

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

County Council of Howard County, Maryland

2018 Legislative Session

Legislative day # 13

BILL NO. 75 – 2018

Introduced by: Jon Weinstein
Co-sponsored by: Greg Fox and Mary Kay Sigaty

AN ACT amending the Howard County Code to create an approval requirement for the Certificate of Approval process for certain actions involving historic structures and public safety; and generally relating to historic structures.

Introduced and read first time _____, 2018. 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 _____, 2018.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2018 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 _____, 2018 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2018

Allan H. Kittleman, 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 16.607. “Standards for Review.”
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 16.607. Standards for review.**

20 (a) *Elements for Consideration.* In reviewing an application for a certificate of approval, the
21 Commission shall give consideration to:

- 22 (1) The historic, architectural, or archeological value or significance of the structure and its
23 relationship to historic value of the surrounding area.
- 24 (2) The relationship of the exterior architectural features of such structure to the remainder
25 of the structure and to the surrounding area.
- 26 (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and
27 materials proposed to be used.
- 28 (4) Any other factors, including aesthetic factors, which the Commission deems to be
29 pertinent.

30 (B) *PUBLIC SAFETY.* THE COMMISSION SHALL APPROVE AN APPLICATION FOR A CERTIFICATE OF
31 APPROVAL IF THE PROPOSED ALTERATION, CONSTRUCTION, MOVING OR DEMOLITION OF THE
32 PROPOSED WORK IS NECESSARY TO PROTECT AGAINST THREATS TO PUBLIC SAFETY,
33 INCLUDING APPLICATIONS FOR STRUCTURES OF UNUSUAL IMPORTANCE.

1 ([[b]]C) *Exterior Features Only.* The Commission shall pass only on exterior features of a
2 structure and shall not consider interior arrangement; nor shall it disapprove
3 applications except in regard to the considerations set forth above.

4 ([[c]]D) *Intent of the Subtitle.* It is the intent of this subtitle that the Commission be strict in its
5 judgment of plans for contributing structures. It is also the intent of this subtitle that the
6 Commission shall be lenient in its judgment of plans for structures of little historic value
7 or plans for new construction, except where such plans would seriously impair the
8 historic or architectural value of surrounding structures or the surrounding area. It is not
9 the intent of this subtitle to limit new construction, alteration, or repairs to the
10 architectural style of any one period.

11 ([[d]]E) *Additional Guidelines.* The Commission shall adopt guidelines for its review of
12 applications based on the standards of this subtitle. The guidelines may include
13 standards for identifying contributing structures.

14

15 ***Section 2. Be it further enacted*** by the County Council of Howard County, Maryland, that the Department
16 of Planning and Zoning shall, by the effective date of this Act, update the General Application for
17 Certificate of Approval to reflect the Public Safety provision in this Act.

18

19 ***Section 3. Be it further enacted*** by the County Council of Howard County, Maryland, that this Act shall
20 become effective 61 days after its enactment.

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