



Procedures for Submitting Applications to Change a Certified Heritage Area Boundary

Applicable Code of Maryland Regulations (COMAR):

Title 14, Subtitle 29, Chapter 02, §§ .05

Types of Boundary Amendments

There are two types of amendments that can be made to the boundaries of Certified Heritage Areas (CHAs) – Administrative, and Programmatic.

Administrative Boundary Amendment – amending or revising the boundary of a Certified Heritage Area (CHA) to either remove geographic areas from the heritage area or to include within the heritage area geographic areas that the approved management plan contemplates for inclusion in the heritage area.

Programmatic Boundary Amendment – amending or revising the boundary of a CHA to include geographic areas not contemplated in the approved management plan for inclusion in the heritage area.

The procedures for each type of boundary amendment are different and are detailed below. Application must be made to the Maryland Heritage Areas Authority (MHAA) for approval of both types.

All applications for a boundary amendment should be submitted to MHAA staff at least six weeks prior to the MHAA meeting when it will be considered.

Administrative Boundary Amendments

In order to remove a geographic area from the CHA or add a new geographic area that was already contemplated in the approved management plan for the CHA, the Heritage Area Management Entity must submit a request in writing to MHAA. The request must be submitted jointly with each local jurisdiction that includes the area that will be added or removed.

The submission can be a letter detailing the reasons for the addition or removal and citing where the new areas are identified in the approved management plan. The submission must include a GIS file of the amended boundary. It should also include the resolution, ordinance or other authorization from each local jurisdiction involved, jointly submitting the application.

If the local jurisdiction of an area being added has not already amended their comprehensive plan to include the CHA's approved management plan, they will need to do so. See page 3 for full details on this process.

Once the necessary materials are received, MHAA will review the application at their next quarterly meeting (or within 90 days of receipt) and make a final determination. Once a decision has been made, MHAA will inform both the CHA and the local jurisdictions of the decision. The boundary amendment, if approved, will be official once the updated GIS map is published online.

Programmatic Boundary Amendments

Programmatic boundary amendments are made to add new geographic areas to the CHA that were not contemplated in the approved management plan. These areas may be within jurisdictions that have already amended their comprehensive plans to incorporate the CHA management plan, or they may be in new jurisdictions that have not yet amended their comprehensive plans.

In order to add a new geographic area to the CHA, the Heritage Area Management Entity must submit a request in writing to MHAA. The request must be submitted jointly with each local jurisdiction that includes area(s) to be added, regardless of whether or not they have already amended their comprehensive plan to incorporate the CHA management plan.

The submission will contain information similar to that in the CHA management plan. It should provide MHAA with enough information to make an informed decision about the new area(s), and include the following information:

- Boundaries of the area(s) proposed to be added to the CHA (the submission must include the GIS file of the new boundaries);
- An inventory of known significant historical, natural, or cultural resources that will aid in interpreting the themes of the CHA as presented in the CHA management plan (note: if the new area requires changing the themes, goals or areas of focus of the heritage area, the boundary amendment should be combined with a larger management plan update);
- The types of heritage tourism-related public and private uses that would be encouraged within the area;
- Information on known or contemplated projects, sites, and programs that could be supported through MHAA benefits including grants, loans, and tax credits;
- A description of existing or proposed mechanisms such as local government ordinances, historic preservation commissions, or local tax credits that will assist in preserving and protecting the unique historical, natural, and cultural resources that are key to defining and telling the stories of the Heritage Area;
- Any other relevant information concerning the area proposed to be added to the CHA; and,
- A resolution, ordinance or other authorization from each local jurisdiction involved.

Required Maryland Heritage Areas Authority Public Hearing and Tour:

MHAA is required to hold at least one public hearing within the Certified Heritage Area concerning the proposed programmatic boundary amendment. The public hearing must take place prior to final MHAA action to approve, approve with conditions, or disapprove the requested boundary amendment. The hearing is generally combined with a familiarity tour of the proposed new areas to be added in the boundary amendment.

MHAA generally requests at least 3 Authority members to attend the public hearing and tour. MHAA staff will assist the local heritage area staff in making arrangements for the tour, public hearing, and any relevant meals.

The local heritage area staff should have maps and other supporting documents available for the public hearing, to show the extent of the proposed boundary amendment. It is recommended that the hearing be held in the early evening on a week-day, in an easily accessible location within the heritage area.

Required Local Comprehensive Plan Amendment:

Before an area can be added to a CHA it is required that all local jurisdictions within the area(s) to be added must amend their local comprehensive plan to incorporate those portions of the Certified Heritage Area Management Plan that apply to the affected jurisdiction. It is strongly recommended that local jurisdictions share the proposed language to amend their comprehensive plan with MHAA staff prior to passage in order to ensure that it meets statutory and regulatory requirements.

The local comprehensive plan should be amended to include the following language:

The [INSERT JURISDICTION] incorporates by reference all portions of the [INSERT CHA NAME] Heritage Area Management Plan, except those portions solely relating to other jurisdictions within the [INSERT CHA NAME] Certified Heritage Area, as part of the Comprehensive Plan applicable to the [INSERT JURISDICTION NAME].

Final Approval:

Once the necessary materials are received and the public hearing has been held, MHAA will review the application at their next quarterly meeting (or within 90 days of receipt) and make a final determination. Once a decision has been made, MHAA will inform both the CHA and the local jurisdictions of the decision. The boundary amendment, if approved, will be official once the updated GIS map is published online.

For additional information or questions, please contact:

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