



Takoma Park City Council Meeting – February 7, 2018 Agenda Item 1

Voting Session

First Reading Ordinance Amending Takoma Park Code, Chapter 2.16, Boards and Commissions (Facade Advisory Board) and Chapter 8.40 Commercial District Facade Regulations

Recommended Council Action

Review the proposed code changes and adopt ordinance.

Context with Key Issues

A Work Session on proposed amendment of City Code Chapter 8.40 Commercial District Facade Regulations was held on January 24, 2018. The proposed revisions included the incorporation of the content of Chapter 8.40 Article 1 *Facade Advisory Board*, which addresses the establishment and operation of the Board, into Chapter 2.16 *Boards and Commissions*, following the established format for other Council-appointed committees. The proposed revision of Article 2- *Standards* retains the application of City Code and Montgomery County standards used by the Facade Advisory Board in its review of commercial facade projects while removing the details of these standards and obsolete requirements.

During the Work Session, Council requested changes in Chapter 2.16.350 to expand the advisory role of the Board to include to commercial facade projects throughout the community. The draft code has been edited as follows:

2.16.350 Board established. (Original Red-line version)

There is established a Takoma Park Facade Advisory Board which shall serve in an official advisory role to the City Council on all matters related to the facades of commercial buildings in the historic commercial district....

2.16.350 Board established (Updated from January 24, 2018 Work Session)

There is established a Takoma Park Facade Advisory Board which shall serve in an official advisory role to the City Council on all matters related to the facades of all commercial buildings, with authority to review proposed facade changes to buildings in the historic commercial district....

In 2.16.360, the reference to "citizens" has been replaced with "residents."

Council Priority

Engaged, Responsive, Service-oriented Government

Environmental Impact of Action

N/A

Fiscal Impact of Action

N/A

Racial Equity Impact of Action

By expanding this opportunity city-wide, more minority business owners can take advantage of the Facade Advisory Board guidance.

Attachments and Links

- Draft ordinance amending Takoma Park Code Chapters 8.40 *Commercial District Facade Regulations* and 2.16 *Boards and Commissions*

Introduced by:

First Reading:
Second Reading:
Effective Date:

City of Takoma Park, Maryland

Amending the *Takoma Park Code* Chapters 8.40, Commercial District Facade Regulations, and 2.16, Boards and Commissions, to improve the organization of the City Code and clarify the standards applicable to City businesses

WHEREAS, on October 11, 1999, the City Council adopted the Commercial District Facade Ordinance (as Takoma Park City Code 8.40), regulating a variety of building and sign improvements within the Old Town and Takoma Junction commercial historic districts and establishing the Facade Advisory Board to provide assistance to affected building and business owners; and

WHEREAS, City staff and administrative bodies regularly review the City Code for issues of clarification, systematization, and accuracy; and

WHEREAS, Chapter 2.16 contains enabling legislation for most Council-appointed administrative bodies; and

Whereas, Chapter 8.40 applies Takoma Park Code 6.12 and 10.16.020 and Montgomery County zoning standards but also prescribes standards that conflict with other applicable law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. Chapter 2.16, Boards and Commissions, of the Takoma Park Code is hereby amended to as follows:

Article 10: Façade Advisory Board

2.16.350 Board established.

There is established a Takoma Park Façade Advisory Board which shall serve in an official advisory role to the City Council on all matters related to the facades of all commercial buildings, with authority to review proposed façade changes to buildings in the historic commercial district, identified as: 1) Takoma Old Town -- all commercial properties located on Laurel Avenue and Carroll Avenue (MD 195), between Eastern Avenue and Columbia Avenue; and 2) Takoma Junction -- all commercial properties located on Carroll Avenue (MD 195) and

Ethan Allen Avenue (MD 410) between Philadelphia Avenue (MD 410), Lee Avenue, and Sycamore Avenue.

2.16.360 Statement of purpose.

The Facade Advisory Board (FAB) is established as an advisory panel to:

A. Help ensure that facade designs and their maintenance are harmonious and consistent with the intended quality and character of the commercial areas of Takoma Park;

B. Provide guidance and assistance to commercial building and business owners seeking permits for facade alterations, signs, and new construction work;

C. Coordinate with and advise the City of Takoma Park Code Enforcement Department;

D. Inform residents and business owners of the historic district benefits and requirements and continue coordinating with the Montgomery County Historic Preservation Commission and the Montgomery County Department of Fire and Rescue Services—Code Enforcement (MCFD) regarding necessary approvals.

2.16.370 Board membership, terms of office, structure and staffing.

A. The FAB shall consist of seven voting members.

1. At least two members shall be professionals such as architects, planners, or historians.

2. At least two members shall be building or business owners located or doing business in the Takoma Old Town and Takoma Junction commercial areas.

3. One member shall represent Historic Takoma, Inc. The Board of Historic Takoma, Inc. shall select two representatives from among its membership for consideration by the City Council, one of which may be appointed to serve as a voting member of the FAB, the other to serve as an alternate.

B. Terms of Office

1. The seven members shall serve staggered three-year terms, with initial appointments of one, two and three years. The terms shall begin on April 1st and end on March 31st.

2. Historic Takoma, Inc. representatives shall serve for one year.

3. No member, with the exception of the member representing Historic Takoma, Inc., shall serve for more than two consecutive full terms. The members representing Historic Takoma, Inc. may serve for an unlimited number of one-year terms.

C. Structure

1. The Board shall organize to accomplish its purposes and elect from its members co-chairs and other officers as it shall deem necessary. Elections for officers shall be held annually.

2. The FAB shall convene as frequently as may be reasonably required to perform its duties and may operate under a quorum of at least 4 voting members. The FAB shall establish a regular meeting date, time and place which shall be published, along with the name and phone number of the City staff person to contact for placing items on the agenda.

3. The City staff will consult with the Chairperson and prepare and distribute an agenda and supporting materials to the members at least 7 days in advance of each regularly scheduled meeting date.

4. If there are no agenda items, the Chairperson may cancel the regularly scheduled meeting and have the City staff person(s) notify the Board members.

5. An emergency meeting may be convened by the Chairperson by providing written notice to each member at least 7 days prior with supporting materials and an explanation of the nature and need of the meeting.

6. The FAB shall meet at least every 6 months to evaluate process.

D. Staffing

1. The City ~~Manager~~Administrator shall assign City staff familiar with building code and historic preservation policies and procedures in Takoma Park, Montgomery County, and the State of Maryland to support the FAB.

2.16.380 Duties and responsibilities of the Board.

A. The FAB shall advise commercial building and business owners of the requirements to do work in the historic district and available financial resources.

B. The FAB may make recommendations to Montgomery County Historic Preservation Commission regarding facade, sign, and similar architectural and planning related issues.

C. Members may advise and comment but shall recuse themselves from voting on issues affecting properties in which they have any direct financial interest.

D. The City staff will be responsible for managing administrative functions of the FAB, assisting applicants in preparing presentations to the FAB, preparing agendas, and preparing reports for the FAB.

Section 2. Chapter 8.40, Commercial District Facade Regulations, of the Takoma Park Code is hereby amended to as follows:

Article 1. Standards

8.40.010 County regulations.

A. Montgomery County standards and regulations shall apply within all commercial areas of Takoma Park including:

1. Building Code regulations (latest version).
2. Montgomery County Zoning Code, Chapter 59, including the Sign Ordinance (latest version).
3. Montgomery County Historic Preservations regulations shall apply in the Takoma Park Historic District.

B. The following Takoma Park City Code provisions shall apply: Chapter 6.12, Property Maintenance Code, and Section 10.16.020.

C. The Design Guidelines for Commercial Buildings, developed by the Takoma Park Facade Advisory Board and adopted by the Takoma Park City Council on July 25, 2011, are intended to:

- 1) assist property owners and tenants of commercial buildings in maintaining, preserving and enhancing the architectural character of their properties, and 2) to assist architects, contractors and others with planning and implementing repairs, rehabilitation and restoration of those properties.

8.40.020 Compliance procedures.

A. Reviews and Approvals.

1. Design plans are required to be reviewed and approved by Montgomery County before proceeding with work.

a. Zoning Regulations. All permanent and temporary signage shall be installed and maintained in accordance with the regulations set forth in Montgomery County Zoning Code, Chapter 59, Division 6.7, Signs (latest version). County permits for façade changes require a municipality letter from the City of Takoma Park.

b. Required Permits. Design plans on commercial properties within the Takoma Park Historic District are required to be reviewed by the Takoma Park Façade Advisory Board. Historic Area Work Permits shall be secured from the Montgomery County Historic Preservation Commission prior to the alteration of buildings in designated historic districts. Sign permits for the historic commercial area shall be obtained from the Montgomery County Department of Permitting Services prior to sign installation.

3. All demolition applications are subject to review and approval by the Montgomery County Historic Preservation Commission as stipulated under Chapter 24-A of the Montgomery County Code.

4. To help facilitate approval, it is required that plans also be reviewed and submitted to the County with a review report by the FAB.

Article 1. Façade Advisory Board

8.40.010 Purpose.

The Façade Advisory Board (FAB) is established as an advisory panel to:

A. ~~Help ensure that façade designs and their maintenance are harmonious and consistent with the intended quality and character of the commercial areas of Takoma Park;~~

B. ~~Provide guidance and assistance to commercial building and business owners seeking permits for façade alterations, signs, and new construction work;~~

C. ~~Coordinate with and advise the City of Takoma Park Code Enforcement Department;~~

D. ~~Inform citizens and business owners of the historic district benefits and requirements and to continue coordinating with the Montgomery County Historic Preservation Commission and the~~

~~Montgomery County Department of Fire and Rescue Services—Code Enforcement (MCFD) regarding necessary approvals.~~

8.40.020 Members.

~~A.—The FAB shall consist of seven voting members.~~

~~1.—At least two members shall be professional such as architects, planners, and/or historians.~~

~~2.—At least two members shall be building or business owners located or doing business in the Takoma Old Town and Takoma Junction commercial areas as defined in Section 8.40.070.~~

~~3.—One member shall represent Historic Takoma, Inc. The Board of Historic Takoma, Inc. shall select from among its membership for consideration by the City Council, two representatives, one of which may be appointed to serve as a voting member of the FAB, the other to serve as an alternate.~~

~~B.—Members shall be nominated and appointed by the City Council.~~

~~1.—The seven members shall serve staggered three year terms, with initial appointments of one, two and three years. The terms shall begin on April 1st and end on March 31st.~~

~~2.—Historic Takoma, Inc. representatives shall serve for one year.~~

~~3.—No member, with the exception of the member representing Historic Takoma, Inc., shall serve for more than two consecutive terms.~~

~~The members representing Historic Takoma, Inc. may serve for an unlimited number of one year terms.~~

~~C.—The initial term of a member appointed to replace a member who cannot complete his or her term shall be for the remainder of that member's term.~~

~~D.—A member, whose term expires, may upon a majority vote of the remaining members, continue as a voting member on pending cases which were ongoing prior to the completion of their term.~~

~~E.—The City Administrator may remove a member before their term has expired if the member has become incapacitated, has failed to reasonably perform his or her duties, or has missed 3 consecutive meetings.~~

~~F.—The FAB shall elect a Chairperson and a Vice Chairperson.~~

8.40.030 Support staff.

~~The City Administrator shall assign City staff familiar with building code and historic preservation policies and procedures in Takoma Park, Montgomery County, and the State of Maryland to support the FAB.~~

8.40.040 Meetings.

~~A.—The FAB shall convene as frequently as may be reasonably required to perform its duties and may operate under a quorum of at least 3 voting members.~~

~~B.—The FAB shall establish a regular monthly meeting date, time and place which shall be published, along with the name and phone number of the City staff person to contact for placing items on the agenda.~~

~~C.—The City staff will consult with the Chairperson and prepare and distribute an agenda and supporting materials to the members at least 7 days in advance of each regularly scheduled meeting date.~~

~~D.—If there are no agenda items, the Chairperson may cancel the regularly scheduled meeting and have the City staff person(s) notify the Board members.~~

~~E.—An emergency meeting may be convened by the Chairperson by providing written notice to each member at least 7 days prior with supporting materials and an explanation of the nature and need of the meeting.~~

~~F.—The FAB shall meet at least every 6 months to evaluate process.~~

8.40.050 Duties.

~~A.—The FAB shall advise commercial building and business owners of the provisions of this chapter and available financial resources.~~

~~B.—The FAB may make recommendations to Montgomery County Historic Preservation Commission regarding facade, sign, and similar architectural and planning related issues.~~

~~C.—The City Administrator (or his or her appointed designee), in conjunction and with the FAB, shall implement, enforce and routinely update the City Standards described in Article 2 of this chapter.~~

~~D.—Members may advise and comment on, but shall recuse themselves from voting, issues affecting properties in which they have any direct financial interest.~~

~~E.—The City staff will be responsible for managing administrative functions of the FAB, assisting applicants in preparing presentations to the FAB, preparing agendas, and preparing reports for the FAB.~~

Article 2. Standards

8.40.060 County regulations.

~~A.—Montgomery County standards and regulations shall apply within all commercial areas of Takoma Park including:~~

~~1.—Building Code regulations (latest version).~~

~~2.—Sign Ordinance Article 59 F of the Montgomery County Code (latest version).~~

~~B.—The following Takoma Park City Codes shall apply: Chapter 6.12, Property Maintenance Code and Section 10.16.020 of this code.~~

8.40.070 City standards—Applicability.

~~A.—The City Standards for design set forth in Section 8.40.080 and in subsequent sections shall apply to the following areas upon adoption of such Standards by the Montgomery County Historic Preservation Commission:~~

~~1.—Takoma Old Town: All commercial properties located on Laurel Avenue and Carroll Avenue (MD 195), between Eastern Avenue and Columbia Avenue;~~

~~2.—Takoma Junction: All commercial properties located on Carroll Avenue (MD 195) and Ethan Allen Avenue (MD 410) between Philadelphia Avenue (MD 410), Lee Avenue, and Sycamore Avenue;~~

~~3.—All other commercial properties in the City on a voluntary basis only.~~

~~B.—The City Standards for maintenance set forth in Section 8.40.080 and in subsequent sections shall apply to all commercial properties in Takoma Park.~~

8.40.080 City standards—Intent—Review.

A.—~~These City Standards are intended to promote and enhance the unique character of Takoma Park; to help provide and maintain economically viable, attractive and convenient business districts; to protect and enhance property values; to cultivate and maintain a positive visual image; to assist in disseminating knowledge regarding redevelopment funds; and to promote the public welfare.~~

B.—~~The City Standards shall to the maximum practical extent, clearly differentiate between issues such as maintenance/new construction/alterations, historic/non-historic, requirements/recommendations, and City/County permits.~~

C.—~~The City Standards should be reviewed and updated, as necessary, through a public hearing process at least once every 3 years by the City Council with the advice and assistance of the FAB.~~

8.40.090 Roofs.

A.—~~Design (Materials/Modifications).~~

1.—~~Roof shapes, materials and colors shall be compatible with the historic nature (if applicable) and character of the building and neighborhood.~~

2.—~~Skylights and solar collectors (if used) shall be aesthetically integrated into the roof profile and coordinated with roofing materials and finishes.~~

3.—~~Rooftop mechanical equipment, antennas, satellite dishes and similar elements shall not be permitted to be in view of the public right of way. When it is necessary to be located within a viewable area, such items shall be screened in a manner that is compatible with the roof profile and materials.~~

4.—~~Extraneous and unused elements, including but not limited to signs, equipment, and billboards, shall be prohibited.~~

B.—~~Maintenance. Roofing materials, chimneys and other auxiliary structures shall be kept in a good state of repair and appearance.~~

8.40.100 Exterior walls.

A.—~~Design (Modifications/Replacement).~~

- ~~1.—All elements of building facades shall be compatible with the original materials and construction of the building.~~
- ~~2.—Brick, stone, and other masonry surfaces shall be cleaned in the gentlest manner possible, repaired, and repointed as required and preserved in their original color and texture.~~
- ~~3.—Stucco surfaces shall have a similar texture to the original or remaining existing surfaces.~~
- ~~4.—Exterior finishes and colors shall be compatible with neighboring structures.~~
- ~~5.—Plywood and/or asphalt shingle siding shall not be permitted.~~
- ~~6.—Window/through wall type air conditioning units if used, shall be harmonious with the facade and shall not interfere with or be hazardous to pedestrian circulation and shall not drain to the sidewalk.~~
- ~~7.—Vinyl gutter and down spouts are permitted.~~
- ~~8.—Miscellaneous elements which are not of historic value such as empty electrical boxes, conduits, pipes, unused sign brackets, and alarm units shall be removed.~~

~~B.—Maintenance.~~

- ~~1.—All exterior facade materials shall be maintained in sound and attractive condition.~~
- ~~2.—Rotten, broken, or otherwise deteriorated materials shall be repaired or replaced in kind.~~
- ~~3.—Peeling and/or chalking painted surfaces shall be repainted or otherwise refinished in a manner aesthetically compatible with their location.~~
- ~~4.—Gutters and down spouts shall be kept securely attached.~~

8.40.110 Architectural details.

~~A.—Design (Modifications/Replacement).~~

- ~~1.—Cornices shall be restored or replaced to be compatible with their original historic design of the building as part of any substantial facade renovation work.~~

- ~~2.—Signs covering building cornices shall be removed and the cornice repaired and restored.~~
- ~~3.—Lintels, arch work, and sills over windows shall be preserved, restored or replaced in a style compatible with the original construction.~~
- ~~4.—Windows shall be of matching or otherwise compatible design and material and shall be of the same height and width as existed in the original construction. Vinyl-clad wood or metal or other weather resistant materials may be considered.~~
- ~~5.—Ornamental window grilles or balconettes may be incorporated as decorative or security devices.~~
- ~~6.—Boarding or filling in windows on street front and side facades shall be prohibited.~~
- ~~7.—Windows facing alleys or yards may be closed with materials and a design that matches or are compatible with the surrounding materials and finishes.~~
- ~~8.—Textured or colored glass and ribbed or patterned metal shall not be permitted as replacement materials for shopfront windows.~~
- ~~9.—Non-metal security grilles, screens, and mesh wire shall be prohibited.~~
- ~~10.—Public entry doors, including stoops and approaches shall be accessible to persons with disabilities to the maximum extent practical without being detrimental to the historical value of the property.~~
- ~~11.—Doorway steps, stoops, or ramps shall be compatible with the original design of the building. Where there are more than 2 risers, railings shall be installed.~~
- ~~12.—Rigid fixed awnings, canopies, and similar overhangs for weather protection and compatible with the building design are permitted over the first floor and on upper floor windows and entrances. Wooden shingle mansard type awnings are prohibited. Cloth awnings shall be made with fire retardant material.~~
- ~~13.—First floor awnings shall terminate not higher than 6" below the second floor window sill. The front valance of awnings shall not exceed one foot in depth. Signs, symbols or other designs compatible with the facade and in conformance with sign requirements are permitted on awnings.~~

~~B.—Maintenance.~~

- ~~1.—Cornices shall be structurally sound. Rotted or weakened portions shall be repaired or replaced. All exposed wood shall be painted or otherwise finished.~~
- ~~2.—Windows must be tight fitting. Rotted, broken, loose or otherwise deteriorated or damaged sashes, window panes, mullions, and muntins shall be repaired or replaced in kind. All exposed wood shall be painted or otherwise finished.~~
- ~~3.—Faded, peeling or similarly deteriorated awnings shall be removed, replaced, or repaired.~~
- ~~4.—Extraneous and/or unused hardware, signs, and equipment shall be removed.~~
- ~~5.—Broken, rotten, or damaged elements shall be removed, replaced or repaired.~~
- ~~6.—Security grilles shall be free of rust, peeling paint or other unsightly appearance.~~
- ~~7.—Solid or other similarly permanently enclosed, covered or painted shopfront windows shall not be permitted.~~
- ~~8.—Vending machines located within 25' of the sidewalk shall be screened from view.~~

8.40.120 Signs.

~~A.—Design Standards for Modification or Construction of New or Replacement Signage.~~

- ~~1.—Zoning Regulations. All permanent and temporary signage shall be installed and maintained in accordance with the regulations set forth in Montgomery County Code Article 59-F.~~
- ~~2.—Required Permits. Historic Area Work Permits shall be secured from the Montgomery County Historic Preservation Commission prior to the installation or modification of a sign in designated historic districts. Sign permits shall be obtained from the Montgomery County Department of Permitting Services prior to sign installation.~~
- ~~3.—General Requirements. In general, signs should not obscure or detract from architectural details. Signs should be positioned and designed to complement and emphasize the building architecture, including special shapes or details of the facade; draw attention to the building entrance; or to emphasize a display window where feasible and desirable.~~

- 4.—~~Wall Signs. Signs that are mounted parallel to the wall of the building may not extend more than 8 inches from the building face.~~
- 5.—~~Projecting Signs. Projecting signs may not extend more than 3 feet from the building face.~~
- 6.—~~Awning or Canopy Signs. Signs may be incorporated as part of awnings or canopies. Images and lettering should be confined to the vertical face.~~
- 7.—~~Freestanding Signs. Signs erected on the ground or attached to a structure such as a post, pole or column as its sole source of support, should be appropriate to the context, balanced in size and in height and not unduly obstruct the view of the building or the view along the streetscape.~~
- 8.—~~Temporary Signs. Aggregated area of all temporary signs in a window may not exceed more than 20% of the window area and may not remain in place for more than 30 days.~~
- 9.—~~Limited Duration Signs. The provisions of this chapter shall apply to all banners and other limited duration signs as defined by Montgomery County Code Article 59 F.~~
- 10.—~~Sign Materials. Sign materials should be durable and easy to maintain. Appropriate materials include but are not limited to painted or carved wood, aluminum, stone, acrylic, neon, glass, and stained glass.~~
- 11.—~~Illumination. Light sources external to the sign surface and directed downward toward the sign are preferred. The light level should not overpower the facade or other elements of the building or adjacent streetscape. The light source should be shielded from pedestrian view. Internal lighting may be appropriate where only letters are illuminated or neon is used.~~
- 12.—~~Sign Shape. Signs should be designed in simple, straightforward shapes that convey their messages clearly. Symbols should be easily readable.~~
- 13.—~~Graphics. Lettering should be properly proportioned and easy to read. In most instances, simple fonts are preferred. The number of fonts should be limited to 2 per sign. As a general rule, the letters should not occupy more than 75% of the total sign panel. Finishes should be matte or non-glare with graphics in high contrast to their backgrounds.~~

~~B.— Maintenance Standards. Signs shall be appropriately maintained with missing lettering, peeling paint, and other signs of deterioration corrected in a timely fashion. Damaged and obsolete signs, as well as associated posts, wiring and structures, shall be repaired or removed within 30 days of notice by the City.~~

8.40.130 Lighting.

~~A.— Design (Modifications/Replacement).~~

~~1.— Exterior lighting may be installed to illuminate the building facade and entry. Lighting fixtures must be located, aimed and shielded so that the light is directed only onto the building and not toward adjacent roads.~~

~~2.— Lighting fixtures shall be compatible with the design of the building and may not project more than 24" from the face of the building.~~

~~3.— Maximum facade illumination shall not exceed an average of 5 foot candles.~~

~~4.— The following lighting sources are permitted:~~

~~a.— Fully recessed down lights with a bulb not visible at pedestrian eye level;~~

~~b.— Wall washers in projecting metal box or goose neck fixtures with a diffuser or reflector fully shielded light sources, not visible at pedestrian eye level;~~

~~c.— Individually lit letters internally or backlit.~~

~~5.— The following lighting methods are not permitted:~~

~~a.— Exposed (visible) fluorescent, quartz or mercury vapor lamps;~~

~~b.— Exposed incandescent lamps other than low wattage, decorative type fixtures lighting;~~

~~c.— Flood lights which create glares to vehicles, or occupants of buildings;~~

~~d.— Low pressure sodium;~~

~~e.— Lights which blink, black out, flash, or create a motion effect.~~

~~6.— Electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switch and panel boxes shall be concealed from view.~~

~~B.— Maintenance.~~

- ~~1.— Low level facade lighting is recommended to be operational to 11:00 pm.~~
- ~~2.— Continuous internal security/police surveillance night lighting is recommended for all street level businesses.~~

~~**8.40.140 Rear and side yards.**~~

~~A.— Design (Modifications/Replacement).~~

- ~~1.— Paved rear yards may be used for parking or loading.~~
- ~~2.— Storage or trash containers shall be screened from public view.~~
- ~~3.— Parking areas shall be screened from adjoining residential property.~~
- ~~4.— Refuse and storage areas shall be screened from the view of adjacent properties and public rights of way. Screening may consist of masonry walls or durable wooden fences not less than 4' nor more than 6' high, or compact dense evergreen hedges not less than 4' high at time of installation.~~

~~B.— Maintenance.~~

- ~~1.— Yards shall be maintained to provide a neat appearance and not detract from the building or surrounding neighborhood.~~
- ~~2.— Refuse and storage areas must be maintained and kept neat in appearance at all times.~~

~~**8.40.150 New buildings.**~~

~~Facades must be compatible with and enhance the character of the adjacent areas and approved by the Montgomery County Historic Preservation Commission.~~

~~**8.40.160 Compliance procedures.**~~

~~A.— Reviews and Approvals.~~

- ~~1.— Design plans are required to be reviewed and approved by Montgomery County before proceeding with work.~~
- ~~2.— The City of Takoma Park notes that the Montgomery County Historic Preservation Commission may refuse to approve drawings, plans, or specifications that are not suitable~~

~~or desirable for aesthetic or functional reasons; and shall have the right to take into consideration issues such as, but not limited to, the suitability of the site plan, architectural treatment, plans, elevations, materials and color, construction details, streets, sidewalks, and the harmony of the plans with the surrounding area.~~

~~3.—All demolition applications are subject to review and approval by the Montgomery County Historic Preservation Commission as stipulated under Chapter 24 A of the Montgomery County Code.~~

~~4.—To help facilitate approval, it is recommended that plans also be reviewed and submitted to the County with an endorsement/comment report by the FAB.~~

~~B.—Enforcement.~~

~~1.—The City shall provide training to the staff of the Office of Code Enforcement, and distribute informational materials to affected building and business owners.~~

~~2.—Not sooner than 8 months following the date of adoption of the City Standards by Montgomery County Historic Preservation Commission, the Facade Advisory Board shall notify the owners of properties determined not to be in compliance with the City Standards set forth in Section 8.40.080. Notice shall be in writing and shall include a statement of the suggested corrective action and a notice that the FAB is available to provide assistance by appointment.~~

~~3.—Should the Office of Code Enforcement identify a property which is not in compliance with the City Standards set forth in Section 8.40.080, Code Enforcement may issue a written notice of violation to the property owner which shall:~~

~~a.—Include a legal description or the street address of the property;~~

~~b.—Include a detailed description of the violation;~~

~~c.—State a reasonable time for the property owner to abate the violation.~~

~~4.—Notices of violation shall be deemed to have been properly served by personal delivery, or by first class mail to the property owner's last known address, or by any other method authorized by the laws of the State of Maryland and the City.~~

~~5.—If a property owner does not abate the violation within the time allowed for correction, the maintenance provisions of the City Standards set forth in Section 8.40.080, then a citation for a Class C municipal infraction may be issued to the property owner or other responsible party.~~

Section 3. This ordinance shall become effective _____.

Adopted by the Council of the City of Takoma Park this ____ day of _____ by roll-call vote as follows:

AYE:

NAY:

ABSTAIN:

ABSENT:

EXPLANATORY NOTE

Additions to the Code are shown by underlining. Deletions are shown by ~~striketrough~~.