

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

Amended thru June 5, 2017

DEPARTMENT OF PLANNING AND ZONING

Harford County, Maryland

FLOODPLAIN MANAGEMENT PROGRAM, Chapter 131

and

SUBDIVISION REGULATIONS, Chapter 268
of the Harford County Code, As Amended

are included at the end of
The Development Regulations.

**ZONING CODE
AMENDMENT INFORMATION:**

<u>Bill Number</u>	<u>effective date</u>	<u>Bill Number</u>	<u>effective date</u>
09-01	4/6/09	13-51	3/18/14
09-11	6/15/09	13-52	3/18/14
09-19AA	8/17/09	14-1	4/22/14
09-31AA	1/22/10	14-9	7/11/14
09-33AA	1/22/10	14-26AA	8/25/14
10-03	4/20/10	15-17	12/7/15
10-30	12/13/10	15-23AA	1/4/16
10-32AA	12/27/10	15-35AA	2/8/16
11-04AA	5/23/11	15-36AA	2/16/16
11-05AA	5/23/11	15-39AA	2/16/16
11-03	5/31/11	16-02AA	5/17/16
11-32	12/12/11	16-07	7/5/16
11-44	12/19/11	16-20	8/22/16
11-62AA	1/13/12	16-28	2/13/17
12-07AA	5/14/12	16-29AA	2/13/17
12-14	5/21/12	17-02	4/24/17
12-44	1/26/13	17-04	6/5/17
12-48AA	2/11/13		
13-4AA	5/6/13		
13-17	7/22/13		
13-35	1/21/14		
13-36	1/21/14		
13-50	2/18/14		

§ 267-4. Definitions. [Amended by Bill 09-19, as amended; Bill 11-04, as amended; Bill 11-05, as amended; Bill 11-32; Bill 12-44; Bill 12-48 as amended; Bill 13-35; Bill 14-1; Bill 15-39 as amended; Bill 16-02 as amended; Bill 16-20; and Bill 17-04]

ABANDON - To relinquish the right to use or to cease the use of property without the intention to either transfer rights in the property or to resume the use thereof.

ABUT - To physically touch, border upon or share a common property line.

ACCESS - An unobstructed way or means of approach to provide entry to or exit from a property.

ACCESSORY STRUCTURE OR USE - A structure or use of land, or portion thereof, customarily incidental and subordinate to the principal use of the land or building and located on the same lot or parcel of land with such principal use.

ADDITION - Any construction that increases the size of a building.

ADJACENT - Parcels of land that abut one another.

ADULT BOOKSTORE OR ADULT ENTERTAINMENT CENTER - An entity or establishment that, as its principal business purpose, offers for sale, rental, exhibition or viewing, any printed, recorded, digitally analogued or otherwise viewable matter, any kind of sexual paraphernalia or any kind of live performance, entertainment or exhibition, that depicts, describes or relates to sexual conduct, sexual excitement or sadomasochistic abuse. For purposes of this definition: "sexual conduct" means human masturbation, sexual intercourse, or the touching of or contact with genitals, pubic areas or buttocks of a human, the breasts of a female, whether alone or between members of the same or opposite sex, or between humans and others; "sexual excitement" means the condition of human genitals, or the breasts of a female, when in a State of sexual stimulation, or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity; and "sadomasochistic abuse" means flagellation or torture by or upon a human who is nude, or clad in undergarments, or in a revealing or bizarre costume, or the condition of one who is nude or so clothed and is being fettered, bound or otherwise physically restrained. Adult entertainment center includes an adult bookstore.

AFFORESTATION - The creation, in an area that is not presently in forest cover, of a biological community dominated by trees and other woody plants at a density of at least 100 trees per acre with at least 50% of the trees having the capability of growing to a DBH of 2 inches or more within 7 years.

AGRICULTURAL PROCESSED PRODUCT - An agricultural product that is treated in order to increase its market value, including but not limited to such processes as canning, milling, grinding, freezing, heating and fermenting.

AGRICULTURAL PRODUCT - Products grown or raised on a farm, intended for direct human or animal use, such as vegetables, fruits, dairy products, eggs, grains, meat, poultry, fish, honey, jelly, jam, hay, bedding plants, and wool.

AGRICULTURAL PUBLIC EVENTS - Events related to agricultural vocations, other than temporary uses already permitted in this Article, including farm tours, animal rodeos, corn mazes, fee fishing and hunting, cross country skiing, sledding, pond ice skating and equestrian trail rentals.

AGRICULTURAL RESOURCE CENTER - An agriculturally oriented park which includes uses such as equine competitions and events, livestock sales and auctions, farm fairs, farmer's markets, trail riding and support services.

AGRICULTURAL RETAIL - The sale of agricultural products.

AGRICULTURAL SERVICES - Uses that serve or support agriculture, including farm equipment service, auction sales of animals, feed and grain mills, farmer's co-ops and agricultural products processing, animal hospitals and veterinary clinics.

AGRICULTURE - All methods of production and management of livestock, crops, vegetation and soil. This includes the related activities of tillage, fertilization, pest control, harvesting and marketing. It also includes the activities of feeding, housing and maintaining of animals such as cattle, dairy cows, sheep, goats, hogs, horses and poultry and handling their by-products.

AIRPORT - An area on land or water that is used or intended to be used for the landing and takeoff of aircraft and includes its buildings and facilities, if any.

ALLEY - A serviceway providing a secondary means of access to abutting property and not primarily intended for public access.

ALTERATION - Any interior or exterior change that would affect the architectural features of a site or structure.

ALTERATION, HISTORIC - Any exterior change that would affect the historic, archeological, or architectural significance of any portion of a designated site or structure, including construction, reconstruction, moving, or demolition.

ALTERNATE LIVING UNITS - Residential units for no more than 3 individuals organized to project a distinct family and home-like atmosphere.

ANADROMOUS FISH PROPAGATION WATERS - Streams that are tributary to the Chesapeake Bay, where spawning of anadromous species of fish (e.g., rockfish, yellow perch, white perch, shad and river herring) occurs or has occurred. The geographic location of such streams has been identified by the Tidewater Administration, Maryland Department of Natural Resources.

ANIMAL, DOMESTIC - An animal that is accustomed to living in or about the habitation of man and is dependent on man for food or shelter, excluding livestock.

ANIMAL RODEO - A public performance featuring jousting, fox hunting, polo, horse shows, horse pulling, bronco riding, calf roping, steer wrestling, bull riding, point-to-point races and steeplechases.

ANIMAL SHELTER - A non-profit facility, as defined by the Internal Revenue Code as Amended, established for the purpose of providing shelter and care for domestic animals and livestock that have been abandoned or placed in the shelter by the Harford County Government or members of the public for permanent or temporary care. In addition to shelter and care, the facility shall provide evaluative care to determine the adoptability of animals, educational outreach programs on animal care for the community, on-site training programs for staff and volunteers, and areas for animals to exercise and socialize.

APPLICANT - A property owner or their designee applying for permits or other approvals required by this Chapter.

AQUIFER - A permeable geologic formation, either rock or sediment, that when saturated with groundwater is capable of transporting water through the formation.

ARCADE - A structure housing 3 or more commercial mechanical or electronic devices used for amusement.

AS-BUILT - Scaled and dimensioned drawing done by a licensed surveyor or engineer that accurately depicts the location of all improvements on the property.

ASSEMBLY HALL - See "community center."

ASSISTED LIVING FACILITY - A facility to provide supervision, monitoring or assistance with the activities of daily living for more than 25 elderly or disabled persons in a residential setting.

AVERAGE CONTACT GRADE - The mean elevation of the highest and lowest points of contact of the structure.

BASE FLOOD - The flood having a 1% chance of being equaled or exceeded in any given year.

BASEMENT - An area of a structure having $\frac{1}{2}$ or more of its floor-to-ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of not less than $6\frac{1}{2}$ feet.

BEST MANAGEMENT PRACTICES (BMP'S) - Conservation practices or systems of practices and management measures that control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxins and sediment.

BLOCK - A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

BOARDING HOME FOR SHELTERED CARE - A nonprofit home for the sheltered care of more than 8 unrelated persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.

BOARD OF APPEALS OR BOARD - The administrative body of the County vested and charged with the power set forth in this Part 1.

BUFFER - Land area left in its natural state or which is vegetated and managed to protect significant and/or sensitive special natural features from the adverse impacts of adjacent land uses or development.

BUFFER EXEMPT AREA - Those areas as of December 1, 1985 where it can be demonstrated that the existing pattern of residential, commercial, industrial or recreational development in the Critical Area prevents the buffer from fulfilling the functions set forth in COMAR 27.01.09.01.b for water quality and wildlife habitat and which are mapped buffer exempt by the Department of Planning and Zoning.

BUFFER YARD - A portion of a lot that may be included within setbacks, improved with plantings, earth berms or fences that acts to soften or mitigate the effects of one land use upon another.

BUILDING - Any structure having a roof supported by columns or walls and intended for the shelter, housing, storage or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

BUILDING COVERAGE - That portion of a lot that is covered by buildings.

BUILDING HEIGHT - The vertical distance of a building or structure measured from the average contact grade to the highest point of the roof.

BUILDING LINE - The line that is located at the front yard setback of a lot and at which the required lot width for the district is met.

BUILDING, PRINCIPAL - Any building which serves a principal permitted use. Any buildings or structures attached to the "principal building," either directly or by a breezeway, shall be considered part of the "principal building."

BUSINESS SERVICES - Establishments primarily engaged in rendering services to businesses on a fee or contract basis, including actuarial services, advertising services, blueprinting and photocopying, catering, credit reporting and collection services, data processing, detective and protection services, direct-mail advertising, disinfecting and exterminating, duplicating and publishing, employment agencies and services, janitorial services, motion-picture distribution services, office or business equipment rental and leasing, photofinishing, secretarial or stenographic, tag and title service, telecommunications and window cleaning.

CALIPER - The diameter of a tree measured:

- A. At 6 inches above grade for trees with a caliper of 4 inches or less; and
- B. At 12 inches above grade for trees with a caliper of more than 4 inches.

CAMPGROUND - An area used for a range of overnight accommodation, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes, trailers or other forms of moveable shelter on a permanent year-round basis.

CANOPY - A detachable roof like structure supported from the ground, deck, floor, wall or building for the purpose of protection from the sun or weather.

CERTIFICATE OF APPROPRIATENESS - A certificate issued by the Historic Preservation Commission indicating its approval of plans for construction, alteration, reconstruction, moving, or demolition of an individually designated Landmark, site or structure or of a site or structure within a designated Preservation District.

CHANGE OF USE - Any use that differs substantially from the previous use of a building or land.

CLEAR AND CLEARING - Cutting or removing trees, ground cover, stumps, and roots, including the movement of topsoil prior to grading.

CLEARCUTTING - The removal of the entire stand of trees in 1 cutting with subsequent reforestation obtained by natural seeding from adjacent stands or from trees that were cut, from advanced regeneration or stump sprouts or from planting of seeds or seedlings by man.

CLINIC - A place for the treatment of outpatients by 3 or more health professionals in group practice.

CLUSTER DEVELOPMENT - A residential development in which dwelling units are concentrated in a selected area or selected areas of the development tract so as to provide natural habitat, forest preservation, agricultural preservation, or other permanent open space uses on the remainder.

COLLECTOR SYSTEM - Sewer pipelines, smaller than 24 inches in diameter, which collect sanitary wastewater from a drainage area and conveys it to the interceptor.

CO-LOCATION - Placement of an antenna on an existing communications tower, building, light, utility pole or water tower where the antenna and all supports are located on the existing structure.

COLONIAL NESTING WATER BIRDS - Herons, egrets, terns and/or glossy ibis, which, for purposes of nesting, congregate (that is, "colonize") in relatively few areas, at which time the regional populations of these species are highly susceptible to local disturbances.

COMMERCIAL AMUSEMENT AND RECREATION - Establishments providing commercial amusement, entertainment or recreation, including arcades, bowling alleys, martial arts clubs and schools, miniature golf courses, pool halls, skating rinks, tennis and racquetball clubs.

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- [1] Awnings, canopies, cornices, eaves or other architectural features: 3 feet.
 - [2] Bay windows, balconies, chimneys or porches: 3 feet.
 - [3] Open fire escapes: 5 feet.
 - [4] Uncovered stairs or necessary landings: 6 feet.
 - [5] Fences and walls: in accordance with §267-23 (Yards).
 - [6] Unenclosed patios, sunrooms and decks: up to, but not to exceed, 35% of the side or rear yard requirement for the district.
 - [7] Attached storage sheds may encroach 10 feet into the rear yard only. Such storage sheds shall not have internal access to the dwelling unit.
 - [8] Outdoor dining areas shall be permitted to encroach up to, but not to exceed, 50% of the side, rear or front yard setback requirement for the district.
- (2) Reduced front yards. The minimum front yard requirements of this Part 1 may be reduced in accordance with the following:
- (a) Open space or court. When dwelling units are designed to front on open space or a courtyard, rather than a parking area or road, the front yard setback, which is like a side yard, may be reduced up to 10 feet, provided that the dwelling units are adjacent to a local road and the open space or courtyard extends for the length of the structures and has a minimum building-to-building width of 40 feet.
 - (b) Group parking. When off-street group parking is provided for 3 or more dwelling units, and each dwelling unit is designed without a parking pad or garage, the front yard setback may be reduced up to 15 feet for single-family detached and up to 10 feet for all other dwelling units.
 - (c) Side garage or rear garage. When dwelling units are designed with a garage that completely faces the side or rear lot line, the front yard setback may be reduced up to 10 feet.
- (3) Reduced side yards. Where a lot for each dwelling unit is established, the minimum side yard requirements of this Part 1 may be reduced not more than 30% when sidewalls of adjoining single-family attached or semidetached dwellings are offset by 50% or more.
- (4) Utility distribution lines and facilities.
- (a) The minimum yard and area requirements shall not apply to construction, reconstruction, conversion, erection, alteration, relocation, enlargement or installation of poles, wires, cables, conduits, transformers, Controlled Environmental Vaults (CEV) and similar equipment by a:

- [1] Gas and/or electric company regulated by the Maryland Public Service Commission; or
- [2] Cable television company operating under a franchise granted by the County Council; or
- [3] Water or sewer utility provider.

(b) A zoning certificate is not required for these uses.

§ 267-24. Exceptions and Modifications to Height Requirements. [Amended by Bill 17-04]

- A. General exceptions. The building height limitations of this Part 1 shall not apply to the following:
- (1) County buildings and structures, schools, houses of worship, hospitals or high-rise apartment dwellings, provided that the front, side and rear yards shall be increased not less than 1 foot for each 2 feet, by which said structure exceeds the height limitation established for the district, in which said structure is located.
 - (2) Fire or parapet walls, towers, steeples, flagpoles, radio and television antennas, public utility structures and silos.
 - (3) Bulkheads, fireplace chimneys, roof structures, penthouses, silos, water tanks, monitors and scenery lofts, ventilating fans or similar equipment required to operate and maintain the building, provided that no linear dimension of any structure exceeds 50% of the corresponding road lot line frontage, or towers and monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other structures where the manufacturing process requires a greater height, provided that all such structures which exceed the heights otherwise permitted in the district shall not occupy more than 25% of the area of the lot and shall be set back at least 50 feet from every lot line which is not a road right-of-way line.
- B. Fences and walls. A zoning certificate is required for all fences and walls. Fences and walls may be located in required yards in accordance with the following:
- (1) Front yards. For all residential units, walls and fences shall not exceed 4 feet in height above ground elevation. Where fences and walls are an integral part of the unit design or are applied in a consistent manner throughout the project, fences and walls may be constructed to a maximum of 6 feet above ground elevation. For Continuing Care Retirement Communities, consistent and coordinated fencing or walls may be constructed to a maximum of 8 feet above ground elevation provided strategically located gates are provided for emergency access.
 - (a) Multiple frontage residential lots. A fence may be installed within a required front yard on a double frontage lot or corner lot up to a maximum of 6 feet in height above ground elevation, provided it does not extend past the front façade of the dwelling.

- (b) Arterial roads. A fence may be installed within a required front yard along an arterial road up to a maximum of 6 feet in height above ground elevation, contingent upon approval by the County Department of Public Works or by the State Highway Administration, whichever is applicable.
- (2) Rear and side yards. Except as otherwise provided in this Part 1, walls and fences shall not exceed 8 feet in height above ground elevation. Tennis court fences shall not exceed 12 feet.
- (3) Security fences. Security fences for business, industrial or institutional uses shall not exceed 10 feet in height above the elevation of the surface of the ground unless otherwise necessary to comply with buffer yard requirements.

§ 267-25. Requirements for Deck Accesses.

No residential unit shall be originally constructed with an aboveground level door that provides access to a rear yard deck or porch unless:

- A. A deck or porch is constructed at the time the dwelling is constructed; or
- B. The builder signs and submits, with the building permit application, a statement that the lot on which the dwelling is located has sufficient footage to permit, without the granting of a variance, construction of a deck or porch that has a minimum depth into the rear yard of 14 feet.

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§ 267-26. Off-street Parking and Loading. [Amended by Bill 17-04]

A. Generally.

- (1) No structure shall be erected, substantially altered or have its use changed unless permanent off-street parking and loading spaces have been provided and maintained in accordance with the provisions of this section. The Board may authorize a modification of the parking space requirements if it should find that, in the particular case, the peculiar nature of the use or the exceptional shape or size of the property or other exceptional situation or condition would justify such modification.
- (2) Parking and loading requirements based on floor area shall be determined by the total gross floor area of the use, excluding incidental storage, mechanical preparation areas and additional common areas such as corridors, stairwells and elevators.
- (3) Parking and loading requirements per seat shall be determined by the number of individual seats, except as otherwise required. For purposes of bench-type seating, 20 inches shall be the equivalent of 1 seat.
- (4) Parking requirements may be provided in attached or detached garages, in off-street parking lots or on parking pads on the lot. On residential lots, each required parking space shall have direct and unobstructed access to a road.
- (5) Each required parking space shall measure 9x18 feet for a standard-sized vehicle. For calculating the minimum gross area for the required parking, driving aisle, general circulating and landscaping, 325 square feet per parking space shall be used.
- (6) Business uses shall provide a minimum of 3 parking spaces.
- (7) Accessory parking areas, driveways and private roads may be granted by the Board of Appeals in any district to serve a use located in another district, whether or not the use is permitted in the subject district, in accordance with the following conditions:
 - (a) The parking area, driveway or private road shall be accessory to, and for the use of, 1 or more agricultural, residential, business or industrial use located in an adjoining district.
 - (b) No charge shall be made for the parking or storage of vehicles on any parking lot approved pursuant to this provision.
 - (c) Any private road or driveway shall provide access to an approved private, County or State road.
 - (d) The number of parking spaces and total parking area approved in the subject district under this section shall not exceed 30% of the parking spaces and area required by this Part 1 for the permitted use.

B. Group parking requirements. When group parking is provided, the facility shall be designed as follows:

- (1) Parking areas for business uses requiring more than 10 parking spaces, and all other uses requiring more than 20 parking spaces, shall be provided with a structured impervious surface and shall be so graded and drained as to dispose of surface water, and so arranged and marked as to provide for orderly and safe loading, unloading, parking and storage of motor vehicles.
- (2) Parking areas shall be landscaped pursuant to §267-29 (Landscaping).
- (3) The parking area shall be set back a minimum of 10 feet from arterial road rights-of-way and 5 feet from other public road rights-of-way.
- (4) Parking areas in excess of 10,000 square feet for business, industrial or institutional uses located less than 100 feet from any residential district shall require a type "B" buffer yard pursuant to §267-30 (Buffer Yards).
- (5) Any lighting used to illuminate a parking area shall be so designed to direct the light away from adjoining residential premises.
- (6) Institutional parks containing outdoor passive or active recreational facilities with no permanent structures may utilize grass parking. The design of the grass parking areas shall be approved by the Director of Planning and Zoning and the Director of Public Works.

C. Parking space requirements.

- (1) Minimum parking spaces. Except as otherwise provided in this Part 1, the following off-street parking space requirements shall apply. In the case of any building, structure or use not specifically mentioned herein, the use that is most similar to the following enumerated uses shall provide the requirement.

Type of Use	Off-street Parking Spaces Required
Natural resources	As required
Residential:	
Single-family detached, semidetached, duplex, lot-line, patio/court/atrium, row duplex, multiplex, townhouses and mobile homes	2 per dwelling unit
Garden, mid- and high-rise apartments:	
Efficiency	1.25 per dwelling unit
1-bedroom	1.50 per dwelling unit
2-bedrooms or more	2 per dwelling unit

Type of Use	Off-street Parking Spaces Required
Home occupations, except medical professions	Additional parking, as needed shall be accommodated on site
Continuing Care Retirement Community	1 per independent living unit plus 1 per 4 beds in assisted living and skilled care facilities plus 1 per employee (full-time equivalent) on largest shift
Transient housing:	
Boarding- and tourist houses	1 per sleeping room
Hotels and motels	1 per sleeping room, and 1 per 2 persons permitted in banquet room and accessory use (bars, lounge, etc.) As determined by maximum capacity requirements set forth in the State Fire Code
Camps, retreats and RV parks	1.5 per campsite
Nursing homes, assisted living facilities and personal care boarding homes	1 per 4 patient beds plus 1 per employee (full-time equivalent) on largest shift
Boarding home for sheltered care and group home for sheltered care	1 per 2 beds plus 1 per employee (full-time equivalent) on largest shift
Business:	
Banks and financial institutions	1 per 300 square feet of gross floor area, and 5 waiting spaces per drive-in lane
Beauty and barber shops	1 per 100 square feet of gross floor area
Convenience stores	1 per 150 square feet of gross floor space
Nightclubs, lounges, bars and taverns	1 per 50 square feet of gross floor area, excluding food preparation and storage areas
Funeral parlors and mortuaries	1 per 100 square feet of viewing area
Grocery stores and supermarkets	1 per 200 square feet of gross floor area, excluding storage area
Medical clinics and veterinary offices	6 per doctor
Medical and dental offices	4 per doctor or dentist
Motor vehicle sales and service	1 per 300 square feet of gross floor area, excluding storage area
Professional offices, except medical and dental offices	1 per 300 square feet of gross floor area
Personal services, except beauty and barber shops	1 per 200 square feet of gross floor area

Type of Use	Off-street Parking Spaces Required
Retail stores	1 per 200 square feet of gross floor area
Agricultural sales at roadside stands	1 per 250 square feet of sales area
Shopping centers	1 per 250 square feet of gross leasable floor area
Recreation:	
Arenas and stadiums	1 per every 3 seats
Bowling alleys	4 per lane, plus 1 per 150 square feet of gross floor area for accessory uses (lounge, snack bar, etc.)
Community centers	1 per 250 square feet of gross floor area, plus 1 per each 4 assembly seats
Golf driving ranges and miniature golf	1.25 per tee
Golf courses	3 per hole
Indoor/outdoor public swimming pools	1 per 75 square feet of gross water
Indoor/outdoor shooting ranges (archery, trap, etc.)	1 per each booth or firing position
Marinas	1.5 per berth, and 10% of the spaces shall be large enough for car with trailer if launching ramp is provided
Noncompetitive recreational amusement cars	1.25 spaces per recreational car
Private clubs	1 per 3 persons permitted under the State Fire Code
Racquet- and handball courts	4 per court, plus 1 per 150 square feet of gross floor area for accessory uses
Restaurants	1 per 3 patrons' seats or 1 per 200 square feet of gross floor area, excluding food preparation area, whichever is greater
Skating rinks	1 per 300 square feet of gross floor area
Theaters	1 per 3 patron seats
Institutional:	
Houses of worship and religious assemblies (indoor/outdoor)	1 per 3 seats. Up to 50% of the parking area can be pervious surface. Required parking spaces for schools and daycare facilities that are accessory to a house of worship are computed separately.

Type of Use	Off-street Parking Spaces Required
Hospitals	1 per bed
Libraries, museums, art galleries and observatories	1 per 250 square feet of gross floor area or 1 per 4 seats, whichever is greater
Schools, elementary or intermediate	2 per classroom, plus 1 per 8 seats in assembly hall
Schools, high	5 per classroom, plus 1 per 8 seats in assembly hall
Colleges, universities and business trade or technical schools	1 per 3 students
Day-care and nursery facilities	1 per 6 students, and 1 loading space
Industrial	On-site parking as necessary to accommodate traffic generated by the use and the largest employee shift

- (2) Maximum parking spaces. The maximum number of off-street parking spaces permitted shall not exceed 130% of the minimum number of spaces required. This restriction does not apply to:
- (a) Spaces that are composed of a structured pervious surface; or
 - (b) Spaces above this limit where the Director of Planning finds that the additional spaces are required by unique site conditions or use.
- D. Parking standard modifications. The off-street parking requirements for any given use shall be established as per §267-26C (Parking Space Requirements) of the Harford County Zoning Code, as amended. The Director of Planning, with concurrence from the Director of the Department of Public Works, may:
- (1) Authorize a modification of the parking space requirements if the Director determines that, in the particular case, the specific nature of the use or the exceptional shape or size of the property or other exceptional situations or conditions warrant such a modification. Such a modification shall not reduce the number of parking spaces to less than 80% of the required spaces.
 - (2) If pedestrian access, bicycle access and parking or linkages to mass transit are provided on site from the public right-of-way to the primary building, the required parking standards may be reduced by up to 10%. This reduction may be taken with the authorization of the Director of Planning. If nonresidential joint parking is provided in accordance with provisions established per §267-26C (Parking Space Requirements), the required parking standards may be reduced up to 20%. This reduction may be utilized in addition to:
 - (a) Any parking reduction authorized through §267-26D(1) (Parking Standard Modifications); and

(b) In the Chesapeake Science and Security Corridor, any parking reduction authorized through §267-64 (Chesapeake Science and Security Corridor).

E. Shared parking provisions. A portion of the required parking may be provided on an adjacent property provided that:

- (1) The underlying zoning of the adjacent property permits parking for the principal use of the site being developed.
- (2) There is adequate parking to meet the parking requirements for all uses served by the parking.
- (3) The shared parking area is located less than 500 feet from the entrance of the primary building located on the site being developed.
- (4) The shared parking area is subject to a shared parking agreement made between current owners of the properties. The agreement shall be recorded in the Land Records of the County. The agreement shall be reviewed and approved by the County’s Department of Law prior to recordation. All shared parking agreements must also contain a provision for maintenance of the parking area.
- (5) The parking area must have safe vehicular and pedestrian access from the shared parking area to the subject property.
- (6) The required parking area shall be paved with an impervious surface.
- (7) Parking for residential uses shall be clearly designated.

F. Joint parking areas for nonresidential uses that do not conform to Subsection C are permitted, subject to the following:

- (1) The operations sharing the joint use of parking areas shall not be opened or used during the same principal operating hours.
- (2) The parties concerned with such joint use are subject to a written joint-use agreement.

G. Off-street loading.

- (1) Any use which regularly receives deliveries or shipments must provide off-street loading facilities in accordance with the requirements specified below.
- (2) Retail uses, industrial uses, warehouses, freight terminals and hospitals.
 - (a) Every retail establishment, industrial use, warehouse, freight terminal or hospital having a gross floor area of 6,000 square feet or more shall provide minimum off-street loading facilities as follows:

Gross Floor Area (square feet)	Number of Berths
6,000 to 24,999	1

Gross Floor Area (square feet)	Number of Berths
25,000 to 79,999	2
80,000 to 127,999	3
128,000 to 197,999	4
198,000 to 255,999	5
256,000 to 319,999	6
320,000 to 391,999	7

(b) For each additional 72,000 square feet, or fraction thereof, of gross floor area, 1 additional berth shall be provided.

(3) Public assembly uses.

(a) Every public assembly use, such as auditoriums, convention halls, exhibition halls, stadiums or sports arenas, office buildings, welfare institutions, funeral homes, restaurants and hotels with a gross floor area of greater than 30,000 square feet shall provide off-street berths as follows:

Gross Floor Area (square feet)	Number of Berths
30,000 to 119,999	1
120,000 to 197,999	2
198,000 to 290,999	3
291,000 to 389,999	4
390,000 to 488,999	5
489,000 to 587,999	6
588,000 to 689,999	7

(b) For each additional 105,000 square feet, or fraction thereof, of gross floor area, 1 additional berth shall be provided.

(4) The minimum area for each off-street loading space, excluding area for maneuvering, shall be 250 square feet, measuring 10x25 feet with a vertical clearance of 14 feet.

(5) Loading spaces shall be designed so that no part of the vehicle shall extend into the right-of-way of a public road during the process of loading and unloading.

(6) Loading spaces shall be located at least 50 feet from any residential district, unless the loading space is totally enclosed within a building or buffered by a hedge, wall or solid board fence at least 6 feet in height.

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- (12) Mulch storage and sales as an accessory use to commercial greenhouses and nurseries in the AG district, provided that:
- (a) A separate zoning certificate is not required;
 - (b) The sale of mulch accounts for less than 20% of the annual gross sales receipts of the greenhouse or nursery;
 - (c) Outdoor storage of mulch is limited to:
 - [1] A maximum area of 1 acre or 10% of the total lot area, whichever is less; and
 - [2] A maximum height of 10 feet;
 - (d) If the Department determines that there is reason to believe that the mulch sales and storage are of such an extent as to constitute more than an accessory use, the owner of the property shall provide, within 14 calendar days after receiving written notice from the Department, evidence that the percentage requirement is not being violated. If such evidence is not provided, the Department shall proceed with the appropriate enforcement action;
 - (e) In accordance with the State law on access to public records, §10-611 *et seq.* of the State Government Article, the Department shall treat the gross sales receipts information it obtains as confidential financial information, and shall not permit public inspection of the information; and
 - (f) If a mulch storage and sales operation, conducted as an accessory use to a commercial greenhouse or nursery, does not meet the requirements of items (b) or (c) of this paragraph (12), the operation shall be considered the principal use of the property, and shall be subject to the requirements applicable to a mulch storage and sales operation conducted as a principal use.
- E. Accessory uses permitted in business and industrial districts. The following accessory uses shall be permitted in the business and industrial districts upon issuance of a zoning certificate, unless otherwise specified, in accordance with the following:
- (1) Incidental repair facilities and outside storage of goods normally carried in stock, used in, or produced by, the business or industrial use, provided that no storage is within 10 feet of any side or rear lot line, all storage is effectively buffered from any adjacent residential use or district and such use is not prohibited under the applicable district regulations of this Part 1.
 - (2) A dwelling unit, including a mobile home, for a caretaker or watchman shall be permitted, provided that:
 - (a) Not more than 1 dwelling unit is provided for security or protection of the principal use.
 - (b) The requirements for the dwelling unit shall not differ from those imposed by this Part 1 for a housing unit of the same or similar type as a principal permitted use.
 - (3) Retail sales in industrial districts shall be permitted, provided that the goods sold are manufactured or produced on the site.

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- (4) Mulch storage and sales as an accessory use to commercial greenhouses and nurseries in the VB and GI districts, provided that:
- (a) A separate zoning certificate is not required;
 - (b) The sale of mulch accounts for less than 20% of the annual gross sales receipts of the greenhouse or nursery;
 - (c) Outdoor storage of mulch is limited to:
 - [1] A maximum area of 1 acre or 10% of the total lot area, whichever is less; and
 - [2] A maximum height of 10 feet;
 - (d) If the Department determines that there is reason to believe that the mulch sales and storage are of such an extent as to constitute more than an accessory use, the owner of the property shall provide, within 14 calendar days after receiving written notice from the Department, evidence that the percentage requirement is not being violated. If such evidence is not provided, the Department shall proceed with the appropriate enforcement action;
 - (e) In accordance with the State law on access to public records, §10-611 *et seq.* of the State Government Article, the Department shall treat the gross sales receipts information it obtains as confidential financial information and shall not permit public inspection of the information; and
 - (f) If a mulch storage and sales operation, conducted as an accessory use to a commercial greenhouse or nursery, does not meet the requirements of items (b) or (c) of this paragraph (4), the operation shall be considered the principal use of the property, and shall be subject to the requirements applicable to a mulch storage and sales operation conducted as a principal use.
- F. Exemptions. Day-care homes, family are exempt from the provisions of this section and shall not require a zoning certificate.

§ 267-28. Temporary Uses. [Amended by Bill 12-07, As Amended; Bill 12-44; Bill 14-1; and Bill 17-04]

Temporary uses shall be permitted, subject to the following:

- A. Zoning certificate. Temporary uses in this section require the issuance of a zoning certificate unless otherwise specified.
- B. Specific temporary uses. The temporary uses described below shall be subject to the following:
 - (1) A carnival, circus or individual public event, excluding religious activities, if permitted within the district, shall be allowed for a maximum period of 45 consecutive calendar days, provided that no structure or equipment shall be located within 200 feet of any residential district. When a carnival, circus or public event, excluding religious activities, accommodates more than 300 people, it shall be subject to the following additional requirements:

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- (a) The zoning certificate shall specify the use, dates and hours of operation of the event. Hours of operation are only permitted between 6:00 a.m. and 11:00 p.m.
 - (b) Adequate arrangements for temporary sanitary facilities must be approved by the State or County Department of Health and Mental Hygiene.
 - (c) No permanent or temporary lighting shall be installed without an electrical permit.
 - (d) The site shall be cleared of all debris at the end of the event and cleared of all temporary structures within 3 calendar days thereafter. A bond in the amount of \$500.00, or a signed contract with a disposal firm, shall be provided to ensure that the premises shall be cleared of all debris.
 - (e) Adequate off-street parking shall be provided, and a stabilized drive to the parking area shall be maintained.
 - (f) It shall be the responsibility of the applicant to guide traffic to parking areas. The applicant shall notify the local enforcement authority and shall provide adequate traffic control.
 - (g) The applicant shall notify the local fire and emergency personnel to determine and identify any emergency response requirements.
- (2) Christmas tree displays and sales for nonprofit organizations shall be permitted in any district for a maximum period of 45 calendar days.
 - (3) Contractor's office and construction equipment sheds or accommodations for security shall be permitted in any district if the use is incidental to a construction project. A zoning certificate is not required for these uses; however, a minimum setback of 10 feet from all property lines is required. The office or shed shall be removed upon completion of the project.
 - (4) A real estate sales office shall be permitted in any district for rental or sale of dwellings in the project. The office shall be removed upon initial sales of all units. A rental office may be permanently maintained in a rental project.
 - (5) Agricultural retail shall be permitted on a seasonal basis, provided that the parcel used for agricultural purposes has sufficient road frontage to ensure safe ingress and egress. Sales area, including produce stands, shall be set back a minimum of 20 feet from the nearest public road right-of-way. Entrances and exits to the required parking area shall be at least 50 feet from any intersection on a local road and 100 feet from all other road intersections.
 - (6) When fire or natural disaster has rendered a residence unfit for human habitation, the temporary use of a mobile home, located on the lot during rehabilitation of the original residence, or construction of a new residence, is permitted for a period of 12 months, if water and sanitary facilities approved by the State Department of Health and Mental Hygiene are provided. The Director of Planning may extend the permit an additional 60 calendar days. Further extensions thereof shall require Board approval. The mobile home shall be removed from the property upon completion of the new or rehabilitated residence.

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- (7) Hawkers and peddlers sales shall be permitted in the VB, B2, B3 and CI districts, subject to the following additional requirements:
- (a) The zoning certificate shall specify the type of use and the dates of the sale. The zoning certificate shall be valid for a period of 1 year, at which time, the applicant may apply for another zoning certificate upon complying with the provisions of this section.
 - (b) Only temporary lighting shall be permitted.
 - (c) The site shall be cleared of all debris at the end of the sale and cleared of all temporary structures within 3 calendar days thereafter.
 - (d) The parcel used for the proposed use shall have sufficient road frontage to ensure safe ingress and egress.
 - (e) Sales and display areas shall be set back a minimum of 35 feet from the center line of the road or 10 feet from the public road right-of-way, whichever is greater.
 - (f) The proposed use shall not:
 - [1] Generate greater traffic volumes or increased traffic hazards than normally would be expected in the district.
 - [2] Be detrimental to the use or development of adjacent properties or neighborhoods.
 - (g) Sales on any 1 parcel shall not be conducted for more than 185 calendar days in any 1 year.
 - (h) Issuance of certificates.
 - [1] At the time the applicant applies for a zoning certificate, the applicant shall provide the Director of Planning with the following information:
 - [a] The location of the parcel or parcels where the sale or sales are to be located.
 - [b] Written permission from the property owner or the lawful tenant of the parcel or parcels where the sale or sales are to be located, giving approval for the use.
 - [c] A copy of the license issued by the State.
 - [2] A zoning certificate issued by the Director of Planning shall cover all parcels where the sale or sales are to be located.
 - (i) The provisions of this Subsection shall not apply to any exemption as provided for by State law and shall not include the sale by a farmer of any produce grown on, and sold from, the farmer's property.
 - (j) No hawker or peddler shall operate from a vehicle which has a manufacturer's rated capacity greater than 7,000 lbs.

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- (k) The provisions of this Subsection shall not be construed to relieve any hawker or peddler from any law, rule, regulation or resolution enacted by the State of Maryland.
- (8) Cottage houses.
- (a) A cottage house is permitted on a single lot in the AG, RR, R1, R2, R3, R4, RO and VR districts, provided that:
- [1] On a lot of 2 acres or less, the cottage house is located within a dwelling currently on the lot;
- [2] On a lot of more than 2 acres, the cottage house may be located within a dwelling currently on the lot or may be a mobile home. If the cottage house is a mobile home:
- [a] The cottage house must meet the setback requirements for transient housing uses, except that in the AG district, the minimum rear yard setback for a mobile home cottage house is 40 feet;
- [b] Skirting of a compatible material shall be substituted for a foundation;
- [c] If the cottage house is visible from a residence on an adjacent parcel, the Department may require the lot owner to plant a Type "A" buffer yard, pursuant to 267-30 (Buffer Yards)
- [3] The cottage house may be located within a new addition to the dwelling which can be easily converted to general living space once the need for cottage housing no longer exists. The addition must conform to all applicable Zoning Code requirements and approvals.
- [4] The lot owner shall live in 1 of the 2 dwellings on the lot;
- [5] A relative of the lot owner shall live in the other dwelling; and
- [6] Either the lot owner or the relative:
- [a] Is more than 62 years old; or
- [b] Has a medical need.
- (b) Lot owner requirements:
- [1] The lot owner shall submit a letter of approval from the Health Department, stating that the water and sewer facilities for the cottage house meet Health Department requirements.
- [2] The lot owner shall submit a copy of the property deed.
- [3] The lot owner shall submit a conversion plan for approval by the Department if the cottage house will be within the dwelling or within a new addition to the dwelling, said plan to be applied once the need

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- for the cottage housing no longer exists. The conversion plan must include a floor plan reflecting how the overall cottage housing area will flow easily with unrestricted access into, and be compatible with, the main dwelling.
- [4] If an application for a cottage house permit is based upon a medical need of the lot owner, or a medical need of a relative of the lot owner, the lot owner shall include a physician's statement.
- [5] If an application for a cottage house permit is based upon age of the lot owner, or age of a relative of the lot owner, the application shall include a copy of the birth certificate or driver's license of the lot owner or relative of the lot owner, documenting age.
- [6] The zoning certificate for a cottage house will be deemed null and void if:
- [a] The parcel is transferred or assigned; or
- [b] The need for the cottage house ends.
- [7] When a zoning certificate is nullified, the lot owner shall remove the mobile home from the lot or incorporate the cottage house into the principal dwelling within 60 calendar days. If the cottage house is located within the dwelling, the overall cottage housing area will be converted with unrestricted access into, and is compatible with, the main dwelling as shown in the approved conversion plan required in Subsection 8(b)[3]. At no time shall a mobile home or area of the dwelling approved for cottage housing be utilized as a rental unit or second dwelling unit.
- [8] Use of a cottage house under this Subsection B(8) is not grounds for or evidence of a hardship for a variance under §267-11 (Variances).
- (c) If the lot owner satisfies the requirements of this Subsection B(8), the Department shall:
- [1] Issue a zoning certificate to the lot owner;
- [2] Within 7 calendar days after the lot owner satisfies the requirements, notify by mail each owner of real property adjacent to the lot:
- [a] That the property owner has applied for a cottage house zoning certificate and has satisfied the requirements;
- [b] That the zoning certificate is temporary;
- [c] That the cottage house must be removed or incorporated into the principal dwelling when the zoning certificate is nullified;
- [d] Of the requirements imposed on the lot owner; and
- [e] Of any other information the Department deems relevant.

§ 267-33. Signs. [Amended by Bill 13-17; Bill 14-1; Bill 15-35 As Amended; Bill 16-028; and Bill 17-04]

A. Zoning certificates; fees.

- (1) Zoning certificate requirement. It shall be unlawful for any person to erect, alter or relocate any sign or other advertising structure, as defined in this Part 1, without first obtaining a zoning certificate and making payment of the required fee.
- (2) Application. Application for a zoning certificate for a sign shall be signed by the property owner or authorized agent. The zoning certificate application shall require the name and address of the sign owner or the sign erector, drawings showing the copy design, dimensions, height and location of the sign and such other pertinent information as the Department may require to ensure compliance with the laws of Harford County, Maryland. Whenever an application for a zoning certificate is filed for the erection of a sign on property designated as an Historic Landmark, the application shall be subject to the approvals of the Historic District Commission and the Department.

B. General provisions. Signage shall be constructed in an unobtrusive manner which compliments the architectural elements of quality, style, color and material of the building, and the architectural period of the building(s). The following broad categories of sign types are regulated by this section unless otherwise provided herein:

- (1) Canopy signs. A canopy sign must have its lowest point no closer than 8 feet to the ground.
- (2) Freestanding signs. The maximum area of any freestanding sign shall not exceed 120 square feet. The setback measured to the edge of the sign shall be equal to 1/3 of the required building setback. Unless otherwise provided herein, the maximum height allowed for any freestanding sign is 20 feet measured from the base of the sign.

Except as otherwise provided for herein, electronic message boards are permitted as freestanding signs in the B1, B2, B3, CI, LI and GI zoning districts and are limited to 1 single- or double-sided sign per road frontage. Temporary or portable electronic message Boards are not permitted. Electronic message Boards shall not exceed 60 square feet in size, and shall display only on-premises messages, or time and/or temperature displays. An electronic message Board shall consist only of alphabetic or numeric characters and shall not include any graphic, pictorial or photographic images or videos. The appearance of any animation, motion, flashing, blinking or shimmering is not permitted. A single message, or segment of a message, shall have a display time of at least 2 seconds, including the time needed to move the message onto the sign Board, with all segments of the total message to be displayed within 10 seconds. A display traveling horizontally across the message Board shall move between 16 and 32 light columns per second. Requirements for display times do not apply to time and/or temperature displays.

- (3) Wall signs. Wall signs shall include all flat signs which are placed against a building or other structure and attached to the exterior front, rear or side wall of any building or other structure. Flat wall mounted signs may be located on any

wall of a building and may extend not more than 8 feet above the parapet wall or roofline of the building to which they are attached. However, no window, or part of a window, shall be covered by the sign area or its supporting structure.

- (4) Temporary signs. The maximum number of temporary signs a property may have in any 1 calendar year is 2. Temporary signs may be displayed for periods not exceeding 30 consecutive calendar days and not exceeding 60 calendar days in any 1 year.
- (5) Projecting signs. Projecting signs may not extend over public rights-of-way, or project more than 4 feet from the wall of a building. Projecting signs may not have less than 10 feet clearance, as measured vertically from the ground to the bottom of the sign or supporting structure, and shall not exceed a height of 25 feet, as measured vertically from the ground to the top of the sign or supporting structure. Projecting signs shall have a maximum sign area of 60 square feet.
- (6) Directional signs. The maximum area of any directional sign shall not exceed 6 square feet. Directional signs can be located at the nearest intersection of any major collector or arterial road and set back 10 feet from the property line. Unless otherwise provided herein, the maximum height allowed for any directional sign is 6 feet above the nearest public road grade.
- (7) Billboards.
 - (a) General. Billboards shall be permitted in the General Industrial (GI) district only. New billboards may not be constructed within the Chesapeake Science and Security Corridor or the Edgewood Neighborhood Overlay District (ENOD).
 - (b) Location. Billboards shall be limited to 1 per parcel. Billboards shall not be permitted to be erected within 750 feet of any residence, historic structure or building as defined in §267-4 (Definitions), public square or the entrance to any public park, public, private or parochial school, library, church or similar institution. All such signs shall be set back from the front property line the distance required for a principal building in the zoning district in which located. No billboard shall be permitted to be erected within 100 feet of a road intersection unless the base of the sign is not less than 10 feet above ground level or road surface, whichever is higher. No billboard shall be erected within 660 feet of any highway which is part of the interstate highway system.
 - (c) Height. A billboard shall be no more than 30 feet in height from road grade.
 - (d) Area. The maximum area of any billboard shall not exceed 300 square feet.
 - (e) Illumination. Illumination shall be in accordance with the provisions of this section.

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- (d) Construction signs. One sign shall be permitted for all construction contractors, 1 for all professionals and firms and 1 for all lending institutions on sites under construction. Each sign shall not exceed 16 square feet in area, and no more than 3 such signs shall be permitted on 1 site. The signs shall be confined to the construction site, construction shed or trailer and shall be removed within 15 days after the beginning of the intended use of the project.
 - (e) Directional signs. One directional sign, not exceeding 6 square feet in sign area and no more than 6 feet above ground level, or 6 feet above road grade, whichever is higher, shall be permitted per business use or agricultural use, if set back 10 feet from the road right-of-way and located at either the nearest intersecting arterial road or the nearest intersecting road.
 - (f) Home occupation signs. One lighted sign, not exceeding 2 square feet in area and attached flat against the building, is permitted in conjunction with approved professional or home occupations.
 - (g) One temporary sign shall be permitted, provided that the sign shall not exceed 32 square feet or 6 feet in height and shall be located not less than 20 feet from the road right-of-way.
 - (h) Electronic message boards on properties that contain Institutional uses which are located on either a freeway/expressway or a principal urban arterial route, each as provided in the "Existing Roadway System Functional Classification" Table in Appendix III, Functional Classification of Roads to the 2016 Master Plan, Harford Next, as a Special Exception, subject to approval of the Board. Electronic message boards must be located at least 10 feet from the road right-of-way and at least 250 feet from the structural boundaries of any dwelling, shall not exceed 6 feet in height, and must not have a sign area exceeding 20 square feet.
 - (i) Notwithstanding the requirements in Paragraph (h) above, electronic message boards displaying a message and content relating to public safety, and designed to protect the health, safety, and welfare of the public, shall be permitted throughout the district as a Special Exception, subject to approval of the Board on properties that contain public safety facilities. Electronic message boards must be located at least 10 feet from the road right-of-way, shall not exceed 6 feet in height, and must not have a sign area exceeding 20 square feet. Only local and state law enforcement agencies, emergency operation centers and fire companies shall constitute public safety facilities.
- (2) RR, R1, R2, R3 and R4 residential districts. In addition to the requirements set forth in this section, signs in the RR, R1, R2, R3 and R4 district must comply with the following standards:
- (a) Home occupation signs. One lighted sign, not exceeding 2 square feet in area and attached flat against the building, is permitted in conjunction with approved professional or home occupations.
 - (b) Except for electronic message boards, freestanding signs may be permitted as a special exception, subject to approval of the Board, provided they are located at least 10 feet from the road right-of-way, shall not exceed 6 feet in height and must not have a sign area exceeding 4

square feet. Electronic message boards shall not be permitted within the RR, R1, R2, R3 and R4 districts.

Notwithstanding anything contained in this paragraph, electronic message boards displaying a message and content relating to public safety and designed to protect the health, safety, and welfare of the public shall be permitted, as a special exception, subject to approval of the Board, on properties that contain public safety facilities. Electronic message boards must be located at least 10 feet from the road right-of-way, shall not exceed 6 feet in height, and must not have a sign area exceeding 10 square feet. Only local and State law enforcement agencies, emergency operation centers and fire companies shall constitute public safety facilities.

- (c) Permanent institutional signs. One lighted sign setting forth the name of places of worship, service clubs, civic organizations, public or service centers, public institutions, schools or other similar uses shall be permitted. These signs shall be located not less than 20 feet from the road right-of-way, shall not exceed 32 square feet in area and shall not exceed 6 feet in height.
 - (d) Permanent residential entrance or Continuing Care Retirement Community (CCRC) signs are permitted pursuant to the provisions of Subsection B(8).
 - (e) Construction signs. One sign shall be permitted for all construction contractors, 1 for all professionals and firms and 1 for all lending institutions on sites under construction. Each sign shall not exceed 16 square feet in area, and no more than 3 such signs shall be permitted on 1 site. The signs shall be confined to the construction site, construction shed or trailer and shall be removed within 15 days after the beginning of the intended use of the project.
 - (f) One temporary sign shall be permitted, provided that the sign shall not exceed 16 square feet or 6 feet in height and shall be located not less than 20 feet from the road right-of-way.
 - (g) All permanent signs shall be compatible with the style, character and design of the residential neighborhood in which the sign is erected.
- (3) RO Residential Office district. In addition to the requirements set forth in this section, signs in the RO district must comply with the following standards:
- (a) One freestanding sign per parcel, which shall have a maximum of 16 square feet in area, shall be no more than 6 feet in height, shall be placed perpendicular to the road and shall be no less than 20 feet from the right-of-way.
 - (b) A wall sign for each use, which shall be attached only to the front of a building, shall be adjacent to the front entryway and shall be no larger than 4 square feet in area.
 - (c) Freestanding and wall signs shall be constructed primarily utilizing the materials and colors of the primary structure on the site. They may be externally and internally illuminated.

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- (d) Home occupation signs. One lighted sign, not exceeding 2 square feet in area and attached flat against the building, is permitted in conjunction with approved professional or home occupations.
 - (e) Construction signs. One sign shall be permitted for all construction contractors, 1 for all professionals and firms and 1 for all lending institutions on sites under construction. Each sign shall not exceed 16 square feet in area, and no more than 3 such signs shall be permitted on 1 site. The signs shall be confined to the construction site, construction shed or trailer and shall be removed within 15 days after the beginning of the intended use of the project.
 - (f) Permanent institutional signs. One lighted sign setting forth the name of places of worship, service clubs, civic organizations, public or service centers, public institutions, schools or other similar uses shall be permitted. These signs shall be located not less than 20 feet from the road right-of-way, shall not exceed 32 square feet in area and shall not exceed 6 feet in height.
 - (g) Permanent residential entrance or Continuing Care Retirement Community (CCRC) signs are permitted pursuant to the provisions of Subsection B(8).
 - (h) One temporary sign shall be permitted, provided that the sign shall not exceed 16 square feet or 6 feet in height and shall be located not less than 20 feet from the road right-of-way.
- (4) VR Village Residential district. In addition to the requirements set forth in this section, signs in the VR district must comply with the following standards:
- (a) Home occupation signs. One lighted sign, not exceeding 2 square feet in area and attached flat against the building, is permitted in conjunction with approved professional or home occupations.
 - (b) Freestanding signs may be permitted as a special exception, subject to the approval of the Board, provided that they are located not less than 10 feet from the road right-of-way, do not exceed 6 feet in height and do not have a sign area exceeding 4 square feet.
 - (c) Freestanding and wall signs shall be constructed primarily utilizing the materials and colors of the primary structure on the site. They may be externally and internally illuminated.
 - (d) Permanent residential entrance or Continuing Care Retirement Community (CCRC) signs are permitted pursuant to the provisions of Subsection B(8).
 - (e) Construction signs. One sign shall be permitted for all construction contractors, 1 for all professionals and firms and 1 for all lending institutions on sites under construction. Each sign shall not exceed 16 square feet in area, and no more than 3 such signs shall be permitted on 1 site. The signs shall be confined to the construction site, construction shed or trailer and shall be removed within 15 days after the beginning of the intended use of the project.

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- (f) Permanent institutional signs. One lighted sign setting forth the name of places of worship, service clubs, civic organizations, public or service centers, public institutions, schools or other similar uses shall be permitted. These signs shall be located not less than 20 feet from the road right-of-way, shall not exceed 32 square feet in area and shall not exceed 6 feet in height.
 - (g) One temporary sign shall be permitted, provided that the sign shall not exceed 16 square feet or 6 feet in height and shall be located not less than 20 feet from the road right-of-way.
- (5) VB Village Business district. In addition to the requirements set forth in this section, signs in the VB district must comply with the following standards:
- (a) One freestanding sign per parcel, which shall have a maximum of 18 square feet in area, shall be no more than 6 feet in height, shall be placed perpendicular to the road and shall be no less than 20 feet from the right-of-way.
 - (b) A wall sign for each use, which shall be attached only to the front of a building, shall be adjacent to the front entryway and shall be no larger than 10 square feet in area.
 - (c) Freestanding and wall signs shall be constructed primarily utilizing the materials and colors of the primary structure on the site. They may be externally and internally illuminated.
 - (d) Home occupation signs. One lighted sign, not exceeding 2 square feet in area and attached flat against the building, is permitted in conjunction with approved professional or home occupations.
 - (e) Construction signs. One sign shall be permitted for all construction contractors, 1 for all professionals and firms and 1 for all lending institutions on sites under construction. Each sign shall not exceed 16 square feet in area, and no more than 3 such signs shall be permitted on 1 site. The signs shall be confined to the construction site, construction shed or trailer and shall be removed within 15 days after the beginning of the intended use of the project.
 - (f) Permanent institutional signs. One lighted sign setting forth the name of places of worship, service clubs, civic organizations, public or service centers, public institutions, schools or other similar uses shall be permitted. These signs shall be located not less than 20 feet from the road right-of-way, shall not exceed 32 square feet in area and shall not exceed 6 feet in height.
 - (g) Permanent residential entrance signs are permitted pursuant to the provisions of Subsection B(8).
 - (h) One temporary sign shall be permitted, provided that the sign shall not exceed 16 square feet or 6 feet in height and shall be located not less than 20 feet from the road right-of-way.

ARTICLE VII. District Regulations.

[The Permitted Use Charts have been amended by Bill 09-31 as amended; Bill 11-06; Bill 12-14; Bill 12-48 as amended; Bill 13-4 as amended; Bill 15-36 as amended; Bill 15-39 as amended; Bill 17-02; and Bill 17-04]

§ 267-49. General Provisions.

- A. The principal uses permitted in each district are set forth in the Permitted Use Charts and §267-50 (Principal Permitted Uses by District). Uses permitted by right, temporary uses, special developments or special exceptions are set forth in each of the zoning districts. The minimum design standards and specific regulations for each district are set forth in §267-51 (Requirements for Specific Districts) and in Tables 53-1 through 61-1. Any use not listed is prohibited, unless the Director of Planning determines that it falls within the same class as a listed use as set forth in §267-52 (Materially Similar Uses).
- B. Uses permitted by right, temporary uses, special developments or special exceptions shall be subject, in addition to zoning district regulations, to all other provisions of this Chapter.

§ 267-50. Principal Permitted Uses by District.

The Permitted Use Charts specify the principal permitted uses in each district. Only those uses with a letter designation are permitted, subject to other requirements of this Part 1. Uses designated as "P" are permitted uses. Uses designated as "SD" are permitted pursuant to the special development regulations in Article VIII of this Part 1. Uses designated as "SE" are special exception uses subject to approval of the Board pursuant to §267-9 (Board of Appeals). Uses designated as "T" are permitted pursuant to §267-28 (Temporary Uses). A blank cell indicates that the use is not permitted.

§ 267-51. Requirements for Specific Districts.

This Article sets forth the requirements for specific districts and includes the minimum lot area, area per dwelling or family unit, parcel area, lot width, yards, setbacks and maximum building height allowed for uses permitted for each district. Uses permitted under the Special Development Regulations shall also comply with the requirements contained in Article VIII.

§ 267-52. Materially Similar Uses.

Uses not listed as a permitted use, temporary use, special development or special exception are presumed to be prohibited from the applicable zoning district. In the event that a particular use is not listed as a permitted use, temporary use, special development or special exception, the Director of Planning shall determine whether a materially similar use exists in this Chapter. Should the Director of Planning determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the Director of Planning shall issue a zoning certificate pursuant to §267-8 (Zoning Certificates). Should the Director of Planning determine that a materially similar use does not exist, then the proposed use shall be deemed prohibited in the district.

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USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
RETAIL TRADE																
Agricultural retail	P						SE		P	P	P	P	P			P
Antique shops, art galleries and museums	SE						SD		P	P	P	P	P			P
Auction houses, animal and agricultural related products	SD/SE								SE			SE	P		P	
Auction houses, non agricultural related	SD								P		P	P	P		P	
Christmas tree sales	T	T	T	T	T	T		T	T	T	T	T	T		T	
Convenience goods stores						SD			P	P	P	P	P			P
Farm Market, Private	SD															
Farmers co-ops	P								P	P	P	P	P		P	
Feed and grain mills	P								P				P		P	
Feed and grain - storage and sales	SD								P							
General merchandise stores												P	P			
Hawkers and peddlers									T		T	T	T			
Integrated Community Shopping Centers (ICSC)											SD	SD	SD			
Liquor stores									P		P	P	P			P
Mixed Use Center						SD				SD	SD	SD	SD	SD	SD	
Shopping centers										P	P	P	P			
Shoppers merchandise stores							SD(4)		P		P	P	P			P
Specialty shop							SD		P	P	P	P	P			P

- (1) Indicates permitted in the Edgewood Neighborhood Overlay District only.
- (2) RO - maximum of 4 units.
- (3) Indicates permitted in the Chesapeake Science and Security Corridor (CSSC) only.
- (4) The following shoppers merchandise stores-business and office equipment rental or leasing, business equipment sales, party supply shops, photography equipment and supply shops, and medical equipment rental and sales, are permitted in the RO District.
- (5) indicates that only apparel and accessories and communication equipment sales and service are permitted as shoppers merchandise stores within the MO district.

KEY:	
"P"	indicates permitted subject to applicable code requirements
"SD"	indicates permitted subject to special-development regulations, pursuant to Article VIII.
"SE"	indicates permitted subject to special-exception regulations, pursuant to Article IX.
"T"	indicates permitted subject to temporary-use regulations, pursuant to § 267-28 (temporary uses).
	A blank cell indicates that the use is not permitted.
"SE*"	indicates permitted subject to special-exception regulations, pursuant to Article XI.

USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
SERVICES																
Blacksmiths	P								P			P	P		P	
Business services, including commercial schools							SD		P	P	P	P	P	P		P
Carpet and rug cleaning service									P		P	P	P	P	P	
Construction services and suppliers	SE								SE			P	P	P	P	
Corporate offices												P	P	P	P	P
Corporate Office Parks (COPS)													SD	SD		
Financial, insurance and real estate services							SD		P	P	P	P	P	P		P
Fortune telling											P	P				
Funeral homes and mortuaries	SE								P		P	P	P			
Health services and medical clinics							SE		P	P	P	P	P	P		P
Kennels	SE										P	P	P			
Lawn and landscaping services	SE								SE		P	P	P			
Mixed Use Center						SD				SD	SD	SD	SD	SD	SD	
Personal services, excluding tattoo parlors						SD	SD	SE	P	P	P	P	P			P
Pet grooming	SE								P	P	P	P	P			
Planned Employment Center						SD(1)						SD(1)	SD(1)	SD(1)	SD(1)	
Professional services						SD	SD	SE	P	P	P	P	P		P	P
Restaurants	SD					SD			SE	SE	P	P	P			P
Restaurants, take-out									P	P	P	P	P			P
Small engine repair	SE								P		P	P	P			
Tattoo parlors											P	P				
Veterinary clinics or hospitals	SE								P		P	P	P			
Veterinary practice, large animals	SD/SE															

(1) Indicates permitted in the Edgewood Neighborhood Overlay District (ENOD) only.
 (2) RO - maximum of 4 units.
 (3) Indicates permitted in the Chesapeake Science and Security Corridor (CSSC) only.
 (4) The following shoppers merchandise stores-business and office equipment rental or leasing, business equipment sales, party supply shops, photography equipment and supply shops, and medical equipment rental and sales, are permitted in the RO District.

KEY:	
"P"	indicates permitted subject to applicable code requirements
"SD"	indicates permitted subject to special-development regulations, pursuant to Article VIII.
"SE"	indicates permitted subject to special-exception regulations, pursuant to Article IX.
"T"	indicates permitted subject to temporary-use regulations, pursuant to § 267-28 (temporary uses).
	A blank cell indicates that the use is not permitted.
"SE*"	indicates permitted subject to special-exception regulations, pursuant to Article XI.

§ 267-60. CI, LI and GI Industrial Districts. [Amended by Bill 17-04]

A. Purpose.

- (1) CI Commercial Industrial District. This district is intended for industrial, office and business uses of a moderate scale and intensity.
- (2) LI Light Industrial District. This district is intended to permit a mix of light manufacturing, warehousing and service uses. Retail sales are permitted as accessory to a manufacturing or distribution operation where the product is produced or warehoused on site. Other retail sales or service uses are permitted as accessory to the principal permitted use provided that they are integrated into the overall project and shall not exceed 2,000 square feet.
- (3) GI General Industrial District. This district is intended for industrial uses of a larger scale or more intensive processing with large areas of unenclosed storage, which may generate substantially more impact on surrounding properties. Retail sales are permitted as accessory to a manufacturing operation where the product is produced or warehoused on site. Other retail sales or service uses are permitted as accessory to the principal permitted use provided that they are integrated into the overall project and shall not exceed 2,000 square feet.

B. General regulations.

- (1) Minimum lot area, area per dwelling or family unit, building setback from adjacent residential lot lines, lot width, front, side and rear yard and maximum building height, as displayed in Tables 60-1 through 60-3, shall apply, subject to other requirements of this Part 1.
- (2) Landscaping shall comply with the requirements set forth in §267-29 (Landscaping).
- (3) Buffer yards shall comply with requirements set forth in §267-30 (Buffer Yards).
- (4) Signage shall comply with requirements set forth in §267-33 (Signs).
- (5) Lighting shall be designed and controlled so that any light shall be shaded, shielded or directed so that the light intensity or brightness shall not adversely affect the operation of vehicles or reflect onto residential lots or buildings.

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

- (1) Agriculture. All buildings associated with this use, including farmhouses, barns and silos, shall meet the required minimum setbacks for principal uses.
- (2) Motor vehicle filling or service stations and towing businesses with storage facilities, in the CI, and motor vehicle repair shops in the CI and GI district, provided that:
 - (a) Pumps shall be at least 25 feet from all road rights-of-way.

- (b) All portions of the lot used for storage or service of motor vehicles shall be paved with a structured pervious surface, including travelways.
 - (c) No obstructions which limit visibility at intersections or driveways shall be permitted.
 - (d) Vehicles, except those vehicles used in the operation of the business or stored pending insurance settlement, may not be stored on the property for more than 90 calendar days, except for towing and storage facilities.
 - (e) A motor vehicle filling or service station shall only be permitted if all properties adjacent to the proposed use are served by a public water supply.
- (3) Extraction activities in the CI and GI districts, provided that:
- (a) Upon filing an application with the Maryland Department of the Environment, the applicant shall file a copy of the application with the Department of Planning and Zoning.
 - (b) Extraction activities shall be buffered from adjacent residential lots and public roads pursuant to §267-30 (Buffer Yards) or by a landscaped earth berm not less than 6 feet in height and 15 feet in width.
 - (c) In addition to §267-30 (Buffer Yards), extraction activities shall maintain a minimum of a 1,000 foot buffer from any adjacent road and a minimum buffer of 1,500 feet from any adjacent residentially zoned parcel. Within the required buffer yard, a minimum 20 foot recreational buffer shall be maintained.
 - (d) The storage of overburden shall not be visible above the tree line and shall be properly screened from any adjacent road or residentially zoned parcel.
 - (e) Blasting activities shall not be permitted within 2,000 feet of any residentially zoned parcel or designated historic landmark.
- (4) Design requirements. The following design requirements shall apply in the CI, LI or GI districts:
- (a) Lot coverage. The maximum building coverage and maximum impervious surface standards shall be as follows:

District	Maximum Building Coverage (percent of total lot)	Maximum Impervious Surface (percent of total lot)
CI	50%	85%
LI	55%	85%
GI	60%	90%

- (12) Rubble landfills are permitted in accordance with §267-90 (Rubble Landfills).
- (13) Integrated Community Shopping Centers (ICSC) shall be permitted in the CI District in accordance with §267-79 (Integrated Community Shopping Centers (ICSC)).

Table 60-1

Design Requirements for Specific Uses - CI Commercial Industrial District

USE CLASSIFICATION	Minimum Lot Area (sq. ft.)	Maximum Lot Area (acres)	Maximum Average Lot Area (acres)	Minimum Lot Area Per Dwelling or Family Unit (sq. ft.)	Minimum Bldg. or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Building Height (feet)
Amusements	10,000					50	25	10	35	36
Industrial					50	60	25	15	25	40
Institutional	40,000					100	30	20	40	36
Motor Vehicles	10,000				25	50	25	10	35	36
Natural Resources	2 acres				50 (bldg.)					36
Retail Trade/Services	10,000				25	50	25	10	35	36
Transportation, Communications and Utilities	10,000				50	50	25	10	40	36
Public Utility Facilities					25		25	25	25	36
Sewage Pumping Stations					200		25	25	25	36
Sanitary Landfills	2 acres				200	100	80	50	80	36
Warehousing, Wholesaling and Processing	20,000				50	70	30	20	40	36
Residential (Transient Housing)	40,000			1,000	25	100	30	20	40	3 stories
Rubble Landfills	100 acres									See §267-90
Mineral Extraction and Processing	2 acres				See §267-61					36

Table 60-1
Design Requirements for Specific Uses - CI Commercial Industrial District

NOTE: General requirements shall apply to all permitted uses in the classification. Some uses may have additional requirements specifically cited in Article IX Special Exceptions.
Section 2 of Bill 84-37 provided that said act "shall not apply to a prior conditional use approval authorized by the Board of Appeals or to any subdivision or development of land that has a recorded plat and has also received 3 or more building permits for the location of mobile homes by the effective date of said act".

Table 60-2

Design Requirements for Specific Uses - LI Light Industrial District

USE CLASSIFICATION	Minimum Lot Area (sq. ft.)	Maximum Lot Area (acres)	Maximum Average Lot Area (acres)	Minimum Lot Area Per Dwelling or Family Unit (sq. ft.)	Minimum Bldg. or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Building Height (feet)
Amusements	10,000					50	25	10	35	36
Industrial					50	60	25	15	25	40
Institutional	40,000				50	100	30	20	40	36
Motor Vehicles	10,000				25	50	25	10	35	36
Natural Resources	2 acres				50 (bldg.)					36
Services	10,000				25	50	25	10	35	36
Transportation, Communications and Utilities	10,000				50	50	25	10	40	36
Public Utility Facilities					25		25	25	25	36
Sewage Pumping Stations					200		25	25	25	36
Warehousing, Wholesaling and Processing	20,000				50	50	25	15	25	40
Residential (Transient Housing)	20,000				25	100	25	10	25	3 stories
Rubble Landfills	100 acres									See §267-90

Table 60-2
Design Requirements for Specific Uses - LI Light Industrial District

NOTE: General requirements shall apply to all permitted uses in the classification. Some uses may have additional requirements specifically cited in Article IX Special Exceptions.

Table 60-3

Design Requirements for Specific Uses - GI General Industrial District

USE CLASSIFICATION	Minimum Lot Area (sq. ft.)	Maximum Lot Area (acres)	Maximum Average Lot Area (acres)	Minimum Lot Area Per Dwelling or Family Unit (sq. ft.)	Minimum Bldg. or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Building Height (feet)
Amusements	10,000					50	25	10	35	36
Industrial					100	60	25	15	25	40
Institutional	40,000				25	100	30	20	40	36
Motor Vehicles	20,000				25	50	25	10	35	36
Natural Resources	2 acres				50 (bldg.)					36
Retail Trade/Services	20,000				25	50	25	10	35	36
Transportation, Communications and Utilities	10,000				50	50	25	10	40	36
Public Utility Facilities					25		25	25	25	36
Sewage Pumping Stations					200		25	25	25	36
Sanitary Landfills	2 acres				200	100	80	50	80	36
Warehousing, Wholesaling and Processing					50	50	25	10	25	40
Residential (Transient Housing)	40,000			1,000	25	100	30	20	40	3 stories
Rubble Landfills	100 acres									See §267-90
Mineral Extraction and Processing	2 acres				See §267-61					36

Table 60-3

Design Requirements for Specific Uses - GI General Industrial District

NOTE: General requirements shall apply to all permitted uses in the classification. Some uses may have additional requirements specifically cited in Article IX Special Exceptions.

- (a) The land may be developed only for a nonresidential use that is beneficial to the community, as specified in the amended easement;
 - (b) The agreement of the County Council shall be evidenced by legislative act of the Council; and
 - (c) An amended easement shall be effective only upon its recordation in the Land Records of the County.
- (5) Public roads shall be designed in a manner that is consistent with the Harford County Road Code and with the surrounding rural character.
 - (6) The easement shall not provide for public access to any privately-owned land.
 - (7) Landscaping and buffering. Landscaping and buffering in developable areas shall conform to the regulations in §267-29 (Landscaping) and §267-30 (Buffer Yards).

§ 267-73. Agricultural/Commercial. [Amended by Bill 13-52; Bill 15-23 as amended; Bill 15-39 as amended; and Bill 17-04]

A. General provisions. The following general requirements shall be applicable to all projects developed under this Article:

- (1) Must be approved by the Director of Planning.
- (2) Except as otherwise provided in this Subsection, the parcel shall be a minimum of 10 acres.
- * (3) For the 3 years prior to application for approval, gross agricultural income shall have been at least \$15,000 annually, as set forth on Internal Revenue Code Schedule F, or as set forth on any other financial documentation requested and approved by the Department of Planning and Zoning. Gross agricultural income shall remain at least \$15,000 annually as set forth in this Subsection (3).
- (4) The parcel shall be zoned and assessed agricultural.
- (5) Meets the specific criteria for the use.
- (6) Must be owner or tenant operated.
- (7) Safe and adequate access shall be provided for vehicular traffic, as determined by the State Highway Administration or Harford County.
- (8) Hours of operation are permitted between 6:00 a.m. and 10:00 p.m. unless otherwise specified.
- (9) Any lighting shall be shielded and directed away from any off-site residence and may be used only during permitted hours of operation.

* *Note: Per Section 2 of Bill No. 15-23 as amended, The requirements of this Act shall not apply to projects that have applied for preliminary or site plan approval prior to September 15, 2015.*

- (10) Buildings in which animals are housed shall comply with §267-53 (AG Agricultural District).

- (11) Setbacks for these uses shall be a minimum of 100 feet from any property line except road frontage and 200 feet from any off-site residence. A buffer yard shall be provided between any parking or storage area and any public road and any off-site residence.
- (12) Written approval from the record owner is necessary if someone other than the owner of record is operating the use.

B. Amusements.

- (1) Commercial riding stables.
 - (a) Parking shall be provided a minimum of 100 feet from property lines except road frontage and 200 feet from any off-site residence.
 - (b) Pursuant to §267-30 (Buffer Yards), the property on which the commercial stable is located shall be buffered with a type "C" buffer. The buffer yard may be included in the setback area.
- (2) Private parties and receptions.
 - (a) Unless located entirely within an enclosed building, this use shall not be located less than 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (b) Adequate parking shall be provided on site and screened from any off-site residence.
 - (c) Hours of operation are not permitted between 12:00 midnight and 6:00 a.m.
- (3) Farm breweries.
 - (a) Adequate parking shall be provided on site and screened from any off-site residence.
 - (b) Planting of the grain, produce or fruit, as applicable, used as the ingredient in the brewing of the product is required to be initiated upon approval.
 - (c) Hours of operation are permitted between 10:00 a.m. and 10:00 p.m.
 - (d) Any enclosed structure, or portion thereof, to be used for tastings, sales or events shall not exceed 2,500 square feet.
 - (e) Events designed to promote the farm brewery shall be permitted on the property, subject to the applicable requirements and conditions set forth in Article 2B, Alcoholic Beverages, of the Maryland Annotated Code, as amended.
 - (f) The owner shall obtain all other necessary and required Federal and State licenses and approvals prior to operating.

C. Industrial uses associated with agricultural uses as provided for in the use charts.

- (1) Any new buildings or additions shall be located a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence. Existing buildings shall be exempt.
 - (2) Outside storage is permitted provided it is a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
- D. Motor vehicle.
- (1) Commercial or construction vehicles and equipment storage, service and repair, used in the farming operation and owned by the farmer or tenant operator may be located on the property provided that the parcel is a minimum of 20 acres. The storage of commercial or construction vehicles and equipment shall be located not less than 100 feet from any property line except road frontage and 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
 - (a) Farm vehicles or pieces of equipment may be located on the farm property provided that the parcel is a minimum of 20 acres.
 - (b) Storage of these vehicles or equipment for repair shall be a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
 - (2) School buses. A maximum of 25 school buses may be located on the property provided that the parcel is a minimum of 20 acres. School buses shall be located not less than 100 feet from any property line except road frontage and 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
- E. Retail trade.
- (1) Feed and grain storage and sales.
 - (a) Adequate on-site parking shall be gravel covered and a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (b) Hours of operation are permitted between 6:00 a.m. and 10:00 p.m. unless otherwise specified.
 - (2) Farm markets, private.
 - (3) Auction houses – animal and agricultural related products or non-agricultural related.
 - (a) Auctions shall be limited to 2 sales per month.
 - (b) Adequate on-site parking shall be provided.
 - (c) Outside sales or storage shall be a minimum of 100 feet from any lot line.
 - (d) Sales items shall not be stored outside for more than 30 days.
- F. Services.
- (1) Veterinary practice, large animals.
 - (a) Hours of operation shall not be limited for this use.

- (b) The entire use must be setback 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
- (2) Restaurants.
 - (a) Shall not have seating capacity to accommodate more than 30 patrons.
 - (b) Any lighting shall be shielded and directed away from any off-site residence and may be used only during permitted hours of operation.
 - (c) Adequate on-site parking shall be gravel covered and a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (d) Shall not be in operation between 10:00 p.m. and 6:00 a.m.

§ 267-74. Garden and Mid-Rise Apartment Dwellings (GMA). [Amended by Bill 11-04, as amended]

- A. Purpose. To provide for development of multi-family dwelling unit projects in the B3 and R4 zoning districts.
- B. Objectives.
 - (1) To provide opportunity for new residential and mixed use development in the Development Envelope.
 - (2) To encourage quality design and incorporation of limited business uses within a single development.
 - (3) To assure compatibility of the proposed land uses with internal and surrounding uses.
- C. Development standards.
 - (1) Permitted uses. The following uses shall be permitted:
 - (a) Garden apartments.
 - (b) Mid-rise apartments. In the R4 district, retail and service uses may be incorporated into the overall project for up to 30% of the gross square footage. Business uses shall be located on only the first floor of any building. No more than 1 restaurant or bar shall be permitted per project. Freestanding signs advertising the business uses shall be limited to 120 square feet in size per project.
 - (2) Access. Primary access to the GMA site shall be from a primary residential or higher functionally classified road.
 - (3) Design. The proposed project shall be designed with buildings which are compatible and harmonious with surrounding uses. Efforts shall be made to minimize the impact and maximize the aesthetics to adjoining or surrounding properties. The design shall provide for adequate buffers, pursuant to §267-30 (Buffer Yards).
 - (4) Open space. The open space shall constitute at least 20% of the parcel area, of which at least 10% shall be suitable for and devoted to active recreation. The project should be designed so that active recreational areas are suitably located and accessible to the residential dwellings and adequately buffered to ensure

privacy and quiet for adjoining residential uses. All open space shall be provided pursuant to §267-31 (Open Space).

- (5) Landscaping. Any area not used for buildings, structures or parking shall be landscaped and properly maintained, pursuant to §267-29 (Landscaping).
- (6) For development in the B3 zoning district, which is located entirely within the Development Envelope, the R4 Conventional with Open Space (COS) Design Standards shall be used. The permitted density shall not exceed 20 dwelling units per acre.

§ 267-75. Nursing Homes and Assisted Living Facilities.

These uses may be granted in the R2 and CI districts in the Chesapeake Science and Security Corridor, provided that:

- A. A minimum parcel area of 5 acres is established and a maximum building coverage of 40% of the parcel is provided.
- B. The setbacks of the district for institutional uses shall be met.
- C. The density shall not exceed 20 beds per acre of the parcel.
- D. In the CI district, consideration shall be given to protection of the residents from impacts of nearby industrial uses:
 - (1) To minimize exposure to noise and other emissions from roads, parking areas and industrial activities, outdoor active and passive recreation areas shall be buffered with a combination of evergreen and deciduous trees that are at least 6 feet high at the time of planting.
 - (2) Before opening the facility, its operator shall file emergency evacuation and sheltering plans for the facility with the Emergency Operations Division and the 3 closest volunteer fire and ambulance companies.
 - (3) The Director of Planning may deny an application if the proposed facility would be located near an industrial use that constitutes a potential hazard to the residents.

§ 267-76. Mixed Use Center. [Amended by Bill 11-04, as amended]

- A. Purpose. To provide opportunities and incentives for high quality mixed use development that creates a synergy of uses, attractive and efficient design and a reduction of vehicle miles traveled by locating a variety of uses in one location in the B1, B2, B3, CI, GI, LI and R4 zoning districts within the Development Envelope, as defined on the most recently adopted Land Use Plan.
- B. Objectives.
 - (1) To encourage orderly, staged development of comprehensively designed mixed use centers.
 - (2) To create a mixture of office, retail, recreational, hotel and residential uses within a single structure or within multiple structures, where all related structures, parking

and open spaces are designed to function as a cohesive and integrated site, while protecting the residential character of surrounding neighborhoods.

- (3) To provide for an enriched and enhanced natural environment by the preservation of trees and the incorporation of stormwater management techniques which maintain the hydrologic regime of the site.
- (4) To assure compatibility of the proposed land uses with the internal and surrounding uses by incorporating innovative standards of land planning and site design.
- (5) Encourage harmonious and coordinated development of sites, considering the existing natural features, bicycle, pedestrian and vehicular circulation and compatibility with surrounding uses.
- (6) Encourage development that is of excellent design and architecture with a mix of uses that will create a synergy of uses, efficiency of design and a reduction of vehicle miles traveled.

C. Eligibility.

- (1) In order for a project to utilize the mixed use center development standards, the property must be located in the B1, B2, B3, CI, GI, LI or R4 zoning districts within the Development Envelope, as defined on the most recently adopted Land Use Plan.
- (2) Any project utilizing the mixed use center development standards must utilize public water and sewer.
- (3) A minimum parcel area of 5 acres must be established.

D. Permitted uses.

- (1) Any use permitted in the B1, B2, B3, CI, GI, LI and R4 zoning districts shall be permitted regardless of the underlying zoning district of the property.
- (2) Mix of uses. The following percentage of floor area proposed on site as shown on all plans shall not exceed the following:

Residential uses	75%	In accordance with B3 or R4 requirements as a PRD or COS development
Service uses	75%	In accordance with B3 or CI requirements
Retail trade	50%	In accordance with B3 or CI requirements
Institutional	50%	In accordance with B3, R4, CI, LI or GI requirements
Industrial	50%	In accordance with CI, LI or GI requirements
Motor vehicle/related	25%	In accordance with B3 or CI requirements
Warehousing, wholesaling	25%	In accordance with CI, LI or GI requirements
All other uses	25%	In accordance with B3, R4 or CI, LI or GI requirements

E. Site design.

- (1) The project shall provide a unified arrangement of buildings, service areas, parking and landscaped areas.

- (2) Setback requirements.
 - (a) Front setback: 33 feet from the center line of unreserved right-of-way or 20 feet from the public right-of-way.
 - (b) Rear setback: 20 feet; 10 feet when adjacent to open space.
 - (c) Side setback: 10 feet on side, total of 20 feet.

§ 267-81. Mobile Home Subdivision (MHS).

- A. Eligibility. A MHS shall be at least 5 acres and located in an R3 or R4 district.
- B. Development standards.
 - (1) Permitted uses.
 - (a) This project may include mobile homes but shall not include recreational vehicles or travel trailers.
 - [1] The mobile home unit shall be placed on a permanent foundation unpierced, except for required ventilation and access. Installation shall include a positive surface water drainage away from each unit.
 - [2] All wheels, axles, transporting lights and removable towing apparatus shall be removed from each unit prior to occupancy.
 - (2) Site design.
 - (a) All dwelling units shall be sited with regard to the topography, soils and natural features of the parcel.
 - (b) All dwelling units shall be sited to promote privacy and ensure natural light for all principal rooms.
 - (c) No structure shall be less than 50 feet from the property lines of the project. A type "C" buffer shall be provided along all property lines at the periphery of the project, pursuant to §267-30 (Buffer Yards).
 - (d) A landscaping plan shall be submitted in accordance with §267-29 (Landscaping).
 - (3) Vehicular circulation. The project roads shall be designed to provide a logical road network adequate for internal movement.
 - (4) Parking.
 - (a) There shall be 2 parking spaces, measuring at least 9 x 18 feet, for each dwelling unit.

- (b) The required parking spaces may be located within the required front yard area of individual lots. If group parking areas are used, these areas shall be arranged so as to prevent through traffic to other parking areas and shall be screened from adjacent projects and public roads.
- (5) Open space. The open space shall be generally continuous, accessible to the residents and protective of natural features. The following open space requirements shall be met:

- (a) Open space shall be provided as follows:

District	Minimum Open Space (percentage of parcel area)
R3	15%
R4	20%

- (b) All open space shall be provided pursuant to §267-31 (Open Space).
- (6) Recreational facilities. Adequate recreational facilities shall be provided in each phase of development to meet the needs of the residents.
- C. Density and lot characteristics. The density, lot sizes and design requirements for a mobile home subdivision shall be those permitted for a conventional development of single-family detached dwellings in the zoning district in which the project is located.
- D. For Conventional with Open Space and Planned Residential Developments, where a mobile home subdivision is part of a COS or PRD project, the requirements of §267-70 (Conventional with Open Space (COS)) or §267-71 (Planned Residential Development (PRD)), respectively, shall apply in addition to the requirements of this section. All regulations applicable to both the MHS and to the COS or PRD shall be met.

§ 267-82. Housing for the Elderly. [Amended by Bill 17-04]

- A. Eligibility. Housing for the elderly shall have the following eligibility requirements:
 - (1) In the B2, B3 and C1 districts, the minimum lot size shall be 10 acres. In the R2, R3 and R4 districts, the minimum lot size shall be 4 acres.
 - (2) Where such a project cannot be served by public water supply and public sewage disposal systems, water supply and sewage disposal adequate to meet the needs of the residents shall be provided in a system approved by the County Health Department.
- B. Development standards.
 - (1) Permitted uses. The accessory uses permitted in a housing for the elderly project may include convenience goods stores, personal services, professional services, restaurants, health services and medical clinics. Common activity areas, including the above uses, and other areas serving the collective needs of the residents shall not exceed 100 square feet per dwelling unit. Permitted housing types shall include townhouse dwellings, patio/court/atrium dwellings, multiplex dwellings, garden apartment dwellings and mid-rise apartment dwellings.

- (2) Density. The maximum density shall be 7 units per gross acre in R2 districts and 14 units per gross acre in the R3, R4, B2, B3 and CI districts.
- (3) Site design.
 - (a) The project shall be designed with regard to soils, topography and natural and historic features of the parcel.
 - (b) All residential structures shall be sited so as to promote privacy and security and to ensure natural light for all living areas.
 - (c) Buildings near the periphery of the project shall be harmonious with neighborhood areas and shall provide adequate transition in density and type or shall provide a buffer yard as required in §267-30 (Buffer Yards). In the B2, B3 and CI districts, a buffer yard 20 feet wide shall be provided.
 - (d) No building shall be located within 10 feet of the private road right-of-way and parking areas.
 - (e) Business uses in housing for the elderly shall be designed with their primary orientation to the project and integrated with the dwelling units consistent with the needs of the future residents. Business uses shall occur within completely enclosed buildings. No freestanding signs advertising business uses shall be permitted.
- (4) Vehicular and pedestrian circulation and access.
 - (a) The project roads shall be designed to provide a logical road network adequate for internal movement.
 - (b) The project must be directly accessible from 1 or more existing or planned arterial, collector or primary residential roads.
 - (c) Particular attention shall be given to providing safe conditions for both pedestrian and vehicular movements.
 - (d) Adequate access shall be provided for emergency vehicles and personnel.
 - (e) Internal roads may be designed and constructed as private roads in accordance with the private road standards established in the Harford County Subdivision Regulations.
- (5) Open space. The open space shall be generally continuous, accessible to the residents and protective of natural features. At least 50% of the total parcel area shall be in open space.
 - (a) Recreational facilities. Adequate recreational facilities shall be constructed in each phase of development to meet the needs of the residents. The developer shall provide a schedule for the installation of the facilities at the time the project is approved.

- (b) The active recreation space shall be a minimum of ½ acre and may include indoor and outdoor facilities designed to provide opportunity and encouragement for physical activity. The required active open space may be reduced by the Director of Planning based upon the specific program proposed by the developer.
- (c) All open space shall be provided pursuant to §267-31 (Open Space).
- (6) Minimum conditions and covenants regarding age restrictions. The following conditions and covenants are required, at a minimum, to be contained in deeds of covenants, conditions and restrictions to be recorded at the time that a plat for the housing for the elderly development is recorded:
 - (a) The project is intended to constitute housing intended and operated for occupancy by at least one person 55 years of age or older per unit, to the extent required by the housing for older persons act of 1995 and Section 807(b)(2)(c) of the Fair Housing Act (42 U.S.C. 3607(b)(2)(c)) (the "Fair Housing Act").
 - (b) Subject to the provisions of paragraph (f) below, and exceptions otherwise authorized and approved by the Board, each unit must be occupied by at least one resident who is 55 years of age or older.
 - (c) Residents under 19 years of age or younger are not permitted unless such person is:
 - [1] Necessary to provide a reasonable accommodation to a handicapped resident; or
 - [2] Is a handicapped dependent of a resident, only to the extent permitted and/or required by the provisions of the Fair Housing Act.
 - (d) Guests of owners or residents who are under 19 years are permitted to stay in the unit for periods of time not to exceed a total of 60 calendar days for each such guest in any one calendar year (with each calendar year being measured from January 1 through December 31 of any given year).
 - (e) Nothing contained herein shall be deemed to prohibit the daily visitation by persons not otherwise permitted to occupy a unit (including persons under 19 years of age who are family members or guests of the owner or occupant of a unit), provided such visitation shall not be for a period of more than 72 continuous hours.
 - (f) Subject to the provisions of the fair housing act, a surviving spouse of an owner or resident who was 55 years of age or older may retain the occupancy of the unit without regard to the age of the surviving spouse provided, however, that the continued occupancy of the surviving spouse does not violate the requirements of the fair housing act that at least 80% of the units be occupied by a person who is 55 years of age or

older. In the event that less than 80% of the units are occupied exclusively by persons who are 55 years of age or older, the owners or residents may be required by the entity named in the covenants and restrictions as having such authority (hereinafter referred to as "the Board") to vacate the units in order to comply with the requirements of the fair housing act. In the event that the Board requires that an owner or resident vacate their unit, the owner or resident must vacate within 180 calendar days from the date of notification by the Board.

- (g) The Board shall have the authority to adopt such rules and regulations as it may deem necessary or desirable to implement the foregoing restrictions and to ensure that the property otherwise complies with the fair housing act and any corresponding State or local law or ordinance (and any regulations promulgated thereunder). In the event that the exemptions relating to "housing for older persons" under the fair housing act or any State or local law or ordinance, as applied to the property, shall be modified, expanded, supplemented, clarified, defined, explained and/or limited, the Board shall have the authority to adopt rules and regulations modifying such restrictions to the extent deemed necessary or desirable by the Board in response thereto provided, however, that no such rule or regulation shall cause or allow the property to no longer qualify for exemption under the fair housing act or any State or local law or ordinance without the express prior written consent of the declarant.
- (h) Each owner or occupant of a unit, if and when requested to so do by the Board, shall promptly furnish the Board with the names and ages of all occupants of the unit and shall complete and submit such affidavits and other documents as the Board may reasonably request to verify the age of all unit occupants.

C. In order to modify any of the conditions contained in Subsection B(6) herein, the entity designated in the covenants and restrictions as having such authority must receive the written approval of Harford County. Any such modification must be recorded in the Land Records of Harford County, Maryland to be effective.

D. Specific design requirements.

- (1) Front, rear and side yards and maximum height shall be as shown on Table 55-4.2, Design Requirements for Specific Uses/R4 Urban Residential District for Residential: PRD.
- (2) The project design shall be compatible with residential uses in the neighborhood. Evaluation of the compatibility shall be based upon height, facade, building bulk and architectural features of the project and of the neighborhood.
- (3) Maximum building coverage. The maximum building coverage shall be as follows:

Dwelling Types	Maximum Building Coverage (percent of total lot)
Patio/court/atrium, townhouse and multiplex	40%
Garden and mid-rise apartments	30%

- (4) Impervious surface ratio. The maximum impervious surface for any housing for the elderly project shall not exceed 50% of the total parcel area.
- (5) The height of each structure, other than garden or mid-rise apartments, shall comply with the height requirement of the district. The height of a garden or mid-rise apartment is limited to 4 stories in the R2 zoning district and 5 stories in R3, R4 and CI zoning districts.

§ 267-83. Continuing Care Retirement Community (CCRC). [Amended by Bill 13-35]

A. Eligibility. CCRC's shall have the following eligibility requirements:

- (1) The project developer shall have filed a statement of intent to provide continuing care facilities in accordance with the Human Services Article of the Annotated Code of Maryland, as amended. The project shall be developed in accordance with and regulated by The Human Services Article of the Annotated Code of Maryland, Continuing Care Contracts (the "state CCRC act"), as amended.
- (2) The minimum lot size shall be 20 acres.
- (3) The project shall be served by public water supply and public sewer facilities.
- (4) The project must be directly accessible from one or more existing or planned arterial, collector or primary residential roads.

B. Development standards.

- (1) Permitted housing types. For purposes of this section only, a variety of housing types may be permitted on a single parcel. These may include garden or mid-rise apartments, patio, atrium or court dwellings, multiplex units, duplex units, townhouses, single-family detached dwellings or other units which meet the needs of the residents. Dwelling units shall include independent living units along with assisted living and skilled care facilities. The maximum number of beds in the skilled care facility may not exceed 20% of the total number of independent dwelling units approved for this project by Maryland Office on Aging. For additional beds, application can be made for a Certificate of Need ("CON") with the State of Maryland.
- (2) Permitted uses. Ancillary uses, including community convenience stores, branch banks, auditoriums, TV studios, theaters, retail gift shops and professional, medical, health and personal services, dining facilities and meeting rooms and other resident activity facilities are permitted, provided:
 - (a) The uses are located within the residential buildings or within community buildings that are architecturally compatible with the residential structures and are for the use and benefit of the residents of the community, their guests and the employees.
 - (b) There are no advertising signs indicating the uses placed along the boundary of the community.

ARTICLE IX. Special Exceptions

§ 267-86. Purpose.

Special exceptions may be permitted when determined to be compatible with the uses permitted as of right in the appropriate district by this Part 1. Special exceptions are subject to the regulations of this Article and other applicable provisions of this Part 1.

§ 267-87. General Regulations.

- A. Special exceptions require the approval of the Board in accordance with §267-9 (Board of Appeals). The Board may impose such conditions, limitations and restrictions as necessary to preserve harmony with adjacent uses, the purposes of this Part 1 and the public health, safety and welfare.
- B. A special exception grant or approval shall be limited to the Site Plan approved by the Board. Any substantial modification to the approved Site Plan shall require further Board approval.
- C. Extension of any use or activity permitted as a special exception shall require further Board approval.
- D. The Board may require a bond, irrevocable letter of credit or other appropriate guaranty as may be deemed necessary to assure satisfactory performance with regard to all or some of the conditions.
- E. In the event that the development or use is not commenced within 3 years from date of final decision, after all appeals have been exhausted, the approval for the special exception shall be void. In the event of delays, unforeseen at the time of application and approval, the Director of Planning shall have the authority to extend the approval for an additional 12 months or any portion thereof.

§ 267-88. Specific Standards. [Amended by Bill 09-31, as amended; Bill 10-03; Bill 11-04, as amended; Bill 13-4 as amended; Bill 16-007; and Bill 17-04]

The special exceptions enumerated herein, in addition to other conditions as may be imposed by the Board, shall comply with the following requirements:

- A. Amusements.
 - (1) Arenas and stadiums. These uses may be granted in the B3, C1, L1 and G1 districts, provided that:
 - (a) Separate vehicular entrances and exits shall be provided at least 400 feet away from any road intersection.
 - (b) No buildings or structures, including rides or other apparatus, shall be located less than 50 feet from any parcel boundary or less than 200 feet from any adjacent residential lot.

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- (c) No automobile parking space shall be located within any required setback area or within 50 feet of any adjacent residential lot.
 - (d) A minimum parcel area of 75 acres is established.
 - (e) A type "E" buffer, pursuant to §267-30 (Buffer Yards), shall be provided adjacent to any residential lot line.
- (2) Country clubs, golf clubs, tennis and swim clubs. These uses may be granted in the AG, RR, R1, R2, R3, R4 and GI districts, provided that:
- (a) No off-street parking or loading area shall be located within any required yard or within 25 feet of any parcel boundary.
 - (b) Off-street parking and loading areas, swimming pools and tennis courts shall be buffered from adjacent residential lots.
 - (c) The principal access shall be provided from an arterial or collector road.
 - (d) No more than 20% of the land area upon which such a use is conducted may be located in the GI district.
 - (e) Any outside lighting used to illuminate a use permitted under this section shall be designed, installed and maintained in a manner not to cause a glare or reflection on adjacent residential lots.
- (3) Fairgrounds, racetracks and theme parks. These uses may be granted in the AG, CI, LI and GI districts, provided that:
- (a) A minimum parcel area of 75 acres is established.
 - (b) The principal access shall be provided from an arterial or collector road.
 - (c) Separate vehicular entrances and exits shall be provided at least 400 feet away from any road intersection.
 - (d) No buildings or structures, including rides or other apparatus, shall be located less than 50 feet from any parcel boundary or less than 200 feet from any adjacent residential lot.
 - (e) No automobile parking space shall be located within any required setback area or within 50 feet of any adjacent residential lot.
 - (f) A type "E" buffer, pursuant to §267-30 (Buffer Yards), shall be provided adjacent to any residential lot line.
- (4) Marinas and boat launching, storage and repair. These uses may be granted in the AG, RR, R1, R2, R3, R4, B1, B2 and LI districts, provided that:
- (a) In the urban residential districts, such facilities shall be a part of a Conventional with Open Space (OCS) development or a Planned Residential Development (PRD).

- (a) A minimum parcel area of 3 acres is established.
 - (b) Any building shall be at least 100 feet from any adjacent residential lot and at least 50 feet from any other lot line. The front yard depth shall be at least 100 feet, except along roads with 80 foot rights-of-way or more, where the front yard depth shall be at least 50 feet.
 - (c) Total building coverage shall not be more than 30% of the parcel area.
 - (d) No parking space shall be located in any required front yard or less than 50 feet from any adjacent residential lot.
 - (e) A type "C" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any boundary with an adjacent residential lot.
- (6) Hospitals. These uses may be granted in the R2, R3, R4 and RO districts, provided that:
- (a) A minimum parcel area of 15 acres is established.
 - (b) The hospital complies with all applicable rules and regulations of the State Department of Health and Mental Hygiene.
 - (c) The hospital must be serviced by public water and sewer systems.
 - (d) Any structure is located at least 300 feet from any adjacent residential lot.
 - (e) Any parking area shall be at least 25 feet from any adjacent residential lot.
 - (f) Access to the use shall be from an existing or proposed arterial or collector road.
 - (g) A type "C" buffer yard (see §267-30 (Buffer Yards)) shall be provided along any boundary with an adjacent residential lot.
- (7) Schools, colleges and universities, excluding Harford County Public Schools and Harford Community College, offering general academic instruction. These uses may be granted in the AG, RR, R1, R2, R3, R4, RO, VR, VB, B1, B2, B3 and CI districts, provided that:
- (a) It is located on a parcel of at least 1 acre. An additional 800 square feet of parcel area is required for each student in excess of 30.
 - (b) It is located on a parcel frontage of at least 200 feet.
 - (c) A front yard depth of at least 50 feet, a side yard depth equal to at least 2 times the height of the tallest structure located on the parcel which is proximate to the side yard and a rear yard depth of at least 50 feet.
 - (d) School buses shall be garaged or shall be stored in an area to the rear of the main building and adequately buffered.

- (e) A type "C" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any boundary with an adjacent residential lot.
- D. Motor vehicle and related services.
- (1) Commercial vehicle and equipment storage and farm vehicle and equipment sales and service. These uses may be granted in the AG district, provided that:
 - (a) The vehicles and equipment are stored entirely within an enclosed building or are fully buffered from view of adjacent residential lots and public roads.
 - (b) The sales and service of construction and industrial equipment may be permitted as an accessory use incidental to the sales and service of farm vehicles and equipment.
 - (c) A minimum parcel area of 5 acres shall be provided.
 - (d) All parking and storage areas must be clearly delineated and constructed of a stabilized surface.
 - (2) Motor vehicle repair shops. These uses may be granted in the AG and B1 districts, provided that:
 - (a) A type "C" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any adjacent road right-of-way or adjacent residential lot.
 - (b) Outdoor storage shall be prohibited.
 - (c) Vehicles, except those used in the operation of the business, may not be stored on the property for more than 90 calendar days.
 - (d) The rental or storage of trailers, boats and trucks shall be prohibited.
 - (e) The fumes, odors and noise from the vehicle-related work shall be minimized.
 - (f) A minimum parcel area of 5 acres in the AG district and 1 acre in the B1 district is required.
 - (g) In the AG district, the use shall be operated by the resident of the property.
 - (h) Lighting shall be designed and controlled so that any light shall be shaded, shielded or directed so that the light intensity or brightness does not adversely affect the operation of vehicles or reflect into residential lots or buildings.
 - (i) All parking and storage areas must be clearly delineated and constructed of a stabilized surface.

- (8) Its unique location or singular physical characteristics that make it an established or familiar visual feature.
 - (9) Its character as a particularly fine or unique example of a utilitarian structure, with a high level of integrity or architectural significance.
 - (10) Its suitability for preservation or restoration.
 - (11) Its significance as an archaeological site.
- B. Any structure, property or area that meets 1 or more of the above criteria shall also have sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration.

§ 267-109. Nomination Report and Recommendation of Preservation Commission. [Amended by Bill 15-17 and Bill 17-04]

The Preservation Commission shall, within 90 calendar days from receipt of a completed nomination in proper form, determine that the nominated Landmark does or does not meet the criteria for designation.

- A. The determination shall be forwarded in a report to the Director of the Department of Planning and Zoning. The report shall include, but is not limited to, the following information:
- (1) An explanation of the significance or lack of significance of the nominated Landmark as it relates to the criteria for designation.
 - (2) An explanation of the integrity or lack of integrity of the nominated Landmark.
 - (3) In the case of a nominated Landmark found to meet the criteria for designation, the report shall include a detailed description of the property's historic, archaeological or architectural significance and an analysis/description of unique or special features that contribute to the historical significance of the property:
 - (a) The significant exterior architectural features of the nominated Landmark that should be protected.
 - (b) The types of construction, alteration, demolition and removal, other than those requiring a building or demolition permit that should be reviewed for appropriateness.
 - (4) Criteria for review of certificates of appropriateness shall conform to the United States Secretary of Interior's Standards for the Treatment of Historic Properties.
 - (5) The relationship of the nominated Landmark to the ongoing effort of the Commission to identify and nominate all potential areas and structures that meet the criteria for designation.
 - (6) All Landmarks, appurtenances and environmental settings appropriate to ensure preservation of character and historical integrity.

- (7) Recommendations as to appropriate permitted uses, special uses, height and area regulations, minimum dwelling size, floor area, sign regulations and parking regulations necessary or appropriate to the preservation of the nominated Landmark.
 - (8) A map showing the location of the nominated Landmark.
- B. The recommendations and report of the Commission shall be sent to the Department of Planning and Zoning within 14 calendar days following the vote of the Commission and shall be available to the public.

§ 267-110. Establishments of Landmarks. [Amended by Bill 17-04]

- A. Notices.
- (1) Immediately upon completion of the nomination of a Landmark, the Department of Planning and Zoning shall inform the owner of the property, by registered mail, of the nomination. The notice shall include copies of the proposed nomination, draft legislation and a form requesting the owner's and/or owner's agreement to the nomination. If the owner does not agree to the nomination and/or designation, all action pertaining to the site shall cease.
- B. Notice and hearing.
- (1) The Department of Planning and Zoning, in conjunction with the Preservation Commission, shall conduct public meetings to consider structures to be included on the Landmarks list.
 - (2) For each structure or group of structures, a sign shall be conspicuously posted giving notice of the public meeting on whether a structure should be included on the Landmarks list.
 - (3) The public meeting shall be held within 14 calendar days after the sign is posted.
 - (4) The Department of Planning and Zoning shall submit the nominated Landmark to the County Council for adoption.
 - (5) Upon designation, the Landmark shall be incorporated into the Zoning Code and identified by name and historic inventory number.
- C. Interim control. No building permit shall be issued by the Department of Inspections, Licenses and Permits for alteration, construction, demolition or removal of a nominated Landmark from the date of meeting of the Commission at which a nomination form is first presented until the final disposition of the nomination by the County Council, unless such alteration, removal or demolition is authorized by formal resolution of the County Council as necessary for public health, welfare or safety. In no event shall the delay be for more than 90 calendar days.

- J. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

§ 267-116. Determination by Commission. [Amended by Bill 15-17; and Bill 17-04]

The Historic Preservation Commission shall review the application for a Certificate of Appropriateness and recommend to the Department of Planning and Zoning, approval or denial of the Certificate of Appropriateness within 90 calendar days of receipt of the application. Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided to the applicant, the Department of Planning and Zoning and the Department of Inspections, Licenses and Permits within 14 calendar days following the determination.

§ 267-117. Denial.

A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Historic Preservation Commission shall make recommendations to the Department of Planning and Zoning concerning changes, if any, that could resolve the issues. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Historic Preservation Commission.

§ 267-118. Buffer Requirements.

Except when the Landmark is County owned or operated, the following requirements must be met:

- A. If a proposed use will be on a property that is adjacent to a designated County Historic Landmark and if the proposed use is within 500 feet of the Landmark, the proposed use shall have a buffer and landscaping in accordance with this section.
- B. The Director of Planning shall determine the required width and landscaping of the buffer.
 - (1) The width shall be up to 75 feet.
 - (2) Landscaping shall be provided consistent with the criteria put forth in §267-29 (Landscaping).
- C. Before determining the required width and landscaping alternative, the Director of Planning shall obtain a recommendation from the Historic Preservation Commission. In making its recommendation, the Historic Preservation Commission shall consider the following:
 - (1) The nature and extent of the proposed use, the degree of compatibility between the proposed use and the County Historic Landmark.
 - (2) The extent to which the buffer yard will help to preserve the character of the County Historic Landmark.
 - (3) The size of the property on which the proposed use will be located.

- (4) The distance of the proposed use from the County Historic Landmark.
- (5) The size of the property on which the County Historic Landmark is located.

§ 267-119. Fees.

Fees, if any, shall be as established in Chapter 157 of the Harford County Code, as amended.

§ 267-120. Violations and Penalties.

The County may proceed with appropriate enforcement actions, pursuant to §267-14 (Violations and Penalties).