



City of Rockville

## MEMORANDUM

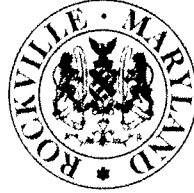
April 10, 2009

TO: Planning Commission  
Historic District Commission

FROM: Jim Wasilak, AICP, Chief of Planning *JW*

SUBJECT: Joint Worksession

Attached is the agenda for the joint worksession. It was designed to accommodate each commission's desired discussion topics. Also attached is information on each commission's authority as authorized by Article 66B and the Zoning Ordinance.



**PLANNING COMMISSION AND HISTORIC DISTRICT COMMISSION  
WORKSESSION AGENDA  
April 15, 2009**

- I. Introductions – Commissioners, staff**
- II. Authorization for these Commissions [City Zoning Ordinance, State Code 66B]**
- III. Recent Past – what’s the level of interest in preservation/management?**  
Conservation Districts? Locally Designated Districts? National Register Districts?  
Mechanism: Master Plans, HP Management Plan update (20<sup>th</sup> c)
- IV. “Consistency with the *Master Plan*” - Evaluations when the property is not specifically mentioned in relevant *Master Plan*, or the *Building Catalog*. Is it possible to include everything?**
- V. Working Together: Review Authority and Recommendation Authority**  
New Development Review Manual and areas of overlap:

Map Amendments	HDC, PC: recommendations to M&C
Subdivisions	HDC recommendation; PC approval authority
Site Plans:	HDC and PC: approval authority

What are the differences/similarities between PC and HDC projects/reviews?
- VI. Environmental/Green Contributions by PC and HDC**

**PLANNING COMMISSION AND HISTORIC DISTRICT COMMISSION**  
**WORKSESSION AGENDA**  
April 15, 2009

Historic District Commission Authority

**City of Rockville Zoning Ordinance**

25.04.04 - Historic District Commission

*b. Powers and Duties*

1. *Generally* – The Historic District Commission has all those powers and duties conferred and imposed upon it by this Chapter and the provisions of State law, including but not limited to:

- (a) Identifying and recommending to the Mayor and Council properties and/or areas deemed eligible for historic designation due to their historic, archaeological, or architectural significance;
- (b) Reviewing applications for Certificates of Approval for sites, buildings or structures within a Historic District zone;
- (c) Evaluating eligibility for historic designation of any sites, buildings or structures located outside a Historic District Zone which are proposed for demolition;
- (d) Providing courtesy review to the Planning Commission and Mayor and Council as requested, for projects with or adjacent to historic resources; and
- (e) All other powers granted to the Historic District Commission by Article 66B of the Annotated Code of Maryland.

*4. Qualification*

- (a) Each member must be a resident of the City; and
- (b) Each member must possess a demonstrated special interest, specific knowledge or professional or academic training in such fields as: history, architecture, architectural history, planning, archaeology, anthropology, curation, conservation, landscape architecture, historic preservation, urban design, or related disciplines.
  - (i) The requirement for commission membership under the category of demonstrated special interest may be satisfied either by formal training in one (1) or more of the above-listed fields or two (2) or more years of active membership in a preservation-related organization as cited in a letter of recommendation from that organization.

- (ii) Formal post secondary education, employment and/or practical experience in one (1) or more of the above-listed fields may satisfy the requirement for membership under the category of specific knowledge.
- (iii) The requirement for commission membership under the category of professional or academic training may be satisfied by, at a minimum, two (2) years experience as a professional or a Baccalaureate degree in one or more of the above listed fields.
- (iv) A "related discipline" may be conservation of historic resources or a building trade or profession with a specialty in structural restoration.

### **Maryland Code 66B**

- 8.01 (b) (1)** It is a public purpose in this State to preserve sites, structures, and districts of historical, archeological, or architectural significance and their appurtenances and environmental settings.
- (2) The local legislative body of every local jurisdiction may, by ordinance or resolution, regulate:
    - (i) the construction, alteration, reconstruction, moving, and demolition of sites or structures of historical, archeological, or architectural significance;
    - (ii) The construction, alteration, reconstruction, moving, and demolition of sites and structures within districts; and
    - (iii) The appurtenances and environmental settings of sites and structures within their limits.
  - (c) The purpose of an ordinance or resolution adopted under this subtitle is to:
    - (1) Safeguard the heritage of the local jurisdiction by preserving sites, structures, or districts which reflect elements of cultural, social, economic, political, archeological, or architectural history;
    - (2) Stabilize and improve the property values of those sites, structures, or districts;
    - (3) Foster civic beauty;
    - (4) Strengthen the local economy; and
    - (5) Promote the preservation and appreciation of those sties, structures, and districts for the education and welfare of the residents of each local jurisdiction.

**PLANNING COMMISSION AND HISTORIC DISTRICT COMMISSION**  
**WORKSESSION AGENDA**  
April 15, 2009

Planning Commission Authority

**City of Rockville Zoning Ordinance**

25.04.02 – Planning Commission

*b. Powers and Duties*

1. *Generally* – The Commission has all those powers and duties conferred and imposed upon it by this Chapter and the provisions of State law, including but not limited to:

(a) Providing analysis and recommendations to the Mayor and Council on matters related to the Plan for the City;

(b) Providing analysis and recommendations to the Mayor and Council on matters related to amendments to this Chapter and the Zoning Map;

(c) Reviewing and acting upon Site Plan and Project Plan applications in accordance with provisions of Article 7;

(d) Administering the subdivision process as set forth in Article 21; and

(e) Providing analysis and advice to the Board of Appeals regarding Special Exceptions, and other matters when deemed appropriate by the Planning Commission. If the Planning Commission exercises this power, the Planning Commission must submit to the Board of Appeals its written recommendation on the matter, at least seven (7) days prior to the public hearing or meeting of the Board of Appeals on this matter.

(f) Consider appeals from the decisions of the Chief of Planning and Chief of Inspection Services as provided by this Chapter.

4. *Qualification* – Each member must be a resident of the City.

## **Maryland Code Article 66B**

### **4.01**

(a) (1) It is the policy of this State that:

- (i) The orderly development and use of land and structures requires comprehensive regulation through the implementation of planning and zoning controls; and
- (ii) Planning and zoning controls shall be implemented by local government.

(2) To achieve the public purposes of this regulatory scheme, the General Assembly recognizes that local government action will limit free business enterprise and competition by owners and users of property through the planning and zoning controls set forth in this article and elsewhere in the public local and public general laws.

(b) (1) To promote the health, safety, morals, or general welfare of the community, a local legislative body may regulate and restrict, for trade, industry, residences, and other purposes:

height; number of stories; size; lot coverage of buildings; off-street parking; open space requirements; population density; location and use of buildings, signs, structures, land.

### **3.05**

(a) (2) The plan shall

- (i) Serve as a guide to public and private actions and decisions to insure the development of public and private property in appropriate relationships; and