

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 23-024

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

Legislative Day No. 23-015 Date May 9, 2023

AN ACT to repeal and reenact, with amendments, Subsections A, B, C, D, G, H and I of Section 267-8, Zoning Certificates, all of Article II, Administration and Enforcement, all of Part 1, Standards, of Chapter 267, Zoning, of the Harford County Code, as amended; to provide that a separate zoning certificate, and payment of a separate zoning certificate fee shall not be required for any development or use of any lot or portion thereof or building, structure, improvement or portion thereof where a building permit is also required; to eliminate the requirement that the number of families or housekeeping units be included on the zoning certificate application and instead require that the number of residential or business or commercial units be included; and to prohibit the Director of Planning from issuing a zoning certificate until an application has been submitted and all fees paid; and generally relating to zoning.

By the Council, May 9, 2023

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

on: June 13, 2023

at: 6:00 PM

By Order: *Mylia A. Dixon*, 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 _____, and concluded on _____.

_____, 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 Subsection
2 A, of Section 267-8, Zoning Certificates; Subsection B, of Section 267-8, Zoning Certificates;
3 Subsection C, of Section 267-8, Zoning Certificates; Subsection D, of Section 267-8, Zoning
4 Certificates; Subsection G, of Section 267-8, Zoning Certificates; Subsection H, of Section 267-8,
5 Zoning Certificates; and, Subsection I, of Section 267-8, Zoning Certificates, all of Article II,
6 Administration and Enforcement, all of Part 1, Standards, of Chapter 267, Zoning, of the Harford
7 County Code, as amended, be, and are hereby, repealed and reenacted, with amendments, all to read
8 as follows:

9 **Chapter 267. Zoning**

10 **Article II. Administration and Enforcement**

11 **§ 267-8. Zoning Certificates.**

12 A. It shall be unlawful for any owner, tenant, licensee or occupant to initiate development of,
13 change the use of or commence a new use of any lot OR PORTION THEREOF or ANY
14 BUILDING, structure OR IMPROVEMENT OR PORTION THEREOF, except agricultural
15 uses, [or] structures OR IMPROVEMENTS, in whole or in part, without first obtaining a
16 zoning certificate issued by the Director of Planning or a duly authorized designee in
17 accordance with the provisions of this Part 1. [Zoning] A ZONING certificate[s] shall be
18 required for such accessory and temporary uses as are enumerated in this Part 1. AN [I]I
19 application[s] for A zoning certificate[s] shall be made in writing by the owner [or his agent]
20 or the contract purchaser of the property for which the certificate is sought. [Zoning] A
21 ZONING certificate[s] shall not be required for A PREEXISTING USE [uses] lawfully
22 BEING MADE OF A LOT OR ANY PORTION THEREOF [in existence as of] PRIOR TO
23 the effective date of THE PROVISIONS IN this Part 1 (I.E., GRANDFATHERED USES).
24 FOR ANY DEVELOPMENT OR USE OF ANY LOT OR PORTION THEREOF OR ANY
25 BUILDING, STRUCTURE OR IMPROVEMENT OR PORTION THEREOF,

1 INCLUDING ACCESSORY STRUCTURES AND TEMPORARY USES, WHICH ALSO
2 REQUIRE A BUILDING PERMIT PURSUANT TO CHAPTER 82 OF THE HARFORD
3 COUNTY CODE, A SEPARATE ZONING CERTIFICATE AND PAYMENT OF A
4 SEPARATE ZONING CERTIFICATE FEE SHALL NOT BE REQUIRED AND A DULY
5 ISSUED BUILDING PERMIT APROVED BY THE DIRECTOR OF PLANNING OR
6 THE DIRECTOR'S DESIGNEE COUPLED WITH PAYMENT OF THE BUILDING
7 PERMIT FEES WILL ACT IN THE PLACE AND STEAD OF THE ZONING
8 CERTIFICATE AND WILL PROVIDE OR ADD TO THE PARAMETERS OF THE
9 PERMITTED USE OR USES.

10 B. An approved and duly issued zoning certificate shall indicate that the building,
11 STRUCTURE, IMPROVEMENT OR PART THEREOF or THE LOT [premises] or part
12 thereof and the proposed use or modification thereof described in the zoning certificate are
13 in conformity with the provisions of this Part 1.

14 C. Upon written request from an owner, tenant or contract purchaser, the Director of Planning
15 shall issue a zoning certificate [or] FOR any building or lot lawfully existing at the time of
16 the enactment of this Part 1, certifying the extent and nature of the use made of the lot or
17 building and whether such use conforms to the provisions of this Part 1.

18 D. Every application for a zoning certificate shall:

19 (1) Be accompanied by plans, drawn to scale, showing the actual shape and dimensions
20 of the lot to be built upon or to be changed in its use, in whole or in part.

21 (2) Indicate the exact location, size and height of any building, [or] structure,
22 IMPROVEMENT OR PART THEREOF to be erected or altered.

23 (3) Indicate the existing and intended use of each building, [or] structure,

1 IMPROVEMENT or part thereof.

2 (4) Indicate the number of [families or housekeeping] RESIDENTIAL OR
3 COMMERCIAL OR BUSINESS units the building OR STRUCTURE is designed
4 to accommodate and, when no buildings are involved, the location of the present use
5 AND ANY NEW OR ALTERED USE.

6 (5) Indicate the proposed [use] USES of the lot.

7 (6) Provide such other information as may be reasonably required by the Director of
8 Planning.

9 E. The Director of Planning also has the authority to require that detailed Site Plans for
10 nonresidential or multi-family residential developments be submitted for review and
11 approval prior to zoning certificate application. Such approval may require review through
12 the Development Advisory Committee (DAC).

13 F. Any zoning certificate shall be revocable upon written order of the Director of Planning in
14 the event of a failure to comply with the requirements and conditions of this Part 1 or the
15 specific grant, order or approval applicable thereto. Such revocation shall not be effective
16 until after:

17 (1) Notice, by certified mail, of such proposed revocation and hearing have been
18 provided to the holder of the certificate.

19 (2) The Director of Planning has held a hearing not less than 10 or more than 30 calendar
20 days from the date of the forwarding of such notice.

21 (3) A final decision has been rendered within 10 calendar days of the completion of the
22 hearing.

23 G. Any certificate, BUILDING PERMIT OR OTHER DEVELOPEMNT PERMIT issued on

1 the basis of fraud, mistake or misrepresentation shall be subject to revocation.

2 H. [Zoning] A ZONING certificate[s] issued on the basis of approved Site Plans and
3 applications, [authorize] AUTHORIZES only the [use] USES, [arrangement]
4 ARRANGEMENTS and [development] DEVELOPMENTS set forth in such applications
5 and plans and no other [use] USES, [arrangement] ARRANGEMENTS or [development]
6 DEVELOPMENTS. [Use] USES, [arrangement] ARRANGEMENTS or [development]
7 DEVELOPMENTS substantially differing from that authorized is a violation of this Part 1
8 and shall be a basis for revocation of the zoning certificate OR BUILDING PERMIT.

9 I. The Director of Planning shall [accept no application] NOT ISSUE A ZONING
10 CERTIFICATE until [it has been completed] AN APPLICATION HAS BEEN
11 COMPLETED, SUBMITTED, REVIEWED AND APPROVED and [until] all fees
12 established by the County for processing the same have been paid in full.

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

EFFECTIVE:

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