

# **A Citizen's Guide to the Harford County Property Development Process by *Friends of Harford***

How does a bare piece of ground get turned into buildings? Sometimes Harford's property development process seems like an alphabet soup of strange acronyms -- CZ, DAC, CIM, B3, R2 -- and obscure procedures. Can the public influence what happens, and if so when? You should first understand that the natural tendency for local government is to approve development and expansion plans over citizen concerns:

- ⤴ developers and their representatives are major contributors to elected officials' campaigns and frequent visitors to their offices;
- ⤴ there is a bias toward individual rights over community rights; and
- ⤴ there is an erroneous belief that more development always generates new money to fix existing infrastructure and service shortfalls.

With the caveat above, here's the development process for residential and commercial properties in an oversimplified nutshell:

## **Zoning Code**

Every piece of property, regardless of size, has its own zoning. Exactly what can be done, how, and under what conditions, for each specific zoning designation is dictated by Harford's [Zoning Code](#). The Zoning Code is amended, bit by bit, fairly frequently. The Harford County website where people can see what is allowed in each zoning district can be found [here](#).

## **The Master Plan**

Officially titled the [Master Plan and Land Use Element Plan](#), this Plan is the long range strategy for the County's future growth, development and preservation to help assure the relationship between existing and anticipated land uses. It establishes overall development related policies and goals that Harford County should follow to incorporate the State's Smart Growth policies. The Master Plan includes a Land Use Map which identifies current and future land uses (showing industrial areas, rural areas, areas for businesses and/or residences, etc.). For the business/residential areas, the Map also shows whether the impacts are expected to be low, medium or high. The most important boundary established is the **Development Envelope**, the area which is intended to absorb most new development and the infrastructure to accommodate it. The Master Plan is very general and doesn't dictate what could happen on any specific property. A property's **zoning** does that, but it is constrained by the Master Plan.

Master Plans are revised every eight years. The public has ample opportunity to provide input to and comments on the Plan. Before it becomes law, the County Executive's staff who writes the Plan holds open houses to solicit your opinion, and then the County Council holds public hearings -- and may amend -- the Executive's Master Plan. You may also contact your Council member directly. *This is a crucial time to speak up, to ask for what your community wants, to support redevelopment, and to keep Harford's rural areas from being destroyed via expansion of the Development Envelope.*

## **Zoning Changes**

Each property in the county has a specific zoning classification which determines what can be done with it. Almost all changes in zoning occur during **Comprehensive Zoning**, when any property owner can ask for his zoning to be changed. Individual properties are sometimes rezoned after CZ; this is called "**piecemeal**" zoning and the owner must convince the Council that his current zoning is erroneous.

### **Comprehensive Zoning (CZ)**

Comprehensive Zoning must occur at least every 8 years, ideally following a Master Plan update, to assure the proper zoning is in place to accommodate the updated Master Plan. During the Comprehensive Zoning process the Planning Department looks at the County overall to determine if any zoning changes should be considered. This is the time for property owners to request any zoning changes they want on their properties. Every property owner asking for a change must post a small white sign on the property near the road. ***CZ is the public's most important opportunity to influence what can happen on these properties.***

During the CZ process, the County Executive's Department of Planning & Zoning conducts public input meetings and evaluates all requests for zoning changes. Their zoning recommendations, as amended by the County Executive, are sent to the County Council to be enacted into law. The County Council conducts public hearings which are the major and final opportunities for the public to influence the changes. ***Friends of Harford*** teams with local residents throughout the County to analyze every property, then we publicize our recommendations and discuss them with County Council members.

Talk with your local Council member (who can almost dictate what happens within his/her own Council District). Speak up at the Council's public hearings and tell them what you want (or don't want). The Council can change what the County Executive proposed. They then vote on each zoning request and the results become law.

### **Piecemeal Zoning**

Outside of the Comprehensive Rezoning process, a property owner can request a rezoning from the Board of Appeals, however, a fee is required and among other things, the owner must prove that either the County made a mistake when it originally zoned the parcel, or that the neighborhood has changed so greatly that a rezoning of his property is necessary. The public may attend the hearing and request to testify either for or against the rezoning. The pending rezoning request must be identified on a small sign posted on the affected property, announced in the Aegis, and listed (*along with other public hearings before the Board of Appeals*) at <http://www.harfordcountymd.gov/council/zoning.cfm>

## **Special Exceptions and Special Developments**

Some zoning classifications also allow development via **Special Exceptions** or **Special Developments**. Unlike the uses that are automatically permitted, these kinds of development require a public hearing to see if the community objects. These can be turned down, approved as requested, or approved but mandating specific changes to address concerns expressed by the public during the public hearing. The pending Special Exception or Special

Development must be identified on a small sign posted on the affected property, announced in the Aegis, and listed (*along with other public hearings before the Board of Appeals*) at <http://www.harfordcountymd.gov/council/zoning.cfm>. *You have a real chance to impact whether or not the Special Exception or Special Development request is granted, changed, or denied -- so go to the public hearing and speak up.*

### **Property Development**

Once zoning is granted, the public has little ability to affect or change anything. The zoning code, not public input, determines what can be done with the property, and the property's owner decides if, how and when to develop it. His engineers develop a draft **site plan** for his property showing where and what size the buildings are, locations of roads, parking areas, etc. Now the owner is ready to tell the public what he's going to do.

### **Community Input Meetings (CIM)**

The first public step of developing a property is the CIM. The pending CIM must be identified on a small sign posted on the affected property, announced in the Aegis, and listed at <http://www.harfordcountymd.gov/planningzoning/index.cfm?ID=32>. At the CIM, the developer must tell you what he plans to do, show his draft layout, and listen to your comments, questions and concerns. You may or may not be able to convince the developer to modify his plan. He does not have to do anything with the community input except summarize his view of what was said for the **Development Advisory Committee**.

### **Development Advisory Committee (DAC)**

Next comes the DAC meetings. The pending DAC must be identified on a small sign posted on the affected property, announced in the Aegis, and listed at <http://www.harfordcountymd.gov/PlanningZoning/index.cfm?ID=106>. The DAC has representatives from various County departments who advise the Director of Planning and Zoning. DAC makes a technical analysis of what regulations apply to a proposed development and what the developer must do to comply with those regulations. The first DAC meeting is held to review and approve the concept plan and its density (number of apartments, amount of commercial floor space, etc.). Once the concept plan is approved the developer prepares a traffic study and develops a more detailed site plan. The traffic study and this site plan are reviewed at the second DAC meeting for a final check that the plans conform to all regulations. While the public is free to make comments or requests, unless you can point to something that appears to be illegal (violates the zoning code, for example) or a clear error in a document (such as a traffic study), you're very unlikely to change anything. Even if a DAC member strongly objects to something he has no power to change it. The Director of Planning and Zoning is the decision authority, and his decisions are constrained by the Harford County Code.

With his approved plan in hand, the developer can get his various construction permits and start building.

## **Conclusion**

As an interested citizen, you have an opportunity to speak up and make a real difference during:

- ⤴ the Master Plan update,
- ⤴ Comprehensive Zoning,
- ⤴ piecemeal zoning hearings, and
- ⤴ Special Exception and Special Development hearings.

After that, your chances of stopping anything are near zero. Any changes in a planned development will be small and mostly dependent on the good will of the developer.