

**ARTICLE XIII. GENERAL PROVISIONS FOR HISTORIC LANDMARKS - This Article has been rewritten.**

**Note:** In current Code, ARTICLE XI, pg. 272, Historic Preservation Commission, Creation, Membership, Compensation, Meetings Quorum, Annual Report and Budget, Powers And Duties, Surveys, omitted in draft Code.

**Section 267-101. Purpose.**

**Page**

- 337 A. Changed “Part 2” to “this Article.”  
B. Changed “Part 2” to “this Article.”  
(1) Omitted “and of districts”  
(2) No change.  
(3) No change.  
(4) No change.  
(5) No change.  
(6) No change.  
(7) Omitted “historic districts.”

**Section 267-102. Applicability.**

- A. New.  
B. New.  
C. New.

338 **Section 267-103. Maintenance of Lists. New.**

**Section 267-104. Method of Nomination.** (In current Code, this is 267-68, pg. 275)

Changed, “Nominations shall be made to the Preservation Commission . . .”, to:

- A. County Historic Landmark nominations shall be made . . . “  
B. New. The preservation Commission shall make recommendations to the County Council regarding nominations for designation of County Historic Landmarks using the criteria set forth in Section 267-102.

**Section 267-105. Criteria for Consideration of Nomination.**

- A. No change.  
(1) No change.  
(2) No change.  
(3) No change.  
(4) No change.  
(5) No change.  
(6) No change.  
(7) No change.  
(8) No change.  
(9) No change.  
(10) No change.  
339 (11) No change.  
B. No change.

**Section 267-106. Nomination Report and Recommendation of Preservation Commission.**

(Title in current Code is Section 267-70. Report and Recommendation of Commission)

Omitted reference to “historic district.”

- A. Changed, “The determination shall be accompanied by a report to the Director . . . “

- To: "The determination shall be made based on a report to the Director . . ."
- (1) Omitted reference to "historic district."
  - (2) Omitted reference to "historic district."
  - (3) (a) No change.  
(b) No change.
  - (4) (a) and (b) in current Code pertain to Historic Districts, omitted in draft Code.
  - (4) Is (5) in current Code. Omitted reference to historic district.
  - (5) Is (6) in current Code. Omitted reference to historic district.
  - (6) Is (7) in current Code. No change.
  - (7) Is (8) in current Code. Omitted reference to historic district.
  - (8) is (9) in current Code. Omitted "and the boundaries of the nominated historic district."

B. Omitted, ". . . shall be available to the public IN THE OFFICES OF THE COMMISSION."

Note: Section 267-71. Design Guidelines. In current Code pg. 277, Omitted.

340 **Section 267-107. Establishment of Landmarks. New.**

A. Notice and Hearing.

- (1) New
- (2) New
- (3) New
- (4) New

B. Notices.

This is the same Title as 267-72, pg. 277, Notices, in current Code, but rewritten.

- (1) Same as A. in current Code. Changed ". . . the Commission shall inform the owner of the property . . ." to: ". . . the Department of Planning and Zoning shall notify the owner of the property . . ."
- (2) New: Upon designation, the landmark shall be incorporated into the Zoning Code and identified by name and Historic Inventory number.

Note: Paragraph B. omitted in current Code: Sets out procedure for the Commission's report to be sent to P&Z within 20 days; Law Dept. prepare appropriate legislation; notice to owner of record and the nominators; notice in newspaper; need to include address and legal description of property in the notice.

C. In current Code – omitted. Upon designation, the Commission must classify the landmark as a District H Historic District, etc.

C. In draft Code – Interim Control. This is the same as 267-73 in current Code. No change.

**Section 267-108. Amending and Rescinding Designations.** This is the same as 267-74 in current Code. Changed responsibility for amendment or rescinding from the Commission to the County Council.

**Section 267-109. Historic Landmarks.** This is addressed in the current Code under 267-60.1, Preservation of Historic Property, pg. 269. Rewritten. Also addressed in Article XV, 267-83, pg. 283, in the current Code.

New: P&Z shall maintain a list of County Historic Landmarks consisting of public and private sites and structures in the County that the Commission considers to be of significant historical, architectural, archeological, or cultural value.

341 The following sites are designated as County Historic Landmarks in accordance with this Part . .

New: List of each property name and inventory number

342 **Section 267-110. Certificate of Appropriateness Required.** In current Code, this is Article XIII, pg. 278, Certificates of Appropriateness.

In opening paragraph, changed the "Historic Preservation Commission" to "the Department of Planning and Zoning in conjunction with the Historic Preservation Commission . . ."

Changed, ". . . before the following actions affecting the exterior architectural appearance of any landmark or property within a historic district may be undertaken." to, ". . . before the issuance of a permit that authorizes the following actions affecting the exterior architectural appearance of any landmark may be undertaken."

- A. Rewritten. Current Code: Any construction, alteration or removal requiring a building permit from the Department of Inspections, Licenses & Permits.  
Draft Code: Any construction, alteration, demolition or removal affecting a significant exterior architectural feature, requiring a permit from the Department of Inspections, and Permits or as specified in the law designating the landmark.
- B. New. 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 Department determine, after consultation with the Department of Planning and Zoning, that a historic property constitutes an immediate danger to the health, welfare, and safety of the public, the Director may approve the demolition or alteration of the property.
- 343 C. New. An alteration permitted under Subsection B shall be only to the extent necessary to remove the immediate danger constituted by the property.
- D. New. County Historic Landmarks that are the property of the State shall be subject to the requirements of this Subsection insofar as possible.
- E. New. The Director of a County department that is responsible for the maintenance of a historic property shall submit an annual report stating the condition of the property to the Historic Preservation Commission.
- F. Minor changes for County-owned buildings, to resolve safety or State law requirements, may be approved by the Department of Planning and Zoning, upon consultation with the Department of Inspections, Licenses & Permits.

**Section 267-111. Applications.** In current Code this is 267-76, Pg. 278. Rewritten.

Added the words "or other exterior" prior to "building permit" and added "as required in this Subsection,"

Omitted the words "or of a property within a designated historic district"

Changed, ". . . shall be forwarded by the Department of Inspections, Licenses & Permits to the Commission", to ". . . shall be forwarded to the Historic Preservation Commission . . ."

Changed responsibility for issuing certificate of appropriateness from the Commission to P&Z in conjunction with the Commission.

Omitted: Any applicant may request a meeting with the Commission before the application is sent by DILP to the Commission or during the review of the application.

Changed: "Application for review of construction, alteration, demolition or removal not requiring a building permit for which a certificate of appropriateness is required shall be made on a form prepared by the Commission and available at the office of the Commission. The Commission shall consider the application at its next regular or special meeting. A certificate of appropriateness may be issued upon the signature of six of the members of the Commission." New language: "Application 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."

**Section 267-112. Standards for Review.** This is 267-79 in Current Code, pg. 279

- A. Changed, "In considering an application for a building or demolition permit or for a certificate of appropriateness, the Commission shall be guided by the United States Secretary of the Interior's standards for historic preservation projects." Changed to: "Design guidelines for applying the criteria for review of certificates of appropriateness shall adhere to the United States Secretary . . ."
- B. New.
- C. Is (B) in current Code. No change.
- D. Is (C) in current Code. No change.
- 344 E. Is (D) in current Code. No change.
- F. Is (E) in current Code. No change.
- G. Is (F) in current Code. No change.
- H. is (G) in current Code. No change.
- (I) Is (H) in current Code. No change.
- (J) Is (I) in current Code. No change.

**Section 267-113. Determination by Commission.** In current Code this is 267-77, pg. 279.

Omitted the words, ". . . for a building or demolition permit . . ."

Changed the words, "and issue or deny the certificate of appropriateness . . .", to:

". . . nd recommend to the Department of Planning and Zoning, approval or denial of the certificate of appropriateness. . ."

Added: the Department of Planning and Zoning (to receive written notice of the approval or denial.

Omitted: ". . . and shall be accompanied by a certificate of appropriateness in the case of an approval."

**Section 267-114. Denial.** In current Code this is 267-78, pg. 279.

Rewritten. Changed the Commission shall make recommendations to the applicant concerning changes, to: the Commission shall make recommendations to the Department of Planning and Zoning concerning changes.

Omitted: ". . . in the proposed action that would cause the Commission to reconsider its denial and shall confer with the applicant and attempt to resolve, as quickly as possible, the differences between the owner and the Commission.

345 **Section 267-115. Buffer Requirements. New.**

**Section 267-116. Fees.** This is 267-81, pg. 281, in current Code. No change.

**Section 267-117. Civil Penalties.** This is 267-82, pg. 281, in current Code. No change.

Note: Section 267-80 in current Code, pg. 281, Appeals, is omitted in current Code.

346 **Omitted in draft Code:**

**Part 3, Agricultural Land Preservation Districts, Article XVI, Section 267-84, 85, 86, Current Code pg. 285.**

**Omitted in draft Code:**

**Part 4, Deer Creek Scenic River District:**

**Article XII, Section 267-87, pg. 287;**

**Article XVIII, Section 267-88, 89, 90, pg. 28; Section 267-91 and 92, pg. 288; and**

**Article XIX, Section 267-93 and 94, pg. 288, and Sections 267-95, 96, 97, and 98, pg. 289.**

ARTICLE XIV. OFFICIAL HARFORD COUNTY ZONING MAPS

Page

347 Section 267-118. Publication. No change.

Section 267-119. Contents. Omitted "Part 2."

Section 267-120. Incorporation by Reference. No change.

Section 267-121. Certification, Availability to Public. No change.

Section 267-122. Amendments. No change.

ARTICLE XV. GROWTH MANAGEMENT.

349 Section 267-123. Adequate Public Facilities.

A. Annual Growth Report.

(1) Changed "subsection" to "Section."

(2) No change.

(a) No change.

(b) New: Number of residential units for which preliminary plan approval has been issued but for which building permits have not yet been issued.

(c) Same as (b) in current Code. No change.

(d) Same as (c) in current Code. No change.

(e) Same as (d) in current Code. No change.

(f) Same as (e) in current Code. No change.

(g) Same as (f) in current Code. No change.

(3) Specific Facility Analysis. No change.

(a) Schools. No change.

[1] Omitted, ". . . or the County Board of Education."

[2] Changed, ". . . with capacity based on a standard of 25 students per classroom for regular classes and 10 students per classroom for special education classes, exclusive of relocatable or portable classrooms."

To: ". . . with capacity based on the State rated capacity."

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[3] Added: ". . . 4-year and 5-year enrollment projections . . ."

[4] No change.

[5] No change.

[6] No change.

[7] New: Modified enrollment projections for each district which include planned units remaining (recorded lots and units projected from approved preliminary plans) and projected units from vacant land zoned for residential purposes.

(b) Sewerage.

[1] No change.

[2] No change.

[3] No change.

[4] No change.

(c) Water.

[1] No change.

[2] No change.

[3] No change.

[4] No change.

- 351 (d) Roads.  
[1] No change.  
[2] No change.  
[3] No change.
4. Amendments. No change.
- B. Adequacy Standards (minimum acceptable level of service)
- (1) **New. Testing for adequate school capacities as provided under Subsections (2)(a)[1][a] and [b] shall occur on December 1 and June 1 of each year, if such testing reveals that the enrollment at any school exceeds the State rated capacity as provided under (2)(a)[1][a] or [b], the Annual Growth Report shall be amended to reflect these changes and the amendments shall be presented to the County Council.**
- (2) Is the same as (1) in the current Code. No change.
- (a) Schools.
- [1] No change.
- [a] Changed “120%” to “105%.” Added the word “State” preceding “rated capacity.” **Note Error in this paragraph: It states, “. . . or is projected to be greater than 155% within 3 years.”**
- [b] Changed “120%” to “105%” Added the word “State” preceding “rated capacity.”
- 352 [2] No change.
- [3] **New. Capital Project. A preliminary subdivision plan or a site plan may be approved when the enrollment of a school serving the site is greater than 105% of the State rated capacity if the following conditions exist:**
- [a] **The approved capital budget contains a capital project that has appropriations sufficient to fund the construction of a new school, a school addition, or school renovation which, upon completion, will reduce the enrollment at the school which serves the site below 105% of the State rated capacity;**
- [b] **Actual construction of the capital project has begun; and**
- [c] **The capital project is scheduled to be completed and operational within 1 year.**
- [3] (Incorrectly numbered. Should be [4]. Exemptions. No change.
- [4] **In current Code this paragraph addresses Grandfathering, and states that the adequacy of schools shall not apply to developments which, as of 4/6/92, had an approved preliminary plan. This was omitted in the draft Code.**
- (b) Sewerage.
- 353 [1] No change  
[a] No change.  
[b] No change.  
[c] No change.  
[d] No change.  
[e] No change.
- [2] No change.  
[3] No change.  
[4] No change.  
[5] No change.

- 354 [6] Grandfathering. No change.  
(c) Water.  
[1] No change.  
[a] Added the word “water” preceding “distribution system”  
Omitted the words, “to the proposed development” following the  
words, “ during the maximum day demand”  
Added the words, “resulting from the proposed development”  
following “for fire flows”  
Omitted “and plumbing code.”  
[b] No change.  
[c] No change.  
[d] No change.
- 355 [2] No change.  
[3] No change.  
[4] No change.  
[5] No change.  
[6] No change.
- (d) Roads.
- 356 [1] No change.  
[a] No change.  
[b] No change.  
[2] No change.  
[a] No change.  
[b] No change.  
[3] No change.  
[a] Changed “as provided in the 1996 Land Use Element Plan” to  
“as provided in the most recently adopted Land Use Element Plan”  
(i) No change.  
[b] Changed “as provided in the 1996 Land Use Element Plan” to  
“as provided in the most recently adopted Land Use Element Plan”  
(i) No change.
- 357 [4] No change.  
[a] No change.  
[b] No change.  
[c] No change.
- 358 [5] Conditional Review. No changes.  
[6] No changes.
- (3) Non-Residential Development. No change.  
(a) Sewerage.  
[1] No change.  
[a] No change.  
[b] No change.  
[c] No change.  
[d] No change.  
[e] No change.
- 359 [2] No change.  
[3] No change.  
[4] No change.  
[5] No change.
- 360 [6] No change.  
(b) Water.  
[1] No change.

- [a] Omitted “. . . to the proposed development . . . “  
Added “from the proposed . . . “  
Omitted “and plumbing code.”
- [b] No change.
- [c] No change.
- [d] No change.
- [2] No change.
- 361 [3] No change.
- [4] No change.
- [5] No change.
- [6] No change.
- (c) Roads.
- 362 [1] No change.
- [a] No change.
- [b] No change.
- [2] No change.
- [a] No change.
- [b] No change.
- [3] No change.
- [a] No change.
- (i) No change.
- [b] No change.
- (i) No change.
- 363 [4] No change.
- [a] No change.
- [b] No change.
- [c] No change.
- [5] No change.
- [6] No change.
- 364 [7] No change.
- C. Appeal. Omitted “Rules and” from Harford County Subdivision Regulations.
- D. No change.
- E. No change.
- F. No change.

**Omitted in draft Code:**

**Part 7, Capital Improvement Program Map, Article XXII, Pg. 309 in current Code,  
Section 267-105, 267-106, 267-107, 267-108, 267=109, 267-110, 267-111, 267-112**

**Appendix B. Index of Specific uses of the Code. Pg. 311 to 320 in current Code.**

**Appendix C. Standard Industrial Classification (SIC) Short Title List. Pg. 321 to 327 in current Code.**

**Chapter 131, Floodplain Management Program.**

