Brief Title (Zoning-Historic Preservation)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Council Administrator

Date 3-12-19

ENROLLED

Council President

Date March 12 2019

BY THE COUNCIL

Read the third time.

Passed: LSD 19-008

Failed of Passage: 

By Order

Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 13th day of March, 2019 at 3:00 p.m.

Council Administrator

BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date 3/14/19

BY THE COUNCIL

This Bill 19-004 As Amended having been approved by the Executive and returned to the Council, becomes law on March 14, 2019.

EFFECTIVE May 13, 2019
COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 19-004 (As Amended)

Introduced by Council President Vincenti at the request of the County Executive

Legislative Day No. 19-004

Date February 5, 2019

AN ACT to repeal and reenact, with amendments, Section 9-176.18, Terms of office, of Article XXVII, Historic Preservation Commission, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies; to add the definitions of “appurtenances and environmental settings”, “historic district” and “routine maintenance, historic” to Section 267-4, Definitions; to delete the definition of “historic area work permit” from Section 267-4, Definitions; and to repeal and reenact, with amendments, the definitions of “certificate of appropriateness”, “exterior features, historic”, “historic landmark”, “historic site” and “historic structure or building” of Section 267-4, Definitions, all of Article I, General Provisions, of Part 1, Standards, of Chapter 267, Zoning; and to repeal and reenact, with amendments, Article XIII, General Provisions for Historic Landmarks, of Part 2, Miscellaneous, of Chapter 267, Zoning, all of the Harford County Code, as amended; to create staggered terms for members of the Historic Preservation Commission and to set forth that a member shall continue to serve until a successor is appointed; to add the definitions of appurtenances and environmental settings, historic district and historic routine maintenance; to revise the definitions of Certificate of Appropriateness or COA, historic exterior features, historic landmark, historic site and historic structure or building; to eliminate the definition of historic area work permit; to revise the purpose of the general provision for historic landmarks; to revise and restructure the maintenance of the historic landmark list, how a landmark is so designated and the criteria and procedure for designation; to restructure the requirements for a certification of appropriateness and the procedure to apply for and obtain said certificate; to revise the buffer requirements related to new developments within 500 feet of a designated historic landmark; and generally related to historic landmarks and zoning.

By the Council, February 5, 2019

Introduced, read first time, ordered posted and public hearing scheduled

on: March 5, 2019

at: 6:30 PM

By Order: ____________________________, Council Administrator

BILL NO. 19-004
As Amended
PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 5, 2019, and concluded on March 5, 2019.

_________________________, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.
Section 1. Be It Enacted By The County Council of Harford County, Maryland that Section 9-176.18, Terms of office, of Article XXVII, Historic Preservation Commission, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, be, and it is hereby, repealed and reenacted, with amendments; that the definitions of “appurtenances and environmental settings”, “historic district” and “routine maintenance, historic” be, and they are hereby, added to Section 267-4, Definitions; that the definition of “historic area work permit” be, and it is hereby, deleted from Section 267-4, Definitions; and that the definitions of “certificate of appropriateness”, “exterior features, historic”, “historic landmark”, “historic site” and “historic structure or building” of Section 267-4, Definitions, be, and they are hereby, repealed and reenacted, with amendments, all of Article I, General Provisions, of Part 1, Standards, of Chapter 267, Zoning; and that Article XIII, General Provisions for Historic Landmarks, of Part 2, Miscellaneous, of Chapter 267, Zoning, be, and it is hereby, repealed and reenacted, with amendments, all of the Harford County Code, as amended, and all to read as follows:

Chapter 9. Boards, Commissions, Councils and Agencies

Part 3. Authoritative Boards and Commissions

Article XXVII. Historic Preservation Commission

§ 9-176.18. Terms of office.

A. [The terms of all the members shall be coterminous with the term of the County Executive.]

HISTORIC PRESERVATION COMMISSION MEMBERS SHALL BE APPOINTED FOR TERMS OF 4 YEARS, EXCEPT THAT THE TERMS OF THE INITIAL APPOINTMENTS SHALL BE STAGGERED SO THAT 3 MEMBERS SHALL SERVE TERMS OF 4 YEARS, 2 MEMBERS SHALL SERVE TERMS OF 3 YEARS, 1 MEMBER SHALL SERVE A TERM OF 2 YEARS AND 1 MEMBER SHALL SERVE A TERM OF 1 YEAR. HISTORIC PRESERVATION COMMISSION MEMBERS MAY BE REAPPOINTED.

B. All vacancies on the Commission shall be filled by appointment by the County Executive and
confirmed by the County Council for the unexpired term of the original appointee.

C. Any member missing 3 consecutive meetings shall be deemed to have terminated his or her membership on the Commission unless the Commission shall, by majority vote, excuse one or more of the absences.

D. AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A QUALIFIED SUCCESSOR IS APPOINTED.

Chapter 267. Zoning

Part 1. Standards

Article I. General Provisions

§ 267-4. Definitions.

As used in this Part, the following terms shall have the meanings indicated:

APPURTENANCES AND ENVIRONMENTAL SETTINGS – ALL THE GROUNDS AND STRUCTURES SURROUNDING A DESIGNATED LANDMARK OR HISTORIC DISTRICT TO WHICH THAT HISTORIC LANDMARK OR HISTORIC DISTRICT RELATES PHYSICALLY OR VISUALLY. APPURTENANCES AND ENVIRONMENTAL SETTINGS ARE UNIQUE TO EACH HISTORIC LANDMARK OR HISTORIC DISTRICT AND MAY INCLUDE, BUT ARE NOT LIMITED TO, WALKWAYS AND DRIVEWAYS (WHETHER PAVED OR UNPAVED), TREES, LANDSCAPING, PASTURES, CROPLANDS, WATERWAYS, OPEN SPACE, SETBACKS, PARKS, PUBLIC SPACES AND ROCKS.

CERTIFICATE OF APPROPRIATENESS – A certificate issued by THE DEPARTMENT OF PLANNING AND ZONING IN CONJUNCTION WITH the Historic Preservation Commission indicating its approval of plans for construction, alteration, REHABILITATION, RESTORATION, reconstruction, moving, or demolition of [an individually designated] A
HISTORIC landmark[, site or structure] or of a site or structure within a designated
[Preservation] HISTORIC District.

EXTERIOR FEATURES, HISTORIC – [The architectural style, design, and general arrangement of
the exterior of an historic structure, including the nature and texture of building material, and
the type and style of all windows, doors, light fixtures, signs or similar items found on or
related to the exterior of an historic structure.] INCLUDE:

A. ANY EXTERIOR DESIGN, COMPOSITION OR SURFACE OF A SITE OR
STRUCTURE, INCLUDING THE ARCHITECTURAL STYLE AND GENERAL
DESIGN AND ARRANGEMENT OF THE SITE OR STRUCTURE;

B. THE FINISH, APPEARANCE, MATERIAL AND TEXTURE OF ANY EXTERIOR
BUILDING MATERIAL ON A SITE OR STRUCTURE; AND

C. THE TYPE, FORMATION AND STYLE OF A SITE OR STRUCTURE'S
WINDOWS, DOORS, LIGHT FIXTURES, SIDING, ROOFS, CHIMNEYS, SIGNS
AND ANY OTHER CHARACTER-DEFINING EXTERIOR COMPONENTS OF
THE SITE OR STRUCTURE.

[HISTORIC AREA WORK PERMIT – A permit, issued by Harford County, upon receiving a
certificate of appropriateness from the Commission for all projects that Harford County
conducts, assists, licenses or permits that affect properties within a designated district or
individually designated sites or landmarks.]

HISTORIC DISTRICT – A SIGNIFICANT CONCENTRATION, LINKAGE OR CONTINUITY OF
SITES, STRUCTURES OR OBJECTS THAT ARE UNITED HISTORICALLY,
ARCHITECTURALLY, ARCHEOLOGICALLY, CULTURALLY OR AESTHETICALLY
BY PLAN OR PHYSICAL DEVELOPMENT.

HISTORIC LANDMARK/LANDMARK – [Any designated site, properties or structure as listed in
§267-112 (Historic landmarks).] A SITE, STRUCTURE, BUILDING, HISTORIC DISTRICT
OR OBJECT DESIGNATED BY HARRFORD COUNTY FOR ITS HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL OR CULTURAL SIGNIFICANCE AND WHICH IS WORTHY OF PRESERVATION, LISTED IN THE HARRFORD COUNTY HISTORIC LANDMARKS LIST PURSUANT TO § 267-112 (DESIGNATED HISTORIC LANDMARKS).

[HISTORIC] SITE, HISTORIC – [A parcel of land of historical or cultural significance, which is eligible for designation on the National or State Register of Historic Places or as a Harford County landmark.] THE LOCATION OF AN EVENT OF HISTORIC SIGNIFICANCE OR A STRUCTURE WHICH POSSESSES HISTORIC, ARCHEOLOGICAL, ARCHITECTURAL OR CULTURAL SIGNIFICANCE.

[HISTORIC] STRUCTURE, HISTORIC [OR BUILDING] – [A structure of historical, cultural or architectural significance which is eligible for designation on the National or State Register of Historic Places or as a Harford County landmark.] AN ASSEMBLY OF MATERIALS THAT FORMS A STABLE CONSTRUCTION AND INCLUDES BY WAY OF ILLUSTRATION AND NOT LIMITATION, A BUILDING, STRUCTURES ACCESSORY TO A BUILDING, PLATFORM, TOWER, DAM, BRIDGE, PIER, SHED, SHELTER, RUIN, FOUNTAIN, STATUARY, SURVEY MARKERS, FENCES OR DISPLAY SIGN OF HISTORICAL, CULTURAL OR ARCHITECTURAL SIGNIFICANCE.

ROUTINE MAINTENANCE, HISTORIC – AN UNDERTAKING THAT:

A. DOES NOT CHANGE OR ALTER AN EXTERIOR FEATURE OF A HISTORIC LANDMARK OR A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT;

AND

B. WILL NOT MATERIALLY IMPAIR THE HISTORIC, ARCHEOLOGICAL, ARCHITECTURAL OR CULTURAL SIGNIFICANCE OF A HISTORIC LANDMARK OR A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT.
Part 2. Miscellaneous

Article XIII. General Provisions for Historic Landmarks

§ 267-104. Purpose.

[A. The purpose of this article is to provide Harford County with the standards necessary to allow the preservation of significant historic structures, functions and/or archaeological sites in the County.

B. It is hereby declared by Harford County, Maryland, that it is the public policy that the protection, enhancement, perpetuation and use of structures and sites of special character or historical interest or archaeological value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The further purpose of this article is to:

(1) Effect and accomplish the protection, enhancement and perpetuation of such improvements that represent or reflect elements of the County’s cultural, social, economic, political and architectural history.

(2) Safeguard the County’s historic and cultural heritage as embodied and reflected in such landmarks.

(3) Stabilize and improve property value.

(4) Foster civic pride in the beauty and noble accomplishments of the past.

(5) Protect and enhance the County’s attractions to residents, tourists and visitors and serve as a support and stimulus to business and industry.

(6) Strengthen the economy of the County.

(7) Promote the use of historic landmarks for the education, pleasure and welfare of the people of the County.

C. Historic Preservation Commission. The Historic Preservation Commission shall be established pursuant to Chapter 9 of the Harford County Code, as amended.]
A. IT IS A PUBLIC PURPOSE IN HARFORD COUNTY TO PRESERVE SITES, STRUCTURES AND DISTRICTS OF HISTORICAL, CULTURAL, ARCHEOLOGICAL OR ARCHITECTURAL SIGNIFICANCE TOGETHER WITH THEIR APPURtenANCES AND ENVIRONMENTAL SETTINGS.

B. IT IS THE FURTHER PURPOSE OF THIS article TO PRESERVE AND ENHANCE THE QUALITY OF LIFE IN HARFORD COUNTY BY:

(1) SAFEGUARDING THE COUNTY'S HISTORIC AND CULTURAL HERITAGE THROUGH THE PRESERVATION OF SITES, STRUCTURES AND HISTORIC DISTRICTS THAT REFLECT ELEMENTS OF CULTURAL, SOCIAL, ECONOMIC, POLITICAL, ARCHEOLOGICAL OR ARCHITECTURAL HISTORY;

(2) STRENGTHENING THE LOCAL ECONOMY;

(3) STABILIZING AND IMPROVING PROPERTY VALUES OF SUCH SITES, STRUCTURES OR HISTORIC DISTRICTS AND IN THE COUNTY GENERALLY;

(4) FOSTERING CIVIC PRIDE IN THE BEAUTY AND ACCOMPLISHMENTS OF THE PAST; AND

(5) PROMOTING THE PRESERVATION AND APPRECIATION OF HISTORIC SITES, STRUCTURES AND HISTORIC DISTRICTS FOR THE EDUCATION AND WELFARE OF THE RESIDENTS OF HARFORD COUNTY.

§ 267-105. HISTORIC PRESERVATION COMMISSION.

THE HISTORIC PRESERVATION COMMISSION SHALL BE ESTABLISHED PURSUANT TO CHAPTER 9, BOARDS, COMMISSIONS, COUNCILS AND AGENCIES, OF THE HARFORD COUNTY CODE, AS AMENDED.


This article may not be construed to:

A. Prevent any routine maintenance or repair of an exterior [architectural] feature which involves
no change in design, material or outward appearance of a SITE OR structure proposed or
designated as a [County] Historic Landmark;

B. Prevent the construction, REHABILITATION, RESTORATION, reconstruction, alteration or
demolition of any exterior [architectural] features OF A HISTORIC LANDMARK which the
Department of Inspections, License and Permits determines is required for the public safety
because of an unsafe or dangerous condition; or

C. Prevent or prohibit the owner or occupant, if any, of a [structure on the list of County] Historic
Landmark[s] from using that SITE OR structure in any lawful manner, so long as the use does
not involve the demolition of the structure or the alteration of its [exterior] architectural
features.

[§ 267-106. Maintenance of lists.

The list of County and municipal historic landmarks shall be maintained and made available for public
inspection at the Department of Planning and Zoning.


A. County historic landmark nominations shall be made to the Historic Preservation Commission
and may be submitted by a member of the Commission, owner of record of the nominated
property or structure or any other person or organization.

B. The Department of Planning and Zoning, at the request of the Preservation Commission, shall
make recommendations to the County Council regarding nominations for designation of
County historic landmarks using the criteria set forth in § 267-108 (Criteria for consideration of
nomination).


A. The Commission shall, upon such investigation as it deems necessary, make a determination as
to whether a nominated property, structure, function or area meets 1 or more of the following
criteria:
1. Its character, interest or value as part of the development, heritage or cultural characteristics of the community, County, state or country.

2. Its location as a site of a significant local, County, state or national event.

3. Its identification with a person or persons who significantly contributed to the development of the community, County, state or country.

4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction or use of indigenous materials.

5. Its identification as the work of a master builder, designer, architect or landscape architect whose individual work has influenced the development of the community, County, state or country.

6. Its embodiment of elements of design, detailing, materials or craftsmanship that render it architecturally significant.

7. Its embodiment of design elements that make it structurally or architecturally innovative.

8. Its unique location or singular physical characteristics that make it an established or familiar visual feature.

9. Its character as a particularly fine or unique example of a utilitarian structure, with a high level of integrity or architectural significance.

10. Its suitability for preservation or restoration.

11. Its significance as an archaeological site.

B. Any structure, property or area that meets 1 or more of the above criteria shall also have sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration.


The Preservation Commission shall, within 45 calendar days from receipt of a completed nomination in
proper form, determine that the nominated landmark does or does not meet the criteria for designation.

A. The determination shall be forwarded in a report to the Director of the Department of Planning and Zoning. The report shall include, but is not limited to, the following information:

1. An explanation of the significance or lack of significance of the nominated landmark as it relates to the criteria for designation.

2. An explanation of the integrity or lack of integrity of the nominated landmark.

3. In the case of a nominated landmark found to meet the criteria for designation, the report shall include a detailed description of the property's historic, archaeological or architectural significance and an analysis/description of unique or special features that contribute to the historical significance of the property:
   
   a. The significant exterior architectural features of the nominated landmark that should be protected.
   
   b. The types of construction, alteration, demolition and removal, other than those requiring a building or demolition permit that should be reviewed for appropriateness.


5. The relationship of the nominated landmark to the ongoing effort of the Commission to identify and nominate all potential areas and structures that meet the criteria for designation.

6. All landmarks, appurtenances and environmental settings appropriate to ensure preservation of character and historical integrity.

7. Recommendations as to appropriate permitted uses, special uses, height and area regulations, minimum dwelling size, floor area, sign regulations and parking regulations necessary or appropriate to the preservation of the nominated landmark.
(8) A map showing the location of the nominated landmark.

B. The recommendations and report of the Commission shall be sent to the Department of Planning and Zoning within 14 calendar days following the vote of the Commission and shall be available to the public.

§ 267-110. Establishments of landmarks.

A. Notices.

(1) Immediately upon completion of the nomination of a landmark, the Department of Planning and Zoning shall inform the owner of the property, by registered mail, of the nomination. The notice shall include copies of the proposed nomination, draft legislation and a form requesting the owner's and/or owner's agreement to the nomination. If the owner does not agree to the nomination and/or designation, all action pertaining to the site shall cease.

§ 267-107. MAINTENANCE OF LISTS.

A. THE DEPARTMENT OF PLANNING AND ZONING SHALL MAINTAIN:

(1) A LIST OF THE COUNTY'S DESIGNATED HISTORIC LANDMARKS.

(2) A LIST OF SITES, STRUCTURES AND HISTORIC DISTRICTS OF KNOWN OR POTENTIAL HISTORIC, ARCHEOLOGICAL, ARCHITECTURAL OR CULTURAL SIGNIFICANCE TO HARFORD COUNTY.

B. BOTH LISTS ARE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE DEPARTMENT OF PLANNING AND ZONING AND IN DUPLICATE WITH THE MARYLAND HISTORICAL TRUST.

§ 267-108. DESIGNATION.

THE COUNTY COUNCIL OF HARFORD COUNTY MAY DESIGNATE THE BOUNDARIES OF SITES, STRUCTURES OR AREAS AS HISTORIC LANDMARKS OR HISTORIC DISTRICTS IF:

A. THE HISTORIC PRESERVATION COMMISSION HAS RECOMMENDED A SITE,
STRUCTURE OR AREA FOR DESIGNATION AS A HISTORIC LANDMARK OR
HISTORIC DISTRICT IN ACCORDANCE WITH § 267-110 (PROCEDURE FOR
DESIGNATION) SET FORTH BELOW; AND

B. THE SITE, STRUCTURE OR AREA QUALIFIES FOR DESIGNATION IN
ACCORDANCE WITH THE CRITERIA FOR DESIGNATION SET FORTH IN § 267-109
(CRITERIA FOR DESIGNATION).

§ 267-109. CRITERIA FOR DESIGNATION.
A SITE, STRUCTURE OR AREA SHALL BE AT LEAST 50 YEARS OF AGE OR OLDER, HAVE
SUFFICIENT INTEGRITY OF LOCATION, DESIGN, MATERIALS AND WORKMANSHIP AND
MEET ONE OR MORE OF THE FOLLOWING CRITERIA.

A. HISTORICAL AND CULTURAL SIGNIFICANCE:
(1) IS ASSOCIATED WITH EVENTS SIGNIFICANT IN THE PAST;
(2) IS ASSOCIATED WITH THE LIVES OF PERSONS SIGNIFICANT IN THE PAST;
(3) HAS CHARACTER, INTEREST OR VALUE AS PART OF THE HERITAGE OR
CULTURE OF HARFORD COUNTY, THE STATE OF MARYLAND OR THE
UNITED STATES; OR
(4) HAS THE POTENTIAL TO PROVIDE IMPORTANT INFORMATION ABOUT
HISTORY OR PREHISTORY.

B. ARCHITECTURAL AND DESIGN SIGNIFICANCE:
(1) EMBODIES THE DISTINCTIVE CHARACTERISTICS OF A PARTICULAR
ARCHITECTURAL STYLE, PERIOD OR METHOD OF CONSTRUCTION;
(2) REPRESENTS THE WORK OF A NOTABLE ARCHITECT OR MASTER
BUILDER;
(3) POSSESSES HIGH ARTISTIC VALUE; OR
(4) REPRESENTS A SIGNIFICANT AND DISTINGUISHABLE ENTITY WHOSE
COMPONENTS MAY LACK INDIVIDUAL DISTINCTION.

§ 267-110. PROCEDURE FOR DESIGNATION.

A. NOMINATION.

1. HISTORIC LANDMARK NOMINATIONS SHALL BE MADE TO THE DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION, AND MAY BE SUBMITTED BY A MEMBER OF THE HISTORIC PRESERVATION COMMISSION, OWNER OF RECORD OF THE NOMINATED PROPERTY OR STRUCTURE OR ANY OTHER PERSON OR ORGANIZATION.

2. A NOMINATION FOR AN INDIVIDUAL SITE, STRUCTURE, BUILDING, OBJECT OR PROPERTY SHALL BE FILED BY OR WITH THE WRITTEN CONSENT OF THE LEGAL PROPERTY OWNER.

3. WITHIN 90 CALENDAR DAYS FROM RECEIPT OF A COMPLETED NOMINATION IN PROPER FORM, THE HISTORIC PRESERVATION COMMISSION SHALL DETERMINE IF THE NOMINATED SITE, STRUCTURE OR AREA IS ELIGIBLE FOR DESIGNATION BASED ON THE CRITERIA FOR DESIGNATION AS SET FORTH IN § 267-109 (CRITERIA FOR DESIGNATION).

B. Notice and hearing.

1. The Department of Planning and Zoning, in conjunction with the HISTORIC Preservation Commission, shall conduct public meetings to consider [structures to be included on the landmarks list] SITES, STRUCTURES OR AREAS TO BE DESIGNATED AS HISTORIC LANDMARKS OR HISTORIC DISTRICTS.

2. For each structure or group of structures, a sign shall be conspicuously posted giving notice of the public meeting on whether a SITE, structure OR AREA should be [included on the landmarks list] OFFICIALLY DESIGNATED.
The public meeting shall be held [no sooner than 45 calendar days, nor later than 60] WITHIN 14 calendar days after the sign is posted.

The Department of Planning and Zoning, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION, shall [submit the nominated] RECOMMEND THE ELIGIBLE SITE, STRUCTURE OR AREA [Landmark] to the County Council for [adoption] DESIGNATION AS A HISTORIC LANDMARK OR HISTORIC DISTRICT.

Upon designation BY THE COUNTY COUNCIL, the HISTORIC Landmark shall be [incorporated into the Zoning Code and] identified by name and historic inventory number AND SHALL BE ADDED TO THE HARFORD COUNTY HISTORIC LANDMARKS LIST KEPT ON FILE AND AVAILABLE FOR PUBLIC INSPECTION AT THE DEPARTMENT OF PLANNING AND ZONING.

Interim control. No building permit shall be issued by the Department of Inspections, Licenses and Permits for alteration, construction, demolition or removal of a nominated HISTORIC Landmark from the date of meeting of the HISTORIC PRESERVATION Commission at which a nomination form is first presented until the final disposition of the nomination by the County Council, unless such alteration, removal or demolition is authorized by formal resolution of the County Council as necessary for public health, welfare or safety. In no event shall the delay be for more than 90 calendar days.

§ 267-111. Amending and rescinding designations.
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. DESIGNATED Historic Landmarks.
[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 HARFORD COUNTY HISTORIC LANDMARKS LIST SHALL BE KEPT ON FILE AND AVAILABLE FOR PUBLIC INSPECTION AT the Department of Planning and Zoning.

<table>
<thead>
<tr>
<th>Historic Inventory Number</th>
<th>Property Name</th>
<th>Property Address</th>
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<tbody>
<tr>
<td>937</td>
<td>Christopher’s Camp</td>
<td>1219 South Fountain Green Road, Bel Air</td>
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<tr>
<td>441</td>
<td>Churchville Presbyterian Church and Cemetery</td>
<td>2844 Churchville Road, Churchville</td>
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<td>225</td>
<td>Hays House</td>
<td>324 South Kenmore Avenue, Bel Air</td>
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<td>609</td>
<td>Little Falls Meeting House Burial Ground</td>
<td>719 Old Fallston Road, Fallston</td>
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<td>Fallston Friends School House</td>
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<td>Nelson-Reardon-Kennard House</td>
<td>3604 Philadelphia Road, Abingdon</td>
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<td>4</td>
<td>Rigbie House</td>
<td>2422 Castleton Road, Darlington</td>
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<tr>
<td>1312</td>
<td>St. Francis De Sales Church</td>
<td>1450 Abingdon Road, Abingdon</td>
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<td>5</td>
<td>Sophia’s Dairy</td>
<td>4602 Pulaski Highway, Belcamp</td>
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<td>168</td>
<td>St. Mary's Church</td>
<td>1 St. Mary’s Church Road, Abingdon</td>
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<td>561</td>
<td>Stansbury Mansion</td>
<td>1616 Eden Mill Road, Pylesville</td>
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<td>Thomas Run Church</td>
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<td>Deer Creek Harmony Presbyterian Church</td>
<td>2202 Shuresville Road, Darlington</td>
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<td>12</td>
<td>Deer Creek Friends Meeting House and Cemetery</td>
<td>1212 Main Street, Darlington</td>
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<td>Bon Air</td>
<td>2501 Laurel Brook Road, Fallston</td>
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<td>307</td>
<td>McComas Institute</td>
<td>1911 Singer Road, Joppa</td>
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<td>Spesutia Church Vestry House and Cemetery</td>
<td>1504 Perryman Road, Aberdeen</td>
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<td>867</td>
<td>Bush Hotel</td>
<td>4014 Philadelphia Road, Abingdon</td>
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<td>Joppa Historic District</td>
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<td>44</td>
<td>D. H. Springhouse</td>
<td>3000 Sandy Hook Road, Bel Air</td>
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<td>469</td>
<td>King and Queen Seats</td>
<td>Rt. 24, Street</td>
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<tr>
<td>1117</td>
<td>Whitaker Mill and Miller’s House</td>
<td>1212 Whitaker Mill Road, Joppa</td>
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<td>Tabernacle Church</td>
<td>Tabernacle Road, Whiteford</td>
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<td>66</td>
<td>Old Brick Baptist Church</td>
<td>Baldwin Mill Road, Forest Hill</td>
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<td>St. James African Methodist Episcopal Church Cemetery</td>
<td>4139 Gravel Hill Road, Havre De Grace</td>
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<td>693</td>
<td>Woodside</td>
<td>400 Singer Road, Abingdon</td>
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<td>Swansbury</td>
<td>111 Beards Hill Ext., Aberdeen</td>
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<td>1279</td>
<td>Greenwood</td>
<td>331 Glenville Road, Churchville</td>
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<td>1435</td>
<td>Historical Society Headquarters/Old Bel Air Post Office</td>
<td>143 N. Main Street, Bel Air</td>
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<td>Joshua’s Meadows</td>
<td>300 N. Tollgate Road, Bel Air</td>
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<td>1244</td>
<td>Hopkins House</td>
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<tr>
<td>1393</td>
<td>Old Aegis Building</td>
<td>29 West Courtland Street, Bel Air</td>
</tr>
<tr>
<td>1394</td>
<td>Mrs. Dunnigan’s Building</td>
<td>31 West Courtland Street</td>
</tr>
<tr>
<td>1780</td>
<td>Old Aberdeen High School</td>
<td>34 N. Philadelphia Blvd., Aberdeen</td>
</tr>
<tr>
<td>1395</td>
<td>Mrs. Dunnigan’s Hotel and Restaurant</td>
<td>33 West Courtland Street, Bel Air</td>
</tr>
<tr>
<td>1463</td>
<td>Harford Mutual Fire Insurance Company Building</td>
<td>18 Office Street, Bel Air</td>
</tr>
<tr>
<td>2181</td>
<td>Darlington Library</td>
<td>1134 Main Street, Darlington</td>
</tr>
<tr>
<td>218</td>
<td>Harford County Courthouse</td>
<td>20 West Courtland Street, Bel Air</td>
</tr>
<tr>
<td>1456</td>
<td>Survey Stones for Bel Air at 220 South Main St.</td>
<td>220 South Main Street, Bel Air</td>
</tr>
<tr>
<td>1396</td>
<td>Survey Stones For Bel Air At 33 West Courtland St.</td>
<td>33 West Courtland Street, Bel Air</td>
</tr>
<tr>
<td>1311</td>
<td>Bel Air M.E. Church (Main Street)</td>
<td>20 N. Main Street, Bel Air</td>
</tr>
<tr>
<td>1413</td>
<td>Bel Air Black School</td>
<td>205 Hays Street, Bel Air</td>
</tr>
<tr>
<td>1267</td>
<td>Asbury M.E. Church</td>
<td>114 Asbury Road, Churchville</td>
</tr>
<tr>
<td>448</td>
<td>Ivory Mills</td>
<td>4916 Harford Creamery Road, Norrisville</td>
</tr>
<tr>
<td>458 &amp; 459</td>
<td>George N. Wiley Mill</td>
<td>4907 Jolly Acres Road, Norrisville</td>
</tr>
<tr>
<td>997</td>
<td>Calvary United Methodist Church</td>
<td>1321 Calvary Road, Churchville</td>
</tr>
<tr>
<td>1228</td>
<td>Woodview</td>
<td>1326 Somerville Road, Bel Air</td>
</tr>
<tr>
<td>1605</td>
<td>Dembytown Church</td>
<td>800 Trimble Road, Joppatowene</td>
</tr>
<tr>
<td>1689</td>
<td>Orthodox Friends Meeting House and Caretakers House</td>
<td>2225 Old Quaker Road, Darlington</td>
</tr>
<tr>
<td></td>
<td>Park Property:</td>
<td></td>
</tr>
<tr>
<td>2180</td>
<td>Francis Silver Park (Darlington)</td>
<td>2428 Shuresville Road, Darlington</td>
</tr>
<tr>
<td>Number</td>
<td>Location</td>
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</tr>
<tr>
<td>370</td>
<td>Scott House (Equestrian Center)</td>
<td></td>
</tr>
<tr>
<td>230</td>
<td>Liriodendron</td>
<td></td>
</tr>
<tr>
<td>562</td>
<td>Eden Mill Park</td>
<td></td>
</tr>
<tr>
<td>1081</td>
<td>Stone House and Spring House (Edgeley Grove Farm)</td>
<td></td>
</tr>
<tr>
<td>439</td>
<td>Franklinville Road</td>
<td></td>
</tr>
<tr>
<td>1119</td>
<td>Old Carrs Mill Road</td>
<td></td>
</tr>
<tr>
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<td>Nobles Mill Road</td>
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</tr>
<tr>
<td>799</td>
<td>Cherry Hill Road</td>
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<tr>
<td>1038</td>
<td>Ring Factory Road</td>
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<td>1237</td>
<td>Whitaker Mill Road</td>
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</tr>
<tr>
<td>1098</td>
<td>Green Road</td>
<td></td>
</tr>
<tr>
<td>699</td>
<td>Harford Glen</td>
<td></td>
</tr>
<tr>
<td>1407</td>
<td>Methodist Episcopal Parsonage (demolished)</td>
<td></td>
</tr>
<tr>
<td>1410</td>
<td>Kimble-Waters House (demolished)</td>
<td></td>
</tr>
<tr>
<td>2179</td>
<td>Darlington Elementary School</td>
<td></td>
</tr>
<tr>
<td>258</td>
<td>Proctor House</td>
<td></td>
</tr>
<tr>
<td>1409</td>
<td>Old Bel Air Academy</td>
<td></td>
</tr>
<tr>
<td>152</td>
<td>Hays-Heighe House</td>
<td></td>
</tr>
</tbody>
</table>

**Bridges:**

<table>
<thead>
<tr>
<th>Number</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>608</td>
<td>Tollgate Road, Bel Air</td>
</tr>
<tr>
<td>502</td>
<td>W. Gordon Street, Bel Air</td>
</tr>
<tr>
<td>1617</td>
<td>Eden Mill Road, Pylesville</td>
</tr>
<tr>
<td>864</td>
<td>Smith Lane, Benson</td>
</tr>
<tr>
<td>699</td>
<td>Harford Glen, Bel Air</td>
</tr>
<tr>
<td>35</td>
<td>East Gordon Street, Bel Air</td>
</tr>
<tr>
<td>50</td>
<td>East Gordon Street, Bel Air</td>
</tr>
<tr>
<td>2119</td>
<td>Shuresville Road, Darlington</td>
</tr>
<tr>
<td>54</td>
<td>East Gordon Street, Bel Air</td>
</tr>
<tr>
<td>45</td>
<td>East Gordon Street, Bel Air</td>
</tr>
<tr>
<td>60</td>
<td>W. Wheel Road, Bel Air</td>
</tr>
<tr>
<td>35</td>
<td>East Gordon Street, Bel Air</td>
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</table>

**Board of Education:**

<table>
<thead>
<tr>
<th>Number</th>
<th>Location</th>
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<tbody>
<tr>
<td>608</td>
<td>Tollgate Road, Bel Air</td>
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<tr>
<td>502</td>
<td>W. Gordon Street, Bel Air</td>
</tr>
<tr>
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<td>Eden Mill Road, Pylesville</td>
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<tr>
<td>864</td>
<td>Smith Lane, Benson</td>
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<tr>
<td>699</td>
<td>Harford Glen, Bel Air</td>
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<td>35</td>
<td>East Gordon Street, Bel Air</td>
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<td>50</td>
<td>East Gordon Street, Bel Air</td>
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<tr>
<td>2119</td>
<td>Shuresville Road, Darlington</td>
</tr>
<tr>
<td>54</td>
<td>East Gordon Street, Bel Air</td>
</tr>
<tr>
<td>45</td>
<td>East Gordon Street, Bel Air</td>
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</tbody>
</table>

**Harford Community College:**

<table>
<thead>
<tr>
<th>Number</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>152</td>
<td>Hays-Heighe House</td>
</tr>
</tbody>
</table>

1


3 [A certificate of appropriateness shall be required from the Department of Planning and Zoning, in
4 conjunction with the Historic Preservation Commission, that authorizes the following actions affecting
5 the exterior architectural appearance of any landmark, consistent with § 267-115 (Standards for
6 review):
7 A. Any construction, alteration, demolition or removal of an exterior architectural feature,
8 requiring a permit from the Department of Inspections, Licenses and Permits or as specified in
9 the report designating the landmark.]
A CERTIFICATE OF APPROPRIATENESS SHALL BE REQUIRED FROM THE DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION, FOR ANY UNDERTAKING THAT:

(1) REQUIRES A PERMIT FROM THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS;

(2) RESULTS IN A CHANGE TO A HISTORIC LANDMARK OR TO ANY SITE OR STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT;

(3) ALTERS AN EXTERIOR FEATURE OF A HISTORIC LANDMARK OR A SITE OR STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT;

(4) ADVERSELY AFFECTS THE INTEGRITY OF A HISTORIC LANDMARK OR ANY SITE OR STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT; OR

(5) MATERIALLY IMPAIRS THE HISTORIC, ARCHAEOLOGICAL, ARCHITECTURAL OR CULTURAL SIGNIFICANCE OF A HISTORIC LANDMARK OR TO A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT.

THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS SHALL NOT ISSUE A BUILDING OR DEMOLITION PERMIT WITHOUT THE APPLICANT FIRST OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION.

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] OR SITE OR STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT constitutes an immediate danger to the health, welfare and safety of the public, the Director OF PLANNING AND ZONING may approve the demolition or alteration of the
[property] HISTORIC LANDMARK OR SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT.

[C.]D. An [alteration] UNDERTAKING permitted under Subsection [B]C shall be only to the extent necessary to remove the immediate danger constituted by the [property] HISTORIC LANDMARK OR SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT.

[D.]E. [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.]F. 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] HISTORIC LANDMARK TO THE DIRECTOR OF PLANNING AND ZONING.

[F.]  (1) Minor changes for County-owned [buildings] HISTORIC LANDMARKS, 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.]  (2) Any demolition of a County-owned Historic Landmark shall require approval by the Harford County Council by a vote of at least 5 members.

G. ANY HISTORIC LANDMARK LOCATED WITHIN THE BOUNDARIES OF A MUNICIPALITY ARE NOT SUBJECT TO THIS ARTICLE.

H. ROUTINE MAINTENANCE. A CERTIFICATE OF APPROPRIATENESS IS NOT REQUIRED TO UNDERTAKE ROUTINE MAINTENANCE TO OR ON A HISTORIC LANDMARK OR A SITE OR STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT.

[§ 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 the Treatment of Historic Properties.

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 the Treatment of Historic Properties.

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.


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 45 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 14 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.

§ 267-114. APPLICATIONS AND REVIEW.

A. APPLICATIONS. BEFORE BEGINNING AN UNDERTAKING FOR WHICH A CERTIFICATE OF APPROPRIATENESS IS REQUIRED UNDER § 267-113 (CERTIFICATE OF APPROPRIATENESS REQUIRED), A PERSON SHALL FILE AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS WITH THE DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION, ON FORMS AND IN SUBSTANCE AS MAY BE PRESCRIBED BY THE DEPARTMENT OF PLANNING AND ZONING.

B. REVIEW. WHEN REVIEWING APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS, THE HISTORIC PRESERVATION COMMISSION:

(1) SHALL CONSIDER ONLY THE EXTERIOR FEATURES OF A HISTORIC LANDMARK OR A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT;

(2) SHALL APPLY THE DESIGN GUIDELINES AND CRITERIA FOR REVIEW FOUND IN § 267-115 (GUIDELINES AND STANDARDS FOR REVIEW); AND

(3) SHALL CONSIDER:

(A) THE HISTORIC, ARCHEOLOGICAL, ARCHITECTURAL AND CULTURAL SIGNIFICANCE OF THE HISTORIC LANDMARK, OR OF A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT;

(B) THE RELATIONSHIP BETWEEN THE HISTORIC LANDMARK OR SITES OR STRUCTURES WITHIN A HISTORIC DISTRICT AND THE HISTORIC, ARCHEOLOGICAL, ARCHITECTURAL AND CULTURAL...
SIGNIFICANCE OF THE SURROUNDING AREA;

(C) THE RELATIONSHIP BETWEEN THE EXTERIOR FEATURES OF THE HISTORIC LANDMARK OR SITES OR STRUCTURES WITHIN A HISTORIC DISTRICT AND THE REMAINDER OF THE HISTORIC LANDMARK OR HISTORIC DISTRICT AND ITS SURROUNDING AREA;

(D) THE GENERAL COMPATIBILITY OF THE PROPOSED UNDERTAKING IN DESIGN, SCALE, PROPORTION, ARRANGEMENT, TEXTURE AND MATERIALS; AND

(E) ANY FACTORS, INCLUDING AESTHETICS, WHICH THE HISTORIC PRESERVATION COMMISSION DEEMS PERTINENT.

§ 267-115. GUIDELINES AND STANDARDS FOR REVIEW.

A. THE HISTORIC PRESERVATION COMMISSION SHALL USE THE UNITED STATES SECRETARY OF INTERIOR’S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES AS A GUIDE FOR REVIEWING APPLICATIONS FOR A CERTIFICATE OF APPROPRIATENESS.

B. THE DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION, SHALL PREPARE DESIGN GUIDELINES AND CRITERIA THAT ADHERE TO THE UNITED STATES SECRETARY OF INTERIOR’S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES TO IMPLEMENT THE STANDARDS AND REQUIREMENTS OF THIS ARTICLE.

§ 267-116. HISTORIC PRESERVATION COMMISSION ACTION.

A. FOLLOWING ITS REVIEW OF AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS, THE HISTORIC PRESERVATION COMMISSION SHALL:

(1) APPROVE THE APPLICATION;
(2) APPROVE THE APPLICATION SUBJECT TO CONDITIONS OR MODIFICATIONS AS THE HISTORIC PRESERVATION COMMISSION DETERMINES NECESSARY; OR

(3) DENY THE APPLICATION.

B. ISSUANCE OF CERTIFICATE OF APPROPRIATENESS.

(1) UPON APPROVAL, OR APPROVAL WITH CONDITIONS OR MODIFICATIONS, OF AN APPLICATION MADE UNDER THIS SECTION, THE DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION, SHALL:

(A) FILE WITH THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS A CERTIFICATE OF APPROPRIATENESS FOR THE PROPOSED UNDERTAKING WHICH SHALL SPECIFY ANY CONDITIONS OR MODIFICATIONS DETERMINED NECESSARY BY THE HISTORIC PRESERVATION COMMISSION; AND

(B) SEND WRITTEN NOTICE TO THE APPLICANT OF THE HISTORIC PRESERVATION COMMISSION'S ACTION.

(2) UPON DENIAL OF AN APPLICATION MADE UNDER THIS SECTION, THE HISTORIC PRESERVATION COMMISSION SHALL:

(A) FILE WITH THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS A WRITTEN NOTICE OF ITS DENIAL OF THE PROPOSED UNDERTAKING AND OF THE APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS; AND

(B) SEND WRITTEN NOTICE TO THE APPLICANT OF THE HISTORIC PRESERVATION COMMISSION'S ACTION DENYING THE APPLICATION, WHICH SHALL BE ACCOMPANIED BY A STATEMENT
OF THE REASONS FOR THE DENIAL. THE HISTORIC PRESERVATION COMMISSION SHALL MAKE RECOMMENDATIONS TO THE APPLICANT CONCERNING CHANGES, IF ANY, THAT COULD RESOLVE ANY ISSUES. THE APPLICANT MAY RESUBMIT AN AMENDED APPLICATION OR REAPPLY FOR A CERTIFICATE OF APPROPRIATENESS THAT TAKES INTO CONSIDERATION THE RECOMMENDATIONS OF THE HISTORIC PRESERVATION COMMISSION.

C. THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS SHALL NOT ISSUE A BUILDING PERMIT FOR ANY UNDERTAKING FOR WHICH THE RECEIPT OF A CERTIFICATE OF APPROPRIATENESS IS REQUIRED UNDER § 267-113 (CERTIFICATE OF APPROPRIATENESS REQUIRED), UNLESS THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS HAS RECEIVED FROM THE DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION COMMISSION, A CERTIFICATE OF APPROPRIATENESS FOR THE UNDERTAKING.

§ 267-[118] DEVELOPMENT requirements.

Except when the HISTORIC 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, OR WITHIN 500 FEET OF, 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.

B. THE HISTORIC PRESERVATION COMMISSION SHALL MAKE BUFFER RECOMMENDATIONS TO THE DIRECTOR OF PLANNING AND ZONING AND SHALL CONSIDER THE FOLLOWING:


(2) THE EXTENT TO WHICH THE BUFFER YARD WILL HELP TO PRESERVE THE CHARACTER OF THE 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 HISTORIC LANDMARK.

(5) THE SIZE OF THE PROPERTY ON WHICH THE HISTORIC LANDMARK IS LOCATED.
C. AFTER REVIEWING THE HISTORIC PRESERVATION COMMISSION'S BUFFER RECOMMENDATION, THE DIRECTOR OF PLANNING AND ZONING OR HIS OR HER DESIGNEE 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).

§ 267-[119]118. Fees.

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

§ 267-[120]119. Violations and penalties.

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

Section 2. And Be It Further Enacted that Subsection § 9-176.18A of this Act shall not take effect until December 3, 2018.

Section 3. Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date it becomes law.

EFFECTIVE: May 13, 2019