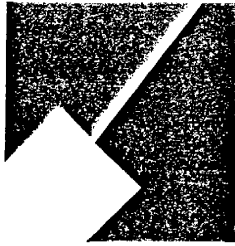


MCPB 4/16/04
Item # 7

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION


8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

April 16, 2004

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeff Zyontz, Chief
Countywide Planning Division
Montgomery County Department of Park and Planning

FROM: Gwen Wright, Historic Preservation Supervisor 
Countywide Planning Division
Montgomery County Department of Park and Planning

SUBJECT: Public Hearing (Preliminary) Draft Amendment to the *Master Plan for Historic Preservation: Montgomery County Heritage Area Management Plan*

STAFF RECOMMENDATION

Approve amendment.

BACKGROUND AND DISCUSSION

For the last four years, Montgomery County has been working with the Maryland Heritage Areas Authority to achieve approval of a Montgomery County Heritage Area through the Maryland Heritage Preservation and Tourism Areas Program. The management plan for Montgomery County's Heritage Area was approved by the State in January 2003, and a wide variety of implementation activities are being initiated by the newly-formed Heritage Tourism Alliance of Montgomery County.

The Planning Board has been briefed on this project previously (as has the County Council) and has, in the past, received copies of the Montgomery County Heritage Area Management Plan as approved by the Maryland Heritage Areas Authority.

The legislation establishing the Maryland Heritage Areas program requires that – to be fully approved as a Certified Heritage Area – all of the political jurisdictions within the heritage area must 1.) formally pass a resolution endorsing the heritage area concept and 2.) agree to amend their comprehensive plans to adopt the recommendations in the heritage area management plan. We are now working to fulfill these requirements.

①

To that end, the Montgomery County Council previously (in 2000) approved a resolution endorsing our county's application for Recognized Heritage Area status and provided \$100,000 in funding to undertake the now-completed management plan. In addition, the Council recently passed a new resolution endorsing the Montgomery County Heritage Area Management Plan (see attachment.)

As required by the State, we are also undertaking an amendment to the *Master Plan for Historic Preservation* (which will also amend the General Plan) that adopts the recommendations in the Montgomery County Heritage Area Management Plan. This amendment is attached.

It was reviewed by the HPC in February and they unanimously recommended approval of the amendment. The amendment must now be reviewed by the Planning Board and forwarded to the County Executive and County Council, with a final vote on it taken by the County Council.

The Planning Board is being asked, at this time, to review the amendment and make a recommendation that can be forwarded to the Executive and Council.

Staff recommends that the Planning Board approve the proposed amendment and that the Board continue its long-standing support of the heritage tourism initiative. The designation of a Montgomery County Heritage Area is a wonderful opportunity for Montgomery County to increase tourism, both by attracting new visitors and by causing existing visitors to lengthen their stay. The Maryland Heritage Areas program provides matching grants for staffing and operations, as well as for program development, including exhibits, facilities, and interpretive plans/materials. Further, the program offers tax credits to private investors for renovation of historic buildings and, in some cases, for renovation of non-historic buildings related to the purposes of heritage area. The economic projections for our heritage area initiative expect to draw 132,700 additional visitors to heritage sites in Montgomery County, resulting in \$7.76 million in additional economic activity. In all, the county will receive new annual tax benefits and additional jobs, but will not have demands on our roads or schools. This is an ideal form of economic development.

Resolution No.:
Introduced: January 20, 2004
Adopted:

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: The Management Plan for portions of Montgomery County designated as a Certified Maryland Heritage Area

Background

Montgomery County prepared a Management Plan to designate portions of Montgomery County as a Certified Heritage Area as part of the Maryland System of Heritage Areas, a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

1. The Maryland Heritage Areas Authority adopted the management plan which designated a Montgomery County Certified Heritage Area, including three thematic heritage clusters: Farming History; Quakers and the Underground Railroad; and Technological Innovation; and
2. The Montgomery County Heritage Area has important environmental, recreation, and cultural resources, as well as significant historical sites and districts; and
3. The Montgomery County Heritage Area Management Plan presents strategies for enhancing these resources, improving linkages, advancing economic development strategies, and providing for stewardship and preservation; and
4. The Management Plan will compliment other State and County initiatives in the Certified Heritage Area; and
5. The Heritage Tourism Alliance of Montgomery County has been established to implement the recommendations of the approved Montgomery County Heritage Area Management Plan.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The County will, in the future, amend the County's Functional Master Plan for Historic Preservation to adopt the portions of the Montgomery County Heritage Area Management Plan relevant to the Plan, as required by the Maryland Heritage Areas Authority; and

Now, therefore, be it resolved by the County Council of Montgomery County, Maryland that they give full support and approval to the Montgomery County Certified Heritage Area and the Management Plan for the Heritage Area, as approved by the Maryland Heritage Areas Authority and attached hereto as Exhibit A.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council

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PUBLIC HEARING
(PRELIMINARY) DRAFT

AMENDMENT TO THE
MASTER PLAN FOR HISTORIC PRESERVATION
IN MONTGOMERY COUNTY, MARYLAND

**MONTGOMERY COUNTY HERITAGE
AREA MANAGEMENT PLAN**

An amendment to the Master Plan for Historic Preservation; being also an amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District within Montgomery County, Maryland.

Prepared By:

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
January 2004

Reviewed By:

THE MONTGOMERY COUNTY EXECUTIVE
(Date to be Established)

Approved By:

THE MONTGOMERY COUNTY COUNCIL
(Date to be Established)

ABSTRACT

TITLE: Public Hearing (Preliminary) Draft Amendment to the *Master Plan for Historic Preservation: Montgomery County Heritage Area Management Plan*

AUTHOR: The Maryland-National Capital Park and Planning Commission

SUBJECT: Public Hearing (Preliminary) Draft Amendment to the *Master Plan for Historic Preservation: Montgomery County Heritage Area Management Plan*

DATE: January 2004

PLANNING

AGENCY: The Maryland-National Capital Park and Planning Commission

SOURCE The Maryland-National Capital Park and Planning Commission
OF 8787 Georgia Avenue

COPIES: Silver Spring, Maryland 20910-3760

ABSTRACT: This document contains the text, with supporting maps, for an amendment to the *Master Plan for Historic Preservation in Montgomery County*, being also an amendment to the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland- Washington Regional District Within Montgomery and Prince George's Counties*. This amendment ratifies the recommendations and strategies in the Montgomery County Heritage Management Plan and incorporates them into the county's *General Plan*.

ELECTED AND APPOINTED OFFICIALS

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Steven Silverman, President
Thomas Perez, Vice-President
Philip Andrews, Councilmember
Howard A. Denis, Councilmember
Nancy Floreen, Councilmember
Michael Knapp, Councilmember
George Leventhal, Councilmember
Marilyn J. Praisner, Councilmember
Michael L. Subin, Councilmember

COUNTY EXECUTIVE

Douglas M. Duncan

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Derick Berlage, Chairman
Elizabeth M. Hewlett, Vice-Chairman

Montgomery County Planning Board

Derick Berlage, Chairman
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MASTER PLAN AMENDMENT PROCESS

Master Plans provide policy guidance concerning the private and public use of land, for use and reference by private landowners, public agencies, and interested parties generally. Every master plan amendment also amends the General Plan for Montgomery County. The process of initiation, review, and adoption of amendments is generally as follows:

Public Hearing (Preliminary) Draft Amendment

This document is a formal proposal to amend an adopted master plan. It is prepared by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission. Before proceeding to publish a final draft of the amendment, the Planning Board must hold a public hearing. After the close of the record of this public hearing, the Planning Board holds an open worksession to review the testimony, and to determine whether to make any revisions to the Public Hearing (Preliminary) Draft.

Planning Board (Final) Draft Amendment

This document contains the Planning Board's final recommendations. It is transmitted to the County Council for review. In addition, the County Executive is sent a copy and has sixty days in which to provide comments on the amendment.

The County Council typically schedules a public hearing on the Planning Board (Final) Draft Amendment. After the close of record of this public hearing, the Council holds an open worksession to review the testimony, and then adopts a resolution approving, modifying, or disapproving the amendment.

Failure of the County Council to act within the prescribed time limits constitutes approval of the plan amendment as submitted to the body that fails to act.

Adopted Amendment

The amendment approved by the County Council is forwarded to The Maryland-National Capital Park and Planning Commission for adoption. Once adopted by the Commission, the amendment officially amends the various master plans cited in the Commission's adoption resolution.

HISTORIC PRESERVATION MASTER PLAN AMENDMENT

The *Master Plan for Historic Preservation* and the *Historic Preservation Ordinance*, Chapter 24A of the Montgomery County Code, are designed to protect and preserve Montgomery County's historic and architectural heritage. When an historic resource is placed on the *Master Plan for Historic Preservation*, the adoption action officially designates the property as an historic site or historic district, and subjects it to the further procedural requirements of the Historic Preservation Ordinance.

Designation of historic sites and districts serves to highlight the values that are important in maintaining the individual character of the County and its communities. It is the intent of the County's preservation program to provide a rational system for evaluating, protecting and enhancing the County's historic and architectural heritage for the benefit of present and future generations of Montgomery County residents. The accompanying challenge is to weave protection of this heritage into the County's planning program so as to maximize community support for preservation and minimize infringement on private property rights.

The following criteria, as stated in Section 24A-3 of the *Historic Preservation Ordinance*, shall apply when historic resources are evaluated for designation in the *Master Plan for Historic Preservation*:

(1) Historical and cultural significance:

The historic resource:

- a. has character, interest, or value as part of the development, heritage or cultural characteristics of the County, State, or Nation;
- b. is the site of a significant historic event;
- c. is identified with a person or a group of persons who influenced society; or
- d. exemplifies the cultural, economic, social, political or historic heritage of the County and its communities; or

(2) Architectural and design significance:

The historic resource:

- a. embodies the distinctive characteristics of a type, period or method of construction;
- b. represents the work of a master;
- c. possesses high artistic values;
- d. represents a significant and distinguishable entity whose components may lack individual distinction; or
- e. represents an established and familiar visual feature of the neighborhood, community, or County due to its singular physical characteristic or landscape.

IMPLEMENTATION OF THE MASTER PLAN FOR HISTORIC PRESERVATION

Once designated on the *Master Plan for Historic Preservation*, historic resources are subject to the protection of the Ordinance. Any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and an historic area work permit issued under the provisions of the County's Preservation Ordinance, Section 24A-6. In accordance with the *Master Plan for Historic Preservation* and unless otherwise specified in the amendment, the environmental setting for each site, as defined in Section 24A-2 of the Ordinance, is the entire parcel on which the resource is located as of the date it is designated on the Master Plan.

Designation of the entire parcel provides the County adequate review authority to preserve historic sites in the event of development. It also ensures that, from the beginning of the development process, important features of these sites are recognized and incorporated in the future development of designated properties. In the case of large acreage parcels, the amendment will provide general guidance for the refinement of the setting by indicating when the setting is subject to reduction in the event of development; by describing an appropriate area to preserve the integrity of the resource; and by identifying buildings and features associated with the site which should be protected as part of the setting. It is anticipated that for a majority of the sites designated, the appropriate point at which to refine the environmental setting will be when the property is subdivided.

Public improvements can profoundly affect the integrity of an historic area. Section 24A-6 of the Ordinance states that a Historic Area Work Permit for work on public or private property must be issued prior to altering an historic resource or its environmental setting. The design of public facilities in the vicinity of historic resources should be sensitive to and maintain the character of the area. Specific design considerations should be reflected as part of the Mandatory Referral review processes.

In the majority of cases, decisions regarding preservation alternatives are made at the time of public facility implementation within the process established in Section 24A of the Ordinance. This method provides for adequate review by the public and governing agencies. In order to provide guidance in the event of future public facility implementation, the amendment addresses potential conflicts existing at each site and suggests alternatives and recommendations to assist in balancing preservation with community needs.

In addition to protecting designated resources from unsympathetic alteration and insensitive redevelopment, the County's Preservation Ordinance also empowers the County's Department of Environmental Protection and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

The Montgomery County Council passed legislation in September 1984 to provide for a tax credit against County real property taxes in order to encourage the restoration and preservation of privately owned structures located in the County. The credit applies to all

properties designated on the *Master Plan for Historic Preservation* (Chapter 52, Art. VI). Furthermore, the Historic Preservation Commission maintains up-to-date information on the status of preservation incentives including tax credits, tax benefits possible through the granting of easements on historic properties, outright grants and low-interest loan programs.

THE AMENDMENT

Montgomery County has worked with the Maryland Heritage Areas Authority to achieve approval of a Montgomery County Heritage Area through the Maryland Heritage Preservation and Tourism Areas Program. The management plan for Montgomery County's Heritage Area was approved by the State in January 2003, and a wide variety of implementation activities are being initiated by the newly-formed Heritage Tourism Alliance of Montgomery County.

The Management Plan delineated the boundaries of the Montgomery County Heritage Area, including three thematic heritage clusters: Farming History, Quakers and the Underground Railroad, and Technological Innovation.

The Montgomery County Heritage Area has important environmental, recreation, and cultural resources, as well as significant historical sites and districts, and the Montgomery County Heritage Area Management Plan presents strategies for enhancing these resources, improving linkages, advancing economic development strategies, and providing for stewardship and preservation.

The Management Plan will compliment other State and County initiatives in the Certified Heritage Area, and is consistent with the approved and adopted master plans for the portions of Montgomery County included in the Heritage Area.

Therefore, Montgomery County ratifies the recommendations and strategies in the Montgomery County Heritage Management Plan and incorporates them into the county's *General Plan*.