

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 24-041

Introduced by Council Member Reilly

Legislative Day No. 24-032 Date December 10, 2024

AN ACT to repeal and reenact, with amendments, Subsection C(3), Extraction activities in the CI and GI Districts, of Section 267-60, CI, LI and GI Industrial Districts, of Article VII, District Regulations; to repeal and reenact, with amendments, Subsection E(1), Mineral extracting and process, of Section 267-88, Specific Standards, of Article IX, Special Exceptions, all of Part 1, Standards, of Chapter 267, Zoning, all of the Harford County Code, as amended; to require the setbacks for extraction and blasting activities that are set forth in Title 26 of the Code of Maryland Regulations; and generally related to zoning.

By the Council, December 10, 2024

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

on: January 14, 2025

at: 7:15 PM

By Order: *Mylicia 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 C(3), Extraction activities in the CI and GI Districts, of Section 267-60, CI, LI and GI Industrial  
3 Districts, of Article VII, District Regulations, be, and it is hereby, repealed and reenacted, with  
4 amendments; and that Subsection E(1), Mineral extraction and processing, of Section 267-88, Specific  
5 standards, of Article IX, Special Exceptions, be, and it is hereby, repealed and reenacted, with  
6 amendments, all of Part 1, Standards, of Chapter 267, Zoning, of the Harford County Code, as  
7 amended, and all to read as follows:

8 **Chapter 267. Zoning**

9 **Part 1. Standards**

10 **Article VII. District Regulations**

11 **§ 267-60. CI, LI and GI Industrial Districts.**

12 C. Specific regulations applicable to industrial districts. The following uses are permitted subject  
13 to the additional requirements below:

14 (3) Extraction activities in the CI and GI Districts, provided that:

15 (a) Upon filing an application with the Maryland Department of the Environment,  
16 the applicant shall file a copy of the application with the Department of  
17 Planning and Zoning.

18 (b) Extraction activities shall be buffered from adjacent residential lots and public  
19 roads pursuant to §267-30 (Buffer yards) or by a landscaped earth berm not  
20 less than 6 feet in height and 15 feet in width.

21 (c) In addition to § 267-30, extraction activities shall maintain [a minimum of a  
22 1,000-foot buffer from any adjacent road and a minimum buffer of 1,500 feet  
23 from any adjacent residentially zoned parcel. Within the required buffer yard, a  
24 minimum 20-foot recreational buffer shall be maintained] SETBACKS AS  
25 SET FORTH IN COMAR 26.21.01.17.

1 (d) The storage of overburden shall not be visible above the tree line and shall be  
2 properly screened from any adjacent road or residentially zoned parcel.

3 (e) Blasting activities shall [not be permitted within 2,000 feet of any residentially  
4 zoned parcel or designated historic landmark] MAINTAIN SETBACKS AS  
5 SET FORTH IN COMAR 26.21.01.23.

6 **Article IX. Special Exceptions**

7 **§ 267-88. Specific Standards.**

8 E. Natural resource uses.

9 (1) Mineral extraction and processing. These uses may be granted in the AG, RR, R1, R2,  
10 R3, R4, RO, VR, VB, B1, B2 and B3 Districts, provided that:

11 (a) A permit for such use has been approved by the Maryland Department of the  
12 Environment.

13 (b) No building or structure shall be located within 100 feet of any road right-of-  
14 way or adjoining property line.

15 (C) EXTRACTION ACTIVITIES SHALL BE BUFFERED FROM ADJACENT  
16 RESIDENTIAL LOTS AND PUBLIC ROADS PURSUANT TO § 267-30  
17 (BUFFER YARDS) OR BY A LANDSCAPED EARTH BERM NOT LESS  
18 THAN 6 FEET IN HEIGHT AND 15 FEET IN WIDTH.

19 [(c)] (D) The following buffer requirements shall be maintained:

20 [1] In addition to § 267-30, all areas in which extraction activities occur  
21 shall maintain [a minimum 1,000-foot buffer from any adjacent road  
22 and a minimum buffer of 1,500 feet from any adjacent residentially  
23 zoned parcel. Within the required buffer yard, a minimum 20-foot

1 recreational buffer shall be maintained] SETBACKS AS SET FORTH  
2 IN COMAR 26.21.01.17;

3 [2] The storage of overburden shall not be visible above the tree line and  
4 shall be properly screened from any adjacent road or residentially zoned  
5 parcel; and

6 [3] Blasting activities shall [not be permitted within 2,000 feet of any  
7 residentially zoned parcel or designated historic landmark] MAINTAIN  
8 SETBACKS AS SET FORTH IN COMAR 26.21.01.23.

9 [(d)] (E) Existing trees and ground cover along public road frontage shall be preserved,  
10 maintained and supplemented by the selective cutting, transplanting and  
11 addition of trees, shrubs and other ground cover for the depth of the front yard  
12 setback. Where it is determined that landscaping is not practical because of soil  
13 and/or operation conditions, other buffering shall be provided.

14 [(e)] (F) Any use authorized as a conditional use pursuant to Board of Appeals  
15 approval prior to the effective date of this Part 1 shall comply with the  
16 conditions previously established. Any use authorized after the effective date of  
17 this Part 1, as amended, may proceed, subject to the conditions of this section.  
18 Where a conditional use or special exception has been granted, any  
19 modification or change of operations affecting the conditions or expansion of  
20 the use shall be subject to approval by the Board of Appeals.

21 [(f)] (G) The Director of the Department of Planning and Zoning annually shall require  
22 all active mining operations that operate subject to a Board of Appeals  
23 decision to submit to the Department a certificate of compliance. The

1 certification shall be signed by the chief executive officer and the plant  
 2 operator/manager of the company which owns the property and shall state  
 3 whether the mining operation is in compliance with all the conditions in the  
 4 Board’s decision. The certificate of compliance shall include detailed  
 5 information to address the conditions imposed as part of the Board of Appeals  
 6 case. The Director of the Department of Planning & Zoning may require any  
 7 additional information needed to verify compliance, such as a property  
 8 line and topographic survey of part or all of the property sealed by a  
 9 professional land surveyor or registered property line surveyor.

10 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date  
 11 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.*

*Mylia A. Dixon*

---

Council Administrator