

ORDINANCE NO. O-11-11

AN ORDINANCE TO AMEND CHAPTER 20 OF THE CITY CODE, ENTITLED, "SUBDIVISION OF LAND," ARTICLE II, ENTITLED, "PROCEDURE FOR PREPARATION OF PRELIMINARY AND FINAL PLATS," § 20-16, ENTITLED, "APPROVAL OF FINAL PLAT BY PLANNING COMMISSION," ARTICLE V, ENTITLED, "PRELIMINARY SUBDIVISION PLAN," § 20-43, ENTITLED, "RECOMMENDATIONS FROM HISTORIC PRESERVATION ADVISORY COMMITTEE," SO AS TO ALLOW FOR ELECTRONIC SIGNATURES AND CHANGE HISTORIC PRESERVATION ADVISORY COMMITTEE TO HISTORIC DISTRICT COMMISSION IN ACCORDANCE WITH CHAPTER 24 OF THE CITY CODE

BE IT ORDAINED, by the Mayor and Council of the City of Gaithersburg, in public meeting assembled, that Chapter 20 of the City Code, entitled, "Subdivision of Land," is hereby amended to read as follows:

Chapter 20

SUBDIVISION OF LAND

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ARTICLE II. PROCEDURE FOR PREPARATION OF PRELIMINARY AND FINAL PLATS

Sec. 20-16. Approval of final plat by planning commission.

(a) The final subdivision plat will be approved by the planning commission if found by it to be in conformity with the approved preliminary subdivision plan and the requirements for this chapter, and other applicable laws, and Article II of Chapter 19 of this Code, and of applicable site plan approved for the property pursuant to Article V of Chapter 24 of this Code. The final subdivision plat shall reflect all required dedications of land for public use or any other exaction imposed by the planning commission approval. The signatures of the planning commission chairman and vice-chairman shall be ~~inscribed~~ recorded on the approved plat.

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Boldface

Underlining

~~Single strikethrough~~

Double underlining

~~Double boldface strikethrough~~

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Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by Amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

ARTICLE V. PRELIMINARY SUBDIVISION PLAN

Sec. 20-43. Recommendations from historic ~~preservation advisory committee~~ district commission

(a) The historic ~~preservation advisory committee~~ district commission shall review and make recommendations to the city planning commission on applications for the subdivision or resubdivision of land containing a historic or archeological site or resource, or is located within a historic district, or is located within an impact review area as defined in subsection 24-229(d) 24-228(d) of the City Code. The planning commission may, in its discretion, request the historic ~~preservation advisory committee~~ district commission to review and make recommendations on any other application which is related to functions and duties of the historic ~~preservation advisory committee~~ district commission for the subdivision or resubdivision of land. The planning commission may require that a subdivision be designed to protect significant historic resources.

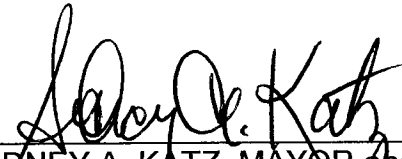
(b) The historic ~~preservation advisory committee~~ district commission shall provide such recommendations within thirty-one (31) days from the date of filing of the application for preliminary subdivision plan approval on the following matters:

- (1) The effect upon any historic resource or district.
- (2) The effect or impact on historic appurtenances and environmental settings relating to (1) above.

Failure to ~~proved~~ provide the recommendation within the time set forth shall be deemed as a waiver of the requirement unless additional time for such recommendation is consented to by the applicant.

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ADOPTED this 3rd day of October, 2011, by the City Council of Gaithersburg, Maryland.



SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland this 3rd day of October, 2011. APPROVED by the Mayor of the City of Gaithersburg, Maryland this 3rd day of October, 2011.


SIDNEY A. KATZ, MAYOR

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the City Council of Gaithersburg, in public meeting assembled, on the 3rd day of October, 2011, and the same was APPROVED by the Mayor of the City of Gaithersburg on the 3rd day of October, 2011. This Ordinance will become effective on the 24th day of October, 2011.


ANGEL L. JONES, City Manager