

## ***DIVISION 14. DESIGN GUIDELINES FOR HISTORIC DISTRICT COMMISSION***

### **Sec. 20-26.1. Authority.**

These design guidelines ("guidelines") have been adopted pursuant to the Land Use Article, Title 8 of the Annotated Code of Maryland, as amended, and Division 13, Historic District Commission of this article. These guidelines were adopted by Ordinance Number 1255 of the Mayor and City Council of Laurel passed on January 26, 1998. The effective date of these guidelines is February 25, 1998.

Any failure to comply with the certificate issued by the Historic District Commission or any condition of approval shall be a municipal infraction and shall be referred to the City of Laurel for appropriate enforcement.

( Ord. No. 1987 , 10-25-2022)

### **Sec. 20-26.2. History, composition, and operation.**

The City of Laurel Historic District Commission was established in 1975 by the Mayor and City Council of Laurel through Ordinance Number 535, pursuant to authority granted to municipalities by the Land Use Article of the Annotated Code of Maryland, as amended. The seven (7) members of the Commission, one (1) of whom is a member of the City Council, are appointed by the Mayor and confirmed by the City Council. All except the City Council member serve three-year terms and are eligible for reappointment to the Historic District Commission. The composition and operation of the Commission are governed by Division 13, Historic District Commission of this article and the Rules of Procedure of the City of Laurel Historic District Commission.

( Ord. No. 1987 , 10-25-2022)

### **Sec. 20-26.3. Purpose.**

The purpose of these guidelines is to:

Provide guidance for applicants and City staff and inform the deliberative process of the Historic District Commission (HDC).

- (a) Safeguard the heritage of the City of Laurel by preserving sites, structures, or districts therein which reflect elements of cultural, social, economic, political, archeological, or architectural history;
- (b) Stabilize and improve property values of such sites, structures, or districts;
- (c) Foster civic pride;
- (d) Strengthen the local economy; and
- (e) Promote the preservation and appreciation of the sites, structures, and districts for the education and welfare of the residents of the City.
- (f) The provisions contained herein are guidelines only and not meant to be absolute requirements and will be interpreted in accordance with the requirements of the Land Use Article of the Annotated Code of Maryland, as amended.

( Ord. No. 1987 , 10-25-2021; Ord. No. 2018 , 10-23-2023)

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## Sec. 20-26.4. Definitions.

When used in these design guidelines, the following terms shall have the meanings indicated below. In the event of any conflict between a definition provided below and a definition for the same or similar term in the Zoning Regulations, the Zoning Regulations definition shall be controlling.

*Accessory structure* shall mean a secondary structure, such as a detached garage or tool shed, located on the same lot as the main building.

*Addition* shall mean the expansion of an existing structure.

*Awning* shall mean a covering, usually against sun or rain, over an entrance, porch, or window.

*Building mass* shall mean the height (number of stories), width, and depth of a structure.

*Commission* shall mean the City of Laurel Historic District Commission.

*Guidelines* shall mean the design guidelines of the City of Laurel Historic District as approved and adopted by the Mayor and City Council of Laurel, Maryland.

*New construction* shall mean the development of one (1) or more structures on a vacant lot or lots, as distinguished from adding a new feature to an existing building.

*Sign* shall mean any structure, or part thereof, or device attached thereto, illuminated or otherwise, which includes any numeral(s), letters, words, emblems, insignia, trademark, or other representation used as an announcement or advertisement for a firm, organization, business profession, industry, or related products or services, located upon any land or building or in a window of a building. A sign may project from or be mounted on the wall of a building, be affixed to the glass areas of windows or doors of a building, or be mounted on the grounds of the premises. A sign considered under the Zoning Regulations to be a window sign shall be reviewed by the Historic District Commission as if it were an exterior sign.

*Sign area* is the area enclosed by one (1) rectangle, the sides of which make contact with the extreme points or edges of the sign, excluding the structure, which does not form part of the sign proper, or of the display.

- (a) For any sign contained on an individual panel, or within an enclosed or framed cabinet, the sign area will be calculated based upon the dimension of said panel or cabinet.
- (b) For any sign composed of individual lettering, which uses a wall or other surface for the background, the sign area will be determined by enclosing each word of the advertising copy with a geometric figure. The total sign area will be equal to the sum of the area of all of the geometric figures.

The *supporting structure* of a sign is the component such as the bracket, frame, or posts, which are used to secure the sign in place. Projecting signs are to be held in place by a bracket. The brackets, posts or framing are not included in calculating the size of the sign. The supporting structure should be proportional to the size of the sign.

A *temporary sign* is any sign meeting the Zoning Regulations criteria set forth in Section 20-17.4, intended to be displayed for a continuous period of not more than sixty (60) days on a business premises. Temporary signs are not reviewed by the HDC.

The following items are not signs:

- (a) Flags and insignia of any government;
- (b) Legal notices or informational devices erected or required by public agencies;
- (c) On-premises directional indicators for traffic control, or noting available parking, providing such signs shall not exceed two (2) square feet in area, and provided that no advertising shall appear on such notices;

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- (d) Window displays;
  - (e) Residential nameplates; or
  - (f) Banners over public rights-of-way announcing upcoming public events.

( Ord. No. 2018 , 10-23-2023)

#### **Sec. 20-26.5. Review of applications.**

- (a) These guidelines shall be construed and applied to be, consistent with the provisions of the Land Use Article, Title 8 of the Annotated Code of Maryland, as amended. In the event of any conflict between these guidelines and the aforesaid provisions of state law, state law shall be controlling.
- (b) Copies of these guidelines, and the Commission's Rules of Procedure, shall be made available to the general public. The Department of Economic and Community Development shall provide such copies, and may charge a nominal fee for it.
- (c) In reviewing applications, the Historic District Commission shall apply these guidelines and give consideration to:
  - (1) The historic, archeological, or architectural significance of the site or structure and its relationship to the historic, archeological, or architectural significance of the surrounding area;
  - (2) The relationship of the exterior architectural features of a structure to the remainder of the structure and to the surrounding area;
  - (3) The general compatibility of exterior design, scale, proportion, arrangement, texture, and materials proposed to be used;
  - (4) If a decision incurs substantial financial hardship on the owner; and
  - (5) Only those structures/plantings visible from the right-of-way within the Laurel Historic District shall be reviewed by the HDC.
- (d) The Historic District Commission shall consider only exterior features of a structure and shall not consider any interior arrangements. Also, the Historic District Commission shall not disapprove an application except with respect to the several factors specified in Subsection (c) of this section.
- (e) The commission shall be strict in its judgment of plans for sites or structures determined by research to be of historic, archeological, or architectural significance. The Historic District Commission shall be lenient in its judgment of plans for sites or structures of little historic, archeological, or architectural significance, or for plans involving new construction, unless such plans would seriously impair the historic, archeological, or architectural significance of the surrounding properties. The Historic District Commission is not required to limit construction, reconstruction, or alteration to the architectural style of any one (1) period.
- (f) The latest edition of the Secretary of the Interior's "Standards for the Treatment of Historic Properties" may be considered by the Historic District Commission as an aid in applying these guidelines.

( Ord. No. 1987 , 10-25-2021; Ord. No. 1991 , 1-10-2022; Ord. No. 2018 , 10-23-2023)

#### **Sec. 20-26.6. Documentation.**

Documentation and information provided by the applicant to the Planning Commission for any application to be reviewed by the Historic District Commission shall be sufficient for the Historic District Commission's review of the application unless the Commission requests specific additional documentation and information, in accordance

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with this section. Any such documentation or information must be found to be sufficient for review by the Commission, as determined by the Director of the Department of Economic and Community Development or its designee, in its sole judgment. The Commission may request specific additional documentation or information if the Commission deems it necessary for review of the application in accordance with this section.

(a) *New construction and additions:*

- (1) Site plan drawn to scale, showing lot lines, setbacks, proposed paving, fencing, landscaping, a North arrow, and the names of all abutting streets or alleys. The plans shall be stamped by a certified engineer, architect, or surveyor when deemed appropriate.
- (2) Elevations of all sides of the structure(s) affected. These should be drawn to an appropriate scale and show proposed materials-specifications.
- (3) Color chips of all exposed surfaces.
- (4) Color photographs(s) of the site or existing structure(s).
- (5) Design of signage as a part of the overall architectural scheme for commercial sites.
- (6) Drawings of proposed doors, roofing, siding, and architectural detail. The design of an addition must be sensitive to the lines and roof shape of the existing structure. The Historic District Commission has encouraged the repetition of the roof shape and slope wherever possible.

(b) *Driveways and parking pads:*

- (1) A scaled site plan with all structures located and dimensioned.
- (2) Location of trees and major shrubs affected, giving species air.
- (3) A permit from the Department of Public Works must be obtained.

(c) *Alterations and renovations:*

- (1) Elevations at one-quarter ( $\frac{1}{4}$ ) inch = one (1) foot scale showing exterior changes proposed.
- (2) Specifications and material samples for other work, including roofing materials and paint chips.

(d) *Replacement in kind:*

- (1) Color photos of all elevations seen from the street.
- (2) Elevations at one-quarter ( $\frac{1}{4}$ ) inch = one (1) foot scale showing exterior changes proposed.
- (3) Specifications and material samples for other work, including roofing materials and paint chips.

(e) *Replacement in kind:*

- (1) Detailed statement of the work to be done.

(f) *Signs:*

- (1) Elevation of the facade on which the sign is to be attached, drawn to scale, and color photographs of the structure on which the sign(s) will be placed.
- (2) Scaled, colored drawings accurately depicting the appearance of the sign with materials, colors, and style of lettering. Color chips should be provided.
- (3) Site plan showing the location of free-standing signs.

( Ord. No. 2018 , 10-23-2023)

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### **Sec. 20-26.7. Accessory structures.**

- (a) The Historic District Commission shall consider the following issues with regard to proposed construction or alteration of accessory structures:
  - (1) Size, scale, placement on the site, roof design, and materials should be compatible with the main structure.
  - (2) The visual impact of proposed structures on the site and streetscape.
- (b) Accessory structures should be in character with other such structures located within the neighborhood. Size is dependent on factors such as lot size, relative placement on the lot, and visibility.

### **Sec. 20-26.8. Additions.**

See Section 20-26.21, New construction.

### **Sec. 20-26.9. Awnings and overhangs.**

Awnings that add to the character and appearance of a building when size, shape, material, color, and other features are appropriate shall be permitted for both residential and commercial structures.

The material most often approved has been canvas or a similar fabric in colors appropriate to the type and color of the supporting structure.

Signs on awnings are discussed under the section herein on signage.

### **Sec. 20-26.10. Building mass.**

The size, shape, and scale of each structure should be compatible with adjacent structures in the neighborhood, should comply with the Zoning Regulations, and should be proportional to any other structures on the subject property.

Wings projecting from the central structure, bays, and offsets on building facades contribute to building mass and are also considered.

### **Sec. 20-26.11. Chimneys.**

Chimneys are strong, architectural elements on the exterior of historic structures. They are of varying materials, often masonry, with a variety of cap treatments, including simple brick, stepping (or corbelling) of courses (rows) of brick or stone, terra cotta caps, bishop's cap (a pointed brick arch), or flat stone coping.

Historic chimneys constructed of old brick and the softer mortars used a century ago often need lining to prevent fire or smoke damage due to deteriorated mortar joints. This can now be done without changing the exterior of the chimney and such work has been encouraged by the Commission, with the application of preservation tax credits.

Work such as repointing mortar shall be done in accordance with guidelines set forth by the Secretary of the Interior's Standards for Historic Preservation which dictates the use of soft mortars composed of sand, hydrated lime, small amounts of white Portland cement, and clean water. In no case should the strength of the mortar exceed the strength of the brick or stone. Repointing shall be to a depth of one-half (½) inch minimum and joints shall be tooled to match the original joint profile.

When re-pointing brick or stonework, the mortar mix should match the original in color and joint profile.

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The application of a mortar or concrete parging (a covering used to give a smooth surface) which obscures the masonry surface and poses a threat to the hard outer shell of brick or stone masonry is discouraged.

The painting of brick or other natural materials, while discouraged, is not prohibited, but applicants should be aware of the difficulties in removing paint once applied. See Section 20-26.22, Painting.

### **Sec. 20-26.12. Colors.**

The Commission does not dictate what colors an applicant may use, but is concerned that the colors selected be appropriate for the structure and its neighborhood.

The only guideline for the application of color in either residential or commercial districts is that the colors shall be historically appropriate house colors. This refers to the colors that date to an appropriate period and that go together in a compatible fashion.

An approved color list is available on the City website and upon request.

In commercial districts, the building and the block shall be considered to achieve a compatible application of colors.

( Ord. No. 1991 , 1-10-2022; Ord. No. 2018 , 10-23-2023)

### **Sec. 20-26.13. Demolition.**

(a) *Generally.* The Historic District Commission is responsible for the preservation of Laurel's historic buildings and sites. Therefore, demolition of such buildings is generally undesirable and to be avoided whenever possible. The Historic District Commission may approve an application for demolition if it will not have an adverse impact on the Historic District and/or denial of the application will result in substantial hardship to the applicant.

(b) *Determination whether structure is of unusual importance.*

(1) *Notification.* Two (2) weeks prior to the first hearing, the applicant will erect a zoning sign in front of or on the structure indicating that the structure has been proposed for demolition, and indicating the dates of the public hearing(s) on the matter.

(2) *Determination whether structure is of unusual importance.* The Historic District Commission shall make a determination during a regularly scheduled Commission meeting as to the contribution a structure makes to the Historic District in which it is located. This determination shall be made separate from and prior to the Commission's consideration of the financial hardship the structure may present and plans for the site should the demolition be approved. Such a decision by the Commission shall be based solely on its evaluation of the architectural and/or historical importance and character of the structure in relation to the Historic District as a whole.

Specifically, the Historic District Commission shall make a finding whether the preservation of the structure proposed for demolition is of unusual importance to Prince George's County or the City of Laurel, or unusual importance to the State of Maryland or the nation as a whole, in accordance with the Land Use Article, Title 8, of the Annotated Code of Maryland, as amended. To make such a finding the Commission must, at minimum, find that one (1) or more of the following criteria are met with regard to the subject structure:

Based upon evidence presented before the Historic District Commission:

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- a. The structure represent(s) one (1) or more periods or styles of architecture which has significant character, interest or value as part of the development or culture of the City, county, state, or nation;
  - b. The structure constitutes a significant or unique representation of the architectural period in which it was built and has distinguishing characteristics of style, materials or construction;
  - c. The structure contributes to the heritage of the City, county, state, or the structure provides historic or scenic value significant to the City;
  - d. County, state, or nation; or
  - e. The structure has yielded or may be likely to yield archeological information important in the history or pre-history of the City, county, state, or nation.
- (3) If the Historic District Commission decides that a structure in the Historic District may be demolished because it will not have an adverse impact on the Historic District, the applicant may proceed with obtaining a City demolition permit from the Department of Economic and Community Development. The applicant may be required to provide the Commission with information regarding the existing site and structure such as color photographs of the exterior, exterior measurements, and/or an existing conditions site plan.

If the Commission determines that a structure is of unusual importance in accordance with Subsection (b)(2) of this section, and if the applicant wishes to proceed, the Commission will then move on to the economic evaluation portion of the hearing.

(c) *Economic evaluation.*

- (1) *Materials which may be requested by the Commission.* The Historic District Commission is sensitive to the needs of property owners and considers that substantial hardship occurs when a property cannot be put to reasonable beneficial use. In the case of a demolition application, the Commission shall consider whether a structure can be put to a reasonable beneficial use without the approval of a demolition application. In the case of income producing properties, the Commission shall also consider whether a reasonable return from the existing building can be obtained. The following information may be requested by the Commission's in conjunction with its decision-making process regarding economic evaluation of a demolition application. The Commission reserves the right to present this information to consultants, as needed. Specifically, the Commission may request one (1) or more of the following items:
- a. Form of ownership of the property;
  - b. Cost of proposed demolition and removal, and an estimate of any additional costs that would be incurred to comply with recommendations of the Commission;
  - c. A report from a licensed engineer in the State of Maryland as to the structural soundness of the building and its adaptability for rehabilitation. Any dangerous conditions should be identified;
  - d. Fair market value of the property to be presented through an appraisal by a qualified professional expert. All appraisals obtained within the previous two (2) years by the owner or the applicant in connection with the purchase, financing, or ownership of the property;
  - e. An itemized breakdown from a professional, experienced in rehabilitation as to the economic feasibility or reuse of the existing structure on the property;
  - f. If the property is income producing, the annual gross income from the property for the previous two (2) years; the itemized operating and maintenance expenses for the past two (2) years; and the depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

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Price asked and offers received, if any, within the previous two (2) years. Most recent assessed value of the property and real estate taxes;

(2) *Economic evaluation.* The second hearing will serve to determine:

- a. Whether or not denial of a demolition permit would create substantial detriment to the public welfare, i.e. the retention of the structure is not in the best interest of the community; and/or
- b. If the denial of the demolition application will result in substantial hardship to the applicant; and/or
- c. If the property in its present state has been declared a hazard by the City.

The Commission shall consider if a structure can be put to a reasonable beneficial use without the approval of a demolition and, in the case of income producing properties, the Commission shall also consider whether a reasonable return from the existing building can be obtained.

Substantial hardship occurs when a property cannot be put to reasonable beneficial use. It is the responsibility of the applicant to prove that demolition is necessary to avoid substantial hardship and/or to avoid substantial detriment to the public welfare. If a property has been declared a hazard or unfit for habitation by the City, the City shall present evidence of such to the Commission.

Information submitted in the application is required to assist the Commission in its evaluation of the demolition. The Commission may request additional information from the applicant that is relevant to its determination, and may seek professional comments regarding the applicant's submission. The Commission may also make its own study of the points listed below in order to obtain additional information for its decision. The Commission reserves the right to present this information to consultants, as needed, to assist in the evaluation of the application.

Should the applicant for demolition of a contributing structure satisfy the Commission that a substantial hardship will be suffered if a demolition application is denied, and if the demolition of the structure in question is without substantial detriment to the public welfare, a demolition application will be approved. The applicant will proceed to submit plans for new construction. The applicant must provide for the existing structure: color photographs of the exterior, an existing conditions site plan, and an interior photographic reconnaissance.

However, if the applicant fails to demonstrate substantial hardship, the Commission shall deny the application and set or the reasons for doing so in writing.

- d. *Consideration of replacement structure.* In applications involving proposed new construction, the new design will not be considered until the building's historical importance has been determined and until the Commission has completed the economic evaluation process.

In cases where new construction is proposed, a City demolition permit shall not be issued by the Department of Economic and Community Development until replacement plans are approved by the Planning Commission if applicable and the Historic District Commission and other reviewing bodies of the City of Laurel where appropriate. An exception to this may be made if conditions that eminently threaten health and safety exist in the structure. In addition, financial proof of the ability to complete the replacement structure(s), including, but not limited to, a performance bond, a letter of credit, a trust for completion of improvements or a letter of commitment from a financial institution shall be submitted.

The plans shall include the materials as set forth in Section 20-26.6, Documentation, of these guidelines, and the design of the new structure(s) shall conform to Section 20-26.21, New construction, of these guidelines.



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( Ord. No. 1987 , 10-25-2021; Ord. No. 1991 , 1-10-2022; Ord. No. 2018 , 10-23-2023)

#### **Sec. 20-26.14. Doors and entrances.**

The entry of a structure is a focal point and should receive special attention. Replacement doors should be compatible with the architectural style of the structure. Typical doors in Historic Districts are constructed of either wood or metal and may be paneled. A combination of panels and glass, full-light glass (especially in commercial establishments), a number of lights (panes) in a-wood or metal frames (such as the 15-light French door), flush, louvered, paired doors, sliding patio doors, storm doors, or screen doors are some suggestions. Storm or screen doors should be the same size as the main door and be compatible in appearance.

Often the door is part of an embellished entryway consisting of the door(s), sidelights, transoms, columns, pedimental trim, or recessed entry. However, the size of such entrances should be in keeping with the scale of the building. Their removal or replacement by simpler entryways has been discouraged.

#### **Sec. 20-26.15. Driveways and parking pads.**

The Historic District Commission reviews applications for driveways and parking pads to ensure that their installation and the materials used, is consistent with other lots in the block and with the historic nature of the neighborhood. Parking areas and driveways shall be improved with an impervious surface or other pervious surface material which the Historic District Commission determines is acceptable and in conformance with the intent of this chapter in accordance with the standards established in Subdivision Regulations, Building Code, or any other City regulation or standard. The use of gravel on parking areas and access driveways installed after January 1, 2020, is prohibited. Any gravel driveways existing prior to January 1, 2020, may be maintained in-kind.

Parking in most of Laurel's residential Historic Districts has been to the side or rear of the structure. The relocation of parking out of front yards to a less conspicuous portion of a residential lot is desirable for the maintenance of the residential character of neighborhoods.

The Historic District Commission encourages applicants to install pervious paving or paving strips as an alternative to a full paved driveway.

(Ord. No. 1945, 7-8-2018; Ord. No. 2018 , 10-23-2023)

#### **Sec. 20-26.16. Fences.**

The construction of fences separating yards is common throughout the Historic Districts. Fence heights are limited by the Zoning Regulations and, while the Historic District Commission may authorize a fence lower than the maximum (e.g., for consistency with the fence on a neighboring property), it cannot approve fencing higher than the Zoning Regulations allows. In all cases any decision made by the Planning Commission overrides the decisions of the City of Laurel Historic District Commission. The finished side of the fence should always face outward, away from the lot, area, or structure, which it surrounds. Fences in the front yard shall be at the property, or at the building line of the front facade.

The use of traditional painted picket fencing in front yards is acceptable. Solid flat-board fencing of any height is not permitted in the front yard. The use of chain-link fencing is discouraged as being least compatible with the historic environment and allowed only in exceptional circumstances.

The installation of a fence beside an existing fence is viewed by the Commission as not in keeping with the character of the neighborhood, as well as a potential maintenance problem. The Commission will not approve such installation.

The Historic District Commission permits specific fence types on a case-by-case basis, the specific fencing permitted depending on surrounding properties and the architectural character of the neighborhood.

Fence and Wall regulations have been provided below:

FENCE AND WALL REGULATIONS									
	R-5	R-55	R-20	R-T	R-30	R-18	R-10	R-MD	P-I
Rear Yard Maximum Fence Height (ft.)	6%	6 %	6 %	6%	6%	6%	6%	6 %	6%
Interior Side Yard Maximum Fence Height (ft.)	6%	6 %	6 %	6 %	6%	6%	6%	6 %	6%
Front Yard Maximum Fence Height (ft.)	3%	3%	3%	6 %	3%	3%	3%	3%	3%
Exterior Side Yard Maximum Fence Height (ft.)	3 %	3 %	3%	3%	3%	3%	3%	3%	3%
Corner Lot Maximum Fence Height (Front and Side Street Lines) (ft.)	3	3	3	3	3	3	3	3	3
Corner Lot Maximum Fence Height (Intersection of Street and Driveway) (ft.)	3%	3%	3 %	3%	3 %	3%	3%	3%	3 %

COMMERCIAL	C-N	C-C	C-G	C-SH	C-V	C-VAC
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Maximum Fence Height (Rear Yard) (ft.)	6 %	6 %	6%	6%	6 %	6%
Maximum Fence Height (Interior Side Yard) (ft.)	6%	6 %	6 %	6 %	6 %	6%
Maximum Fence Height (Front Yard) (ft.)	3%	3%	3%	3%	3 %	3 %
Maximum Fence Height (Exterior Side Yard) (ft.)	3%	3%	3 %	3 %	3 %	3%

INDUSTRIAL	I-CS	I-G	I-RTP
Maximum Fence Height (Rear Yard) (ft.)	6%	6%	6%
Maximum Fence Height (Interior Side Yard) (ft.)	6%	6 %	6 %
Maximum Fence Height (Front Yard) (ft.)	3%	3%	3%
Maximum Fence Height (Exterior Side Yard) (ft.)	3%	3%	3%
Electric Security Fence Maximum Height (ft.)	10	10	Not Permitted

*Supplementary regulations.*

- (a) The height of a retaining wall or other wall or fence shall be measured from the lowest level of the ground immediately under the fence.
- (b) Retaining walls shall be permitted where changes in street grade width or alignment have made such walls necessary. In such cases these regulations shall not apply.
- (c) Retaining walls or other walls or fences or combinations thereof shall be deemed a structure requiring a building permit if such retaining walls or other walls or fences are over two (2) feet in height.
- (d) On a corner lot in a commercial or industrial zone, no portion of a building or other obstruction to vision between two (2) feet and ten (10) feet above the curb level, except a post or column, shall occupy the space formed by the vertical planes on the front and side street lines and on a line joining points on such street lines at distances five (5) feet from the intersection thereof.
- (e) On parcels used for commercial or industrial purposes, the Planning Commission may allow fences from six and one-half (6½) feet to nine (9) feet high in the side or rear yard and barbed-wire on the top of a six (6) feet or higher fence when it can be shown that a particular parcel is susceptible to burglary or arson. In no case shall any fence higher than forty-two (42) inches be erected between the front of the building and the front lot line.
- (f) No electric fences or fences with cutting edges, including, but not limited to, fences using razor, ribbon, or concertina wire, shall be permitted within the City unless they comply with subsection (h) below.

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- (g) Fences incorporating barbed wire are permitted provided that barbed wire may be used only on top of a six-foot or higher solid or chain-link fence surrounding a public utility and federal, state, county, or municipal property.
  - (h) An electric security fence shall comply with the following:
    - (1) The definition of an "electric security fence" as set forth in Section 20-1.7;
    - (2) An electric security fence shall be permitted on a property in the Industrial General (IG) and Industrial Commercial Services (ICS) zones.
    - (3) Prior to the issuance of a fence or electrical permit, an amended site and landscape plan, to include the location, height, design and style of the fence, shall be approved by the Planning Commission;
    - (4) The non-electric perimeter fence surrounding the electric security fence, shall have a minimum of a one-foot setback from the property line. A landscape buffer shall be installed around the non-electric fence.
    - (5) All electric security fences shall install an emergency access device (Knox box) in the event emergency services or City of Laurel Police shall need to access the property.
    - (6) Warning signs in both English and Spanish shall be placed every ten (10) feet along the perimeter of the electric security fence and shall be maintained in good condition at all times.
    - (7) A fence permit shall be required for both the electrical security and nonelectric perimeter fence.
    - (8) An electrical permit shall be required for the electrical security fence, and the voltage shall not exceed twelve (12) volts.

( Ord. No. 2018 , 10-23-2023)

### **Sec. 20-26.17. Garages.**

See Section 20-26.7, Accessory Structures.

### **Sec. 20-26.18. Handicap ramps.**

The City of Laurel and federal law require handicap ramps on public buildings and on businesses when they change use, and the Commission cannot set those requirements aside. However, while recognizing the need for reasonable access, the Commission is concerned with appearance of such ramps and urges that they:

- (a) Be placed as inconspicuously as possible (which can often be accomplished by screening with bushes or other plantings), facade;
- (b) If possible, be placed on the side or rear of the building rather than on the front; and
- (c) Be compatible in architectural style and color to the structure, i.e. porch style, materials, color scheme.

To the extent, however, that this section or any portion hereof, conflicts with federal law, federal law shall be controlling, and the conflicting portion of this section shall be deemed stricken.

### **Sec. 20-26.19. Landscaping.**

- (a) The Historic District Commission requires the submission of a detailed scaled landscape plan prior to final approval of the plans for new construction, including additions.

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- (b) Commission approval is required for major landscaping design, or reconfiguration on sites that have been declared historic by inclusion as a historic site on the national or state register, declared individually a historic site by action the Mayor and City Council, or tree removals that do not meet the criteria of subsection (c). Any tree removed shall be replaced on the same lot. The HDC encourages the replacement to be a native tree.
  - (c) Minor landscaping for small shrubs or flowers and routine landscaping maintenance such as mulching or pruning of trees (up to thirty-three (33) percent of the tree mass) does not require Commission approval. Removal of any dangerous or diseased landscaping or trees does not require Commission approval so long as the request is accompanied with a letter from a certified arborist or Maryland Licensed Tree Expert certifying that the tree to be removed is, in fact, sufficiently diseased and/or dangerous to justify removal of the tree. The staff and the City will review these materials to ensure, in their sole judgment, that they meet the above criteria. A tree that is removed shall be replaced by another tree on the same lot, unless the balance of landscaping on said lot is found by the Historic District Commission to be adequate without a new tree. The HDC encourages the replacement to be a native tree. The Director of Economic and Community Development shall approve any requests for removal of trees or shrubs that meet the criteria of subsection (c), in its sole judgment. The removal of diseased and dead trees is encouraged by the HDC.

( Ord. No. 1991 , 1-10-2022; Ord. No. 2018 , 10-23-2023)

#### **Sec. 20-26.20. Mailboxes.**

All mailboxes shall conform to the requirements and standards of the United States Postal Service. The Commission will review only regarding color and style to ensure compatibility with other mailboxes in the neighborhood.

#### **Sec. 20-26.21. New construction.**

- (a) *Generally.* The unique character of the City of Laurel Historic District has evolved over one hundred-years. By introducing new elements to the streetscapes, new construction has the potential to make immediate and lasting changes to the character of the Historic District. New construction should express its contemporary nature, while relating visually to the historic resources which surround it. Structures in the Historic District represent many architectural styles. Designs should be compatible with the existing structures.

The design of a new building in the Historic District must be sensitive to its environment, and should capitalize on those features which create the historic character of the district. The densely developed nature of the Historic District requires that the visual effect of new construction must be considered not only in relationship to the immediately adjacent structures, but also with regard to the broader context of the streetscape and block. Issues to be addressed in design development include rhythm, site features and landscaping, setback, spacing, height, scale, massing, facade and openings (proportion, size, detailing), materials, texture, and roof forms.

- (b) *Streetscapes.* Streetscapes have characteristic patterns, which are created by the site, spacing, and proportions of buildings, the organization of facades and architectural details. In planning for new construction, these patterns, or rhythms, should be analyzed and incorporated into the design.
  - (1) *Additions to structures.* Contemporary additions to historic buildings require special care and sensitivity in design. The addition should respect the existing building and materials, and generally should remain distinct from the original structure and have its own design integrity.
  - (2) New additions should be planned and executed in a manner that preserves integrity of the existing building and its environment. Significant historic architectural fabric or detailing should not be removed, destroyed, or obscured by new additions.

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- (3) The size, scale and massing of the addition should be compatible with the original building and surrounding structures. Additions should be subordinate to the original building in height, scale, massing, and detail.
  - (4) Additions should be fully integrated with the existing construction, but should remain clearly distinguishable from the original building. A slight offset between the old section and the new, a subtle change in materials, or a vertical joint or trim element can accomplish this.
  - (c) *Site features and landscaping.* Other site features should be compatible to the surrounding streetscape in materials and design. New parking areas and garages should be located on the site in a manner that is sensitive to the surrounding properties and the general streetscape, including the possible use of landscaping or other screening features. Paving materials and design should be appropriate to the historic context.
  - (d) *Setback.* New construction should provide a setback that is sensitive setback of adjacent structures, and structures in the neighborhood.
  - (e) *Spacing.* The spatial relationships among existing buildings on a block and neighborhood suggest an appropriate width and spacing for new construction in the Historic District.
  - (f) *Height.* The eave or cornice lines of existing buildings on a particular street define a range of heights. New construction should remain within this range of heights in order to achieve the goal of compatibility with surrounding structures.
  - (g) *Scale.* The size and proportion of doors, windows, details, etc., are related to each other and to the spaces between them. New construction should be consistent in scale with surrounding buildings and their elements.
  - (h) *Massing.* New construction should continue the pattern of massing, if any, of adjacent and neighboring structures.
  - (i) *Facade and openings (proportion, size, detailing).* New facades should be compatible with historic buildings in proportion and relationships to wall area and openings. Windows and door openings should correspond to the rhythm and proportion that exist on neighboring structures. Generally, doors and windows are proportioned vertically. The total area of windows on a residential facade should be in a range of twenty-five (25) percent to forty (40) percent of the total surface area. In buildings with commercial uses on the first floor, the area of ground floor openings should be in the range of sixty-five (65) percent to seventy-five (75) percent, to correspond with traditional storefront organization.

Further detailed information regarding doors and entrances, and windows can be found in Section 20-26.14, Doors and entrances, and Section 20-26.24, Windows, respectively of these guidelines.

- (j) *Materials.* Materials for new construction should be selected from among those that are typical of surrounding buildings, and should be compatible with existing materials in color and texture. Brick masonry and wood frame are the predominant construction methods in the Historic District.

Brick color, texture, and bonding pattern should be compatible with those seen in surrounding buildings. Brick veneer may provide a less expensive alternative to masonry construction.

- (k) *Siding and trim.* New construction may employ a variety of wood or composite material with a wood style design for trim and siding profiles. Siding should have a smooth finish profile that is compatible with existing buildings in the neighborhood.

The use of synthetic siding materials, such as aluminum or vinyl, is discouraged on the primary facade of a new building. Synthetic siding is acceptable on secondary elevations (side or rear) where the synthetic material will not be readily visible from a public way. In this application, siding must have a profile that is compatible with existing buildings in the neighborhood.

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New construction should avoid the use of the following as wall materials or finishes: asbestos, reflective glass, unparged or unpainted concrete block, split-faced concrete masonry units, porcelain coated metal panels, permastone, formstone, and fiberglass.

- (l) *Roof form and materials.* The profile of roofs against the sky is an important aspect of the character of streetscapes in the Historic District. A variety of roof styles contribute to this effect, including gable, shed, hip and flat forms. The roof on a new building should conform with the predominant form, orientation, and height of roofs on the street. The preservation and in kind replacement of metal roofs is strongly encouraged.

Many buildings in the Historic District have complex roofs made up of the primary form of the main roof and the secondary forms of roofs on additions, porches, entries, etc. This variety is an important, traditional characteristic which may be incorporated into the design of new buildings.

Some of the gable-roofed buildings in the Historic District have dormer windows. This traditional architectural element may be incorporated into a contemporary design. Dormers should remain a minor design feature and should not dominate the roof slope and elevation where they appear; they should be aligned with the facade windows or located between the openings below. The pitch of dormers should repeat that of the main roof. Shed dormers should only be used on roof slopes not visible from the street.

Skylights may be incorporated into new construction, but must be designed with special care as these elements can disrupt the continuity of the roofscape along the street. They should be located on secondary elevations not readily visible from the public way, and should be carefully integrated into the overall roof form.

For more information on roof form and materials, refer to Section 20-26.28, Roofs and roofing, of these guidelines.

- (m) *Mechanical equipment.* The type and location of new heating and cooling equipment and other mechanical devices should be carefully planned in new construction, as these elements can detract from both the building and its surroundings. Rooftop mechanical unit's television and radio antenna and satellite dishes should not be visible from the public way unless permitted under current FCC Regulations. If it is not possible, they should be screened and/or painted to blend with the building.

If required by Zoning Regulations electrical, telephone and cable service is required to be placed underground. Permanent mechanical equipment, including but not limited to air conditioner units, fuel tanks, gauges and meters, and through-the-wall systems are discouraged on the front facade. Portable equipment, such as window units are permitted.

Mechanical systems should be placed on the side or rear of the structure. Screening features such as fencing and landscaping should be incorporated into the installation.

( Ord. No. 2018 , 10-23-2023)

## **Sec. 20-26.22. Painting.**

The painting of brick and certain other masonry materials is discouraged.

The use of sandblasting, for removal of paint from brick, may not be permitted if it will cause undue damage to historic sites or structures. Chemical treatment for paint removal is regulated by state environmental agencies. The use of colors from the Approved Color List is preferred.

( Ord. No. 2018 , 10-23-2023)

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### **Sec. 20-26.23. Patios and walkways.**

Construction, renovation, and replacement of walkways and patios shall be reviewed by the Commission. Materials such as brick, stone, macadam, bituminous paving (blacktop), and concrete, exposed aggregate concrete and interlocking pavers are acceptable. The use of pervious material is encouraged.

( Ord. No. 2018 , 10-23-2023)

### **Sec. 20-26.24. Windows.**

- (a) Openings in the mass of the structure give further definition by their specific style: double-hung (single or multiple panes in each sash), casement, sliding, and specialty units (such as round, half-round, hexagonal, picture windows, or combination of types). Windows should be consistent with the style of architecture of the structure.
- (b) The preservation of historic windows is encouraged by the Commission. To allow flexibility in achieving energy efficiency, the use of vinyl or aluminum "clad" units is permitted. The HDC encourages replacement windows to be of the same size, style, and design as the existing windows. The change of window material from wood to vinyl or aluminum can be reviewed and approved by staff if the window design is in-kind with the current design, in the sole judgment of the staff.
- (c) The use of imitation muntins (separators between windowpanes) which do not resemble the original historic windows is discouraged.

( Ord. No. 2018 , 10-23-2023)

### **Sec. 20-26.25. Placement of the structure on the site.**

The placement of the structure on its site shall comply with Zoning Regulations and should be compatible with the neighborhood and block pattern.

### **Sec. 20-26.26. Porches.**

Porches shall be retained and their repair or restoration should duplicate as near as possible the original construction. New porch flooring, railings, columns, stairs, skirting, or other details should appear as near as possible the same as the original work. The use of non-traditional materials, when not intrusive (clearly visible from the public right-of-way), may be permitted. The enclosing of open porches on historic structures, especially on front and wrap-around porches shall not be permitted.

Finishes, such as the painting or staining of new materials, should match the original appearance. The use of modern pressure-treated decking to replace original tongue-and-groove flooring has been discouraged since this material does not match tongue-and-groove, even if painted.

Steps leading up to porches may be of wood, brick, stone, or concrete, as appropriate to the material and architecture of the main structure. The Historic District Commission recommends the replacement of existing steps in-kind.

Railings on porch stairs should have handrails and pickets to match the railing of the porch.

( Ord. No. 2018 , 10-23-2023)



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## **Sec. 20-26.27. Preservation incentives.**

- (a) Preservation tax credits are governed by Chapter 16, Section 16-2, of the Laurel City Code as amended by Ordinance Number 1265 dated July 27, 1998. Tax credit incentives are used to promote rehabilitation and preservation of the structural integrity and overall appearance of the Historic Districts. Credits may also be approved for certain activities not visible from the right-of-way. Preservation incentives and other tax credits are governed by state and local law. In the event of any conflict between these guidelines and state and local law, state and local law shall be controlling.
- (b) An application for tax credit shall be reviewed and its approval determined by the Director of the Department of Economic and Community Development or its designee, in its sole judgment. Upon completion of the work, the property owner must submit the receipts to the Historic District Coordinator, along with the receipt transmittal form affirming that the receipts are those for the actual expenditures. Once the work has been inspected and the receipts are verified, the tax credit is submitted to the Department of Economic and Community Development for final approval.
- (c) In cases where the property owner provides the labor, tax credits are based solely on the cost of the materials used.
- (d) With the sole exception of emergency repairs, as determined by the staff in its sole judgment, no tax credit shall be granted for any preservation or restoration work that has taken place which has not been reviewed and approved in advance by the Commission. The Commission may deny the credit in regard to any aspects of the restoration and/or preservation not done in a workmanlike manner or which has a negative effect on the architectural quality of the structure.
- (e) As of January 1, 1998 the state income tax credit for rehabilitation of residential and income-producing properties will be increased from ten (10) percent to fifteen (15) percent. A twenty (20) percent Federal Income Tax Credit is available for the rehabilitation of income-producing properties. All rehabilitation work must be approved by the appropriate local agency before work commences and should comply, to the extent possible, with the Secretary of the Interior's Standards for the Treatment of Historic Properties. For more information on state and federal programs, contact the Maryland Historical Trust at web address [www.marylandhistoricaltrust.net](http://www.marylandhistoricaltrust.net).

( Ord. No. 2018 , 10-23-2023)

## **Sec. 20-26.28. Roofs and roofing.**

- (a) For repairs and replacements of existing structures, or roofing of new construction, the Historic District Commission considers the following:
  - (1) Style (e.g., gambrel, gable, hip, shed, flat, authentic mansard);
  - (2) Material (e.g., standing seam metal, slate, wood shingles, asphalt or fiberglass shingles, rolled roofing, slag, hot mopped asphalt, tile);
  - (3) Details (dormers, gables, chimneys);
  - (4) Gutters and downspouts; and
  - (5) Color.
- (b) For existing structures, the Commission recommends replacement in-kind. The color of the material should be complementary/compatible to the other colors on the structure.

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- (c) Roofs on porches, accessory structures, and building additions should match those on the main or existing structure where possible.

#### **Sec. 20-26.29. Satellite dishes and other telecommunications antenna.**

Satellite dishes and other telecommunications antennas are subject to the regulations contained in Section 20-15, Satellite earth station antennas, of the Zoning Regulations, as amended, pertaining to regulation of satellite earth station antennas and current FCC Regulations.

#### **Sec. 20-26.30. Shutters.**

- (a) Preference is given to repair of existing shutters or replacement in-kind. The rules to be followed for the proper appearance of shutters or exterior blinds in Historic Districts are:
  - (1) The width should, except where not possible be sufficient for each shutter to cover one-half (½) of the window opening;
  - (2) The height, starting above the sill and ending below the lintel, should, except where not possible be such that the shutter appears to cover the entire window when closed; and
  - (3) The style of the shutter should be compatible with the style of the structure.
- (b) These guidelines apply whether the shutter is operable or fixed.
- (c) *Double windows.* For double windows, the width and height of each shutter should, except where not possible be sufficient to cover twenty-five (25) percent of the window and shall be consistent with the style of the structure and the historic nature of the neighborhood.

#### **Sec. 20-26.31. Signage.**

Signs and their size are controlled by Zoning Regulations. The Historic District Commission may deal with the design of such sign (but not content), its placement on the structure and the color of such sign as well as other adopted City policies concerning signage and streetscapes if applicable.

- (a) *General guidelines.*
  - (1) The commercial area of the Historic District, primarily Laurel's Main Street and portions of Route 1, and their preservation is of special interest to the City. These areas include a considerable number of signs, which taken in total, affect the overall visual quality and appeal of the Historic District.
  - (2) While size, scale, and location of signs are regulated by Zoning Regulations, the Historic District Commission, in considering the overall appearance of the sign, including the general design, materials, and color, may apply stricter standards.
  - (3) The lettering on all signs may have the business name and may have a secondary message. Typically signs applied directly to storefront and lower building surfaces may contain letters/characters that are up to ten (10) inches in height. The secondary message letters/characters may be no larger than five (5) inches in height. Telephone numbers, Internet or e-mail addresses, logos, symbols, slogans, and brand names may be no larger than three (3) inches in height.
  - (4) *Design.* Allowing originality and style while not creating a discontinuity within the rest of the streetscape can be achieved by close attention to the continuity of mounting location (sign band), materials, and other such qualities.

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- (5) *Materials, colors, and style of lettering.* These three (3) elements of each sign should reflect compatibility with a building's design and use as well as the appropriateness of the sign's texture and material in relationship to the building. For example, wood is the preferred materials; Iridescent and neon bright colors are discouraged.
- (6) *Message.* The message should be limited to the specifics of the business located within the premises. Logos, symbols, slogans, and brand names are permitted, however, the size of these symbols and characters is limited to three (3) inches in height, and the Commission may require other content neutral modifications, such as color.
- (7) *Shape and placement.* Signs must not interrupt, obscure, or hide architectural features. The sign should fit within the lines or panels of the storefront as defined by the building frame and architectural detailing. The placement of signs should respect the existing pattern established by signs on the same block. On buildings with two (2) or more storefronts, signs should be arranged in a uniform manner. The number and size of signs shall be as allowed pursuant to Zoning Regulations.
- (8) *Type.* Front-lighted signs such as gooseneck lights are preferred. External lighting for free-standing signs should be masked by shrubbery or other screening.
- (9) *Porch sign band signs.* These are signs which hang from porch lintels between. The maximum height for such signs is one (1) foot. A sign more than one (1) foot in height may be considered if the scale of the sign is appropriate in size to the building on where it is placed.
- The maximum length for such signs is eight (8) feet, but if the distance between posts is not that great the sign should be shorter, so that there is equal space between both ends of the sign and the posts.
- (10) *Temporary signs.* These are permitted pursuant to Zoning Regulations.