

# An Introduction to: The Historic Preservation Review Process

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**January 2024**



# Presentation Goals

- Provide background on the County's Historic Preservation Program.
- Raise understanding about the historic preservation review process.
- Provide an overview of the county historic preservation tax credit program.
- Leave with a general understanding of the application and review process for HAWPs and tax credits & where to find additional information.

# What is Historic Preservation?

## Historic Preservation Does:

- Recognize and protect historic and cultural resources.
- Manage change in communities to protect significant character defining elements.
- Utilize a set of design guidelines to achieve equitable and consistent outcomes.
- Provide tax incentives to property owners for certain costs.

## Historic Preservation Does Not:

- Prohibit changes to a building.
- Require property owners to restore buildings to their original condition.
- Prohibit development or the potential for demolition.
- Exclude the use of green technology (such as solar power).
- Negatively affect property values.



# Different Types of Listings



# Maryland Register of Historic Properties & National Register of Historic Places

- The official state and federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.
- Properties are eligible for state and federal tax credits for certain interior and exterior rehabilitation projects.
- No restrictions from the local government on what an individual property owner may do to their property.



# Master Plan for Historic Preservation

- Adopted by the County Council in 1979. Chapter 24A of the Montgomery County Code governs how we conduct Historic Preservation in this County.
- Historic designation occurs after thorough analysis with respect to the designation criteria.
- HPC must use Criteria in Chapter 24A when making a recommendation for a Locational Atlas or Master Plan designation.
- All exterior alterations must receive a Historic Area Work Permit from the Historic Preservation Commission.
- Access to historic preservation tax credits.





# Chapter 24A: Historic Resources Preservation

(a) As part of the general plan for the physical development of that portion of the county within the Maryland-Washington Regional District, there shall be prepared, adopted and approved a master plan for historic preservation which shall constitute an amendment to the general plan for the Maryland-Washington Regional District. Such plan shall designate historic sites and historic districts and describe their boundaries; it shall propose means for the integration of historic preservation into the planning process; and it shall suggest other measures to advance the goals of historic preservation.

# Kensington Local Historic District

- First surveyed in 1976 for inclusion in Montgomery County's *Locational Atlas & Index of Historic Sites*.
- Listed in the National Register of Historic Places in 1980.
- Designated by Montgomery County Council as a Local (Master Plan) Historic District in 1986.
- St. Paul Street portion of the District declared National Register eligible in 2022.





# Role of the Historic Preservation Commission

The HPC is comprised of nine (9) Montgomery County residents with demonstrated professional expertise in the following fields:

- History, Architecture, Preservation, & Urban Design
- Other members may have additional special interests, knowledge, or training

Appointed by recommendation of the County Executive with confirmation by the County Council.

The HPC under Chapter 24A have certain powers and duties, including recommending historic site and district designations to the Planning Board.

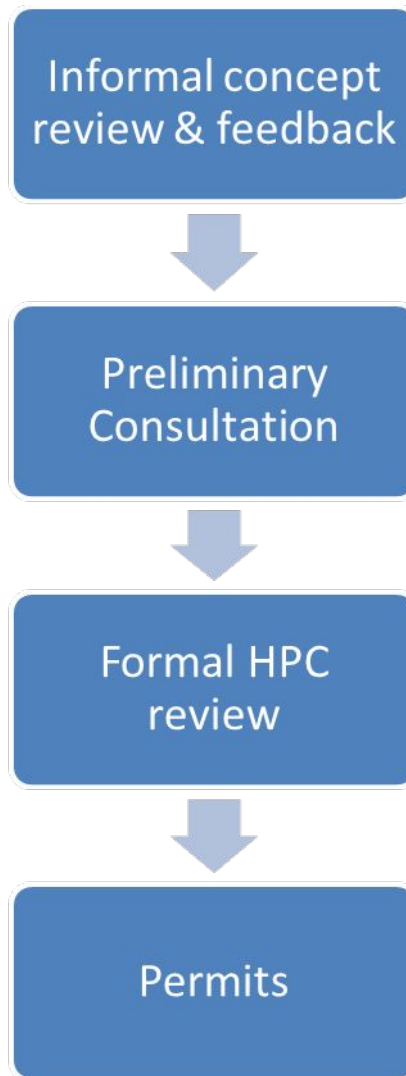
The HPC may also advise the Planning Board and Council or other authorities on any legislation or proposals that affect historic preservation.

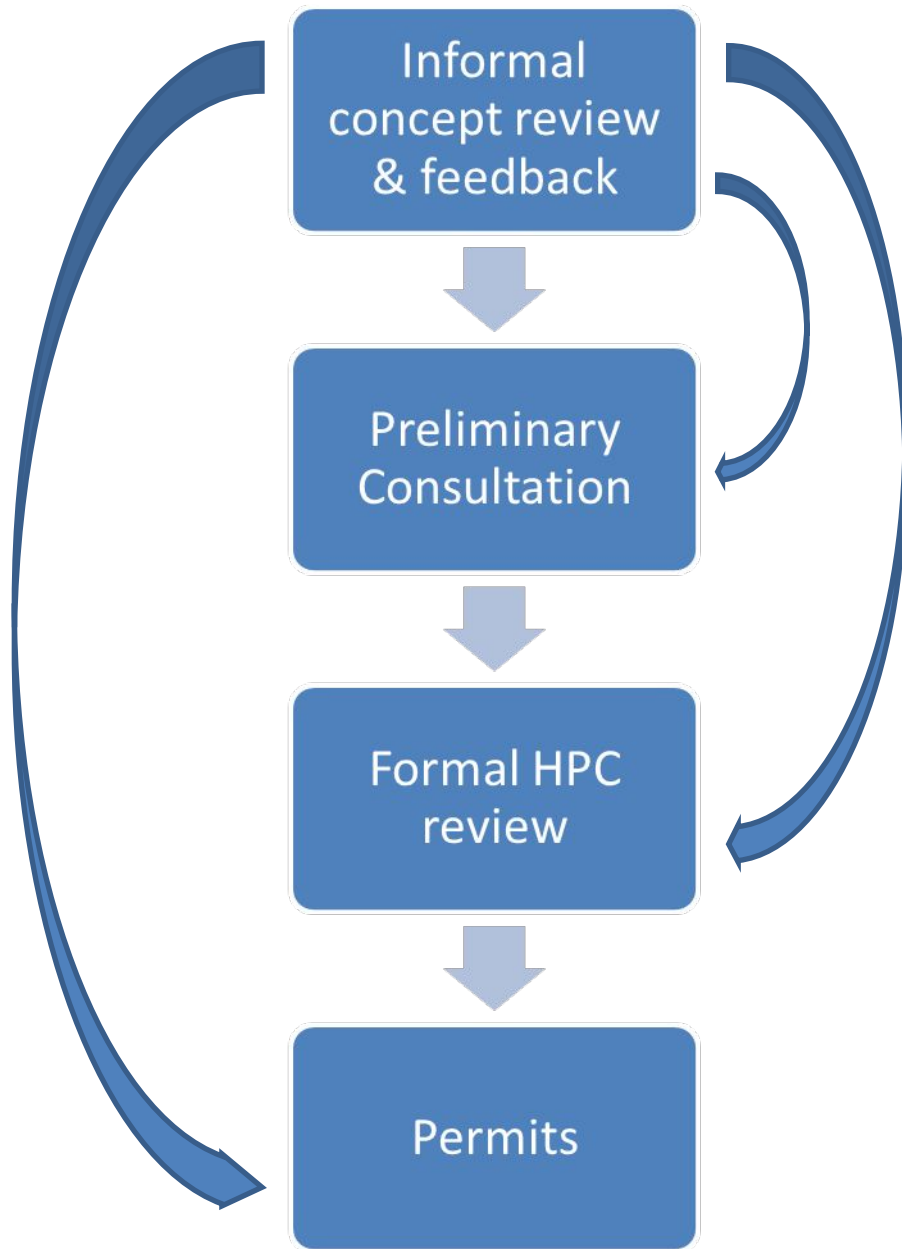
# How Are Alterations Reviewed?





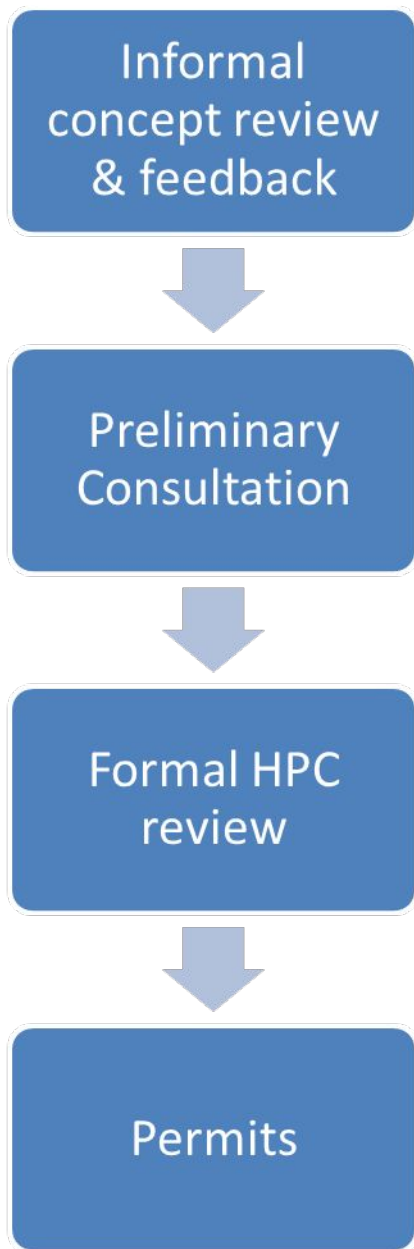
# Historic Area Work Permit Review Process





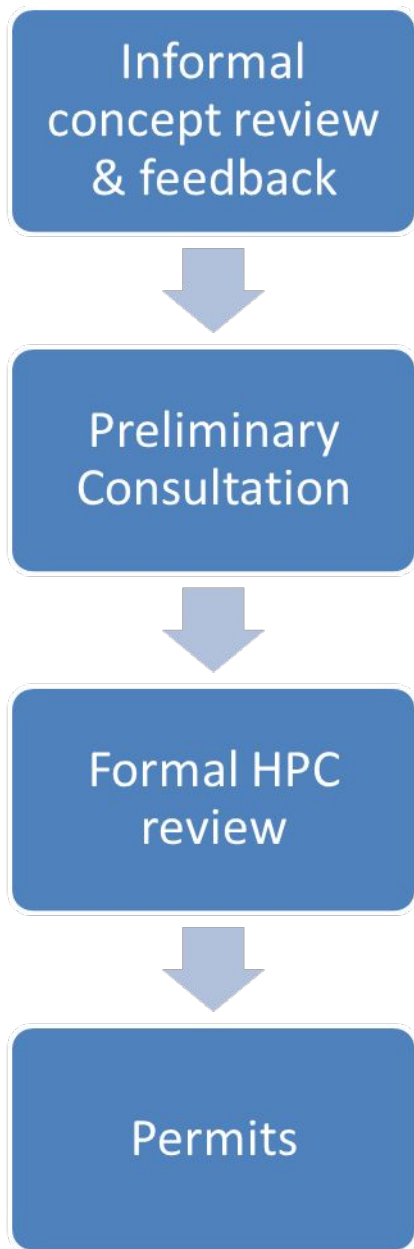
## Concept Review | Feedback

- Contact Historic Preservation Staff
- Contact town staff & LAP



### **Preliminary Consultation:**

- Submit concept to HPC and receive early input & feedback; guidance on any modifications that may be necessary to gain approval.
- Plan on 1-3 preliminary consultations for new additions/major construction projects



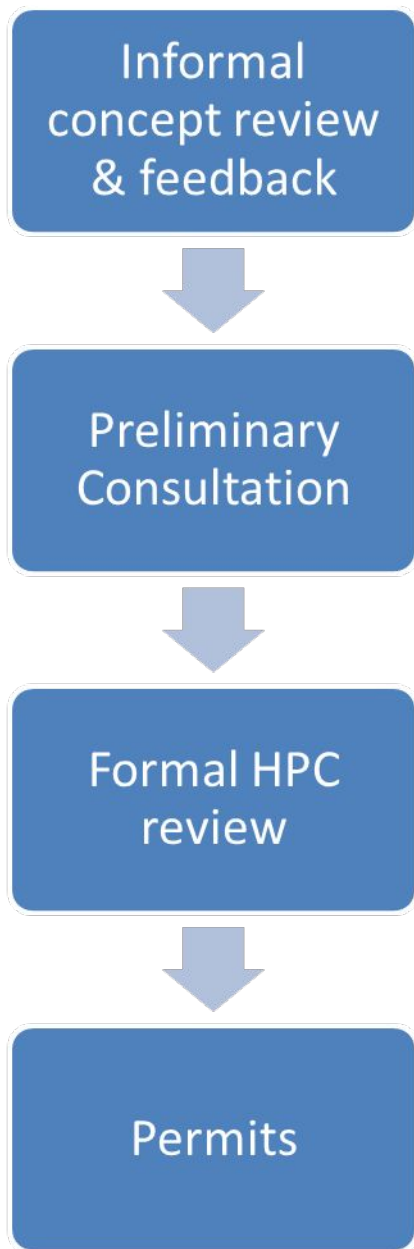
## Public Hearing Review at HPC

- Historic Area Work Permit application submitted online
- Staff analysis and recommendation
- LAP input
- Public hearing & HPC action

## Documents Staff & HPC Use for Review

- Chapter 24A of the County Code
- Secretary of the Interior's Standards for Rehabilitation
- Vision of Kensington
- 2012 Kensington Sector Plan
- Easements/covenants

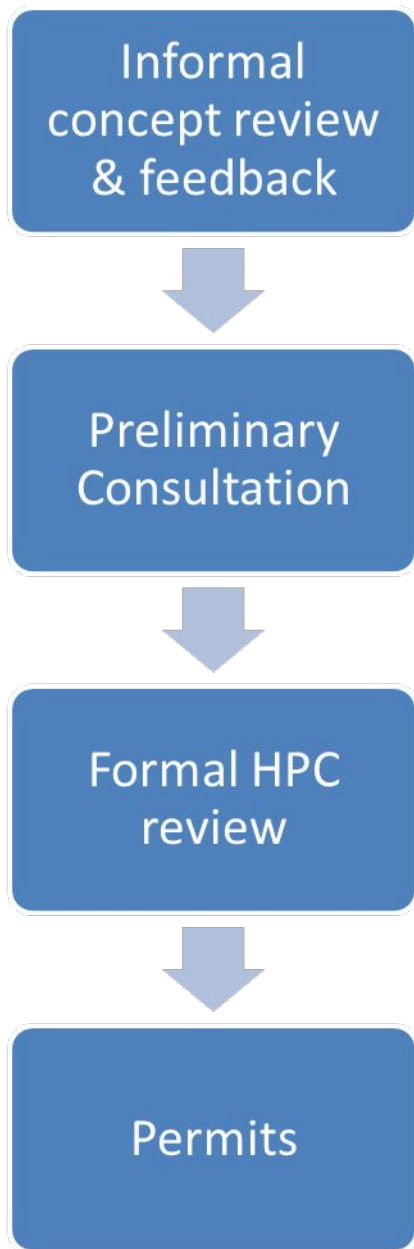




## Permits

- Submitted and reviewed electronically.
- Staff reviews for compliance with HPC review and all conditions.
- Staff electronically stamps plans for applicant to submit to DPS.
- For approvals that require no DPS review/permits, staff will send an administrative letter electronically.
- For simple projects, staff can approve HAWPs in 5 business days.





## Staff Approved HAWPs:

- Beginning in 2021, Staff granted ability to approve simple HAWPs.
- These include permits for some tree removals, restoration work, solar panels not visible from the right of way, demolition and new construction of some outbuildings, limited hardscape alterations, other work.



## Examples of work that require a HAWP:

- Additions/new construction/decks
- Changing roofing or siding materials
- Cutting down trees greater than 6" diameter
- Hardscaping or fences
- Demolishing existing buildings/structures
- Constructing outbuildings

## Examples of work that does not require a HAWP:

- Interior work
- Ordinary maintenance (e.g. patching roof, repairing gutters)
- Gardening/landscaping
- Painting (except previously unpainted masonry)



# Historic Rehabilitation Tax Credits



# What is the Montgomery County Historic Preservation Tax Credit?

- 25% tax credit of documented expenses for exterior maintenance, restoration, or preservation work exceeding \$1,000.
- Credit is applied against County property taxes.
- The credit is non-transferrable. If an owner moves, the credit remains with the property/tax account.



# Eligibility Requirements

- Work must be exterior in nature only;  
*Interior work is **NOT** eligible!*
- Work must be performed by a licensed contractor;
- Work must be certified by the Historic Preservation Commission (HPC) as contributing to the restoration or preservation of sites and districts on the Master Plan for Historic Preservation:
  - Work requiring a Historic Area Work Permit (HAWP) must have received approval from the HPC.
  - Ordinary maintenance expenses must exceed \$1,000.

# So what's allowed?

## Examples of eligible projects (but not limited to):

Exterior painting

Window rehabilitation

Roof repairs or in-kind replacement

Repairing architectural trim or ornamentation

Repairing outbuildings (garages)

Original siding rehabilitation

Repointing brick or stone foundations or chimneys

Professional services, such as design fees and structural reports





# What's not allowed?

## Examples of ineligible projects (but not limited to):

New construction or a new addition

Repaving driveways

Work requiring an approved HAWP completed without the approval of the HPC

Interior work

The value of labor unless performed by a licensed contractor

Landscaping

Repairing mechanical equipment

Tool and equipment purchases



# Application Requirements

Step 1: SIGNED Complete Application and Receipts Transmittal Form;

Step 2: Description of the work that was done:

General property description;

Narrative of the rehab issues/work items;

Step 3: Proof of Payment:

Itemized receipts that are clearly marked and separate from Non-Eligible Expenses;

Step 4: Before and After Photos.



# Online Application

- Applications are now available online!
  - The County's tax credit application **MUST** be filled out and submitted electronically.
  - Paper applications are NOT accepted.
  - The electronic applications are available on our website.

Application for Historic Preservation Tax Credit

Owner's Name \_\_\_\_\_

Owner's Mailing Address \_\_\_\_\_

Address where the work was completed \_\_\_\_\_

Daytime Telephone Number \_\_\_\_\_

Cell Phone number \_\_\_\_\_

Email Address \_\_\_\_\_

Property Tax Account Number \_\_\_\_\_

I. The property is listed in the Master Plan for Historic Preservation as:

Site Name or Historic District: \_\_\_\_\_

Have you applied for or did this project receive a Historic Area Work Permit? ☐ Yes ☐ No  
If so, please attach a copy of your approval memo from the Historic Preservation Office or the Department of Permitting Services.

Did you apply for or did this project receive a Maryland state or federal historic preservation tax credit? ☐ Yes ☐ No  
If so, please attach a copy of your complete application.

II. In accordance with Chapter 52, Article VI, of the Montgomery County Code, I request a credit to my county property taxes for the following work:

☐ Restoration and preservation work at an individually designated historic site or an historic resource within an historic district that was the subject of an approved Historic Area Work Permit (HAWP) and qualifies under Chapter 52, Article VI.

☐ Ordinary Maintenance on a historic site or historic resource within an historic district where the amount expended exceeds \$1,000.

III. I have read the attached guidance on how to apply and the Helpful Guidance and Tips for Complete Tax Credit Packages; have completed my application package including all attachments, and have completed and signed the Receipts Transmittal Form.

Signature \_\_\_\_\_ Date \_\_\_\_\_

If you are unable to use the electronic signature field, please make sure that you are using [Adobe Acrobat](#) to complete the form.

**<http://montgomeryplanning.org/planning/historic/tax-credit-program/>**

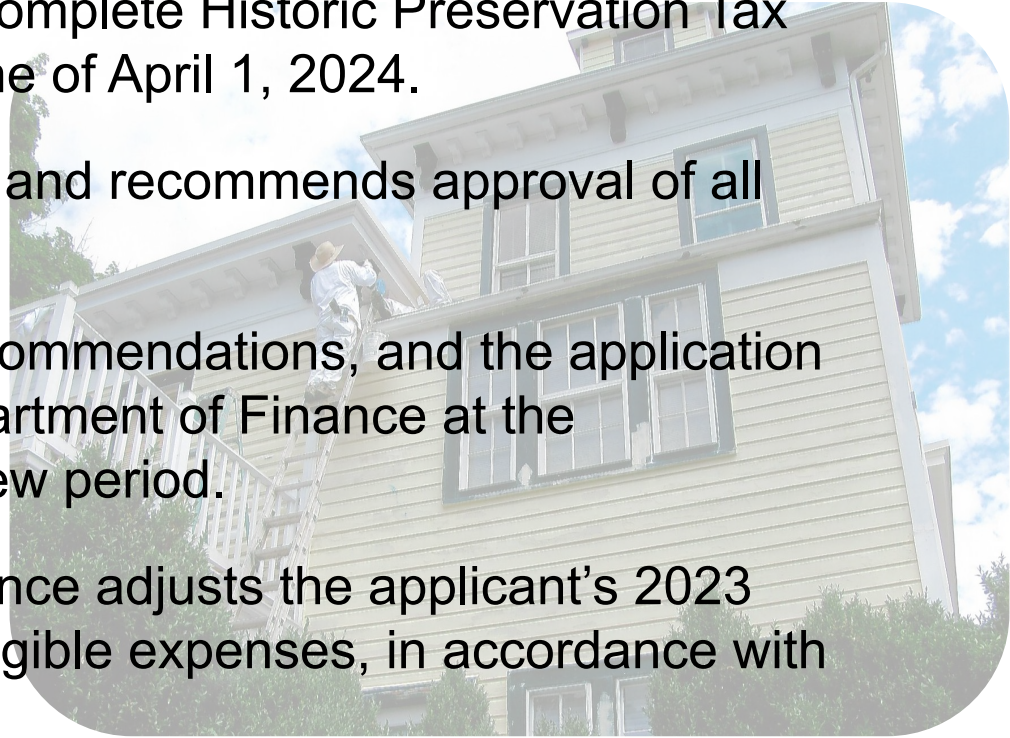
# Timing and Deadlines

- The credit is applied to County property taxes the year after the work is completed.
- Applications are due to the Historic Preservation Office on **April 1<sup>st</sup>** following the year in which the work was completed.
- Applications are reviewed by the HPC during the spring/summer of that calendar year.
- Approved tax credits are applied to tax bills issued to property owners later in the year.
- Unused portions of the tax credit can be carried over for up to five years.



# Example

- An owner of a County-designated historic property completes a painting project in October 2023.
- The property owner submits a complete Historic Preservation Tax Credit application by the deadline of April 1, 2024.
- HP staff reviews the application and recommends approval of all eligible expenses.
- The HPC agrees with staff's recommendations, and the application is forwarded to the County Department of Finance at the conclusion of the tax credit review period.
- The County Department of Finance adjusts the applicant's 2023 property taxes for 25% of the eligible expenses, in accordance with the HPC's decision
- Any unused portion of the tax credit is carried over for up to five years.





# Case Study – Drainage Improvements

- Greenwich Forest Historic District
- c. 1941
- Contributing Resource
- Window wells, driveway, and drainage system damaged in 2011 earthquake.



# Case Study – Drainage Improvements

- Cracks developed in the foundation, driveway, and underground drainage system beneath it.
- Water infiltration into basement via cracks.





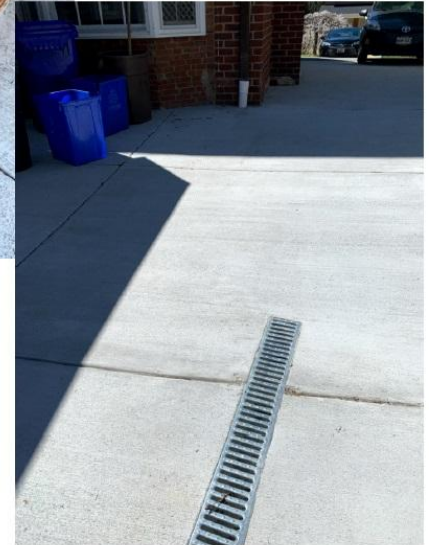
# Case Study – Drainage Improvements

- In 2020, homeowners took up the driveway and repaired/improved the drainage system underneath.
- Damaged foundation and window wells were also repaired.



# Case Study – Drainage Improvements

- Staff found the drainage issues threatened the structural integrity of the building and that all related expenses (including driveway replacement) were eligible for the tax credit.
- The HPC agreed with staff's recommendation.
- The applicant received a credit for 25% of the expenses against their 2021 property taxes.



# Information & Resources

Please visit our website at the link below for additional information and resources, including the new online application:

<http://montgomeryplanning.org/planning/historic/tax-credit-program/>

# Questions

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