

**CITY OF PLATTEVILLE, WISCONSIN
CHAPTER 27, HISTORIC PRESERVATION
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CHAPTER 27

HISTORIC PRESERVATION

27.01 PURPOSE AND INTENT. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural, archeological or historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people and the community. The purpose of this section is to:

- A. Effect and accomplish the protection, enhancement, and preservation of such improvements, sites and districts which represent or reflect elements of the City of Platteville's cultural, social, economic, political and architectural history.
- B. Safeguard the City of Platteville's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures, sites, and districts.
- C. Stabilize and improve property values, and enhance the visual and aesthetic character of the City of Platteville.
- D. Protect and enhance the City of Platteville's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.

27.02 DEFINITIONS. The definitions shall be as follows:

- A. *Commission* means the Historic Preservation Commission created under this section.
- B. *Improvement* means any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs and the like.
- C. *Certificate of Appropriateness* means the certificate issued by the Commission approving alteration, rehabilitation, construction, reconstruction, demolition, or general site compatibility of a local historic structure, local historic site or any improvement in a local historic district.
- D. *National Historic District* means a district that is listed on the National Register of Historic Places as maintained by the National Park Service in the U.S. Department of the Interior.

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- E. *State Historic District* means a district that is listed on the State Register of Historic Places, as maintained by the Division of Historic Preservation at the Wisconsin Historical Society.
- F. *Local Historic District* is an area designated by the Common Council, following the procedures set forth in this Chapter, that contains two or more historic improvements or sites.
- G. *Local Historic Site* means any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which a historic event has occurred, and which has been designated as a historic site under this section, or an improvement, parcel, or part thereof, on which is situated a historic structure and any abutting improvement, parcel, or part thereof, used as and constituting part of the premises on which the historic structure is situated.
- H. *Local Historic Structure* means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the City of Platteville, state or nation and which has been designated as a historic structure pursuant to the provisions of this chapter.
- I. *Parcel* means a portion of land having its own tax parcel identification number.

27.03 HISTORIC PRESERVATION COMMISSION COMPOSITION. A Historic Preservation Commission is hereby created, consisting of five (5) regular members and two (2) alternates, who shall be City residents. Each member shall have, to the highest extent practical, a known interest in historic preservation. Of the regular membership, if available, one shall be a registered architect; one shall be a historian; one shall be a licensed real estate broker; one shall be an alderperson; and one shall be a citizen member. The alternate members shall be citizen members. The Council President shall appoint the members subject to confirmation by the Common Council. The term of the alderperson shall be for one year. Initially, the term of the citizen shall be one year, the term of the licensed real estate broker shall be two years and the terms of the registered architect and the historian shall be three years. Thereafter, three year terms shall be established for all members, except the alderperson.

The alternate members shall receive agendas for all meetings, but will vote only in the absence of a regular member. Three members are needed to establish a quorum, and three affirmative votes are needed to approve any request.

A member, with the exception of the alderperson, on completion of his or her second term shall not be eligible for reappointment as a regular member thereon until at least a period of one year shall have intervened between said terms as such member, but this provision shall not apply to a member who fills the unexpired term of a previous member. Persons that have served two consecutive terms may be appointed as an alternate member, but then must take one year off before being reappointed.

27.04 POWERS AND DUTIES.

- A. Designation. The Commission shall have the power, subject to Section 27.05 and 27.06, to recommend the designation of local historic structures and local historic sites and to recommend designation of historic districts within the City limits of the City of Platteville. Such designations shall satisfy the requirements of Section 27.05(B). Local historic structures, sites and districts shall require the approval of the Common Council. Once designated, such local historic structures, sites and districts shall be subject to all the provisions of this ordinance.

- B. Regulation of Construction, Reconstruction, Alteration and Demolition.
 - 1. An owner or person in charge of a local historic structure, local historic site or structure within a local historic district shall not reconstruct, alter or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless a Certificate of Appropriateness has been granted by the Historic Preservation Commission. The Building Inspector shall not issue a permit for any such work until a Certificate of Appropriateness has been approved by the Commission. Demolition of such property shall also require approval by the Plan Commission and the Common Council.

 - 2. Upon filing of any application for a Certificate of Appropriateness with the Commission, the Commission shall approve the application unless:
 - a. In the case of a designated local historic structure or local historic site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the improvement or site upon which said work is to be done;

 - b. In the case of the construction of a new improvement upon a historic site, within a local historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within the district;

 - c. In the case of any property located in a local historic district, the proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this section and to the objectives and design criteria of the historic preservation plan for said district;

 - d. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City of Platteville and state;

- e. In the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.
 3. If the Commission determines that the application for a Certificate of Appropriateness and the proposed changes are consistent with the character and features of the property or district, it shall issue the Certificate of Appropriateness. The Commission shall make the decision within forty-five (45) days of the filing of the application.
 4. The issuance of a Certificate of Appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the City of Platteville. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of the Certificate of Appropriateness required for the proposed work. The property owner shall ensure that the necessary permits are obtained for the property.
 5. Ordinary building maintenance and other work that involves repairs to existing features of a historic structure or site, or the replacement of elements of a structure or site with pieces similar in appearance may be undertaken without the approval of the Commission. A Certificate of Appropriateness is still required for this work,; however, the work shall be approved by the Building Inspector or Community Planning and Development Director as designees of the Commission. The types of projects that can be approved by these designees shall be described in a written policy and adopted by the Commission. Unless the Commission or the designee(s) approves a Certificate of Appropriateness, a building permit shall not be issued for any such work.
- C. Appeals. Should the Commission choose to not issue a Certificate of Appropriateness due to the failure of the proposal to conform to the guidelines, the applicant may appeal such decision to the Common Council within thirty (30) days. The Commission's decision to not issue a Certificate of Appropriateness within thirty (30) days of the filing of the application shall be deemed a denial of the request, which may be appealed as provided herein. The Commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a Certificate of Appropriateness within the guidelines of this ordinance. Denial of a Certificate of Appropriateness may be appealed following the procedures described in Section 17.06(A).
- D. Recognition of Historic Structures, Sites and Districts. At such time as a historic structure, site or district has been properly designated, the Commission, in cooperation with the property owner, may cause to be prepared and erected on such property a suitable plaque declaring that such property is a historic structure, site or district.

27.05 NOMINATIONS FOR DESIGNATION OF LOCAL HISTORIC STRUCTURE, HISTORIC SITE AND HISTORIC DISTRICT AND DESIGNATION CRITERIA.

- A. Nominations for local historic structure, historic site and historic district designations, or requests to rescind a designation, shall be made as follows:
1. Local Historic Structure of Historic Site.
 - a. The owner of a property may nominate that property for designation at any time by submitting a completed nomination form and any appropriate documentation.
 - b. Any member(s) of the Historic Preservation Commission may nominate a property for designation if the member is of the opinion that the property may meet the criteria in Section 27.05(B). A completed nomination form and any appropriate documentation must be submitted.
 2. Local Historic District.
 - a. The nomination process for designation of a local historic district shall be considered by the Commission upon receipt of a written petition signed by the owners of a majority of the parcels within the proposed district. Each parcel included in the proposed district shall be allowed one (1) vote, and all of the owners of the parcel must sign the petition for the parcel to be counted as a vote in favor. Upon receipt of such a petition, the procedures described in Section 27.06 shall apply.
 - b. The Commission may begin the nomination process for designation of a local historic district at any time. However, the public hearing required in Section 27.06 shall not be scheduled until a written petition signed by the owners of a minimum of eighty percent (80%) of the parcels within the proposed district is provided. Upon receipt of such a petition, the procedures described in Section 27.06 shall apply.
- B. For purposes of this ordinance, a local historic structure, historic site, or historic district designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural or cultural significance to the City of Platteville such as historic structures, sites, or districts which:
1. Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community; or

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2. Are identified with historic personages or with important events in national, state, or local history; or
3. Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or
4. Are representative of the notable work of a master builder, designer or architect who influenced his age; or
5. Have yielded, or may be likely to yield, information important to prehistory or history.

27.06 PROCEDURES.

A. Designation of Local Historic Structures and Local Historic Sites.

1. Upon receipt of a nomination under 27.05(A), the Commission shall, after notice, schedule a public hearing to consider the designation of local historic structures and local historic sites, or to rescind such designation or recommendation. At least ten (10) days prior to such hearing, the Commission shall notify the owners of record, as listed in the office of the City of Platteville's assessor, who are owners of property in whole or in part situated within two hundred (200) feet of the boundaries of the property affected.
2. The Commission shall then conduct such public hearing and, in addition to the notified persons, may hear expert witnesses. The Commission may conduct an independent investigation into the proposed designation or rescission. Within ten (10) days after the close of the public hearing, the Commission may, after application of the criteria in Section 27.05(B) above, recommend to the Common Council the designation of the property as either a local historic structure, or a local historic site, or recommend to rescind the designation.
3. The Common Council, upon receipt of the recommendation from the Historic Preservation Commission, shall either designate or reject the local historic structure or local historic site, or rescind such a designation. Such action shall not become effective except by the favorable vote of three-fourths (3/4) of the entire membership of the Common Council. After the designation or rescission has been made, notification shall be sent to the property owner or owners. Notification shall also be given to Platteville's Plan Commission.

B. Designation of Local Historic District.

1. Upon receipt of a petition described in Section 27.05(A), the Commission shall prepare a historic preservation plan for the proposed district. A Local Historic District may be designated for any geographic area of particular historic, architectural or cultural significance to the City of Platteville, after application of the criteria in Section 27.05 above. Each historic preservation plan prepared for or by the Historic Preservation Commission shall include a cultural and architectural analysis supporting the historic significance of the proposed district, the specific guidelines for preservation, and a statement of preservation objectives.
2. Review and Adoption Procedure.
 - a. Historic Preservation Commission. The Historic Preservation Commission and the City Plan Commission shall hold a joint public hearing when considering the plan for a Local Historic District. Notice of the time, place and purpose of the public hearing shall be sent by the City Clerk to the owners of record, as listed in the office of the City Assessor, who are owners of the property within the proposed Local Historic District or are situated in whole or in part within two hundred (200) feet of the boundaries of the proposed Local Historic District. Said notice is to be sent at least ten (10) days prior to the date of the public hearing. Following the public hearing, the Historic Preservation Commission and the City Plan Commission shall each vote to recommend, reject or withhold action on the plan.
 - b. The Common Council. The Common Council, upon receipt of the recommendations from the Historic Preservation Commission and the City Plan Commission shall hold a public hearing, notice to be given as noted in subparagraph a. above and shall, following the public hearing either designate or reject the Local Historic District. Designation of the Local Historic District shall constitute adoption of the plan prepared for that district and direct the implementation of said plan.
 - c. If the petition described in Section 27.05(A)(2)(b) is signed by the owners of a minimum of eighty percent (80%) but less than one hundred percent (100%) of the parcels within the proposed district, such district shall not become effective except by the favorable vote of three-fourths (3/4) of the entire membership of the Common Council. If the petition is signed by one hundred percent (100%) of the property owners within the proposed district, such district shall become effective upon a simple majority vote. Nominations for a local historic district begun under Section 27.05(A)(2)(a) become effective upon a simple majority vote.

3. Amendment. A property owner or the City may seek an amendment of the designation of a property as a historic site, historic structure or its inclusion in a historic district. Consideration of an amendment shall be commenced by written request filed with the Historic Preservation Commission. The notice and public hearing requirements for the establishment of a historic site, structure or historic district shall be followed with respect to consideration of the amendment. Following the public hearing, the Historic Preservation Commission shall make a recommendation to the Common Council regarding the amendment of the designation. The Common Council will then take final action on the amendment.
4. Voluntary Restrictive Covenants. The owner of any historic structure or site may, at any time following such designation of the property, enter into a restrictive covenant on the subject property after negotiation with the Commission. The Commission may assist the owner in preparing such covenant in the interest of preserving the structure or site. The owner shall record such covenant in the office of the Grant County Register of Deeds, and shall notify the City Assessor of such covenant and the conditions thereof.

27.07 INTERIM CONTROL. No building permit shall be issued by the Building Inspector for the exterior alteration or construction of, or the demolition or removal of, a nominated historic structure, historic site, or any property or structure within a nominated historic district from the date of the meeting of the Historic Preservation Commission at which a nomination form is first presented until the final disposition of the nomination by the Historic Preservation Commission or the City Council unless such alteration, removal or demolition is authorized by formal resolution of the City Council as necessary for public health, welfare or safety. In no event shall the delay be for more than ninety (90) days.

27.08 SEPARABILITY. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of this chapter and the application of such provisions to other persons or circumstances shall not be affected thereby.

27.09 LOCAL HISTORIC DESIGNATION. The City designated Platteville's Main Street Commercial Historic District, listed on March 9, 1990, in the National Register of Historic Places, as a local Historic Preservation District. The Historic Preservation Commission has also designated the following individual properties as historic structures:

- 315 W. Main Street – designated as a local historic property on 9/29/2003
- 25 W. Gridley (formerly 150 S. Chestnut) – designated as a local historic property on 10/13/2003
- 480 N. Third Street – designated as a local historic property on 7/19/2004
- 130 N. Hickory Street – designated as a local historic property on 7/19/2004

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180 Bayley Avenue – designated as a local historic property on 1/31/2005

230 Bayley Avenue – designated as a local historic property on 1/31/2005

185 Bayley Avenue – designated as a local historic property on 2/22/2005

280 Division Street – designated as a local historic property on 11/27/2018

Indian Park – 500 block of N Court Street and N Fourth Street – designated as a local historic property on 10/27/2020

27.50 PENALTIES FOR VIOLATIONS. Any person or persons violating any provision of this section shall be forfeit fifty dollars (\$50) for each separate violation, in addition to the deemed to be a separate offense. Notice of violations shall be issued by the Building Inspector.