

Amendment 1 to Council Bill 75-2018

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Legislative Day No: 14
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Amendment No. 1

1 (This amendment would provide discretion for the Historic Preservation Commission to
2 approve Certificate of Approvals in the area of public safety and makes corresponding
3 changes in the "Structures of unusual importance" section.)
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5

6 On page 1, in line 9, after the closed quotation mark, insert "*and*". On the same
7 page, in line 10, insert "Section 16.608. "Structures of unusual importance."".
8

9 On page 1, immediately following line 27, insert the following:

10 "(4) WHETHER THE REQUESTED ACTION IS NECESSARY TO PROTECT AGAINST
11 THREATS TO PUBLIC SAFETY."
12

13 On page 1, in line 28, strike "4" and substitute "5".
14

15 Also, on page 1, in strike lines 30 - 33, in their entirety.
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17 On page 2, at the beginning of line 1, strike the brackets and the letter "C".
18

19 On page 2, at the beginning of line 4, strike the brackets and the letter "D".
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21 On page 2, at the beginning of line 11, strike the brackets and the letter "E".
22

23 On page 2, immediately following line 14, insert the following:

24 "Sec. 16.608. - Structures of unusual importance.

1 (a) Structure of Unusual Importance. In the case of an application for alteration
2 affecting the exterior appearance of a structure or for the moving or demolition of a
3 structure the preservation of which the Commission deems of unusual importance to the
4 County, State or nation, the Commission shall endeavor to work out with the owner an
5 economically feasible plan for the preservation of such structure.

6 (b) Deny Application. Unless the Commission is satisfied that proposed construction,
7 alteration, or reconstruction will not materially impair the historic value of the structure,
8 the Commission shall deny the application.

9 (c) Negotiation. If an application is submitted for alteration, moving or demolition of a
10 structure that the Commission deems of unusual importance and no economically feasible
11 plan can be formulated, the Commission shall have 90 days from the time it concludes
12 that no economically feasible plan can be formulated to negotiate with the owner and
13 other parties in an effort to find a means of preserving the building.

14 (d) Special Circumstances. The Commission may approve the proposed alteration,
15 moving or demolition of a structure of unusual importance despite the fact that the
16 changes come within the provisions of subsections (a) through (c) of this section, if:

17 (1) The structure is a deterrent to a major improvement program which will be of
18 substantial benefit to the County;

19 (2) RETENTION OF THE STRUCTURE WOULD BE A THREAT TO PUBLIC SAFETY;

20 ([[2]]3) Retention of the structure would cause undue financial hardship to the owner;
21 or

22 ([[3]]4) Retention of the structure would not be in the interest of a majority of the
23 persons in the community."
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26
ADOPTED 10/29/18
FAILED _____
SIGNATURE Jessica Feldman