

## CHAPTER 38

### SAUK COUNTY CULTURAL AND HISTORIC RESOURCES DESIGNATION

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**38.01 Title and Authority.** This chapter shall be known as the Sauk County Cultural and Historic Resources Designation Ordinance and is adopted pursuant to the authority granted counties by Wis. Stat. §§ 59.56 and 59.69(4m) Stats. It is the intent of the County to designate resources throughout the County in incorporated and unincorporated areas.

**38.02 Intent and Purpose.** The Sauk County Board of Supervisors finds that the protection, enhancement, perpetuation, and use of structures and districts of historic, archaeological, architectural and engineering significance, located within the County are of cultural and aesthetic benefit to the community. It is further found that respect and understanding of the heritage of the County will enhance the economic, cultural, and aesthetic standing of the County. The purpose of this ordinance is to promote the general welfare of the public through the following:

(1) The protection, enhancement, perpetuation and use of those historic structures and/or other cultural resources that:

(a) Represent past eras, events, and persons important in prehistory or history;

(b) Provide significant examples of architectural styles of the past or are landmarks in the history of architecture; or

(c) Provide this and future generations with examples of the physical surroundings in which past generations lived.

(2) The development and maintenance of complementary settings and environment for such structures and/or districts.

(3) The preservation and encouragement of the County's varied architectural styles,

reflecting the cultural, social, economic, political, and architectural phases of its history.

(4) The enhancement of property values, the stabilization of communities and areas of the County.

(5) The increase of economic and financial benefits to the County and its inhabitants, and the promotion and enhancement of the tourist trade.

(6) The integration of the preservation of cultural resources into public and private land use management and development processes.

(7) The educational and cultural enrichment of this and future generations by fostering knowledge of our heritage.

(8) The promotion and encouragement of continued private ownership and utilization of such structures so the objectives listed above can be attained under this policy.

(9) The identification and resolution of conflicts between the preservation of cultural resources and alternative land uses, as early as possible in the planning process.

(10) The promotion of public awareness of the benefits of preservation and the encouragement of public participation in identifying and preserving historic, architectural and archaeological resources thereby increasing community pride in the County's cultural heritage.

(11) The establishment of a basis for coordinating the goal of the preservation of cultural resources, historic structures and historic districts with the need to set standards for and implement other elements of the County's plans, policies, and programs.

**38.03 Landmarks Commission.** The UW Extension, Arts & Culture Committee of the Sauk County Board of Supervisors shall serve as

the Sauk County Landmarks Commission established under the authority of the Sauk County Board of Supervisors pursuant to Wis. Stats. § 59.69(4m).

**38.04 Responsibilities and Duties.** The Sauk County Landmarks Commission shall act in an advisory capacity to the Board of Supervisors in all matters relating to the identification, protection, retention and preservation of historical resources within the County and shall include the following:

(1) Review and recommend cultural resources for placement on the Sauk County Official Register of Cultural and Historic Resources, hereinafter designated as the "Landmarks Register", consistent with the National Register of Historic Places Criteria and the State Register of Historic Places Criteria, including without limitation, historic districts, landmark sites, and landmarks within Sauk County including all information required for each designation. The Sauk County University of Wisconsin Extension, hereinafter designated as "UW-Extension" shall maintain the Landmarks Register.

(2) Recommend to the Board of Supervisors the purchase of interests in property, including less than fee interests, transfer of development rights, easements, or other mechanisms, for the purpose of cultural or historic preservation.

(3) Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to cultural or historic resources preservation.

(4) Advise and make recommendations to the Board of Supervisors on how it can best promote and encourage the preservation of cultural and historic resources of Sauk County.

(5) Advise and make recommendations to the Board of Supervisors on the formulation, implementation, and review of all programs, policies, services, facilities, and other matters relating to the preservation of the cultural and historic resources of Sauk County.

(6) Encourage recognition of the owners of landmarks or property or structures within historic districts by means of certificates, plaques, or markers, and from time to time issue commendations to owners of cultural resources who have rehabilitated their property in an exemplary manner.

(7) Advise and assist property owners, on request, on the restoration, rehabilitation, alteration, decoration, landscaping, or maintenance of any cultural and historic resource. If requested, negotiate with property owners who propose to demolish or relocate designated landmarks and/or significant properties in designated districts, in an effort to find a means of preserving the properties.

(8) Investigate and report to the Board of Supervisors on the use of various federal, state, and local or private funding sources and mechanisms available to promote cultural and historic resource preservation in Sauk County.

(9) Review and comment on the decisions and documents, including environmental assessments, environmental impact reports, environmental impact statements, and other similar documents, of other public agencies when such decisions or documents may affect cultural and/or historic resources, cultural/historic districts, or other resources within the County.

**38.05 Designation of Cultural or Historic Resources and Districts on the Landmarks Register.**

(1) The process to consider the designation of cultural or historic resources and districts may be initiated by the Board of Supervisors, or upon application of the owner of the property for which designation is requested, or the authorized representative of the owner. Any such proposal shall be filed with the UW-Extension, and shall include the following information as appropriate:

(a) The tax parcel number of the site or the structure proposed for designation or the legal description of the district proposed for designation;

(b) A description detailing the structure, resource, or district proposed for designation;

(c) A description of special aesthetic, cultural, architectural, or engineering qualities which justify such designation;

(e) Sketches, drawings, photographs, or other descriptive material;

(f) A statement of the condition of the structure, resource, or district;

(g) A statement of architectural and historic significance of the structure or district;

(h) Other information determined to be appropriate.

(i) Written authorization of the property owner(s) of record, except where such an

application is submitted for designation of a historic district, in which case the application must be subscribed by, or on behalf of a majority of the property owners in the proposed district. Applications initiated by the Board of Supervisors do not require the written authorization of the property owner(s).

(2) All applications submitted by private property owners for cultural or historic designation shall be filed with the UW-Extension on forms prescribed by the Landmarks Commission and shall be accompanied by all data required pursuant to subsection of this Chapter, Designation of Cultural or Historic Resources and Districts on the Landmarks Register.

**38.06 Review Criteria.** Any improvement, natural feature, or site may be designated as a cultural or historic resource, and any area within the County may be designated a cultural/historic district by the Board of Supervisors if such improvements, natural features, sites, or areas meet one (1) or more of the following criteria:

(1) It meets the criteria for listing on the National Register of Historic Places or the State Register of Historic Places, and/or,

(2) It meets at least one (1) of the following criteria for historic and cultural significance:

(a) The resource or district proposed for designation is particularly representative of a distinct historic period, type, style, region or way of life.

(b) The resource or district proposed for designation is, or contains, a type of building or buildings which was once common, but is now rare.

(c) The resource or district proposed for designation was connected with someone renowned.

(d) The resource or district proposed for designation is connected with a business or other use which was once common but is now rare.

(e) The resource or district proposed for designation represents the work of a master builder, engineer, designer, artist, or architect whose talents influenced a particular architectural style or way of life.

(f) The resource or district proposed for designation is the site of an important historic

event or is associated with events that have made a meaningful contribution to the nation, state, County or community.

(g) The resource or district proposed for designation has a high potential of yielding information of archaeological interest; and/or, it meets the criteria for architectural and engineering significance in one (1) of the following ways:

1. The resource or district proposed for designation exemplifies a particular architectural style or way of life important to the County.

2. The resource or district proposed for designation exemplifies the best remaining architectural type of a community.

3. The construction materials or engineering methods used in the resource or district proposed for designation embody elements of outstanding attention to architectural or engineering design, detail, material or craftsmanship; and/or

(3) It meets the criteria for significance due to community and geographic setting in one (1) of the following ways:

(a) The proposed resource materially benefits the historic character of the community.

(b) The unique location or singular physical characteristic of the resource or district proposed for designation represents an established and familiar visual feature of the community, area, or County.

(c) The district is a geographically definable area, urban or rural, possessing a significant concentration or continuity of site, buildings, structures, or objects unified by past events, or aesthetically by plan or physical development.

(d) The preservation of a resource or resources is essential to the integrity of the district.

**38.07 Processing Applications.** (1) An application for inclusion on the Landmarks Register must be submitted to the UW-Extension by the property owner whereon such cultural/historic resource exists or by a majority of the property owners if more than one (1) parcel is involved in the request. In addition, the Board of Supervisors may authorize the Landmarks Commission to process an application in order to consider the inclusion of any significant cultural/historic resource on the Landmarks Register.

(2) The form and content of the application shall be as determined by the Landmarks Commission or an authorized designee. Such forms, and the instructions for their filing, shall be available to the public upon request.

(3) Each application shall be processed by the Landmarks Commission or the designee as follows:

(a) The application shall be reviewed within 60 days after it is submitted to the UW-Extension in order to determine if all necessary information is contained within the application to allow the analysis required in Section 38.06 Review Criteria.

(b) If all of the necessary information is included within the application, the Landmarks Commission or the designee shall accept the application as being complete and shall notify the applicant, in writing, of such a determination. If all of the necessary information is not included with the application, the Landmarks Commission or the designee shall provide to the applicant a written request for all such additional information as is required in order for the Landmarks Commission to complete the analysis specified in Section 38.06 Review Criteria.

(c) Additional information provided by the applicant shall be reviewed by the Landmarks Commission or the designee within 60 days of the date of submittal to the UW-Extension. The same process described in Section 38.07(3)(a) and (b) above shall be followed. If, after three (3) attempts to obtain the additional information necessary to process the application, the requested information is not provided by the applicant to the satisfaction of the Landmarks Commission, the application shall be deemed withdrawn and no further processing will take place.

(d) Once accepted as complete, the application shall be evaluated by the Landmarks Commission or the designee for compliance with the provisions of Section 38.06 Review Criteria. As a part of said review, the Landmarks Commission or designee may consult with the State Historical Society, Sauk County Historical Society, and/or any appropriate historical society, any individual with special knowledge about the resource that is the subject of the application under consideration, and/or any public agency to assist in the preparation of a report to the Board of Supervisors. The Landmarks Commission or

designee may conduct any public meetings, workshops, etc. determined to be necessary to provide adequate information for the inclusion in the resolution and report to the Board of Supervisors. The Board resolution and report shall be prepared by the Landmarks Commission and transmitted to the UW-Extension for scheduling not later than 90 days after the application is determined to be complete. This period may be extended upon the written request by the applicant.

### **38.08 Removal From Landmarks**

**Register.** Property may be removed from the Landmarks Register in accordance with the following procedures:

(a) If at any time the Landmarks Commission determines that a previously designated historical or cultural resource no longer meets the criteria for inclusion on the Landmarks Register, the Commission shall notify the property owner that the Commission intends to initiate action to delist the resource from the Landmarks Register. The property owner shall be provided 30 days notice and an opportunity to appear before the Landmarks Commission pursuant to subparagraph (c) below.

(b) A property owner of a listed resource may also apply to the Landmarks Commission to have their property removed from the Landmarks Register. Upon the filing of such a request with the UW-Extension, the Landmarks Commission shall schedule a public meeting within 30 days pursuant to subparagraph (c) below.

(c) If the Landmarks Commission finds, at a duly noticed public meeting, that the historical or cultural resource no longer meets the criteria for inclusion on the Landmarks Register, the Landmarks Commission shall forward a resolution and report to the Board of Supervisors to consider delisting the resource at the next regular meeting of the Board. Upon passage by the Board of Supervisors of a resolution delisting the resource, the resource shall be removed from the Landmarks Register.

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As approved by the Sauk County Board of Supervisors on April 20, 1999 - Ordinance 67-99. Amended by the Sauk County Board of Supervisors on September 15, 2009 - Ordinance No. 126-09.