the principal structure unless the existing structure has masonry siding, in which case narrow-gauge clapboards may be used on the addition.

(n) *Fire Escapes and Rescue Platforms.* New fire escapes and rescue platforms shall be invisible from the street, or as unobtrusive as possible when viewed from the street. No fire escape or rescue platform may be installed on the front facade unless the owner documents that no other location is practicable. 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 one-by-one plain vertical balusters, painted to blend with the colors of the structure. Twisted or other decorative wrought iron is prohibited.

(o) *Lighting Fixtures.* New lighting fixtures that are visible from the street shall be visually compatible with the character of the existing structure and the district.

(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.

(q) *Shutters.* New or replacement shutters shall be visually compatible with the character of the structure and the district. Shutters shall be large enough so that, if they were workable, they would cover the window opening.

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

(s) *Alterations to Post-1930 Structures.* Alterations to structures originally built after 1930 shall be visually compatible with the character of the structure and the district.

**(7) Accessory Structures, Fences and Retaining Walls; Supplementary Standards.** New or altered 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.* New or altered accessory structures shall be visually compatible with the principal structure, shall not exceed fifteen (15) feet in height, and shall be as unobtrusive as possible. Garage doors shall be entirely flat or shall have approximately square panels. Horizontally paneled garage doors are prohibited. Windows shall be double or single-hung units that are similar in proportion to windows on the principal structure, or shall be six-paned units (three panes across and two panes high) similar to those seen on 1920s era garages. Siding shall 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 material. The roof shall have a pitch and style similar to the roof on the principal structure. The roof material shall match the appearance of roof material on the principal structure.

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

(c) *Retaining Walls in Front Yards.* New or replacement retaining walls in front yards may not be constructed of railroad ties, landscape timbers, boulders or concrete blocks. 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.

**(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 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.