

§ 485-133. Design Review Board action.

Action by the Design Review Board shall take the form of advisory recommendations to the Plan Commission. Upon receipt of a plan referral from the Director of Planning and Development, or upon receipt of a referral from the Building Inspector relating to an application for a razing permit, the Chairperson shall convene the Board so as to render its advice to the Plan Commission in time for Commission consideration at its regular meeting, pursuant to consent agenda, unless the referral occurs less than three weeks prior to such meeting date, in which case the Board may make its report for the next following Plan Commission meeting. The Chairperson shall invite the permit applicant to the Board meeting to observe its deliberations and recommendations.

§ 485-134. Review standards; historic buildings, sites and structures.

- A. The Design Review Board shall render its advice as to the appropriateness of the proposed site plan with respect to the requirements established in Articles XXXI and XXXII of this chapter, as well as the type of materials, general form and proportions, windows, entrances and colors of buildings or structures in relation to these criteria:
- (1) The building or structure is not of such unorthodox or abnormal character in relation to the surroundings as to be unsightly or offensive to generally accepted taste.
 - (2) The building is not so identical with those adjoining as to create excessive monotony and drabness. In applying this criteria to attached or row buildings, to apartment groupings, or commercial shopping centers, the overall composition and aesthetic effect shall be considered.
 - (3) The building shall not have any exposed facade that is finished, including choice of materials, so as to be aesthetically incompatible with the other facades.
- B. All other areas except historic areas. In those districts where the Plan Commission has not adopted an architectural theme, the Board shall render its advice as to the appropriateness of the proposed use and type of materials, general form and building proportions, windows, entrances and sign treatment and colors, in relation to these criteria:
- (1) The building or structure is not of such unorthodox or abnormal character in relation to the surroundings as to be unsightly or offensive to generally accepted taste.
 - (2) The building is not so identical with those adjoining as to create excessive monotony and drabness. In applying this criteria to attached or row buildings, to apartment groupings, or commercial shopping centers, the overall composition and aesthetic effect shall be considered.
 - (3) The building will not have any exposed facade that is finished, including choice of materials, so as to be aesthetically incompatible with the other

facades.

C. Regulation of historic buildings, sites, structures, etc.

- (1) Erection, construction, reconstruction, alteration, conversion or maintenance. No owner or person in charge of a historic building, property, place, site, structure, object or landmark described in or designated under § 485-131B which is located in a zoning district other than a residential district shall erect, construct, reconstruct, alter or convert all or any part of the exterior of the same or construct any improvement upon the same or cause or permit any such work to be performed upon the same unless the Design Review Board has made its recommendations and the Plan Commission has approved the plans for such work. Also, unless the Plan Commission has granted such approval, the Building Inspector shall not issue a permit for any such work.
 - (a) In reviewing and/or approving such proposed erection, construction, reconstruction, alteration or conversion, the Design Review Board and Plan Commission shall use the following criteria:
 - [1] In the case of a designated historic building, structure or site, whether 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.
 - [2] In the case of the construction of a new improvement to or upon a historic building, structure or site, or within a historic district, whether 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.
 - [3] In the case of any property located in a historic district, whether the proposed erection, construction, reconstruction, exterior alteration or conversion does not conform to the purpose and intent of this article and to the objectives and design criteria of the historic preservation plan for said district.
 - (b) Ordinary maintenance and repairs may be undertaken without the review and recommendation of the Design Review Board and approval of the Plan Commission provided that the work involves repairs to existing features of a historic building, structure or site or the replacement of elements of a historic building or structure with pieces identical in appearance, and provided that the work does not change the exterior appearance of the building, structure or site and does not require the issuance of a building permit.
 - (c) Subsection C(1)(a) hereof shall not apply to the proposed erection, construction, reconstruction, alteration or conversion of a historic building, property, place, site, structure, object or landmark described in or designated under § 485-131B which is located in a residential zoning

district.

- (2) Razing. No owner or person in charge of a historic building, property, place, site, structure, object or landmark described in or designated under § 485-131B which is located in any zoning district shall raze the same, or cause the same to be razed, unless such person has applied for a razing permit and a certificate of appropriateness, the Design Review Board has made its review and recommendations, and the Plan Commission has approved such work, including the issuance of a certificate of appropriateness. Also, unless such certificate has been issued by the Plan Commission, the Building Inspector shall not issue a permit for any such work.
 - (a) In reviewing and/or approving such proposed razing, the Design Review Board and Plan Commission shall use the following criteria:
 - [1] In the case of any property located in a historic district, whether the proposed demolition does not conform to the purpose and intent of this article and to the objectives and design criteria of the historic preservation plan for said district.
 - [2] Whether 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 and state.
 - [3] In the case of a request for the demolition of a deteriorated building or structure, whether 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.
 - (b) If the Plan Commission determines that the application for a certificate of appropriateness is consistent with the character and features of the property or district, it shall issue the certificate of appropriateness. The Plan Commission shall make this decision within 45 days of the date of filing of the application.
 - (c) The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the City for the demolition work. A razing, building or other City permit shall be invalid if it is obtained without the presentation of the certificate of appropriateness required for the proposed demolition work.
 - (d) Nothing in this section shall be deemed to abrogate or limit the authority of the Common Council, Building Inspector or other designated City officer under § 66.0413, Wis. Stats., to order the owner of a building which is old, dilapidated or out of repair and consequently dangerous, unsafe, unsanitary or otherwise unfit for human habitation to raze or repair the building, or the City's right to commence and prosecute a court action to obtain an order determining that the building constitutes a public

nuisance, or for any other relief.

- (3) Appeals. Should the Plan Commission fail to approve the proposed work or fail to issue a certificate of appropriateness for the proposed demolition due to the failure of the plan or proposal to conform to the above standards, the applicant may appeal such decision to the Zoning Board of Appeals within 30 days thereof. In addition, if the Plan Commission fails to issue a certificate of appropriateness, the Common Council shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the standards set forth in this article.

§ 485-135. Design Review Board.

- A. Membership. The Design Review Board shall consist of five members, as follows: the City Engineer; one representative from the Police or Fire Department appointed by the Mayor and approved by the Plan Commission; and three persons appointed by the Mayor subject to confirmation by the Common Council, not more than one of whom may be a nonresident of the City. Of the three persons appointed by the Mayor subject to confirmation by the Common Council, one should be a graduate architect in the State of Wisconsin, another should have design, development or construction training or experience, and each of said three persons shall serve a term of three years. The members of the Board shall, at its regular May meeting, elect one member to act as Chairperson for a term of one year, or until a successor is duly elected. The Chairperson shall preside over all the meetings of the Board. In the event of the Chairperson's absence, the Board members who are present shall select a member to preside over the meeting. The Director of Planning and Development shall be responsible for processing applications, agendas and minutes for the Board and for presenting the recommendations of the Board to the Plan Commission. **[Amended 6-6-2017 by Ord. No. 2017-5]**
- B. Duties and powers. The Board shall have the duty and authority to review and provide recommendations to the Plan Commission regarding all building, site and operational plans; conditional uses; conditional use grants; planned unit developments; the razing of historic buildings, properties, places, structures, objects or landmarks described in or designated under § 485-131B which are located in any zoning district; and the proposed erection, construction, reconstruction, alteration, conversion or maintenance of historic buildings, properties, places, structures, objects or landmarks described in or designated under § 485-131B which are located in a zoning district other than a residential district.
- C. Records. The Board shall keep records of all its proceedings, and its recommendations shall be stated in writing for submittal to the Plan Commission and the permit applicant.
- D. Technical advice. The Design Review Board established by this article shall include two technical advisors appointed by the Mayor subject to confirmation by the Common Council to provide advice to the Plan Commission on issues related to historical preservation and the Downtown Main Street Program.

- E. Term of office. Technical advisors to the Design Review Board advising that Board for purposes of historic preservation and downtown building facade alterations shall have terms of three years, except that, upon the first appointment, one technical advisor's term shall be for two years and the other technical advisor's term shall be for three years.