

Ordinance No. 05-15

ORDINANCE: To grant Text Amendment Application No. TXT2015-00240, Mayor and Council of Rockville, Applicant

WHEREAS, the Mayor and Council of Rockville, 111 Maryland Avenue, Rockville, Maryland, filed Text Amendment Application TXT2015-00240 for the purpose of amending Chapter 25 of the Rockville City Code, "Zoning," so as to revise Chapter 25 for the purpose of allowing the Historic District Commission to authorize the filing of a Sectional Map Amendment for a property that meets the criteria for historic designation; and

WHEREAS, the Planning Commission reviewed the proposed text amendment at its meeting of February 11, 2015, and recommended that the text amendment be approved with the revisions recommended by the planning staff; and

WHEREAS, pursuant to the Land Use Article of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on March 2, 2015, at 7:00 p.m., or as soon thereafter as it may be heard; and

WHEREAS, on March 2, 2015, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council, having considered the text amendment application and the entire file pertaining thereto, said Mayor and Council have decided that the granting of this application, in the form set forth below, would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

Amend Article 6, “Procedures for Map and Zoning Text Amendments, Variances, and Administrative Actions”, as follows:

**25.06.01 – Zoning Map Amendments**

\* \* \*

*c. Applications*

1. *Authority to File*

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- (b) *Sectional and Comprehensive Amendment* – Except as otherwise set forth in this subsection, [A]an application for a sectional or comprehensive map amendment may be filed only by the Planning Commission or the Mayor and Council. An application for a sectional map amendment may be filed by the Historic District Commission in the case of a proposed designation of property as historic under the provisions of Section 25.14.01.

Amend Article 14, “Special Zones”, as follows:

**25.14.01 – Historic District Zones**

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*d. Designation of Properties*

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3. *Historic District Commission Review and Decision*– The Historic District Commission will consider the application at a meeting of the Commission following notice given in accordance with the notice provisions of Section 25.05.03, to determine if the property meets the adopted City of Rockville Historic District Designation Criteria. If the Historic District Commission finds that a site meets the criteria to be eligible for historic designation, it may initiate the filing of a Sectional Map Amendment to place the property in the historic district zone that includes a written recommendation explaining its findings as to why the Mayor and Council should rezone the property to the Historic District Zone.
4. [*Mayor and Council Authorization* – Upon receipt of the Historic District Commission’s recommendation, the Mayor and Council may authorize the filing of a sectional map amendment (Section 25.06.01.b.2) to place the property in the Historic District Zone.]
- [5.] *Completion of Designation Process* – The designation process shall be complete upon the occurrence of any of the following:

- (a) The determination of the Historic District Commission[,] that the property does not meet the criteria for historic designation; or
- (b) [The determination of the Mayor and Council not to authorize the filing of a sectional map amendment for historic rezoning;]
- [(c)] The determination of the Mayor and Council to take final action to grant or deny a map amendment for historic rezoning.

Subsection 6 to be renumbered to 5.

NOTE: [Brackets] indicate material deleted  
Underlining indicates material added  
Asterisks \* \* \* indicate material unchanged by this ordinance

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of March 30, 2015.



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Sara Taylor-Ferrell, Acting City Clerk