

SUMMARY ITEMS:
BRIEF DESCRIPTIONS OF ACTIONS RECOMMENDED FOR THE
IMPLEMENTATION OF MORE DETAILED DESIGN AND ARCHITECTURAL
GUIDELINES FOR THE RACINE H- HISTORIC PROPERTIES DISTRICT
12/15/08

- Item 1. Sec. 58 – 1** define certificate of appropriateness and contributing property.
- Item 2. Sec. 58 – 61** add “contributing property(ies)” references where necessary.
- Item 3. Sec. 58 – 61(5)** add a description that addresses contributing properties as a criteria for designation.
- Item 4. Sec. 58 – 62 and 63** add “contributing property(ies)” references where necessary.
- Item 5. Sec. 58 – 63 (a)** describe when Department of City Development or Landmarks Commission review is required.
- Item 6. Sec. 58 – 63.4** list what activities within an H – Historic properties District require a finding of appropriateness and a building permit.
- Item 7. Sec. 58 – 63.5** add language encouraging a pre-application conference prior to filing for a appropriateness finding.
- Item 8. Sec. 58 – 64** repeal and recreate to incorporate language addressing contributing properties and new construction on vacant and cleared lots and parcels, the need for the finding of appropriateness, define minor and major changes, project review responsibilities/authorities, conditions under which a building permit may be issued, factors leading to a project being found to be not appropriate, and time frames for department and commission review.
- Item 9. Sec. 58 – 64.5** create general design guidelines language.
- Item 10. Sec. 58 – 76 & 78** add “contributing property(ies)” references where necessary.
- Item 11. Create Division 4., Sec. 58 – 79** to assign enforcement authority to zoning administrator.
- Item 12. Sec. 114 – 617** add the wording “landmarks preservation” to clarify authority/responsibility for presenting finding(s) with respect to landmarks designations, and a add “contributing property” references
- Item 13. Sec. 114 - 619** create reference to architectural guidelines to be adopted.
- Item 14. Resolution 08 ?????** create a resolution for common council adoption that addresses architectural guidelines within an H - Historic Properties District.
- Item 15. Application for review of project appropriateness** (currently being developed).
- Item 16. Certificate of appropriateness** (currently being developed).

**ACTIONS RECOMMENDED FOR THE IMPLEMENTATION
OF MORE DETAILED DESIGN AND ARCHITECTURAL
GUIDELINES FOR THE RACINE H- HISTORIC
PROPERTIES DISTRICT**

**(12/15/08 Please note: Words that are *italicized-bold*
represent new text to be introduced as ordinance
amendments or as resolution language. Words with a strike
through are to be eliminated from existing ordinance
language.)**

Summary Item 1.

DEFINE CERTIFICATE OF APPROPRIATENESS...

Create...

Section 58-1 Definitions, and Section 114-1

Certificate of appropriateness for properties within a designated H-Historic Properties District is an official ruling of the Department of City Development or Landmarks Preservation Commission approving exterior treatment for activities such as additions, alterations, rehabilitation, restoration, construction, reconstruction or demolition of a landmark, landmark site or contributing property, or new construction on vacant or cleared lots or parcels.

DEFINE CONTRIBUTING PROPERTY...

Create...

Section 58-1 Definitions, and Section 114-1

Contributing property is a designated property or structure that, in accordance with criteria in section Sec. 58-61, contributes to the character or understanding of the historical context of a defined geographic area. A Contributing property is designated as one or a multiple of properties or structures that comprise the cohesive basis for the establishment of an H-Historic properties district.

Summary Items 2. through 5.

AMEND SECS. 58-61 THROUGH 58-63 AS FOLLOWS...

Substitute the phrase "landmark(s) and/or landmark(s) site" with "landmark(s), landmark site(s) and/or contributing property(ies)" and add a description of "contributing property(ies)" as a criteria for designation.

Sec. 58-61. Criteria for designation of ***landmarks, landmark sites and contributing properties.***

(a) The criteria for the designation of properties ***to be landmarks, landmark sites or contributing properties*** shall be that which:

- (1) Exemplifies or reflects the cultural, archaeological, political, economic, social or religious history.
- (2) Is identified with personages, events or periods of history.
- (3) Embodies distinguishing characteristics of architecture, an architect or architectural materials, craftsmanship or works of nature.
- (4) In its inherent historical nature provides the citizenry with educational or aesthetic enrichment.

(5) Contributes to the character or understanding of a district and is one property, or a multiple of properties or structures, that helps forms the basis of a district.

Sec. 58-62. Procedure for identification of **landmarks, landmark sites or contributing properties** for designation.

- (a) Upon payment by the applicant of a processing fee as adopted by the common council and after due consideration and deliberation, the commission shall apply the criteria specified in this division to identify such properties as it may deem appropriate to be designated as a **landmark, landmark site or contributing property**
- (b) The commission shall hold a public hearing before recommending any designation of a landmark or landmark site **or contributing property**. At least ten days prior to the hearing, the commission shall provide written notice to the following:
 - (1) The owners of record of the affected properties and the occupants thereof.
 - (2) The city plan commission.
 - (3) The chief building inspector.
 - (4) The mayor and alderpersons.
- (c) After giving notice as provided in subsection (b), the commission shall conduct the public hearing. In addition to the notified persons and general public, the commission shall have the right to call such other witnesses and to examine such records as it deems necessary.
- (d) Within 30 days after the close of the public hearing, the commission may recommend to the plan commission and common council the designation of the property as either a **landmark, landmark site or contributing property** or recommend the rescinding of such designation. The document of designation shall set forth the criteria required in section 58-61 which apply to the property so affected. After such recommendation of designation or rescission has been made, the commission shall provide written notice of its recommendation to the property owners of record and those persons who appeared at the public hearing.
- (e) After making its findings and recommendation under subsection (d), the commission may petition the common council for the rezoning of the subject area or parcel to facilitate such a designation. If the common council determines to designate the **landmark, landmark site or contributing property** and appropriate adjacent lands, it may rezone it as "H." historic properties district, or rescind the "H." historic properties district, at city expense, in compliance with section 114-77. Only designations receiving affirmative common council action shall have the force and effect of this division.
- (f) Following such a rezoning, the commission shall cause such ~~the~~ **the designation of a landmark or landmark site** to be recorded at commission expense in the county register of deeds office.

Sec. 58-63. Maintenance and repair of **landmark, landmark site or contributing property** and prevention of neglect.

- (a) Subject to obtaining the required permits, ordinary maintenance and repair of designated **landmarks, landmark sites or contributing properties** may be undertaken without a finding of appropriateness by the **Department of City Development (department) or commission** if the activity involves maintenance and repair of existing features. **If the activity involves the replacement of elements comparably identical in appearance, and does not substantially or irreversibly change the exterior appearance then, only department review is required. If the activity does involve the substantial or irreversible change of the exterior appearance than commission review is required. All reviews shall be conducted as specified by Secs. 58-64, 58-64.5, and 114-619 of the municipal code**. Section 58-63(a) shall not apply to properties designated as landmarks or

landmarks sites *under this chapter* prior to January 1, 2006, unless the landmark or landmark site is re-designated in accordance with section 58-66.

- (b) No owner or occupant of a landmark or landmark site shall fail to keep such property in good repair.

Summary Item 6.

LIST WHAT ACTIVITIES REQUIRE A FINDING OF APPROPRIATENESS AND A BUILDING PERMIT FOR A LANDMARK, LANDMARK SITE OR CONTRIBUTING PROPERTY...

Create...

Sec. 58-63.4 Building permits required.

For purposes of this chapter, the following exterior alterations to designated landmarks, landmark sites or contributing properties, or construction on vacant or cleared lots or parcels require a finding of appropriateness and a building permit:

- (a). *Porches and exterior stairs.*
- (b). *Exterior Doors.*
- (c). *Front yard fencing.*
- (d). *Siding.*
- (e). *Windows.*
- (f). *Roofs and chimneys.*
- (g). *Decks, fire escapes, jump platforms, and other exterior structural elements.*
- (h). *Building additions and exterior alterations.*
- (i). *New construction on vacant or cleared lot or parcel.*
- (j). *Accessory structures.*

Summary Item 7.

PREAPPLICATION CONFERENCE...

Create ...

Section 58-63.5. Preapplication conference for alterations to landmarks, landmark sites and contributing properties..

Prior to making a formal application for a finding of appropriateness for alterations to a landmark, landmark site properties or contributing property, a preapplication conference is highly recommended. The purpose of the conference is to acquaint all pertinent city staff with the proposal, and acquire the views and concerns of those participating. The preapplication conference occurs with the department at the conceptual stage of the project when plans are flexible and adjustments are possible. The preapplication conference is also intended to assist the applicant in bringing the project plan into conformance with this article and other applicable regulations.

Summary Item 8.

REPEAL AND RECREATE SEC. 58-64

Repeal and recreate sec. 58-64 title to read "***Alterations and new construction.***"

- (a) ***Within a designated H-Historic Properties District no owner or owner's agent shall receive a building permit to commence an activity resulting in a minor or major change to the exterior appearance of a designated landmark, landmark site, contributing property, or a vacant or cleared lot or parcel without first obtaining a finding of appropriateness.***

- (b) **Minor changes:** for purposes of this chapter, the department may review an application and render a finding of appropriateness if an activity is determined by the department to be a minor change that does not alter the exterior appearance of a property, or vacant or cleared lot or parcel. The department shall conduct a review in accordance with subsection (e) below.
- (c) **Major changes:** for purposes of this chapter, the commission shall review an application and render a finding of appropriateness if an activity is determined by the department to be a major change that will result in the substantial or irreversible alteration or demolition of, or the construction of any improvement upon a part or the entire exterior of such designated landmark, landmark site, or contributing property, or new construction on a vacant or cleared lot or parcel. The commission shall conduct a review in accordance with subsection (e) below, Sec. 58-64.5, and Sec. 114-619.
- (d) **The chief building inspector shall not accept applications for building permits for exterior modifications, new construction, or razing permits, nor issue such permits for properties for which the owner or its representative has a petition filed for the consideration of a rezoning to the "H" historic properties district designation. Subsections (a) through (f) shall not apply to properties designated under this chapter as landmarks or landmarks sites prior to January 1, 2006, unless re-designated in accordance with section 58-66.**
- (e) **Findings of appropriateness shall be rendered unless it is determined that:**
- (1) The activity will be detrimental to the maintenance and overall historic character of the landmark or-, landmark site, **contributing property, or district;**
 - (2) The activity will impede the current or future preservation or restoration of the subject property, **or district;**
 - (3) Adequate measures will not be taken to protect the integrity of distinctive features, finishes, construction techniques, or examples of craftsmanship of the **subject or adjacent** landmark, or landmark site, **or contributing property;**
 - (4) The activity is contrary or detrimental to the findings of the original designation of the subject property **or district;**
 - (5) The activity will not stabilize the landmark or-, landmark site **or contributing property** or landmark site for future preservation or restoration efforts; or
 - (6) The activity does not conform to criteria adopted by the common council to provide guidance **guidelines** for the alteration and restoration of historic properties **such as, but not limited to, those contained in Sec 58-64.5. H – Historic Properties District design guidelines and Section 114-619 Architectural Guidelines.**
- (f) ~~In addition to the~~ The application for a finding of appropriateness, ~~an owner or owner's agent requesting designation of a landmark or landmark site shall submit to the director of city development~~ **be accompanied by** all information **and applicable fees** required for a finding with respect to the standards of subsection (e). **Within 10 days of submittal for the department, and 45 days of submittal for the commission, a review of the application shall be conducted** and a written finding issued to the applicant, ~~the director of city development, and the chief building inspector~~ **by the director of city development.**
- (1) Upon a finding of appropriateness, the applicant may request all necessary permits and, upon receiving such permits, proceed with the approved activity.
 - (2) Within 90 days after the date of a finding of inappropriateness **date of denial of a finding of appropriateness**, the applicant may adjust the plans to address factors that resulted in the finding, and resubmit the adjusted plans for ~~commission review~~ **as described in (b) or (c) above**, or may appeal the finding

to the plan commission. The plan commission shall review the appeal and the **department or** commission's finding within 30 days and forward its recommendation to the common council for final action.

- (g) In instances of overlapping jurisdictions between the **department and/or** commission and a design or development review body established by chapter 114, the design or development review body shall conduct the application review, consult with the **department and/or** commission, and where substantiated, issue a finding of appropriateness following the standards provided in subsection (e) of this section **and Sec. 58-64.5 and Sec. 114-619.**

Summary Item 9.

CREATE GENERAL DESIGN GUIDELINES...

Create...

Sec 58-64.5 H – Historic Properties District design guidelines

- (a) **General Guidelines.** *The following general guidelines are based on 36 CFR Part 67, the Secretary of the Interior's Standard, and shall be applied to projects taking into consideration economic and technical feasibility.*
1. **A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**
 2. **The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**
 3. **Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.**
 4. **Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**
 5. **Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.**
 6. **Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**
 7. **Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**
 8. **Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**
 9. **New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**
 10. **New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

(b). New construction on vacant or cleared lots or parcels within an H – Historic Properties District shall be executed in a manner that is not detrimental to the district or adjacent properties.

(c) Guidelines for Specific Architectural Components. Refer to Section 114-619 H Historic Properties District, Architectural Guidelines for reference to specific descriptions addressing the addition, alteration, repair, restoration, replacement or new construction of architectural components or structures.

Summary Item 10.

AMEND SEC. 58-76 AND 58-78 TO REFERENCE CONTRIBUTING PROPERTIES

Sec. 58.76. Designation.

The "H" historic properties district has been created as a geographic zone of the city to designate historic districts or sites. The identification for designation by the commission of a landmark, ~~or~~ landmark site **or contributing property** in accordance with the provisions of this chapter shall constitute a recommendation to the plan commission and common council to designate the geographic area or site so affected to "H" historic properties district.

and...

Sec. 58-78. Petition for rescission of designation.

An owner of record of a landmark, ~~or~~ landmark site **or contributing property** may file a petition with the secretary of the commission requesting rescission of the designation. If the owner can demonstrate to the commission that as a result of such designation the owner is unable to find a buyer willing to preserve such landmark, ~~or~~ landmark site **or contributing property**, even though the owner has made reasonable attempts in good faith to find and attract such a buyer, the owner may petition the commission for a rescission of the designation. Following the filing of such petition with the secretary of the commission:...

and...

Sec.58-78 (4). Following any such rescission, the commission may not recommend to redesignate the subject property as a landmark, ~~or~~ landmark site **or contributing property** for a period of not less than five years following the date of rescission.

Summary Item 11.

ASSIGN ENFORCEMENT POWERS...

Create...

Division 4. ENFORCEMENT

Sec. 58-79 Enforcement

Enforcement authority and applicable powers for this chapter is herein granted to the Zoning Administrator through Section 114, Article II Administration and Enforcement of the Municipal Code of the City of Racine.

Summary Item 12.

AMEND SEC. 114-617 OF ZONING ORDINANCE TO CLARIFY "FINDINGS" AUTHORITY, AND REFERENCE CONTRIBUTING PROPERTIES

Sec.114-617 Criteria for designation...(2) The findings of the *landmarks preservation* commission that resulted in a recommendation that the H Historic properties district should be designated, thus recognizing a landmark, landmark site *or contributing property*.

Summary Item 13.

CREATE SECTION 114-619 OF ZONING ORDINANCE REGARDING ARCHITECTURAL GUIDELINES.

Create...

Section 114-619 Architectural Guidelines.

Architectural guidelines may be adopted and amended from time to time by resolution of the common council. The purpose of these guidelines is to provide guiding principals and component specific framework relating to each architectural quality of a property to achieve the outcome of a durable project that upholds or enhances the value of it and adjacent properties. In applying the guidelines, consideration shall be given to the context of the built and natural surroundings in which the property is situated.

Summary Item 14.

ADOPT ARCHITECTURAL GUIDELINES RESOLUTION

Create...

Resolution 08-____ Architectural Guidelines for affected properties within an H - Historic Properties District.

WHEREAS, the city of Racine has established the H - Historic Properties District to protect historical, architectural, archeological and cultural resources that are important to preserve, and to assist in the documentation, study and understanding of the collective history of the city, county, state, region or nation.

WHEREAS, the Landmarks Preservation Commission and Plan Commission have recommended approval of Architectural Guidelines for affected properties within an H - Historic Properties District.

WHEREAS, the purpose of these guidelines is to provide principals and component specific framework relating to each architectural quality of a property to achieve the outcome of a durable project that upholds or enhances the value of it and adjacent properties in accordance with Chapter 58 Historic Preservation, and Chapter 114, Sections 614 through 634 H Historic Properties District, of the Racine Municipal Code.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Racine hereby adopts the Architectural Guidelines for affected properties within an H - Historic Properties District for landmarks, landmark sites and contributing properties, or new construction on a vacant or cleared lot or parcel as follows:

(a). Guiding Principles

- (1) A finding of appropriateness either from the Department of City Development (the department) or the Landmarks Preservation Commission (the commission) is required before a building permit may be applied for.**
- (2) Compliance with all applicable building and zoning codes and ordinances is required.**
- (3) In applying these guidelines, consideration shall be given to the context of the built and natural surroundings in which the property is situated.**
- (4) The original design of the building should be respected, including those details that contribute to architectural character (gingerbread, eaves, cornices, dentils, moldings, trim work, columns, porch details, and lattice work).**
- (5) Original materials should be preserved whenever possible. They should be visible from the street and not covered over.**
- (6) Original building elements should be preserved whenever possible. When replacement is required, they should be done reflecting the scale of the original component.**
- (7) Even when restoration of the exterior is not possible, the home should communicate pride of ownership and visual appeal.**
- (8) New construction on a vacant or cleared lot or parcel should be undertaken with due consideration being given to the context of the historic character of the built and natural surroundings in which the new construction is to be located. Such construction shall be undertaken in accordance with section "(c)" below.**

(b) Architectural Component

(1). Porches and exterior stairs

- a. Original porch floor materials should be preserved and maintained.**
- b. Original porch floor materials, such as wood and concrete, should be maintained and preserved;**
- c. Wooden porch floors should not be replaced with concrete;**
- d. Porch floor areas that are damaged should be replaced with matching materials.**
- e. Original porch columns should be preserved and maintained.**
- f. Porch columns should be repaired rather than replaced if possible unless there is deterioration within the column;**
- g. Wood columns that match the original should be used on the front façade;**

- h. Aluminum, wrought iron, or metal columns should not be used unless historically accurate.*
- i. Original porch railings and details should be preserved and maintained.*
- j. Replacement of porch railing elements should be of materials that match the original and at a similar scale. If the original porch had spindles, the replacement porch should also have spindles;*
- k. The installation of a porch railing for a porch that was built without one should be discouraged. If such a railing is necessary, the railing should be simple in design;*
- l. Wooden porches should not be constructed with treated lumber and left unpainted. Exterior wood porches on the front exterior should be built with pine and painted.*
- m. Original front and side porches should neither be removed nor filled in.*
- n. Original exterior stairs should be preserved and maintained.*
- o. Original wood, brick, or concrete stairs should be either repaired or replaced with stairs of matching material;*
- p. Precast or pre-formed concrete stairs should not be installed on the building façade visible from the street;*
- q. Wood or pipe is the preferred material for handrails. Wrought iron or simple 2x4 handrails are discouraged but simple designs may be acceptable.*

(2). Exterior Doors

- a. Original doors and their entrance surrounds, sidelights, transoms, and detailing should not be removed or changed.*
- b. Replacement of missing original doors should be like the original in style, materials, glazing, and lights.*
- c. New doors should be of designs appropriate to the style of the buildings.*
- d. Original doors should not be replaced with solid core doors.*
- f. Screen aluminum storm and screen doors with a baked enamel finish are appropriate, although the preferred treatment is a wooden storm or screen door. Aluminum screen doors should be full view in dark colors, and without excessively ornate or decorative grill work.*
- g. The use of metal security doors is discouraged.*

(3). Front yard fencing

- a. *Fencing and/or front yard walls are discouraged.*
- b. *If front yard fencing is used it should be a maximum of four feet high with three feet high of solid material.*
- c. *The use of lattice, stockade, or chain link is discouraged.*

(4). Siding

- a. *The preferred siding treatment is the original wood clapboard – repaired, treated, and painted in two or three colors using one color as a base in combination with appropriate accents.*
- b. *If after careful consideration, the owner chooses to install substitute siding, the following considerations are necessary to maintain the architectural integrity of the building:*
 - i. *The width of the new siding must match the original clapboards (most likely 4 over 4);*
 - ii. *The original trim around windows and doors should be left uncovered;*
 - iii. *Any decorative brackets, cornice moldings, eaves, or soffits should be left uncovered.*

(5). Windows

- a. *The rhythm and relationships between windows, doors and wall spaces should be preserved.*
- b. *Windows on the façade should be preserved in their original location.*
- c. *The size and design of the original windows should be maintained with their original materials and number of panes.*
- d. *While repair of existing windows is preferred, replacement windows should match the original in materials and design.*
- f. *Filling in the top or bottom of the window opening with a metal or wood panel to permit the use of a standard replacement or storm window is not allowed. Window openings should not be enclosed, reduced, expanded, concealed, or obscured.*
- g. *Replacement windows should not have snap on or flush muntins. True divided lights with full dimensioned muntins is preferred. However, at a minimum, muntins permanently adhered to the exterior window surface are acceptable.*
- h. *Storm windows should match the original window in dimension and proportion.*
- i. *Storm windows should be of baked enamel. Raw or untreated aluminum frames are not acceptable.*
- j. *Metal or vinyl window shutters are generally not appropriate.*

k. Security bars should not be visible from the street.

(6). Roofs and chimneys

- a. Roofs should be preserved in their original size, shape, and pitch and, if possible with original roofing materials.**
- b. Asphalt shingles may be used if the original material is not economically feasible.**
- c. Asphalt roofs should be in the colors of black, dark red, brown, or dark green rather than lighter colors.**
- d. Original chimneys should be preserved and maintained.**
- e. Repair and repointing of brick chimneys should be with brick and mortar to match the original.**
- f. The application of stucco or other partial or full coverage surfaces or veneers to encapsulate brick or stone chimneys should not be utilized.**

(7). Decks and other exterior structural elements

- a. Decks should be located in the rear of the house.**
- b. Handicap ramps should be located on the rear or side facades of the building which are not readily visible.**
- c. If the previous is not possible, ramps should be of wood construction with design and detailing compatible with the existing structure.**
- d. Exterior staircases which connect to upper floors should not be on the front façade of the building unless required by applicable building or fire codes.**

(8). Exterior Lighting

- a. Exterior light fixtures should be simple in design. Ornate carriage lights should not be installed.**
- b. Exterior lights should be either mounted in the porch ceiling or on the wall adjacent to the primary entrance. Light fixtures should automatically turn on in the evening.**
- c. Small footlights for driveways and service walks are preferable to large free standing post mounted lights.**
- d. Security lights should be mounted on the eaves and roofline on the side and back facades.**

(9). Miscellaneous

- a. Mailboxes should be of high quality and affixed to the front façade of the building. Freestanding pedestal mounted mailboxes in the front yard are discouraged.**

