

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

Amended thru December 27, 2010

DEPARTMENT OF PLANNING AND ZONING

Harford County, Maryland

FLOODPLAIN MANAGEMENT PROGRAM, Chapter 131

and

SUBDIVISION REGULATIONS, Chapter 268

of the Harford County Code, As Amended

are included at the end of the Development
Regulations.

**ZONING CODE
AMENDMENT INFORMATION:**

<u>Bill Number</u>	<u>effective date</u>
09-01	4/6/09
09-11	6/15/09
09-19AA	8/17/09
09-31AA	1/22/10
09-33AA	1/22/10
10-03	4/20/10
10-30	12/13/10
10-32AA	12/27/10

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§ 267-30. Buffer Yards. [Amended by Bill 10-32 As Amended]**A. General requirements.**

- (1) Buffers are required between districts pursuant to Table 30-1 below. The buffer yard is intended to be landscaped in a manner that provides an effective visual buffering on a year-round basis. The buffer yard is intended to increase the visual appeal within a district and to minimize the impact of noise between districts. The buffer yard is intended to provide for a transition between uses.
- (2) Buffer yards shall consist of existing vegetation, nursery stock or both as well as fences, walls, earthberms or grade changes.
- (3) Structures shall not be permitted to encroach on any buffer yard. Pavement, utility construction, signage and similar hardscape improvements are permitted in the required buffer yard of mixed use centers and Integrated Community Shopping Centers which separates the use from any adjacent road that is not within the project. Pavement, utility construction, signage and similar hardscape improvements are not permitted on any other buffer yard. All public utilities, including water and sewer facilities, shall be allowed to cross a buffer yard subject to approval of the Director of Planning and the Director of Public Works.
- (4) Buffer yards shall be established on agriculturally zoned land when the subject property is converted to residential use, consisting of more than 5 lots, and is adjacent to another agriculturally zoned property that has not been converted to residential use.
- (5) Buffer yards required between property zoned for business, commercial, industrial or mixed office uses and property zoned agricultural or residential shall not be located on the agriculturally or residentially zoned lands.
- (6) Buffer yard requirements may be reduced if a buffer yard exists on an adjoining property, provided the buffer yard is permanently protected in perpetuity under easement or other sufficient legal instrument and meets the minimum buffer yard requirement for this section. The recreational buffer requirement may be reduced or eliminated provided that a trail exists on an adjoining property which is permanently protected in perpetuity under easement or other sufficient legal instrument and meets the minimum recreational buffer requirement for this section.
- (7) Where possible, the Director of Planning shall permit the use of trails within ICSC, PEC and COP developments.
- (8) Buffer yards shall not be required on agriculturally zoned land when the subject property is converted to residential use, consisting of more than 5 lots, and is adjacent to a residentially zoned property.
- (9) Notwithstanding Table 30-1, buffer yards shall not be required between residential lots as defined in this chapter.

- (10) No portion of the buffer yard shall be allowed on privately-owned urban residential district lots.

B. Applicability. Buffer yards are required for:

- (1) The construction or erection of any new nonresidential building or structure for which a building permit is required.
- (2) Any enlargement exceeding 1,000 square feet or 10% of the total floor area, whichever is greater, of the exterior dimensions of an existing nonresidential building for which a building permit is required.

C. Exemptions. This section does not apply to the following situations:

- (1) The reconstruction of an existing building of which 50% or less of the floor area was destroyed or ruined by flooding, fire, windstorm or act of God. This exemption shall apply only where reconstruction of that building will not result in an increase in building size or paving area of the parking facilities to be provided.
- (2) Interior finish work or remodeling within a portion of a building, unless the work results in an increase in land use intensity.
- (3) Any use, building or structure for which only a change of use is requested, and which use does not increase the existing intensity or building square footage, nor requires structural modifications which would increase its volume or scale.
- (4) Contiguous commercial parcels or land areas under common ownership, within 1 development project.

D. Buffer yard landscape and improvement standards.

Table 30-1 Required Buffers Between Districts

	Zoning District	Subject Parcel Zoning District															
		AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Adjacent parcel buffer requirement	AG	E*	E	E	E	E	E	C	E	B	B	B	B	B	B	B	D
	RR	E**	-	-	-	-	-	-	-	B	B	C	C	D	D	D	D
	R1	E**	-	-	-	-	-	-	-	-	B	C	C	D	D	D	D
	R2	E**	-	-	-	-	-	-	-	-	B	C	C	D	D	D	D
	R3	E**	-	-	-	-	-	-	-	-	A	A	A	D	D	D	D
	R4	E**	-	-	-	-	-	-	-	-	A	A	A	D	D	D	D
	RO	C**	-	-	-	-	-	-	-	-	A	A	A	D	D	D	D
	VR	E**	-	-	-	-	-	-	-	-	B	C	C	D	D	E	C
	VB	B	B	B	B	A	A	A	-	-	-	-	A	C	C	C	C
	B1	B	B	B	B	A	A	A	B	-	-	-	-	C	C	C	C
	B2	B	B	B	B	A	A	A	C	A	-	-	-	B	B	B	B
	B3	B	B	B	B	A	A	A	C	B	-	-	-	B	B	B	B
	CI	B	D	D	D	D	D	D	D	C	C	B	B	-	-	-	-
	LI	B	D	D	D	D	D	D	D	C	C	B	B	-	-	-	-
	GI	B	D	D	D	D	D	D	E	C	C	B	B	-	-	-	-
	MO	D	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-

* Buffer yard required per §267-30A(4)

** Buffer yard requirements per §267-30A(8)

A designation may be amended or rescinded upon petition to the County Council and compliance with the same procedure and according to the same criteria set forth herein for designation.

§ 267-112. Historic Landmarks. [Amended by Bills 09-01, 09-11 and 10-30]

The Department of Planning and Zoning shall maintain a list of the County's designated Historic Landmarks consisting of public and private sites and structures in the County as well as a list of properties/sites that the Commission considers to be of significant historical, architectural, archeological or cultural value that are eligible for designation.

The following sites are designated as County Historic Landmarks in accordance with this Part. The boundaries of the County Historic Landmarks are shown on the Official Historic Districts and Landmarks Maps, on file with the Department of Planning and Zoning.

Historic Inventory Number	Property Name	Property Address
937	Christopher's Camp	1219 South Fountain Green Road, Bel Air
441	Churchville Presbyterian Church and Cemetery	2844 Churchville Road, Churchville
225	Hays House	324 South Kenmore Avenue, Bel Air
609	Little Falls Meeting House Burial Ground	719 Old Fallston Road, Fallston
610	Fallston Friends Schoolhouse	719 Old Fallston Road, Fallston
855	Nelson-Reardon-Kennard House	3604 Philadelphia Road, Abingdon
4	Rigbie House	2422 Castleton Road, Darlington
1312	St. Francis De Sales Church	1450 Abingdon Road, Abingdon
5	Sophia's Dairy	4602 Pulaski Highway, Belcamp
168	St. Mary's Church	1 St. Mary's Church Road, Abingdon
561	Stansbury Mansion	1616 Eden Mill Road, Pylesville
49	Thomas Run Church	Thomas Run Road, Bel Air
165	Deer Creek Harmony Presbyterian Church	2202 Shuresville Road, Darlington
12	Deer Creek Friends Meeting House and Cemetery	1212 Main Street, Darlington
6	Bon Air	2501 Laurel Brook Road, Fallston
307	Mccomas Institute	1911 Singer Road, Joppa
249	Spesutia Church Vestry House and Cemetery	1504 Perryman Road, Aberdeen
867	Bush Hotel	4014 Philadelphia Road, Abingdon
1315	Joppa Historic District	Joppa
44	D. H. Springhouse	3000 Sandy Hook Road, Bel Air
469	King and Queen Seats	Rt. 24, Street
1117	Whitaker Mill And Miller's House	1212 Whitaker Mill Road, Joppa
103	Tabernacle Church	Tabernacle Road, Whiteford
66	Old Brick Baptist Church	Baldwin Mill Road, Forest Hill
1590	St. James African Methodist Episcopal Church Cemetery	4139 Gravel Hill Road, Havre de Grace
693	Woodside	400 Singer Road, Abingdon
240	Swansbury	111 Beards Hill Ext., Aberdeen

Historic Inventory Number	Property Name	Property Address
1279	Greenwood	331 Glenville Road, Churchville
1435	Historical Society Headquarters/ Old Bel Air Post Office	143 N. Main Street, Bel Air
356	Joshua's Meadows	300 N. Tollgate Road, Bel Air
1244	Hopkins House	141 N. Main Street, Bel Air
1393	Old Aegis Building	29 West Courtland Street, Bel Air
1394	Mrs. Dunnigan's Building	31 West Courtland Street
1780	Old Aberdeen High School	34 N. Philadelphia Blvd., Aberdeen
1395	Mrs. Dunnigan's Hotel and Restaurant	33 West Courtland Street, Bel Air
1463	Harford Mutual Fire Insurance Company Building	18 Office Street, Bel Air
2181	Darlington Library	1134 Main Street, Darlington
218	Harford County Courthouse	20 West Courtland Street, Bel Air
1456	Survey Stones for Bel Air at 220 South Main St.	220 South Main Street, Bel Air
1396	Survey Stones for Bel Air at 33 West Courtland St.	33 West Courtland Street, Bel Air
1311	Bel Air M.E. Church (Main Street)	20 N. Main Street, Bel Air
1413	Bel Air Black School	205 Hays Street, Bel Air
1267	Asbury M.E. Church	114 Asbury Road, Churchville
448	Ivory Mills	4916 Harford Creamery Road, Norrisville
458 & 459	George N. Wiley Mill	4907 Jolly Acres Road, Norrisville
997	Calvary United Methodist Church	1321 Calvary Road, Churchville
1228	Woodview	1326 Somerville Road, Bel Air
Park Property:		
2180	Francis Silver Park (Darlington)	2428 Shuresville Road, Darlington
370	Scott House (Equestrian Center)	608 Tollgate Road, Bel Air
230	Liriodendron	502 W. Gordon Street, Bel Air
562	Eden Mill Park	1617 Eden Mill Road, Pylesville
1081	Stone House and Spring House (Edgeley Grove Farm)	864 Smith Lane, Benson
Bridges:		
439	Franklinville Road	Joppa
1119	Old Carrs Mill Road	Fallston
336	Nobles Mill Road	Darlington
799	Cherry Hill Road	Street
1982	Forge Hill Road	Dublin
1038	Ring Factory Road	Bel Air
1237	Whitaker Mill Road	Joppa
1098	Green Road	Whitehall
Board of Education:		
699	Harford Glen	60 W. Wheel Road, Bel Air
1407	Methodist Episcopal Parsonage (Demolished)	35 East Gordon Street, Bel Air
1410	Kimble-Waters House (Demolished)	50 East Gordon Street, Bel Air
2179	Darlington Elementary School	2119 Shuresville Road, Darlington
258	Proctor House	54 East Gordon Street, Bel Air
1409	Old Bel Air Academy	45 East Gordon Street, Bel Air

Historic Inventory Number	Property Name	Property Address
Harford Community College:		
152	Hays-Heighe House	401 Thomas Run Road, Bel Air

§ 267-113. Certificate of Appropriateness Required.

A Certificate of Appropriateness shall be required from the Department of Planning and Zoning, in conjunction with the Historic Preservation Commission, that authorizes the following actions affecting the exterior architectural appearance of any Landmark, consistent with §267-115 (Standards for Review):

- A. Any construction, alteration, demolition or removal of an exterior architectural feature, requiring a permit from the Department of Inspections, Licenses and Permits or as specified in the report designating the Landmark.
- B. Notwithstanding the above, if the Director of the Department of Inspections, Licenses and Permits, the Director of the Department of Public Works and the County Health Officer determine, after consultation with the Department of Planning and Zoning, that a County Historic Landmark property constitutes an immediate danger to the health, welfare and safety of the public, the Director may approve the demolition or alteration of the property.
- C. An alteration permitted under Subsection B shall be only to the extent necessary to remove the immediate danger constituted by the property.
- D. County Historic Landmarks that are the property of the state, shall be subject to the requirements of this Subsection in so far as possible.
- E. The Director of a County Department that is responsible for the maintenance of a County Historic Landmark property shall submit an annual report stating the condition of the property to the Historic Preservation Commission.
- F. Minor changes for County-owned buildings, to resolve safety or State law requirements, may be approved by the Department of Planning and Zoning, upon consultation with the Department of Inspections, Licenses and Permits.
- G. Any demolition of a County-owned Historic Landmark shall require approval by the Harford County Council by a vote of at least 5 members.

§ 267-114. Applications.

Every application for a demolition permit or other exterior building permit as required in this Subsection, including the accompanying plans and specifications, affecting the exterior architectural appearance of a designated Landmark shall be forwarded to the Historic Preservation Commission within 7 calendar days following receipt of the application. The Department of Inspections, Licenses and Permits shall not issue the building or demolition permit until a Certificate of Appropriateness has been issued by the Department of Planning and Zoning in conjunction with the Historic Preservation Commission.

Applications for a Certificate of Appropriateness shall be made on a form prepared by the Department of Planning and Zoning in conjunction with the Historic Preservation Commission. The application can be obtained from the Department of Planning and Zoning.

Applicants may request a meeting with the Historic Preservation Commission prior to submittal of an application or during the review process.

§ 267-115. Standards for Review.

- A. Design guidelines for applying the criteria for review of certificates of appropriateness shall adhere to the United States Secretary of the Interior's Standards for Historic Preservation Projects.
- B. In considering an application for a building or demolition permit or for a Certificate of Appropriateness, the Historic Preservation Commission shall be guided by the United States Secretary of the Interior's Standards for Historic Preservation Projects.
- C. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment or to use a property for its originally intended purpose.
- D. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
- E. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
- F. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- G. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
- H. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- I. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- J. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

§ 267-116. Determination by Commission.

The Historic Preservation Commission shall review the application for a Certificate of Appropriateness and recommend to the Department of Planning and Zoning, approval or denial of the Certificate of Appropriateness within 30 calendar days of receipt of the application. Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided to the applicant, the Department of Planning and Zoning and the Department of Inspections, Licenses and Permits within 7 calendar days following the determination.

§ 267-117. Denial.

A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Historic Preservation Commission shall make recommendations to the Department of Planning and Zoning concerning changes, if any, that could resolve the issues. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Historic Preservation Commission.

§ 267-118. Buffer Requirements.

Except when the Landmark is County owned or operated, the following requirements must be met:

- A. If a proposed use will be on a property that is adjacent to a designated County Historic Landmark and if the proposed use is within 500 feet of the Landmark, the proposed use shall have a buffer and landscaping in accordance with this section.
- B. The Director of Planning shall determine the required width and landscaping of the buffer.
 - (1) The width shall be up to 75 feet.
 - (2) Landscaping shall be provided consistent with the criteria put forth in §267-29 (Landscaping).
- C. Before determining the required width and landscaping alternative, the Director of Planning shall obtain a recommendation from the Historic Preservation Commission. In making its recommendation, the Historic Preservation Commission shall consider the following:
 - (1) The nature and extent of the proposed use, the degree of compatibility between the proposed use and the County Historic Landmark.
 - (2) The extent to which the buffer yard will help to preserve the character of the County Historic Landmark.
 - (3) The size of the property on which the proposed use will be located.
 - (4) The distance of the proposed use from the County Historic Landmark.
 - (5) The size of the property on which the County Historic Landmark is located.

§ 267-119. Fees.

Fees, if any, shall be as established in Chapter 157 of the Harford County Code, as amended.

§ 267-120. Violations and Penalties.

The County may proceed with appropriate enforcement actions, pursuant to §267-14 (Violations and Penalties).