

DATE: January 20, 2020
TO: Ad Hoc Landmarks Ordinance Review Committee (“LORC”)
FROM: James Matson, Madison Alliance for Historic Preservation (“Alliance”)
SUBJECT: **Historic Districts – A Concise “Hybrid” Approach**

Dave Mollenhoff and I will be unable to attend LORC’s virtual meeting on January 20. Kurt Stege is serving as Interim Chair of the Alliance and will attend.

New Construction – Option #3

First, we would like to thank staff for including Option #3 in their options paper related to New Construction Standards. We believe that this is the most promising way forward, as shown in the attached chart (“New Construction in Historic Districts: General Standards Compared”). Option #3 requires an objective analysis of new construction proposals based mainly on quantifiable criteria, while still giving the Landmarks Commission some discretion to judge visual compatibility. It also provides a useful over-arching standard that can be supplemented by general guidelines and district-specific detail as needed (see discussion below).

A “Hybrid” Approach

At the January 12 meeting, LORC discussed the possibility of a “hybrid” approach that combines the best features of the staff and Alliance proposals offered to date. We think that is both possible and desirable.

A “state of the art” historic preservation program requires a combination of core standards, core guidelines, and district-specific detail where needed. We would retain district ordinances for a number of reasons, but much of the detail in the current ordinances can be boiled down and consolidated into core standards and guidelines that apply to all districts (some district-specific provisions will still be needed). We are also open to the idea of incorporating some district-specific provisions into the zoning code.

The core standards proposed by staff can be refined, to make them more workable across all districts. For example, some provisions may be appropriate for historic properties, but not necessarily for all properties in historic districts. Some of the more detailed provisions can also be converted to guidelines that interpret more general, over-arching standards (such as those proposed by the Alliance). That can provide more flexibility across districts and property types.

Much can also be done to make the ordinance more clear and concise. It can be organized in a more consistent format, and can use consistently defined terms (such as those proposed by the Alliance). District ordinances can incorporate core standards by reference, rather than repeating them. The “purpose and rationale” for each district can be moved to the City’s Comprehensive Historic Preservation Plan, and merely incorporated by reference in the district ordinance. Ordinance provisions can be redrafted to make them more clear and concise, and redundant provisions can be deleted.

This approach involves some trade-offs. For example, district property owners would no longer be able to find everything they need just by looking at their own district ordinances (more material would be cross-referenced). However, the City could provide an online, illustrated design manual that consolidates relevant material in a convenient “one stop” format, with electronic links. The manual could also supplement ordinance provisions with illustrations and voluntary “preservation tips.”

I believe that this approach can provide a “win-win” solution, and a national “state of the art” ordinance. In the coming weeks, we hope to provide specific ordinance language showing how such an ordinance might look.

**NEW CONSTRUCTION IN HISTORIC DISTRICTS:
GENERAL STANDARDS COMPARED**
Madison Alliance for Historic Preservation (“Alliance”)
January 20, 2021

Current Ordinance	City Staff Proposal (10-26-20)	Alliance Proposal (1-20-21)
<p align="center"><i>Summary</i></p> <ul style="list-style-type: none"> • Under the current ordinance (ch. 41, MGO), new construction standards vary by district. • When proposing a new or updated district ordinance, the Landmarks Commission need only “consider” including certain provisions as “standards or guidelines” in the proposed district ordinance. 	<p align="center"><i>Summary</i></p> <ul style="list-style-type: none"> • <i>Eliminates Current District Ordinances.</i> The staff proposal eliminates current district ordinances, and substitutes “one-size-fits-all” standards. • <i>Uniform Standards for All Districts.</i> The staff proposal spells out uniform standards for all new construction in all current and future historic districts. The same standards apply, regardless of building type (e.g., commercial or residential) or differences in historic style. • <i>Overall Building Size and Design:</i> The staff proposal merely requires a new structure to be “visually compatible” with “<i>other</i> historic resources” located within 200 feet (the word <i>other</i> is confusing). <ul style="list-style-type: none"> ▪ This does not protect the overall character of the historic district (what if there is no “historic resource” within 200 feet?). ▪ The overall structure must only be “visually compatible” with respect to building placement, street setback, “visual size,” building form and “architectural expression.” None of these terms is clearly defined. ▪ When applying these “visual compatibility” criteria to an individual structure, the Landmarks Commission must “consider such factors as” [undefined factors listed]. This effectively permits the Commission to consider all, some, or none of the undefined factors, or to add its own <i>ad hoc</i> factors. This is not a clear “standard.” • <i>Building Details:</i> By contrast, the staff proposal spells out highly detailed requirements related to smaller design details such as windows and doors, siding, roofing materials, skylights, balconies, porches, decks, garage doors, chimneys, awnings, shutters, mechanicals and fences. These highly detailed requirements apply to all new structures in all historic districts, regardless of the type of property (e.g., commercial or residential) or the differing historic styles of the individual districts. 	<p align="center"><i>Summary</i></p> <ul style="list-style-type: none"> • <i>Core Standards.</i> The Alliance proposal spells out 10 core standards for new construction in all current and future historic districts. Terms used in the core standards are clearly defined (defined terms are <i>italicized</i> in the ordinance text). The core standards are designed to protect the historic character of historic districts, while facilitating sensitive development. The core standards avoid excessive detail., but can be supplemented by guidelines and district-specific detail as needed. • <i>District Ordinances.</i> The Alliance proposal would keep district ordinances, but update them consistent with the new core standards. District ordinances may add district-specific detail, based on the unique needs and context of each district.

Text

41.11(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.

Text

41.XX STANDARDS FOR NEW STRUCTURES.

(1) General

(a) Primary Structures.

1. **Requirements.** 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:
 - a. **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.
 - b. **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.
 - c. **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
 - d. **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.
 - e. **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. **Requirements**
 - a. Comply with requirements for new primary structures
 - b. Minimally visible from the street
 - c. Clearly be secondary to the primary structure
2. **Guidelines**
 - a. New accessory structures should be of a similar architecture style as the primary structure while clearly being a new building so as not to create a false sense of history

(2) Exterior Walls

(a) General

1. **Requirements.** Materials used for new structures shall be similar in design, scale and architectural appearance to other materials on historic buildings, but differentiated enough so that it is not confused as a historic building.
2. The following building materials are prohibited: pebble dash, wide clapboards over six (6) inches in exposure, composite clapboards and vertical panels with faux wood grain texture, diagonal boards, vertical boards, rough sawn wood, rough split shingles, shakes, and metal and vinyl siding.

(3) Roofs

(a) Form

1. **Requirements**
 - a. 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. **Requirements**
 - a. The following roof treatments are prohibited: thick wood shakes; corrugated or ribbed metal roofing panels; metal shingles; architectural asphalt

Text

41.10 HISTORIC DISTRICT ORDINANCE.

(1) General. Every *historic district* shall have a *historic district ordinance* that defines the district and establishes preservation *standards* for properties in the district....

(2) Preservation Standards. Every *historic district ordinance* under sub. (1) shall include the general *standards* in Sec. 41.11. A district ordinance may also include district-specific *standards*, not incompatible with the general standards under Sec. 41.11, which are appropriate for that district....

(3) Guidelines. A district ordinance ... may include *guidelines* to aid the interpretation and application of *standards* under sub. (2).

41.11 PRESERVATION STANDARDS: GENERAL A historic district ordinance shall include all of the following general standards:

(1) New Construction

(a) New Primary Structures. A new primary structure shall be visually compatible with the historic district, and with each historic resource located within 200 feet of the new structure, with respect to the following factors:

1. Its size as indicated by its *height*, number of stories above grade, *gross volume*, *bulk*, and *street facade area*.
2. Its relationship to the *lot* on which it is located, as indicated by its *lot* coverage and setbacks, and the size of its front, side and rear yards.
3. Its overall form as indicated by its shape, *massing*, ratio of width to *height*, symmetry or asymmetry, and roof shape.
4. The articulation of its *street façade* and other *visible facades*, including visual patterns created by building planes, wall recesses, wall protrusions, window and door openings, and *architectural features*.
5. The *character* of its roof, including roof shape, style, pitch and surface materials, as well as roof features such as dormers, skylights, chimneys, rooftop decks, green roofs, and attached appurtenances.
6. Its exterior wall and foundation surfaces, including surface materials, textures, detailing and trim.
7. The *character* of its doors, windows, and related features such as storm doors, storm windows, trim and shutters. Relevant considerations may include size, shape, style, proportion, materials and placement, as well as the patterns created by door and window openings on *visible facades*.
8. The nature, size, appearance and placement of exterior *architectural features* and appurtenances such as entryways, porches, decks, balconies, railings, stairways, rescue platforms, fire escapes, accessibility features, *signs*, awnings, lighting fixtures, *HVAC equipment*, electrical equipment, elevator equipment, solar equipment, telecommunications equipment and building mechanicals.
9. Its sensitivity to the site and surrounding *landscape*. Relevant considerations may include the nature, size, appearance and location of its parking accommodations, refuse storage facilities, *landscape features* and drainage systems, as well as its sensitivity to distinctive *natural features*, archaeological features, *historically representative landscape features*, and open spaces that materially contribute to the *character* of the *historic district*.
10. Its relationship to each *block face* of which it is part, including its effect on the collective visual pattern formed by the sizes of, shapes of, directional expression of, and distances between existing *structures* represented in the *block face*.

shingles that have heavy faux shadowing; and any shingles with scalloped or staggered bottom edges.

b. Any roofing material shall be permitted on flat or slightly pitched roofs not visible from the street.

(c) Skylights

1. Requirements

a. If visible from the street, skylight shall be located at least twelve (12) feet back from the front edge of the main roof.

b. Skylights shall be flat, parallel to the slope of the roof, and framing painted to match the roof material.

c. Tubular, arched, domed, or pyramidal shaped skylights are prohibited on elevations visible from the street.

(d) Chimneys

1. Requirements. A chimney’s form and materials shall be similar to other chimneys on historic resources within the district.

(e) Rooftop Features

1. Requirements. 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.

(4) Windows and Doors

(a) General

1. Requirements. The following materials are prohibited: vinyl; aluminum; glass block, reflective glass; dark glass; plexiglass; doors with a fake wood grain, mill finish or clear anodized aluminum, and other metallic finishes; and faux (decorative/non-functional) hardware.

(b) Windows and Storm Windows

1. Requirements. Multi-light windows shall have true divided lights or simulated divided lights with muntin grids on the exterior and interior the same color as the window sash.

(c) Entrance Doors and Storm Doors

1. Requirements. Sliding glass doors shall not be installed on the ground floor elevation along any street frontage.

(d) Shutters

1. Requirements

a. Shutters shall only be allowed if they are found on historic resources in the district

b. Shutters shall be of a size that they appear operable for the associated window.

(e) Awnings.

1. Requirements

a. Awnings will be of a configuration and form consistent with the awnings in the district

b. Awning materials shall have the appearance of the materials found on historic resources with awnings

(f) Garage Doors

1. Requirements

a. Overhead doors shall not have false hinges or hardware applied.

2. Guidelines

a. More contemporary door styles may be considered if they are simple in style and design.

(5) Porches, Balconies and Decks

(a) Porch Elements

1. Requirements

a. Entrances and porches shall be of a size and configuration consistent with the historic resources in the district.

(b) New Accessory Structures. A new *accessory structure* should be *visually compatible* with the *primary structure* to which it pertains, with the *historic district*, and with each *historic resource* located within 200 feet of the *accessory structure*. New *accessory structures* should be as inconspicuous as reasonably possible, when viewed from a *developed public right-of-way*.

(c) New Signs. A *sign* constructed on a *lot* in a *historic district* should be *visually compatible* with the *structures* on that *lot*, with the *historic district*, and with *historic resources* located within 200 feet of the *sign*

- b. The primary entrance for the structure shall be located on the front elevation, or, structures on a corner lot may have a corner entrance.
 - c. Uncovered porches over fifty (50) square feet are considered decks and shall be placed so that they are not visible from the street to which the building is oriented.
 - d. Composite, vinyl, and decorative metal balusters and railings are prohibited, unless not visible from the street.
 - e. Second exit stairways shall be provided on the interior of the structure.
- (b) Balconies and Decks**
- 1. Requirements
 - a. Projecting, partially projecting/inset, and inset balconies are prohibited on elevations visible from the street, unless there is precedent on the historic resources in the district.
- (6) Building Systems**
- (a) Mechanical Systems**
- 1. Requirements
 - a. Mechanical equipment shall be screened if it is visible from the street.
 - b. Static vents, electric vents, wind turbines, and attic fans visible from the street are prohibited.
 - c. Grilles, vents, equipment, and meters shall be finished or painted to match adjacent building materials.
 - 2. Guidelines
 - a. Split system mechanical units and other mechanical equipment should be installed on elevations, roofs, and at grade so they are not visible from the street.
 - b. Grilles (mechanical air intake, exhaust, etc.), vents (plumbing stack, mechanical air intake or exhaust, etc.), electrical and communications equipment (transformers, cabinets, mobile service boosters, security cameras, etc.), and utility meters (water, gas, electric, etc.) should not be placed in the front yard or on the front elevation.
- (b) Solar**
- 1. Requirements
 - a. 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.
- (c) Lighting and Electrical Systems**
- (7) Building Site**
- (a) General**
- 1. Requirements
 - a. 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.
 - b. Chain link, metal mesh, and composite fences are permitted on elevations not visible from the street.
 - c. Bamboo, reed, vinyl, and rustic style fences, such as rough sawn wood or split-rails, are prohibited.
 - d. Fences in the front yard shall not exceed three (3) feet in height.