

Prince George's County Council

Agenda Item Summary

Meeting Date: 4/8/2008
Reference No.: CB-003-2008
Draft No.: 2
Proposer(s): Park & Planning
Sponsor(s): Olson, Bland, Exum, Dean, Turner, Dernoga, Knotts
Item Title: An Act concerning the establishment of an Historic Property Grant Program in Prince George's County.

Drafter: M-NCPPC Staff
Resource Personnel: Gail Rothrock, M-NCPPC Historic Preservation Section

LEGISLATIVE HISTORY:

Date Presented:	2/5/2008	Executive Action:	4/22/2008 S
Committee Referral:	2/5/2008 - PZE 2/19/2008 - PZED	Effective Date:	6/9/2008

Committee Action: 3/5/2008 - FAV(A)

Date Introduced: 3/18/2008
Public Hearing: 4/8/2008 - 1:30 PM

Council Action (1) 4/8/2008 - ENACTED
Council Votes: MB:A, WC:A, SHD:A, TD:A, CE:A, TK:A, EO:A, IT:A
Pass/Fail: P
Remarks: See also CR-5-2008.

AFFECTED CODE SECTIONS:

29-137, 29-138, 29-139, 29-140, 29-141

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT

Date 3/5/2008

Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Exum, Dean, Dernoga, Knotts and Olson)

Staff summarized the purpose of the legislation and informed the committee of written referral comments that were received. On January 10, 2008, the Planning Board voted to transmit draft legislation to establish the Prince George's County Historic Property Grant Program in accordance with the Maryland Annotated Code, Article 28, Sections 5-302 and 5-306. The purpose of the program is to assist in the protection, preservation, and enhancement of historic properties. Capital grants will be awarded for rehabilitation, restoration, preservation or acquisition of historic property. The County Council allocated \$500,000 for this program in the Planning Department's FY 2008 budget.

In consultation with the Planning Board staff, Council staff prepared a Proposed Draft-2 with clarifying technical amendments as well as proposed revisions to the definition of Historic Property provided in Draft-1 to provide consistency with County policy and with the definition of this term in State law. Proposed Draft-2 suggested deletion of the language concerning properties "determined eligible for listing in the Historic Sites and Districts Plan (HSDP)"

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

The Office of Law reviewed CB-3-2008 and determined that it is in proper legislative form with no legal impediments to its adoption. The Office of Audits and Investigations determined there will be no negative fiscal impact on the County as a result of enacting CB-3-2008 because funding for the grant portion of the program has already been authorized for FY 2008. According to Planning Board staff members, administrative costs for the program are not expected to be material and will be absorbed by and through existing staff and operational resources. The fiscal impact on future years is contingent on the level of grant program funding authorized and appropriated in subsequent fiscal year budget cycles.

Gail Rothrock, M-NCPPC Historic Preservation Supervisor, addressed the committee concerning specifics of the grant program and responded to questions. Ms. Rothrock indicated that the proposed revision to the “Historic Property” definition as suggested in Proposed Draft-2 reduces the number of properties that would be eligible for the grants. David Turner, Chairman of the Historic Preservation Commission, Daniel Filippelli, and Richard Krueger spoke in support of CB-3-2008. The three speakers requested that the original language in the “Historic Property” definition concerning eligibility remain in the legislation so as not to be restrictive and to allow increased opportunity for property owners to be considered for the grant program.

Council Member Dean commented that the legislation should not be restrictive, and should be broad enough to capture historic properties and structures of historic significance for African-Americans that are often destroyed, but could in fact benefit from the grants program if the language is not limited. Council Member Olson concurred with Mr. Dean’s concerns and suggested that the original language in Draft-1 remain.

Council Member Dernoga requested that language concerning the duties of the Historic Preservation Commission (HPC) with respect to the grants be included in the legislation.

The committee voted favorably on Proposed Draft-2 with an additional amendment to restore the original language in the “Historic Property” definition provided in Draft-1 concerning eligibility for listing in the HSDP or in the NRHP, and to include language requested by Council Member Dernoga concerning HPC duties.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This bill will establish a program to provide grants to nonprofit organizations or foundations, political subdivisions, or individuals for the purpose of acquiring, preserving, restoring, or rehabilitating historic properties in accordance with the Maryland Annotated Code, Article 28, Sections 5-302 and 5-306. Funds for this program were allocated in the FY 2008 budget for The Maryland-National Capital Park and Planning Commission.

CODE INDEX TOPICS:

INCLUSION FILES:
