

Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2019 Legislative Session

Legislative day # 1

BILL NO. 3 – 2019

Introduced by:
Liz Walsh

AN ACT amending the Howard County Code by removing certain exceptions for a certificate of approval for new development in a historic district; and generally relating to historic district certificate of approvals.

Introduced and read first time _____, 2019. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2019.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2019 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2019 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2019

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that the Howard County
2 Code is hereby amended as follows:

3
4 *By Amending:*

5
6 Title 16. “Planning, Zoning and Subdivisions and Land Development Regulations”

7
8 Subtitle 6. “Historic Preservation Commission.”

9 Section 16.603. “Certificates of approval.”
10
11

12 **HOWARD COUNTY CODE**

13
14 **Title 16. PLANNING, ZONING AND SUBDIVISIONS AND LAND DEVELOPMENT**
15 **REGULATIONS**

16
17 **Subtitle 6. Historic Preservation Commission.**

18
19 **Section 16.603. Certificates of approval.**

20 (a) *Certificate of Approval Required.* Except as provided otherwise in this section, a certificate
21 of approval from the Commission is mandatory before the following may be undertaken
22 within any historic district:

- 23 (1) Construction, moving, demolition, repair or alteration of any structure in any manner
24 affecting the exterior appearance of the structure;
- 25 (2) Construction or alteration of parking areas; and
- 26 (3) Installation or alteration of exterior signs.

27 (b) *Exemptions.* A certificate of approval is not required for:

- 28 (1) Routine maintenance; or
- 29 (2) Minor alterations that are determined by the Executive Secretary of the Commission to
30 be consistent with the guidelines. The Executive Secretary's determination shall be posted
31 on the Commission's website. The Executive Secretary shall notify each Commissioner
32 in writing. If within five days of posting on the website, and written notification to the
33 Commissioners, any person objects in writing to the Executive Secretary, a certificate of

1 approval is required. Notwithstanding any provision of this Code, the determination of
2 the Executive Secretary may not be appealed.

3 ~~[(c)]~~ *Preparation for New Development.* A certificate of approval is not required for the following
4 work when carried out in accordance with an approved subdivision plan, site development
5 plan, forest conservation plan, or grading plan:

6 (1) Construction or alteration of public streets and sidewalks, use-in-common driveways,
7 storm drains and drainage swales, stormwater management facilities, and utility lines;

8 (2) Tree clearing and removal; or

9 (3) Installation of forest conservation plantings, street trees, and other required landscaping.]]

10 ~~[(d)]~~ *(C) Building Permit.* The Department of Inspections, Licenses and Permits shall not issue
11 a building permit or a grading permit for work requiring a certificate of approval unless the
12 Commission has issued a certificate of approval. The permit shall incorporate any
13 requirements or modifications required by the certificate of approval.

14 ~~[(e)]~~ *(D) Sign Permit.* The Department of Inspections, Licenses and Permits shall not issue a sign
15 permit for work requiring a certificate of approval unless the Commission has issued a
16 certificate of approval. The sign permit shall incorporate any requirements or modifications
17 required by the certificate of approval.

18 ~~[(f)]~~ *(E) Posted on Property.* The certificate of approval shall be posted on the property in a
19 location visible from a public street while the work authorized by the certificate is being
20 performed.

21 ~~[(g)]~~ *(F) Expiration of Certificate of Approval.* Unless extended by the Commission, a certificate
22 of approval issued by the Commission shall expire automatically if:

23 (1) The work has not been substantially completed within 18 months from the date the
24 certificate of approval was issued for an application for the alteration, repair, moving, or
25 demolition of a structure, or for the construction of a new accessory structure.

26 (2) The work has not been substantially completed within three years from the date the
27 certificate of approval was issued for an application for the construction of a new principal
28 structure.

1 ~~[(h)]~~ (G) *Extension of Certificate of Approval.* An application for extension of a certificate of
2 approval shall be treated and considered as a new application before the Commission.

3

4

5 ***Section 2. Be it further enacted*** by the County Council of Howard County, Maryland, that this Act shall
6 *become effective 61 days after its enactment.*