

**COMPARISON OF
INTERIM/TEMPORARY DESIGNATION PROCEDURE
CURRENT ORDINANCE VS. PROPOSED ORDINANCE**

CURRENT ORDINANCE		PROPOSED ORDINANCE
Petition filed with HPC office by any city resident (in case where a demolition permit has been applied for).	Petition filed with HPC office by a city resident, the owner(s) of the subject structure or any City department, board, commission or official.	Application for temporary designation filed with the City Clerk's office.
Note: interim designation is only for structures, not sites or districts.		Note: temporary designation may be for a structure, site or geographic area (district).
		City Clerk immediately forwards the application to HPC staff.
		HPC staff notifies, by first-class mail, the owner of record of each structure or parcel that is the subject of the nomination that the nomination has been made and that staff is available to discuss the nomination process and the effects of temporary designation.
HPC holds public hearing on whether to designate the structure on an interim basis (not to exceed 180 days).		HPC holds a public hearing on whether to designate the structure, site or area on a temporary basis (not to exceed 180 days).
Hearing must be held within 15 days after receipt of petition (demolition permit applied for).	Hearing must be held within 45 days after receipt of petition (no demolition permit application).	Hearing must be held within 20 days of the date the application for temporary designation was filed.
Notice of the public hearing is sent: 1. By certified letter to the owner(s) of the subject property, at least 7 days prior to the hearing. 2. By first class mail or comparable means to the local Common Council member and DNS.		Notice of the public hearing is sent at least 7 days prior to the hearing to the following parties: 1. The owner of the subject property (certified letter). 2. The local Common Council member. 3. All owners of property within 200 feet of the proposed designation (first-class mail).
HPC shall make a decision on interim designation within 5 days of close of the public hearing.		HPC shall, within 10 days of close of the public hearing, make a decision on the temporary designation based on the criteria for determining "historic, architectural and cultural significance" provided in s. 320-21-d-f, and shall grant temporary designation if it finds there is a substantial likelihood that HPC will recommend permanent historic designation to the Common Council. HPC shall set forth written findings which constitute the basis for its determination.
HPC informs the owner(s), the local Common Council member and DNS of its decision by the same means as the notice of the public hearing.		If HPC grants temporary designation, it shall, by first-class mail, notify the owner of the subject property, the person who made the nomination and the local Common Council member of its decision. The notice shall include HPC's written findings.

CURRENT ORDINANCE		PROPOSED ORDINANCE	
If HPC determines to not designate the subject structure on an interim basis, any city resident may, within 5 days of HPC's decision, file an appeal petition with the City Clerk. The appeal petition shall be accompanied by a "bond in the penal form of \$10,000."	If HPC determines to designate the subject structure on an interim basis, the owner(s) of the subject structure may, within 5 days of HPC's decision, file an appeal petition with the City Clerk.	If HPC denies an application for temporary designation, the applicant or any interested party may, within 5 days of HPC's decision, file an appeal petition with the City Clerk.	
The City Clerk immediately notifies DNS and DCD of the appeal petition.		The City Clerk immediately notifies DNS and DCD of the appeal petition.	
The Common Council reviews HPC's decision within 45 days of the City Clerk's receipt of the appeal petition.		The Common Council reviews HPC's decision within 45 days of the City Clerk's receipt of the appeal petition.	
The Common Council may, after balancing the interest of the public in preserving the affected structure and the interest of the owner(s) in using the property for his or her own purposes, reverse or affirm HPC's decision.		The Common Council shall consider the application for temporary designation in light of the criteria for determining "historic, architectural and cultural significance" in s. 320-21-3-f and grant temporary designation if it finds that there is a substantial likelihood it will grant permanent designation of the structure, site or district.	
The City Clerk shall immediately notify DCD and DNS of the Common Council's appeal decision.		The City Clerk shall immediately notify DCD and DNS of the Common Council's appeal decision.	
Within 90 days of the start of the interim designation period, the HPC shall hold a public hearing on permanent historic designation. If, during the interim designation period, the HPC decides not to designate the structure as historic, the interim designation shall be immediately terminated.			