

**AMENDMENTS TO COUNCIL BILL 22-0287
(1st Reader Copy)**

By: Councilmember Bullock
{To be offered on the Council floor}

Amendment No. 1

On page 1, in line 2, after “**Districts**” insert “, **Landmarks, and Potential Landmarks**”; and, on that same page, in line 4, after “district” insert “, designated as a landmark, or designated as a potential landmark”; and, on that same page, strike lines 17 through 21, inclusive, and substitute:

“ON OR BEFORE ENTERING INTO A CONTRACT FOR THE SALE OF ANY REAL PROPERTY, THE SELLER MUST DISCLOSE TO THE BUYER IN WRITING WHETHER THE PROPERTY IS:

- (1) LOCATED IN A HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT, AS DEFINED UNDER ARTICLE 6, § 1-1(F) {“DEFINITIONS - *HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT; PRESERVATION DISTRICT; DISTRICT*”} OF THE CODE;
- (2) INCLUDED ON THE LANDMARK LIST: EXTERIORS, AS ESTABLISHED BY ARTICLE 6, SUBTITLE 4 {“DESIGNATION OF LANDMARKS”} OF THE CODE; OR
- (3) INCLUDED ON THE POTENTIAL-LANDMARK LIST: EXTERIORS, AS ESTABLISHED BY ARTICLE 6, SUBTITLE 5 {“DESIGNATION OF POTENTIAL LANDMARKS”} OF THE CODE.”;

and, on page 2, strike lines 3 through 38, inclusive, and substitute:

**“HISTORIC DISTRICT, LANDMARK, OR POTENTIAL
LANDMARK – DISCLOSURE**

THIS PROPERTY IS [] IS NOT [] LOCATED WITHIN A HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT.

THIS PROPERTY IS [] IS NOT [] LISTED ON THE LANDMARK LIST: EXTERIORS.

THIS PROPERTY IS [] IS NOT [] LISTED ON THE POTENTIAL-LANDMARK LIST: EXTERIORS.

SELLER’S INITIALS

BEFORE BEGINNING ANY EXTERIOR ALTERATIONS TO A STRUCTURE, THE OWNER OF THE PROPERTY AND THE STRUCTURE MUST FIRST SECURE AN AUTHORIZATION TO PROCEED (“ATP”) FROM THE COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION (“CHAP”) IF THE PROPERTY IS:

- (1) LOCATED WITHIN A HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT (A “HISTORIC DISTRICT”);**
- (2) INCLUDED ON THE LANDMARK LIST: EXTERIORS; OR**
- (3) INCLUDED ON THE POTENTIAL LANDMARK LIST: EXTERIORS,**

STRUCTURES THAT ARE LOCATED WITHIN A HISTORIC DISTRICT ARE DESIGNATED AS BEING PART OF A NEIGHBORHOOD THAT IS OF PARTICULAR HISTORICAL SIGNIFICANCE AND ARCHITECTURAL CHARACTER.

STRUCTURES THAT ARE INCLUDED ON THE LANDMARK LIST: EXTERIORS ARE CONSIDERED TO BE OF SUCH SPECIAL HISTORICAL OR ARCHITECTURAL SIGNIFICANCE THAT, EVEN IF NOT LOCATED WITHIN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT, THOSE STRUCTURES AND THEIR EXTERIORS SHOULD BE EXTENDED THE SAME PROTECTIONS AS APPLY TO STRUCTURES WITHIN A DISTRICT.

STRUCTURES THAT ARE INCLUDE DON THE POTENTIAL-LANDMARK LIST: EXTERIORS ARE CONSIDERED TO BE OF SUCH HISTORICAL OR ARCHITECTURAL SIGNIFICANCE THAT, EVEN IF NOT LOCATED WITHIN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT, THOSE STRUCTURES AND THEIR EXTERIORS SHOULD BE EXTENDED TEMPORARY PROTECTION UNDER § 5-5 {“PROTECTIONS PENDING DECISION”} AND UNDER SUBTITLE 8 {“ALTERATIONS, ETC. TO OR AFFECTING PROPERTIES”} OF ARTICLE 6 OF THE CITY CODE.

CHAP IS RESPONSIBLE FOR PROMOTING THE PRESERVATION OF STRUCTURES LOCATED IN A HISTORIC DISTRICT, INCLUDED ON THE LANDMARK LIST: EXTERIORS, OR INCLUDED ON THE POTENTIAL-LANMARK LIST: EXTERIORS UNDER ARTICLE 6 {“HISTORICAL AND ARCHITECTURAL PRESERVATION”} OF THE CITY CODE.

RELEVANT EXCERPTS FROM ARTICLE 6 OF THE CITY CODE ESTABLISHING THE REQUIREMENTS STATED ABOVE ARE PROVIDED BELOW.

§ 8-2. BUILDING PERMIT REQUIRED.

(A) EXTERIOR STRUCTURES.

NO PERSON MAY UNDERTAKE, CAUSE, OR ALLOW ANY OF THE FOLLOWING REGULATED ALTERATIONS FOR OR WITH RESPECT TO ANY STRUCTURE LOCATED WITHIN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT OR INCLUDED ON THE LANDMARK LIST; EXTERIORS OR THE POTENTIAL-LANDMARK LIST; EXTERIORS WITHOUT FIRST OBTAINING A PERMIT TO DO SO FROM THE BUILDING OFFICIAL:

- (1) ANY RECONSTRUCTION, ALTERATION, OR REMOVAL OF ANY EXTERIOR ARCHITECTURAL FEATURE;
- (2) ANY CHANGE IN AN EXTERIOR COLOR, WHETHER BY PAINTING OR OTHER MEANS;
- (3) ANY EXTERIOR EXCAVATION;
- (4) THE CONSTRUCTION OR ERECTION OF ANY EXTERIOR BUILDING, FENCE, WALL, OR OTHER STRUCTURE OF ANY KIND; OR
- (5) ANY EXTERIOR DEMOLITION.

§ 8-4. CHAP TO REVIEW.

(C) CHAP APPROVAL PREREQUISITE FOR PERMIT.

THE BUILDING OFFICIAL MAY NOT ISSUE A PERMIT FOR ANY REGULATED ALTERATION UNLESS THE COMMISSION FIRST ISSUES AN AUTHORIZATION TO PROCEED.”.