



**City of Waukesha**  
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<b>Committee:</b> Landmarks Commission	<b>Meeting Date:</b> 10/1/2025
<b>Item Number:</b> ID#25-02207	
<b>Subject:</b> <ul style="list-style-type: none"><li>Review and provide comments on a proposed changes to Sections 28.02, 28.03, 28.05, and 28.06 of City Ordinances.</li></ul>	

**Details:** City staff is proposing several changes to Chapter 28 of City ordinances, which covers the rules for the Landmarks Commission. The changes are mostly intended to ensure that the ordinance reflects the way the Landmarks Commission actually operates, and to bring it into line with current best practices. The ordinance will be reviewed by the Plan Commission and the Common Council before it is adopted. The Landmarks Commission should provide comment and input on the proposed changes.

The most significant of the proposed changes is a statement that the Landmarks Commission can impose conditions on its approval, and that it can impose deadlines for correcting work that has been done incorrectly. In a recent case where work had begun without a COA, and where the Landmarks Commission imposed a deadline for fixing aspects of the work which were not appropriate, the City Attorney's office told staff that the conditions are not enforceable by the ordinance as it is currently written, and that there is no basis to issue a citation for failure to meet the deadline. Once a Certificate of Appropriateness is approved, the Landmarks Commission has no further enforcement capacity.

In addition to fixing that problem, the proposed updates will clarify staff's responsibility for providing applications and fees, clarify specific types of work which do not need approval, update the approval conditions to reflect the standards the Landmarks Commission actually uses – specifically the Landmarks Commission's Design Policies, provide a set term for the Landmarks Commission chair, provide a written procedure for the Council to review appeals, and fix various typographical errors and confusing wording.

The City Attorney's office has reviewed several drafts of these code changes and provided input. They are still reviewing the most recent draft, so some changes may occur before the draft goes to the Plan Commission. The State Historic Preservation Office is also reviewing the draft.

**Relevant Secretary of the Interior Standards:**

Not Applicable



**Paint and Repair Grant info:** Not Applicable

**Staff Recommendation:** The Landmarks Commission should provide comment and input, but should not make any motion. The proposed changes will be reviewed for approval by the Plan Commission and Council.