

**Resolution Adopting**  
**Interim Procedures for Delineating**  
**Historic Environmental Settings**

**WHEREAS** Section 1 in County Council Bill No. 93-05 has amended the definition in County law (Section 32-7-101) so that, for the purposes of additions by the Landmarks Preservation Commission (LPC) to the Preliminary Landmarks List, the term “structure ... includes the property or lot or portion thereof which constitutes the historic environmental setting of the structure;” and

**WHEREAS** Section 32-7-101 (k) in the amended law now further defines “historic environmental setting,” as “the property or lot or portion thereof, as delineated by the Commission, which is historically, architecturally, archeologically, or culturally connected to the historic significance of a Landmark structure;” and

**WHEREAS** the Commission and the Office of Law agree that, before attempting formal promulgation of a set of standards for evaluating settings, the best approach will be for the Commission to gain experience with the concepts and factors involved in defining settings by conducting actual evaluations of the sites as individual historic properties are nominated for Landmark listing; and

**WHEREAS**, because delineation of historic setting is part of the prerequisite actions for a historic property to qualify for rehabilitation tax credits from Baltimore County, the Commission should assure the integrity of the processes by guarding against tax credit approvals where a historic property has recently been subdivided in a manner that would deprive the Commission of authority over future development within its properly-defined historic setting, while also recognizing that future development within a historic setting is not necessarily impermissible;

**NOW, THEREFORE, BE IT RESOLVED** that the following interim procedures and guidance are hereby approved by the Landmarks Preservation Commission, to take effect for nominations received after April 25, 2006:

1. Persons or organizations submitting nominations to the Landmarks List must, in addition to identifying the historic structure(s) nominated, also propose the delineation of the surrounding historic environmental setting appropriate to the historic significance of the site, including an explanation of the rationale for thus delineating the specified setting. The Commission’s staff shall revise the nomination form and instructions accordingly, and shall continue to assist applicants in understanding how to comply with this requirement.

2. Each nomination to the Landmarks List shall include a map, plat, or site plan, and a written description clearly indicating the boundary lines by which the setting is proposed to be delineated and a description of how the setting is connected to the historic significance of the Landmark(s) site.
  - (a) The proposed setting may encompass the entire contiguous acreage in common ownership with the historic structure(s) or other historic features at the time of nomination, in which case a copy of the State tax map showing the real property nominated will suffice.
  - (b) If the proposed setting is less than the entire contiguous acreage, the application must include a map, plat, or site plan, on a sheet not larger than 11" x 17", clearly indicating the proposed boundary lines; and a written explanation of why the area *excluded* from the historic setting is *not* "connect[ed] to the historic significance of the Landmark(s)."
3. Except as provided below in paragraph 5 for properties of less than **five** acres, the Commission shall, before voting to approve any historic environmental setting, first consider the report from a Technical Committee consisting of not less than three commission members which has visited the nominated site and evaluated the appropriateness of the proposed boundaries for the setting.
4. In evaluating structures and their proposed setting, the Committee and the Commission shall, in addition to considering the five statutory criteria for landmark eligibility, also consider the factors used by the Secretary of the Interior for evaluating the integrity of a historic site – *viz.*, location, design, setting, materials, workmanship, feeling, and association, as explained in National Register Bulletin 15.
5. For properties of less than **five** acres, the rebuttable presumption shall be that the historic environmental setting is the entire property, *provided that* the Commission may decline to approve an owner-initiated nomination if the record discloses that the property has been subdivided within the prior five years in a manner to exclude an area that should otherwise have properly been included in the structure's historic environmental setting;

**AND, BE IT FURTHER RESOLVED**, that the Commission shall, within one year from the effective date of this Resolution, evaluate the appropriateness and effectiveness of its principles and procedures.

**DULY ADOPTED** by vote of the Commission this 25th day of April, 2006.

**ATTEST**

/s/ Vicki Nevy  
Vicki Nevy  
Secretary/Administrator