

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1114 concerning Establishing Tax Credits for the Conversion of Vacant Lots to Public Parking (Public Hearing)**

Date: **7/18/2023**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by August 7, 2023**
 - In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment
Comment: _____

Casi Boyer Yes No No Comment
Comment: _____

Vicki Jones Yes No No Comment
Comment: _____

Jim Ringsaker Yes No No Comment
Comment: _____

Jason Robertson Yes No No Comment
Comment: _____

Tammy Lynn Schneegas Yes No No Comment
Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1114

Introduced by _____ Council Member Robertson

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER TO ESTABLISH TAX CREDITS FOR THE CONVERSION OF VACANT LOTS IN THE CITY’S DOWNTOWN BUSINESS DISTRICT TO PUBLIC PARKING

On: July 17, 2023
at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for August 7, 2023 at 7:00 p.m.

EXPLANATION
Underlining indicates matter added to existing law.
[Bold Brackets] indicate matter deleted from existing law.
Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

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33 **WHEREAS**, The American Rescue Plan Act of 2021 was signed into law by President Joseph
34 Biden on March 11, 2021; and

35
36 **WHEREAS**, The American Rescue Plan Act of 2021 authorized The Coronavirus State and Local
37 Fiscal Recovery Funds (“SLFRF”); and

38
39 **WHEREAS**, SLFRF delivered 13.8 million dollars to the Mayor and City Council of Havre de
40 Grace (“the City”); and

41
42 **WHEREAS**, it was decided that the majority of the funds allocated to the City from SLFRF would
43 be used towards two categories: 1. critical infrastructure upgrades, 2. Improvements to the City’s
44 historic downtown business community; and

45
46 **WHEREAS**, in January and February 2022, the City retained a consultant to develop a downtown
47 revitalization plan, which included a solicitation of interested citizens of Havre de Grace to
48 participate in a series of public meetings known as charrettes, during which the citizens collectively
49 provided input into the planning phase of renovating the City’s downtown business district; and

50
51 **WHEREAS**, the plan to renovate the City’s downtown business district developed through this
52 collaborative process is known as the Havre de Grace Restoration Plan; and

53
54 **WHEREAS**, through the Havre de Grace Restoration Plan, the City's downtown district will be
55 revitalized to encourage social and economic engagement opportunities for a varied array of
56 interested stakeholders, including residents, visitors, business owners, motorists, pedestrians, and
57 bicyclists alike, by recreating open, walkable, accessible, and shared-use spaces while improving
58 critical infrastructure and restoring the City’s downtown treasured character, charm, and grace that
59 characterize our historic City; and

60
61 **WHEREAS**, the Havre de Grace Restoration Plan is currently progressing through the engineering
62 phase based on the results of the collaborative process described above; and

63
64 **WHEREAS**, part of the Havre de Grace Restoration Plan will convert parking patterns along
65 certain streets downtown from angled parking to parallel parking, resulting in the reduction of the
66 number of parking spaces along portions of certain streets; and

67
68 **WHEREAS**, Md. Tax-Property Code Ann. § 9-225 enables the governing body of a municipal
69 corporation to grant a tax credit against the property tax imposed on real property, up to the amount
70 of property taxes levied by the municipal corporation: “(1) for that portion of the property that is
71 leased, occupied, and used by a municipal corporation; and (2) for which the municipal corporation
72 is contractually liable under the lease.”; and

73
74 **WHEREAS**, to counteract the loss of parking spaces contemplated under the Havre de Grace
75 Restoration Plan, the Mayor has directed the administration to develop a parking plan that could
76 utilize and incentivize private property owners located in the downtown business district to allow
77 their property to be used as off-street parking; and

78

79 **WHEREAS**, the Mayor has developed a 5-Point Parking Plan to include the following elements:

- 80 1. Offer tax incentives to private landowners to encourage converting vacant downtown
81 lots into public parking areas.
- 82 2. Reconfigure existing City parking lots to maximize the number of parking spaces.
- 83 3. Add angled parking along Congress Avenue between Washington Street and Market
84 Street.
- 85 4. Relocate and repurpose the Visitors Center, which will (a) move the current staff and
86 operations to the Opera House and (b) reduce the footprint to create a “Hospitality
87 Station” equipped with public restrooms, and allow for the demolition of a portion of
88 the Visitor Center to open up land for more parking.
- 89 5. Keeping The Tide Trolley free. This convenient and environmentally friendly mode
90 of transportation allows visitors to park in central locations and easily access downtown
91 businesses and attractions; and
92

93 **WHEREAS**, to implement the 5-Point Parking Plan, the Mayor requests Council to approve the
94 property tax credit for property owners who agree that their vacant lot can be used by the City for
95 public parking.
96

97 **NOW THEREFORE**, be it decided, determined, and ordained that the City Code Chapter 177
98 Taxation be amended as follows:
99

100 **VII Tax Credit for Conversion of Vacant Lots in the City’s Downtown Business District to**
101 **Public Parking**
102

- 103 1. The Mayor is authorized to:
104
 - 105 a. Locate and identify empty downtown lots that might be suitable for public parking; located
106 within or 500 feet in any direction past the boundaries of the City’s Arts and Entertainment
107 District (as defined by Resolution 2018-08) that might be suitable for public parking;
108
 - 109 b. For interested property owners in the area noted, the Mayor may enter a lease on the
110 following terms and conditions:
 - 111 i. The lease term would be for 12 months and could be renewed annually by consent
112 of both parties.
 - 113 ii. The lease cost would be equivalent to the Havre de Grace City property tax.
 - 114 iii. The owner would pay the property tax.
 - 115 iv. The city will give a full or partial pro-rata credit based on the pro-rata area of
116 property used for parking.
 - 117 v. The City will add the leased property to its inventory of property as a public parking
118 lot for purposes of its municipal insurance policy.
 - 119 vi. The City will maintain the parking area.

- 120 vii. To maximize parking spaces:
- 121 1. The owner will allow the City to make “parking lines” using washable
- 122 marking materials as needed to maximize parking spaces.
- 123 2. The city will be permitted to make minor improvements at predetermined
- 124 maximum costs (e.g., crusher run, walking paths as needed) within allowed
- 125 City budget items for property repair and maintenance.
- 126
- 127 2. The Mayor may add additional reasonable terms and conditions to lease vacant property
- 128 located in the City’s Arts and Entertainment District for additional public parking spaces as he
- 129 deems necessary to further the purposes of the 5-Point Parking Plan so long as the lease term,
- 130 tax credits, and parking charges do not exceed the terms established by section 1 (b)(ii) or by
- 131 section 1 (b)(iv).
- 132

133 **NOW, THEREFORE,** it is determined, decided, and ordained by the City Council that the
134 foregoing amendments to the City Code are hereby approved.

135
136 ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of _____, 2023.

137
138 SIGNED by the Mayor and attested by the Director of Administration this ____ day of
139 _____, 2023.

140
141
142 ATTEST:

MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE

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144
145 _____
146 Stephen J. Gamatoria
147 Director of Administration

145 _____
146 William T. Martin
147 Mayor

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149
150 Introduced/First Reading: 7/17/2023
151 Public Hearing:
152 Second Reading/Adopted:
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154 Effective Date: