

Article II
Chapter 165. Zoning

Section 1: General Provisions

§165-1 TITLE

This Chapter shall be known as the Town of Bel Air Development Regulations.

§165-2 LEGISLATIVE AUTHORITY

This Chapter is adopted pursuant to the authority contained in the Annotated Code of Maryland (Volume 3, 2003, Replacement Volume, 2008 Supplement Shelley, Article 66B).

When any provision of this Chapter refers to or cites a section of the Annotated Code of Maryland, the most recent revision of the Code shall be referenced.

The Official Town Zoning Map shall be the Comprehensive Town Zoning Map adopted by legislative action simultaneously herewith or subsequent hereto. The Town of Bel Air Development Regulations and the Official Town Zoning Map shall apply to all properties within the Bel Air corporate limits. These Regulations include the Town's zoning, subdivision, signage and landscape requirements, as well as an outline of associated procedures and the Zoning District map. Titles, chapter and section headings are not regulatory. Copies of the Official Town Zoning Map and Town of Bel Air Development Regulations are available at the Bel Air Planning Department and the Bel Air Town Hall.

§165-3 JURISDICTION

All requirements noted in this Chapter shall be effective throughout the Town's incorporated limits. A map showing the current boundaries of the Town is available for review at the Town Planning Department and at the Bel Air Town Hall.

Based on Chapter 268, Article IV, Section 268-19C(1)(c) of the Harford County Code as amended, the County shall provide copies of plans for all proposed major subdivisions or other large scale developments within a one-mile radius of the Town. The Town may provide oral or written comments regarding the Plan. Conversely, the Town shall provide copies of all proposed major subdivisions and large scale developments within the Town to the County Department of Planning & Zoning for oral or written comments. Such comments will be formally presented to the Planning Commission as part of its review process.

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§165-4 EFFECTIVE DATE

The provisions of this Chapter were adopted on _____ and became effective on _____. Ordinance No. 663-03, Town of Bel Air Development Regulations and all amendments thereto shall as of the effective date of the Town of Bel Air Development Regulations be of no further effect or validity, except as to the extent that specific continuing rights are granted by the terms of the Town of Bel Air Development Regulations.

§165-5 PURPOSE

These Regulations are adopted in accordance with the Annotated Code of Maryland, Article 66B. The purpose of the Town of Bel Air Development Regulations is to:

- A. Carry out the policies of the Town of Bel Air Comprehensive Plan by classifying and regulating the uses of land and structures within the Town. The Town of Bel Air Development Regulations are adopted to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents and businesses in the Town.
- B. Implement the goals, objectives, policies and programs of the Town of Bel Air Comprehensive Plan, and to manage future growth and development in accordance with that Plan;
- C. Provide standards for the orderly growth and development of the Town that will maintain the community's small town characteristics in an increasingly urban Harford County setting and provide logical extension and integration with the surrounding communities that support the growth of the Town as an extension of the historic core;
- D. Require high-quality planning and design for development that enhances the visual character of the Town, avoids conflicts between land uses, provides adequate light and air for individual buildings, and preserves the scenic and historic qualities of the Town;
- E. Conserve and protect the natural resources of the Town, its natural beauty and significant environmental amenities; while emphasizing compact development that is sustainable and reduces the community's carbon footprint;

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- F. Create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage and other public facilities and utilities;
- G. Provide regulations for the subdivision of land that will assure orderly growth and development, the proper arrangement of streets and utilities, and satisfaction of the Town of Bel Air's Comprehensive Plan Land Use goals and objectives;
- H. Regulate all exterior signs so as to protect property values and protect the character of neighborhoods and avoid excessive competition and clutter among SIGN displays in their demand for public attention;
- I. Preserve structures and lands of archeological, historic and architectural value together with their appurtenances and environmental settings; and
- J. Promote efficient movement for all modes of transportation, control congestion, enhance environmental protection, increase access to nature and recreation and provide the community with needed amenities.
- K. Provide adequate transportation, water, sewer, schools, recreation and parks services and facilities along with other public requirements needed to support new and existing development.

§165-6 RELATIONSHIP TO TOWN OF BEL AIR COMPREHENSIVE PLAN

The Town of Bel Air Comprehensive Plan is the basis for the Town of Bel Air Development Regulations. The Town of Bel Air Comprehensive Plan was adopted with the general purpose of guiding and accomplishing the coordinated and harmonious development of the Town.

§165-7 CONFORMANCE

All uses, structures, modifications and establishments of lots must be in compliance with the Town of Bel Air Development Regulations. No person may use, expand, convert, enlarge, alter, reconstruct, or occupy any land or buildings or authorize or permit the use, or occupancy of land or buildings under his/her control, except in accordance with all of the applicable provisions of the Town of Bel Air Development Regulations. Provisions for non-

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conformance are specified in Section 9 of the Town of Bel Air Development Regulations. Non-conforming structures and uses may continue in effect unless abandoned for one year or more. Permits under review at the time of adoption of the Town of Bel Air Development Regulations shall comply with the Development Regulations in place at the time of permit submission. Subdivision approvals, building and zoning permits issued prior to adoption of the Town of Bel Air Development Regulations shall comply with the Development Regulations in effect at the time of approval. If such permits expire prior to construction or initiation of the proposed use, the applicant shall be required to comply with current regulations.

§165-8 FEES

Fees sufficient to cover the costs of administration, inspection and publication of notice shall be charged to applicants for any development regulation activity. The amount of the fees charged shall be as established from time to time by resolution of the Board of Town Commissioners.

§165-9 INTERPRETATION, CONFLICT, AND SEPARABILITY

In their interpretation and application, the provisions of the Town of Bel Air Development Regulations shall be held to be the minimum requirements. More stringent provisions may be required if it is demonstrated that different standards are necessary to promote the public health, safety and general welfare. The terms and provisions of the Town of Bel Air Development Regulations shall be construed to effectuate the general purposes of Chapter 165 as set forth in Section 165-5 of this Article.

Wherever the regulations imposed by any of the provisions of the Town of Bel Air Development Regulations are either more restrictive or less restrictive than corresponding regulations imposed by any other provisions of the Town of Bel Air Development Regulations or of any other applicable law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern. Regulations do not annul any easements, covenants or private agreements.

If any clause, sentence, part or parts of the Town of Bel Air Development Regulations, or of any section thereof shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of the Town of Bel Air Development Regulations or of any section thereof. The legislative body hereby declares that it would have passed the remaining parts of the Town of Bel Air Development Regulations or any section thereof, if it had

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known such clause, sentence, part or parts of any section thereof should be declared unconstitutional.

Uses not specifically listed, but similar in operational aspects and scale of listed uses, may be permitted in the same manner as the similar uses if approved by the Zoning Administrator. In interpreting zoning district boundaries, the zoning district boundary lines shall run to the center line of adjoining roads and/or rights of way.

In case of conflict between the text of the Town of Bel Air Development Regulations and any caption, illustration, summary table, or illustrative table, the text shall control. The word "person" includes an individual, sole proprietorship, corporation, partnership, limited liability company or incorporated association and any other recognized legal entity.

The words "includes" and "including" do not limit a term to the specific examples set forth, but are intended to extend the term's meaning to all other instances or circumstances of similar kind or character. The word "Town" means the Town of Bel Air, Maryland.

As used in the Town of Bel Air Development Regulations, words indicating the masculine gender include the feminine and neuter.

Words used in the singular in the Town of Bel Air Development Regulations include the plural, and words used in the plural include the singular.

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