

PLANNING DIVISION STAFF REPORT

July 22, 2021



PREPARED FOR THE LANDMARKS ORDINANCE REVIEW COMMITTEE

Legistar File ID # [56918](#), Draft Historic Preservation Ordinance:

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Subject: Summary of LORC 2 process to date

As LORC 2 begins the final phase of its process, it does so with a change in committee membership, which necessitated several months between meetings. To frame the process, this memo provides a summary of the LORC process to date.

Background

Madison’s historic preservation program is 50 years old this year. As the program evolved, additions were made to the ordinance, but few edits to the previous standards. As the historic preservation movement grew and we learned lessons using the ordinance language for project reviews, the review standards became more detailed as each of the five local historic districts was created. The result is that the first historic district, Mansion Hill (created in 1976), has a very brief set of standards, while the most recent historic district, First Settlement (created in 2002), has a lengthy list of very specific standards. Each historic district has different standards and processes that reflect the state of preservation practice at the time of their creation, but standards for the previously adopted historic districts were not updated.

Two development proposals in particular made the need to update the Historic Preservation Ordinance a priority. The first was the long and complicated approval process for redevelopment of the Edgewater Hotel. Then Mayor Cieslewicz declared the Landmarks Ordinance (as it was called at the time) broken and called for it to be revised. But it wasn’t until a second controversial project in 2013, the proposed demolitions of 121-127 W Gilman and construction of three large structures in the Mansion Hill Historic District that the Common Council agreed that the Ordinance required an update, and formed the Landmarks Ordinance Review Committee (LORC), consisting of five alders. LORC is the lead for the Ordinance update with the Landmarks Commission being advisory.

While the two controversial projects were located in Mansion Hill, the first phase of LORC (aka LORC 1) sought to update the “front end” of the Ordinance and provide structural changes to the preservation program. The plan was to have a second phase of the Ordinance update (aka LORC 2) to update the standards for the historic districts. LORC 1 began in 2014 and completed its work in 2015 in order to address the stated purpose of the Committee that “the current Landmarks Ordinance has not had a comprehensive review since its adoption.” LORC 2 began in 2017 as part of the larger Historic

Preservation Project, which included the citywide Historic Preservation Plan and the Underrepresented Communities Survey. The initial meetings discussed the process for updating the standards in each of the historic districts, with the idea that there would continue be separate ordinances for each historic district.

The City hired a consultant to evaluate current preservation best practices, how other municipalities operate their preservation programs, and the existing standards in each of the historic districts. The consultants also held a series of three public meetings in each of the five historic districts. The consultant's recommendation was to create unified ordinance with the same set of standards and process for all historic districts, and the historic resources in those districts would continue to provide the unique character of those neighborhoods. Staff agreed with this assessment and has proceeded to work with LORC on the development of the draft framework that reflects that approach. This aligns with the direction stated in the resolution that created the LORC process:

- Review and clarification as to both procedural (Phase 1) and specific historic district criteria (Phase 2) will assist in our goal of preserving our irreplaceable historic resources
- Upon introduction of its draft revising the procedural aspects of the Landmarks Ordinance (Phase 1), the Landmarks Commission will begin a public engagement process to consider amendments clarifying the substantive standards for the various historic districts (Phase 2)

The Madison Alliance for Historic Preservation consists of longtime participants in the preservation program, and this group has provided regular comments to the ordinance update process. They are supportive of an ordinance update that provides separate, unique ordinances for each historic district.

In addition to the 15 meetings referenced above, LORC has had 28 meetings to date to discuss ordinance standards and the unique challenges and opportunities for the process of historic preservation in our current and future historic districts (LORC 2).

Next Steps

The last meeting of LORC was a joint meeting with the Landmarks Commission (March 9, 2021) to gather their input on the working draft of the Ordinance. The Landmarks Commission supported the unified approach, but raised concerns about the abundant level of detail in the standards. As a result of that feedback, staff has been working on consolidating the guidance in the working draft in order to make it more user friendly, enhance clarity, and provide flexibility for the Ordinance to provide for ongoing investment in historic resources and historic places that allows for their sustainability. Staff has also removed the guidelines from the working draft and is creating a separate document to accompany the Ordinance that will provide written and illustrated design guidelines to assist users of the Ordinance.

Beyond this introductory meeting, the next steps are to review the working draft of the ordinance and the early partial draft of the design guidelines at the next meeting, complete subsequent meetings to fine tune those documents, and then host public meetings in the historic districts to gather input from property owners about the proposed new process. The result of the input from those meetings should result in a final working draft of the Ordinance, which can then be forwarded to the Landmarks Commission for their advisory recommendation and finally to the Common Council for adoption.

Upcoming LORC Meetings

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| September 1, 2021 | 5:30pm |
| October 6, 2021 | 5:30pm |
| October 27, 2021 | 5:30pm |