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Contact: aferster@aol.com
lmmrichards@gmail.com

Committee of 100 Calls "Preservation" Bill Unnecessary, Not Democratic and Unfair

Historic preservation in the District will suffer under a proposed bill that would let property owners veto designation of their neighborhoods as "historic," the Committee of 100 on the Federal City warned today.

The Committee of 100 testified before the DC City Council Committee of the Whole on Friday in opposition to the Public Participation in Historic District Designation Act (Bill 17-911). The proposed bill undermines the core principle that historic district designations be made by an independent board or commission with specialized experience, said Committee spokesman Andrea C. Ferster, a well-known preservation lawyer. While purporting to make the historic designation process more "democratic," the bill in fact does the opposite by removing the power to designate historic districts from a board representing the entire city and giving that authority to affected property owners, she said.

The Committee was joined in opposition to Bill 17-911 by local, citywide and national groups, including the Historic Districts Coalition, the National Trust for Historic Preservation, and the DC Preservation League.

Ferster also stated that the bill is unnecessary because the historic district designation process already includes extensive mechanisms for meaningful public participation at each stage of the lengthy review process.

Ferster said that deciding whether a property is historic is no different from other governmental designations and actions, such as designation of wetlands and zoning decisions. Courts have held that these decisions "should be based solely on objective, expert assessments of their intrinsic characteristics and values, not the wishes of the property owner," she said. Application of governmental police power regulations, enacted for the broader public good, should never be determined by "majority vote" of affected property owners, she said.

Formed in 1922 to sustain and to safeguard the fundamental values that give Washington its historic distinction and natural beauty, the Committee of 100 celebrates the city's unique role as both the home of the District's citizens and the capital of our nation.

The Committee's entire testimony is attached.

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