

HARFORD COUNTY BILL NO. 19-004 As Amended

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**

*Mylicia A. De...*  
Council Administrator

Date 3-12-19

**ENROLLED**

*Robert Vincent*  
Council President

Date March 12 2019

**BY THE COUNCIL**

Read the third time.

Passed: LSD 19-008

Failed of Passage: \_\_\_\_\_

By Order

*Mylicia A. De...*  
Council Administrator

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

*Mylicia A. De...*  
Council Administrator

**BY THE EXECUTIVE**

*[Signature]*  
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

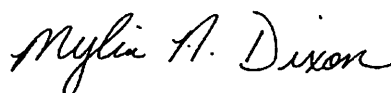
AN ACT to repeal and reenact, with amendments, Section 9-176.18, Terms of office, of Article XXVIII, Historic Preservation Commission, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies; to add the definitions of “appurtenances and environmental 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

## 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.

*Mylin A. Dixon*

\_\_\_\_\_, 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.

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that Section 9-  
2 176.18, Terms of office, of Article XXVIII, Historic Preservation Commission, of Part 3,  
3 Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies,  
4 be, and it is hereby, repealed and reenacted, with amendments; that the definitions of “appurtenances  
5 and environmental settings”, “historic district” and “routine maintenance, historic” be, and they are  
6 hereby, added to Section 267-4, Definitions; that the definition of “historic area work permit” be, and  
7 it is hereby, deleted from Section 267-4, Definitions; and that the definitions of “certificate of  
8 appropriateness”, “exterior features, historic”, “historic landmark”, “historic site” and “historic  
9 structure or building” of Section 267-4, Definitions, be, and they are hereby, repealed and reenacted,  
10 with amendments, all of Article I, General Provisions, of Part 1, Standards, of Chapter 267, Zoning;  
11 and that Article XIII, General Provisions for Historic Landmarks, of Part 2, Miscellaneous, of  
12 Chapter 267, Zoning, be, and it is hereby, repealed and reenacted, with amendments, all of the  
13 Harford County Code, as amended, and all to read as follows:

14 **Chapter 9. Boards, Commissions, Councils and Agencies**

15 **Part 3. Authoritative Boards and Commissions**

16 **Article XXVIII. Historic Preservation Commission**

17 **§ 9-176.18. Terms of office.**

- 18 A. [The terms of all the members shall be coterminous with the term of the County Executive.]  
19 HISTORIC PRESERVATION COMMISSION MEMBERS SHALL BE APPOINTED FOR  
20 TERMS OF 4 YEARS, EXCEPT THAT THE TERMS OF THE INITIAL APPOINTMENTS  
21 SHALL BE STAGGERED SO THAT 3 MEMBERS SHALL SERVE TERMS OF 4 YEARS,  
22 2 MEMBERS SHALL SERVE TERMS OF 3 YEARS, 1 MEMBER SHALL SERVE A  
23 TERM OF 2 YEARS AND 1 MEMBER SHALL SERVE A TERM OF 1 YEAR. HISTORIC  
24 PRESERVATION COMMISSION MEMBERS MAY BE REAPPOINTED.
- 25 B. All vacancies on the Commission shall be filled by appointment by the County Executive and

1 confirmed by the County Council for the unexpired term of the original appointee.

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

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

7  
8 **Chapter 267. Zoning**

9 **Part 1. Standards**

10 **Article I. General Provisions**

11 **§ 267-4. Definitions.**

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

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

22 CERTIFICATE OF APPROPRIATENESS – A certificate issued by THE DEPARTMENT OF  
23 PLANNING AND ZONING IN CONJUNCTION WITH the Historic Preservation  
24 Commission indicating its approval of plans for construction, alteration, REHABILITATION,  
25 RESTORATION, reconstruction, moving, or demolition of [an individually designated] A

1 HISTORIC landmark[, site or structure] or of a site or structure within a designated  
2 [Preservation] HISTORIC District.

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

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

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

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

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

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

24 HISTORIC LANDMARK/LANDMARK – [Any designated site, properties or structure as listed in  
25 §267-112 (Historic landmarks).] A SITE, STRUCTURE, BUILDING, HISTORIC DISTRICT

1 OR OBJECT DESIGNATED BY HARFORD COUNTY FOR ITS HISTORIC,  
2 ARCHITECTURAL, ARCHAEOLOGICAL OR CULTURAL SIGNIFICANCE AND  
3 WHICH IS WORTHY OF PRESERVATION, LISTED IN THE HARFORD COUNTY  
4 HISTORIC LANDMARKS LIST PURSUANT TO § 267-112 (DESIGNATED HISTORIC  
5 LANDMARKS).

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

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

19 ROUTINE MAINTENANCE, HISTORIC – AN UNDERTAKING THAT:

- 20 A. DOES NOT CHANGE OR ALTER AN EXTERIOR FEATURE OF A HISTORIC  
21 LANDMARK OR A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT;  
22 AND  
23 B. WILL NOT MATERIALLY IMPAIR THE HISTORIC, ARCHEOLOGICAL,  
24 ARCHITECTURAL OR CULTURAL SIGNIFICANCE OF A HISTORIC  
25 LANDMARK OR A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT.

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**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.]



1 A. IT IS A PUBLIC PURPOSE IN HARFORD COUNTY TO PRESERVE SITES,  
2 STRUCTURES AND DISTRICTS OF HISTORICAL, CULTURAL, ARCHEOLOGICAL  
3 OR ARCHITECTURAL SIGNIFICANCE TOGETHER WITH THEIR APPURTENANCES  
4 AND ENVIRONMENTAL SETTINGS.

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

- 7 (1) SAFEGUARDING THE COUNTY'S HISTORIC AND CULTURAL HERITAGE  
8 THROUGH THE PRESERVATION OF SITES, STRUCTURES AND HISTORIC  
9 DISTRICTS THAT REFLECT ELEMENTS OF CULTURAL, SOCIAL,  
10 ECONOMIC, POLITICAL, ARCHEOLOGICAL OR ARCHITECTURAL HISTORY;  
11 (2) STRENGTHENING THE LOCAL ECONOMY;  
12 (3) STABILIZING AND IMPROVING PROPERTY VALUES OF SUCH SITES,  
13 STRUCTURES OR HISTORIC DISTRICTS AND IN THE COUNTY GENERALLY;  
14 (4) FOSTERING CIVIC PRIDE IN THE BEAUTY AND ACCOMPLISHMENTS OF  
15 THE PAST; AND  
16 (5) PROMOTING THE PRESERVATION AND APPRECIATION OF HISTORIC  
17 SITES, STRUCTURES AND HISTORIC DISTRICTS FOR THE EDUCATION AND  
18 WELFARE OF THE RESIDENTS OF HARFORD COUNTY.

19 **§ 267-105. HISTORIC PRESERVATION COMMISSION.**

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

23 **§ 267-[105]106. Applicability.**

24 This article may not be construed to:

- 25 A. Prevent any routine maintenance or repair of an exterior [architectural] feature which involves

1 no change in design, material or outward appearance of a SITE OR structure proposed or  
2 designated as a [County] Historic Landmark;

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

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

11 **[§ 267-106. Maintenance of lists.**

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

14 **§ 267-107. Method of nomination.**

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

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

22 **§ 267-108. Criteria for consideration of nomination.**

23 A. The Commission shall, upon such investigation as it deems necessary, make a determination as  
24 to whether a nominated property, structure, function or area meets 1 or more of the following  
25 criteria:

- 1           (1)    Its character, interest or value as part of the development, heritage or cultural
- 2                    characteristics of the community, County, state or country.
- 3           (2)    Its location as a site of a significant local, County, state or national event.
- 4           (3)    Its identification with a person or persons who significantly contributed to the
- 5                    development of the community, County, state or country.
- 6           (4)    Its embodiment of distinguishing characteristics of an architectural style valuable for
- 7                    the study of a period, type, method of construction or use of indigenous materials.
- 8           (5)    Its identification as the work of a master builder, designer, architect or landscape
- 9                    architect whose individual work has influenced the development of the community,
- 10                   County, state or country.
- 11           (6)    Its embodiment of elements of design, detailing, materials or craftsmanship that render
- 12                    it architecturally significant.
- 13           (7)    Its embodiment of design elements that make it structurally or architecturally
- 14                    innovative.
- 15           (8)    Its unique location or singular physical characteristics that make it an established or
- 16                    familiar visual feature.
- 17           (9)    Its character as a particularly fine or unique example of a utilitarian structure, with a
- 18                    high level of integrity or architectural significance.
- 19           (10)   Its suitability for preservation or restoration.
- 20           (11)   Its significance as an archaeological site.
- 21    B.    Any structure, property or area that meets 1 or more of the above criteria shall also have
- 22                    sufficient integrity of location, design, materials and workmanship to make it worthy of
- 23                    preservation or restoration.

24    **§ 267-109. Nomination report and recommendation of Preservation Commission.**

25    The Preservation Commission shall, within 45 calendar days from receipt of a completed nomination in

1 proper form, determine that the nominated landmark does or does not meet the criteria for designation.

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

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

6 (2) An explanation of the integrity or lack of integrity of the nominated landmark.

7 (3) In the case of a nominated landmark found to meet the criteria for designation, the  
8 report shall include a detailed description of the property's historic, archaeological or  
9 architectural significance and an analysis/description of unique or special features that  
10 contribute to the historical significance of the property:

11 (a) The significant exterior architectural features of the nominated landmark that  
12 should be protected.

13 (b) The types of construction, alteration, demolition and removal, other than those  
14 requiring a building or demolition permit that should be reviewed for  
15 appropriateness.

16 (4) Criteria for review of certificates of appropriateness shall conform to the United States  
17 Secretary of Interior's Standards for the Treatment of Historic Properties.

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

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

23 (7) Recommendations as to appropriate permitted uses, special uses, height and area  
24 regulations, minimum dwelling size, floor area, sign regulations and parking  
25 regulations necessary or appropriate to the preservation of the nominated landmark.

1 (8) A map showing the location of the nominated landmark.

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

5 **§ 267-110. Establishments of landmarks.**

6 A. Notices.

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

13 **§ 267-107. MAINTENANCE OF LISTS.**

14 A. THE DEPARTMENT OF PLANNING AND ZONING SHALL MAINTAIN:

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

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

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

22 **§ 267-108. DESIGNATION.**

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

25 A. THE HISTORIC PRESERVATION COMMISSION HAS RECOMMENDED A SITE,

1           STRUCTURE OR AREA FOR DESIGNATION AS A HISTORIC LANDMARK OR  
2           HISTORIC DISTRICT IN ACCORDANCE WITH § 267-110 (PROCEDURE FOR  
3           DESIGNATION) SET FORTH BELOW; AND

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

7    **§ 267-109. CRITERIA FOR DESIGNATION.**

8    A SITE, STRUCTURE OR AREA SHALL BE AT LEAST 50 YEARS OF AGE OR OLDER, HAVE  
9           SUFFICIENT INTEGRITY OF LOCATION, DESIGN, MATERIALS AND WORKMANSHIP AND  
10          MEET ONE OR MORE OF THE FOLLOWING CRITERIA.

11   A.    HISTORICAL AND CULTURAL SIGNIFICANCE:

- 12          (1)    IS ASSOCIATED WITH EVENTS SIGNIFICANT IN THE PAST;
- 13          (2)    IS ASSOCIATED WITH THE LIVES OF PERSONS SIGNIFICANT IN THE PAST;
- 14          (3)    HAS CHARACTER, INTEREST OR VALUE AS PART OF THE HERITAGE OR  
15                  CULTURE OF HARFORD COUNTY, THE STATE OF MARYLAND OR THE  
16                  UNITED STATES; OR
- 17          (4)    HAS THE POTENTIAL TO PROVIDE IMPORTANT INFORMATION ABOUT  
18                  HISTORY OR PREHISTORY.

19   B.    ARCHITECTURAL AND DESIGN SIGNIFICANCE:

- 20          (1)    EMBODIES THE DISTINCTIVE CHARACTERISTICS OF A PARTICULAR  
21                  ARCHITECTURAL STYLE, PERIOD OR METHOD OF CONSTRUCTION;
- 22          (2)    REPRESENTS THE WORK OF A NOTABLE ARCHITECT OR MASTER  
23                  BUILDER;
- 24          (3)    POSSESSES HIGH ARTISTIC VALUE; OR
- 25          (4)    REPRESENTS A SIGNIFICANT AND DISTINGUISHABLE ENTITY WHOSE

1 COMPONENTS MAY LACK INDIVIDUAL DISTINCTION.

2 **§ 267-110. PROCEDURE FOR DESIGNATION.**

3 A. NOMINATION.

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

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

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

18 B. Notice and hearing.

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

23 (2) For each structure or group of structures, a sign shall be conspicuously posted giving  
24 notice of the public meeting on whether a SITE, structure OR AREA should be  
25 [included on the landmarks list] OFFICIALLY DESIGNATED.

1 (3) The public meeting shall be held [no sooner than 45 calendar days, nor later than 60]  
2 WITHIN 14 calendar days after the sign is posted.

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

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

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

20 **§ 267-111. Amending and rescinding designations.**

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

23 **§ 267-112. DESIGNATED Historic Landmarks.**

24 [The Department of Planning and Zoning shall maintain a list of the County's designated historic  
25 landmarks consisting of public and private sites and structures in the County as well as a list of



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**As Amended**

1 properties/sites that the Commission considers to be of significant historical, architectural,  
2 archeological or cultural value that are eligible for designation.

3 The following sites are designated as County historic landmarks in accordance with this part. The  
4 boundaries of the County historic landmarks are shown on the official historic districts and landmarks  
5 maps, on file with] THE HARFORD COUNTY HISTORIC LANDMARKS LIST SHALL BE KEPT  
6 ON FILE AND AVAILABLE FOR PUBLIC INSPECTION AT the Department of Planning and  
7 Zoning.

**[Historic  
Inventory**

<b>Number</b>	<b>Property Name</b>	<b>Property Address</b>
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 School House	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

**BILL NO. 19-004**  
**As Amended**

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
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
1605	Dembytown Church	800 Trimble Road, Joppatowne
1689	Orthodox Friends Meeting House and Caretakers House	2225 Old Quaker Road, Darlington
<b>Park Property:</b>		
2180	Francis Silver Park (Darlington)	2428 Shuresville Road, Darlington

**BILL NO. 19-004**  
**As Amended**

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

**Harford Community College:**

152	Hays-Heighe House	401 Thomas Run Road, Bel Air]
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2 **§ 267-113. Certificate of appropriateness required.**

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.]

- 1 A. A CERTIFICATE OF APPROPRIATENESS SHALL BE REQUIRED FROM THE  
2 DEPARTMENT OF PLANNING AND ZONING, IN CONJUNCTION WITH THE  
3 HISTORIC PRESERVATION COMMISSION, FOR ANY UNDERTAKING THAT:
- 4 (1) REQUIRES A PERMIT FROM THE DEPARTMENT OF INSPECTIONS,  
5 LICENSES AND PERMITS;
  - 6 (2) RESULTS IN A CHANGE TO A HISTORIC LANDMARK OR TO ANY SITE OR  
7 STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT;
  - 8 (3) ALTERS AN EXTERIOR FEATURE OF A HISTORIC LANDMARK OR A SITE  
9 OR STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT;
  - 10 (4) ADVERSELY AFFECTS THE INTEGRITY OF A HISTORIC LANDMARK OR  
11 ANY SITE OR STRUCTURE LOCATED WITHIN A HISTORIC DISTRICT; OR
  - 12 (5) MATERIALLY IMPAIRS THE HISTORIC, ARCHAEOLOGICAL,  
13 ARCHITECTURAL OR CULTURAL SIGNIFICANCE OF A HISTORIC  
14 LANDMARK OR TO A SITE OR STRUCTURE WITHIN A HISTORIC DISTRICT.
- 15 B. THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS SHALL NOT ISSUE  
16 A BUILDING OR DEMOLITION PERMIT WITHOUT THE APPLICANT FIRST  
17 OBTAINING A CERTIFICATE OF APPROPRIATENESS FROM THE DEPARTMENT OF  
18 PLANNING AND ZONING, IN CONJUNCTION WITH THE HISTORIC PRESERVATION  
19 COMMISSION.
- 20 [B.]C. Notwithstanding the above, if the Director of the Department of Inspections, Licenses and  
21 Permits, the Director of the Department of Public Works and the County Health Officer  
22 determine, after consultation with the Department of Planning and Zoning, that a [County]  
23 Historic Landmark [property] OR SITE OR STRUCTURE LOCATED WITHIN A HISTORIC  
24 DISTRICT constitutes an immediate danger to the health, welfare and safety of the public, the  
25 Director OF PLANNING AND ZONING may approve the demolition or alteration of the

1 [property] HISTORIC LANDMARK OR SITE OR STRUCTURE WITHIN A HISTORIC  
2 DISTRICT.

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

6 [D.]E. [County] Historic Landmarks that are the property of the state, shall be subject to the  
7 requirements of this subsection in so far as possible.

8 [E.]F. The director of a County department that is responsible for the maintenance of a [County]  
9 Historic Landmark [property] shall submit an annual report stating the condition of the  
10 [property to the Historic Preservation Commission] HISTORIC LANDMARK TO THE  
11 DIRECTOR OF PLANNING AND ZONING.

12 [F.] (1) Minor changes for County-owned [buildings] HISTORIC LANDMARKS, to resolve  
13 safety or state law requirements, may be approved by the Department of Planning and  
14 Zoning, upon consultation with the Department of Inspections, Licenses and Permits.

15 [G.] (2) Any demolition of a County-owned Historic Landmark shall require approval by the  
16 Harford County Council by a vote of at least 5 members.

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

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

22 **[§ 267-114. Applications.**

23 Every application for a demolition permit or other exterior building permit as required in this  
24 subsection, including the accompanying plans and specifications, affecting the exterior architectural  
25 appearance of a designated landmark shall be forwarded to the Historic Preservation Commission

1 within 7 calendar days following receipt of the application. The Department of Inspections, Licenses  
2 and Permits shall not issue the building or demolition permit until a certificate of appropriateness has  
3 been issued by the Department of Planning and Zoning in conjunction with the Historic Preservation  
4 Commission.

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

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

10 **§ 267-115. Standards for review.**

11 A. Design guidelines for applying the criteria for review of certificates of appropriateness shall  
12 adhere to the United States Secretary of the Interior's Standards for the Treatment of Historic  
13 Properties.

14 B. In considering an application for a building or demolition permit or for a certificate of  
15 appropriateness, the Historic Preservation Commission shall be guided by the United States  
16 Secretary of the Interior's Standards for the Treatment of Historic Properties.

17 C. Every reasonable effort shall be made to provide a compatible use for a property that requires  
18 minimal alteration of the building, structure or site and its environment or to use a property for  
19 its originally intended purpose.

20 D. The distinguishing original qualities or character of a building, structure or site and its  
21 environment shall not be destroyed. The removal or alteration of any historic material or  
22 distinctive architectural feature should be avoided when possible.

23 E. All buildings, structures and sites shall be recognized as products of their own time.  
24 Alterations that have no historical basis and that seek to create an earlier appearance shall be  
25 discouraged.

- 1 F. Changes that may have taken place in the course of time are evidence of the history and  
2 development of a building, structure or site and its environment. These changes may have  
3 acquired significance in their own right, and this significance shall be recognized and respected.
- 4 G. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building,  
5 structure or site shall be treated with sensitivity.
- 6 H. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In  
7 the event that replacement is necessary, the new material should match the material being  
8 replaced in composition, design, color, texture and other visual qualities. Repair or  
9 replacement of missing architectural features should be based on accurate duplication of  
10 features, substantiated by historic, physical or pictorial evidence, rather than on conjectural  
11 designs or the availability of different architectural elements from other buildings or structures.
- 12 I. The surface cleaning of structures shall be undertaken with the gentlest means possible.  
13 Sandblasting and other cleaning methods that will damage the historic building materials shall  
14 not be undertaken.
- 15 J. Every reasonable effort shall be made to protect and preserve archaeological resources affected  
16 by or adjacent to any project.

17 **§ 267-116. Determination by Commission.**

18 The Historic Preservation Commission shall review the application for a certificate of appropriateness  
19 and recommend to the Department of Planning and Zoning, approval or denial of the certificate of  
20 appropriateness within 45 calendar days of receipt of the application. Written notice of the approval or  
21 denial of the application for a certificate of appropriateness shall be provided to the applicant, the  
22 Department of Planning and Zoning and the Department of Inspections, Licenses and Permits within 14  
23 calendar days following the determination.

24 **§ 267-117. Denial.**

25 A denial of a certificate of appropriateness shall be accompanied by a statement of the reasons for the

1 denial. The Historic Preservation Commission shall make recommendations to the Department of  
2 Planning and Zoning concerning changes, if any, that could resolve the issues. The applicant may  
3 resubmit an amended application or reapply for a building or demolition permit that takes into  
4 consideration the recommendations of the Historic Preservation Commission.]

5 **§ 267-114. APPLICATIONS AND REVIEW.**

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

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

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

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

19 (3) SHALL CONSIDER:

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

23 (B) THE RELATIONSHIP BETWEEN THE HISTORIC LANDMARK OR  
24 SITES OR STRUCTURES WITHIN A HISTORIC DISTRICT AND THE  
25 HISTORIC, ARCHEOLOGICAL, ARCHITECTURAL AND CULTURAL



1 SIGNIFICANCE OF THE SURROUNDING AREA;

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

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

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

12 **§ 267-115. GUIDELINES AND STANDARDS FOR REVIEW.**

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

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

22 **§ 267-116. HISTORIC PRESERVATION COMMISSION ACTION.**

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

25 (1) APPROVE THE APPLICATION;

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

4 (3) DENY THE APPLICATION.

5 B. ISSUANCE OF CERTIFICATE OF APPROPRIATENESS.

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

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

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

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

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

23 (B) SEND WRITTEN NOTICE TO THE APPLICANT OF THE HISTORIC  
24 PRESERVATION COMMISSION'S ACTION DENYING THE  
25 APPLICATION, WHICH SHALL BE ACCOMPANIED BY A STATEMENT

1 OF THE REASONS FOR THE DENIAL. THE HISTORIC  
2 PRESERVATION COMMISSION SHALL MAKE RECOMMENDATIONS  
3 TO THE APPLICANT CONCERNING CHANGES, IF ANY, THAT COULD  
4 RESOLVE ANY ISSUES. THE APPLICANT MAY RESUBMIT AN  
5 AMENDED APPLICATION OR REAPPLY FOR A CERTIFICATE OF  
6 APPROPRIATENESS THAT TAKES INTO CONSIDERATION THE  
7 RECOMMENDATIONS OF THE HISTORIC PRESERVATION  
8 COMMISSION.

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

17 **§ 267-[118]117. [Buffer]DEVELOPMENT requirements.**

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

20 A. If a proposed use will be on a property that is adjacent to, OR WITHIN 500 FEET OF, a  
21 [designated County] Historic Landmark, [and if the proposed use is within 500 feet of the  
22 landmark,] the proposed use shall have a buffer and landscaping in accordance with this  
23 section.

24 [B. The Director of Planning shall determine the required width and landscaping of the buffer.

25 (1) The width shall be up to 75 feet.

1           (2)    Landscaping shall be provided consistent with the criteria put forth in § 267-29  
2                           (Landscaping).

3 C.        Before determining the required width and landscaping alternative, the Director of Planning  
4 shall obtain a recommendation from the Historic Preservation Commission. In making its  
5 recommendation, the Historic Preservation Commission shall consider the following:

6           (1)    The nature and extent of the proposed use, the degree of compatibility between the  
7 proposed use and the County Historic Landmark.

8           (2)    The extent to which the buffer yard will help to preserve the character of the County  
9 Historic Landmark.

10          (3)    The size of the property on which the proposed use will be located.

11          (4)    The distance of the proposed use from the County Historic Landmark.

12          (5)    The size of the property on which the County Historic Landmark is located.]

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

16          (1)    THE NATURE AND EXTENT OF THE PROPOSED USE, THE DEGREE OF  
17 COMPATIBILITY BETWEEN THE PROPOSED USE AND THE HISTORIC  
18 LANDMARK.

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

21          (3)    THE SIZE OF THE PROPERTY ON WHICH THE PROPOSED USE WILL BE  
22 LOCATED.

23          (4)    THE DISTANCE OF THE PROPOSED USE FROM THE HISTORIC LANDMARK.

24          (5)    THE SIZE OF THE PROPERTY ON WHICH THE HISTORIC LANDMARK IS  
25 LOCATED.

1 C. AFTER REVIEWING THE HISTORIC PRESERVATION COMMISSION'S BUFFER  
2 RECOMMENDATION, THE DIRECTOR OF PLANNING AND ZONING OR HIS OR HER  
3 DESIGNEE SHALL DETERMINE THE REQUIRED WIDTH AND LANDSCAPING OF  
4 THE BUFFER.

5 (1) THE WIDTH SHALL BE UP TO 75 FEET.

6 (2) LANDSCAPING SHALL BE PROVIDED CONSISTENT WITH THE CRITERIA  
7 PUT FORTH IN § 267-29 (LANDSCAPING).

8 **§ 267-[119]118. Fees.**

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

10 **§ 267-[120]119. Violations and penalties.**

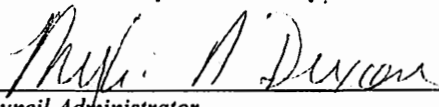
11 The County may proceed with appropriate enforcement actions, pursuant to § 267-14 (Violations and  
12 penalties).

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

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

EFFECTIVE: May 13, 2019

*The Council Administrator does hereby certify that  
seven (7) copies of this Bill are immediately available for  
distribution to the public and the press.*

  
\_\_\_\_\_  
Council Administrator