

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2008 Legislative Session

Bill No. CB-53-2008

Chapter No. 71

Proposed and Presented by Council Member Olson

Introduced by Council Members Olson, Harrison, Turner and Dernoga

Co-Sponsors _____

Date of Introduction September 30, 2008

BILL

1 AN ACT concerning

2 Historic Preservation

3 For the purpose of modifying procedures for designation of Historic Properties.

4 BY repealing and reenacting with amendments:

5 SUBTITLE 29. PRESERVATION OF HISTORIC
6 RESOURCES.

7 Sections 29-102, 29-118 and 29-138,
8 The Prince George's County Code
9 (2003 Edition, 2006 Supplement).

10 BY adding:

11 SUBTITLE 29. PRESERVATION OF HISTORIC
12 RESOURCES.

13 Section 29-120.01,
14 The Prince George's County Code
15 (2003 Edition, 2006 Supplement as amended by
16 CB-3-2008).

17
18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
19 Maryland, that Sections 29-102, 29-118 and 29-138 of the Prince George's County Code be and
20 the same are hereby repealed and reenacted with the following amendments:

21 **SUBTITLE 29. PRESERVATION OF HISTORIC**

RESOURCES.

DIVISION 1. GENERAL PROVISIONS.

Sec. 29-102. Definitions.

(a) For the purposes of this Subtitle, the following words and phrases shall have the meanings respectively ascribed to them:

* * * * *

(9) **Historic Site:** Any individual historic resource that is significant and contributes to historical, architectural, archaeological, or cultural values which has been so classified in the master plan for historic preservation, or pursuant to Section 29-120.01 of this Subtitle.

(10) **Master Plan for Historic Preservation:** The duly Adopted and Approved Historic Sites and Districts Plan of Prince George's County, Maryland.

* * * * *

DIVISION 6. REVIEW OF UNCLASSIFIED HISTORIC RESOURCES AND HISTORIC PROPERTIES.

Sec. 29-118. Public hearing.

* * * * *

(b) At least two (2) weeks prior to the scheduled public hearing, the Historic Preservation Commission shall send written notice of the date, time and place of the hearing to the owner(s) of the historic resource, adjoining property owners and to those departments, agencies, organizations, and citizens which the Commission reasonably believes may have an interest in the proceedings.

* * * * *

Sec. 29-138. Definitions.

* * * * *

(b) The following terms used in this Subtitle are defined as follows:

* * * * *

(2) **Historic Property:** A district, site, building, structure or object significant in the history, upland and underwater archaeology, architecture, engineering and culture in the county, including remains related to a district, site, building, structure, or object. Historic Properties shall be defined as those [listed in the Historic Sites and Districts Plan (HSDP) or] not yet listed in the Inventory of Historic Resources and those properties not yet determined eligible for listing in the Historic Sites and Districts Plan[HSDP; those listed in] or those properties not listed in the

1 National Register of Historic Places (NRHP), or determined eligible for listing in the NRHP.

2 * * * * *

3 SECTION 2. BE IT ENACTED by the County Council of Prince George's County,
4 Maryland, that Section 29-120.01 of the Prince George's County Code be and the same is hereby
5 added:

6 **SUBTITLE 29. PRESERVATION OF HISTORIC**
7 **RESOURCES.**

8 **DIVISION 6. REVIEW OF UNCLASSIFIED HISTORIC RESOURCES AND HISTORIC**
9 **PROPERTIES.**

10 **Sec. 29-120.01. Petition for Designation of Historic Properties.**

11 (a) The owner (s) of a historic property may file a petition for designation as a
12 historic site with the Historic Preservation Commission. As part of this designation process, the
13 Historic Preservation Commission may also find that the property is eligible for listing in the
14 Historic Sites and Districts Plan or in the National Register of Historic Places. For the purposes
15 of processing Prince George’s County Historic Property Grant Program applications only, this
16 determination shall allow grant applications to be considered by the Planning Board pursuant to
17 Section 29-139(d).

18 (b) At least sixty (60) days in advance of the public hearing by the Historic
19 Preservation Commission, the Commission shall refer the application to those departments,
20 agencies, organizations, citizens and parties which the Commission reasonably believes may
21 have any interest in the proceedings. Any such comments should be received no less than 30
22 days prior to the Historic Preservation Commission’s scheduled public hearing.

23 (c) Within one hundred twenty (120) days of receipt of the petition, the Commission
24 shall research and review the historic property and conduct a public hearing to make findings as
25 to the significance of the historic property and shall determine whether it should be classified as
26 a historic site.

27 (d) At least two (2) weeks prior to the scheduled public hearing, the Commission
28 shall send written notice of the date, time and place of the hearing to the owner (s) of the historic
29 property, adjoining property owners and to those departments, agencies, organizations, citizens
30 and parties which the Commission reasonably believes may have an interest in the proceedings.
31 The property shall be posted pursuant to the requirements of Section 29-118(c).

1
2
3
4
5
6
7
8
9
10
11

(e) Within thirty (30) days after the record is closed, the Commission shall make a recommendation on the petition and transmit the recommendation to the Planning Board.

(f) Within sixty (60) days of receipt of the recommendation, the Planning Board shall hold a joint public hearing with the District Council on the Commission's recommendation.

(g) Written notice of the date, time and place of the hearing shall be provided at least thirty (30) days prior to the hearing.

(h) Within thirty (30) days after the record is closed, the Planning Board shall submit its recommendation to the District Council.

(i) Within two (2) months following receipt of the Planning Board's recommendation, the District Council shall make a final decision on the petition.

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 28th day of October, 2008.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Samuel H. Dean
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.