

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008
Amended thru August 20, 2019

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	14-09	7/11/14
09-11	6/15/09	14-26AA	8/25/14
09-19AA	8/17/09	15-17	12/7/15
09-23AA	10/13/09	15-23AA	1/4/16
09-31AA	1/22/10	15-35AA	2/8/16
09-33AA	1/22/10	15-36AA	2/16/16
10-03	4/20/10	15-39AA	2/16/16
10-30	12/13/10	16-02AA	5/17/16
10-32AA	12/27/10	16-07	7/5/16
11-04AA	5/23/11	16-20	8/22/16
11-05AA	5/23/11	16-28	2/13/17
11-03	5/31/11	16-29AA	2/13/17
11-32	12/12/11	17-02	4/24/17
11-44	12/19/11	17-04	6/5/17
11-62AA	1/13/12	17-08AA	8/14/17
12-07AA	5/14/12	17-15AA	12/26/17
12-14	5/21/12	17-18AA	1/16/18
12-44	1/26/13	18-04AA	6/18/18
12-48AA	2/11/13	18-33	12/10/18
13-4AA	5/6/13	18-34	12/10/18
13-17	7/22/13	18-35	12/10/18
13-35	1/21/14	18-36	12/10/18
13-36	1/21/14	19-04AA	5/13/19
13-50	2/18/14	19-15AA	8/12/19
13-51	3/18/14	19-16AA	8/20/19
13-52	3/18/14		
14-01	4/22/14		

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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.

APPURTENANCES AND ENVIRONMENTAL SETTINGS - All the grounds and structures surrounding a designated Landmark or Historic District to which that Historic Landmark or Historic District relates physically or visually. Appurtenances and environmental settings are unique to each Historic Landmark or Historic District and may include, but are not limited to, walkways and driveways (whether paved or unpaved), trees, landscaping, pastures, croplands, waterways, open space, setbacks, parks, public spaces and rocks.

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 ½ 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 6½ 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.

BREWERY, MICRO - A facility that produces malt based liquors such as beer, ale, porter, stout and similar grain based beverages on the premises and which possesses the appropriate license from the State of Maryland. The facility may brew, bottle, contract, store and enter into temporary delivery agreements with distributors. Products may be brewed onsite and sold for on-premises or off-premises consumption in accordance with the limits of the appropriate license from the State of Maryland. Said facility may also include site tours and product tasting.

BREWERY, PRODUCTION - A facility that produces any amount of malt based liquors such as beer, ale, porter, stout and similar grain based beverages to be sold offsite and which possesses the appropriate license from the State of Maryland. Said facility may also include site tours and product tasting.

BREWERY, PUB - A restaurant that is permitted to produce malt based liquors such as beer, ale, porter, stout and similar grain based beverages on the premises for consumption on the premises and which possesses the appropriate license from the State of Maryland. If the restaurant use ceases, the use of the premises would be considered and subject to the regulations of a Brewery, Micro.

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 Department of Planning and Zoning in conjunction with the Historic Preservation Commission indicating its approval of plans for construction, alteration, rehabilitation, restoration, reconstruction, moving, or demolition of a Historic Landmark or of a site or structure within a designated Historic 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.

CLUB, NON-PROFIT – A social, civic service or fraternal association or corporation which is organized as a non-profit organization and operated exclusively for educational, social, civic, fraternal, patriotic or athletic purposes.

CLUB, PRIVATE – A social, civic service or fraternal association or corporation which is organized as a for profit organization for educational, social, civic, fraternal, patriotic or athletic purposes.

CLUB, RECREATIONAL – A yacht or boat club, country club, golf club, swim club or tennis club or other similar use and may be organized as a for profit or non-profit organization. Recreational clubs shall not be open to the general public at any time.

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.

COMMERCIAL HARVESTING - The cutting and removal of trees by companies or private individuals for economic gain.

COMMERCIAL VEHICLE - Any self-propelled or towed vehicle used on public roadways to transport passengers or property when:

- A. The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
- B. The vehicle is designed to transport more than 15 passengers, including the driver; or
- C. The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding in accordance with the hazardous materials regulations of the United States Department of Transportation; or

D. A single, full or semi-trailer with a manufacturer's gross vehicle weight rating over 7,000 lbs.

COMMUNICATIONS ANTENNA - Any structure or device deployed by or on behalf of any government-licensed or government-permitted entity to collect or radiate electromagnetic waves, including directional antennas, microwave dishes and satellite dishes, and omni-directional antennas. Communications antenna does not include a radio operator antenna operated by an amateur radio operator who is licensed by the federal communications Commission and whose domicile is on the lot where the antenna and related equipment is placed.

COMMUNICATIONS TOWER - A structure erected to support communications antennas. Communications towers include, and are limited to:

- A. A lattice tower is a structure that consists of vertical and horizontal supports and metal crossed strips or bars to support antennas and connecting appurtenances. Lattice towers may be freestanding or supported by guy wires. (see guyed tower.)
- B. A monopole is a structure that consists of a single freestanding pole structure to support antennas and connecting appurtenances.
- C. A guyed tower is any communications tower using guy wires connecting above grade portions of a communications tower diagonally with the ground to provide support for tower, antennas and connecting appurtenances.

COMMUNICATIONS TOWER HEIGHT - The measurement from the lowest point of the base at ground level on which the tower is mounted to the top of the tower or the top of the highest point, whichever is greater.

COMMUNITY CENTER - A building, which has a permitted capacity in excess of 150 people, is used for recreational, social, educational, cultural or religious activities and is owned and operated by a public or nonprofit organization.

COMMUNITY GREEN - A primary internal landscaped open space designed and intended for the use and enjoyment of the community.

COMMUNITY PLAN - Sub area planning document that further defines the intentional land use and long-range planning objectives adopted by the County Council.

COMMUNITY WATER SYSTEM - A public water system that uses an average of 10,000 gallons per day and services at least 15 service connections used by year-round residents, or regularly serves at least 25 residents throughout the year.

CONSERVATION DEVELOPMENT - A residential development in which single-family dwelling lots are concentrated in a selected area or selected areas of the parcel.

CONSTRUCTION SERVICES AND SUPPLIERS - The performance of work by or furnishing of supplies to members of the building trades, including building contractors; carpentry and wood flooring services; electrical services; energy systems service and products; general contracting; masonry, stonework, tile setting and plastering services; plumbing, heating and air-conditioning services; roofing and sheet metal services; and septic tanks sales, service and installation.

CONTAINMENT DEVICE - A device that is designed to contain an unauthorized release, retain it for cleanup and prevent released materials from penetrating into the ground.

CONTIGUOUS - Next to, abutting, or touching and having a boundary, or portion thereof, that is coterminous.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC) - A building or group of buildings providing a continuity of residential occupancy and health care for elderly persons. This facility includes dwelling units for independent living, assisted living facilities, plus a skilled nursing care facility of a suitable size to provide treatment or care of the residents; it may include ancillary facilities for the further employment, service or care of the residents. The facility is restricted to persons 60 years of age or older or couples where either the husband or wife is 60 years of age or older. Such facilities must meet the current standards as set forth in the Human Services Article of the Annotated Code of Maryland, as amended.

CONTRIBUTING AREA - The entire area around a well or wellfield that is recharging or contributing water to the well or wellfield.

CONVENIENCE GOODS STORES - Retail establishments of less than 7,500 gross square feet which accommodate neighborhood needs, including retail bakeries, candy, nut and confection shops, dairy products stores, delicatessens, doughnut shops, drugstores, fruit and vegetable stores, meat and fish stores and grocery and food stores.

COPY - The wording, logo or other representation on a sign surface.

CORPORATE OFFICES - Facilities where administrative or clerical operations are performed as the principal use for corporations, businesses, companies, partnerships and associations. The term "corporate offices" does not include professional services as defined in this Subsection unless such professional services are providing assistance solely for the use of the corporate offices and not the general public.

COTTAGE HOUSE - A temporary second dwelling on a single residential lot.

COUNTRY INN - An historic building used for the lodging of 3 or more transients and managed by an owner or resident.

COURT - A fully or partially enclosed area which admits unobstructed light and air, bounded on 2 or more sides by buildings.

CREAMERY - An establishment in which dairy products are processed and produced, including incidental retail sales.

CRITICAL AREA - All lands and waters designated on the overlay maps to the Official Zoning Map of Harford County as Intensely Developed Areas, Limited Development Areas or Resource Conservation Areas, pursuant to the Maryland Annotated Code, Natural Resources Article, §8-1802. Defined terms set forth in COMAR 27.01.01.01.01, as the same is amended from time to time, shall apply to Harford County's Critical Area and, if not specifically defined herein, shall have the meanings set forth in COMAR 27.01.01.01.01.

CRITICAL AREA BUFFER –

A. An area that:

- (1) Based on conditions present at the time of development, is immediately landward from mean high water of tidal waters, the edge of bank of a tributary stream or the edge of a tidal wetland; and
- (2) Exists or may be established in natural vegetation to protect a stream, tidal wetland, tidal waters or terrestrial environment from human disturbance.

B. "Buffer" includes an area of:

- (1) At least 100 feet, even if that area was previously disturbed by human activity; and
- (2) Expansion for contiguous areas, including a steep slope, hydric soil, highly erodible soil, nontidal wetland or a nontidal wetland of special State concern as defined in COMAR 26.23.01.01.

CRITICAL HABITAT AREA - A habitat that:

- A. Is occupied by an endangered species, as determined or listed under the Natural Resources Article, §4-2A-04 or 10-2A-04 of the Annotated Code of Maryland.
- B. Is likely to contribute to the long-term survival of the species;
- C. Is likely to be occupied by the species for the foreseeable future; and
- D. Constitutes habitat deemed critical under the Natural Resources Article, §10-2A-06 of the Annotated Code of Maryland.

CUSTOM MADE WOOD HOUSEHOLD FURNITURE - An establishment engaged in on-site production of individually crafted wood furniture commonly used in dwellings, excluding upholstered furniture.

CUT -

- A. Removing trees without removing stumps and roots; or
- B. A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below the original ground surface or excavated surface.

DATA PROCESSING CENTER - A facility equipped with, or connected to, one or more computers, used for processing or transmitting data.

DAY-CARE CENTER - A facility operated for the purpose of providing nonresidential group care as defined by State law for a specific number of unrelated minor or dependent persons.

DAY-CARE HOME, FAMILY - A residence that is registered by the State in which family day care is provided pursuant to State regulations.

DENSITY - The number of dwelling units per acre of land.

DEPARTMENT - The Department of Planning and Zoning.

DESIGN GUIDELINES/STANDARDS - A set of guidelines defining parameters to be followed in site and/or building design and development.

DEVELOPABLE AREA - The maximum portion of a parcel that may be developed with residential uses under the Conservation Development Standards.

DEVELOPMENT - The construction, reconstruction, conversion, erection, alteration, relocation, or enlargement of any building or structure; any mining, excavation or landfill; and any land disturbance in preparation for any of the above. For the purposes of this section, development does not include the construction, reconstruction, conversion, erection, alteration, relocation, enlargement, or installation of poles, wires, cables, conduits, transformers, and similar equipment by a:

- A. Gas and electric company regulated by the Maryland Public Service Commission; or
- B. Cable television company operating under a franchise granted by the County Council.

DEVELOPMENT ACTIVITIES - The construction or substantial alteration of residential, commercial, industrial, institutional, transportation or utility facilities or structures. In the Critical Area, means human activity that results in disturbance to land, natural vegetation or a structure.

DEVELOPMENTAL DISABILITY - A severe, chronic disability that:

- A. Is attributed to a mental or physical impairment or combination of mental and physical impairments;
- B. Is manifested before the person attains the age of 21;
- C. Is likely to continue indefinitely;
- D. Results in substantial functional limitations in 3 or more of the following major life activity areas: self care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic self sufficiency; and
- E. Reflects the person's need for a combination and sequence of special and interdisciplinary or generic care, treatment, or other services which are of lifelong or extended duration and individually planned and coordinated.

DIAMETER AT BREAST HEIGHT (DBH) - The diameter of a tree measured at 4½ feet above grade.

DISABILITY - A disabling physical or mental condition.

DISTILLERY, FULL – The establishment and operation of a plant for distilling, rectifying and blending an unlimited amount of brandy, rum, whiskey, alcohol and neutral spirits and which possesses the appropriate license from the State of Maryland. The sale and delivery of the alcoholic beverages to a person in the state or outside the state that is authorized to acquire the beverages, the manufacturing of alcoholic beverages in the name of certain other persons, acquiring alcoholic beverages from certain persons, conducting guided tours of the premises and selling or serving limited quantities of products manufactured on the premises shall be permitted. The sale of the manufactured product for off-premises consumption to a person on a guided tour of the distillery in accordance with regulations of the State of Maryland shall be permitted.

DISTILLERY, LIMITED – The establishment and operation of a plant for distilling, rectifying and bottling brandy, rum, whiskey, alcohol and neutral spirits which shall be operated in conjunction with a restaurant or bar and which possesses the appropriate license from the State of Maryland. Said operation may also include retail sales for on-premises or off-premises consumption as permitted by the State of Maryland.

DISTRICT - A zoning district.

DRIPLINE - An imaginary vertical line that extends down from the outermost branches of a tree to the ground.

DRIVEWAY - A private drive providing access to a street or highway.

DWELLING - A building or portion thereof used primarily for human habitation or, where applicable, a single dwelling unit within such building.

DWELLING, ATTACHED - A dwelling unit attached to 1 or more dwelling units by walls or roof.

DWELLING, CARRIAGE COURT - A building containing 4 or more dwelling units, each with a separate entrance.

DWELLING, CLUSTER TOWNHOUSE - A building containing 4 or more attached dwelling units, not more than 2 stories, sharing common walls and designed to orient the building units around a central court.

DWELLING, DETACHED - A dwelling unit that is not attached to any other dwelling by any means.

DWELLING, DUPLEX - A building on a single lot containing 2 dwelling units, which do not share a common entry.

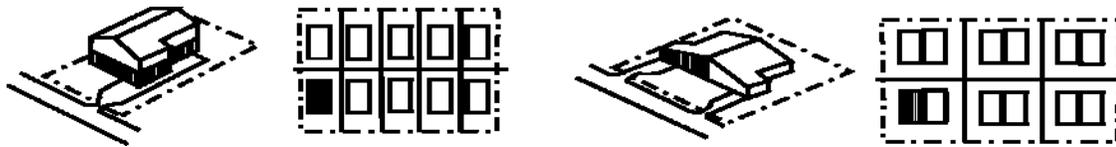


Figure 1 duplex dwelling

DWELLING, GARDEN APARTMENT - A building containing 4 or more dwelling units off a common entry and not more than 3 stories.

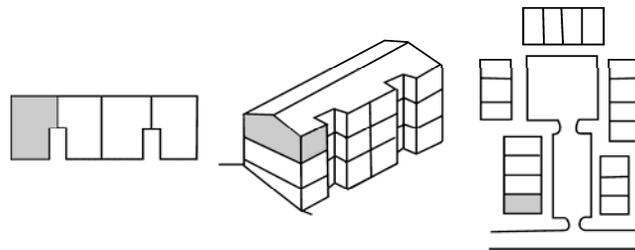


Figure 2 garden apartment

DWELLING, HIGH-RISE APARTMENT - A building containing 8 or more dwelling units, containing 6 stories, with a common entry.

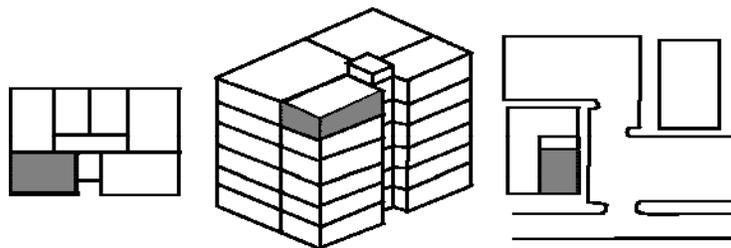


Figure 3 high-rise apartment

DWELLING, LOT-LINE - A building on a single lot containing 1 dwelling unit, located with 1 side on or near 1 side lot line and designed to orient interior living space to the other 3 yards.

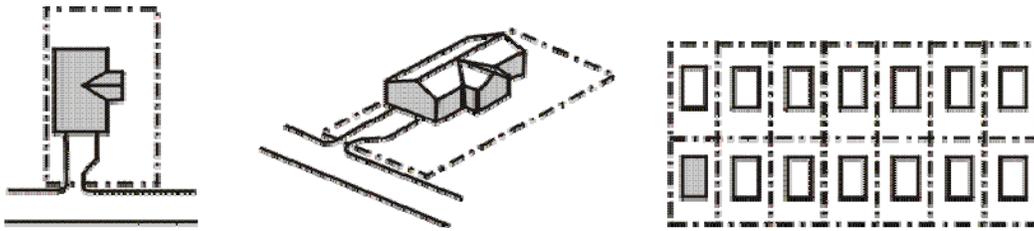


Figure 4 lot line dwelling

DWELLING, MID-RISE APARTMENT - A building containing 8 or more dwelling units off a common entry with either 4 or 5 stories.

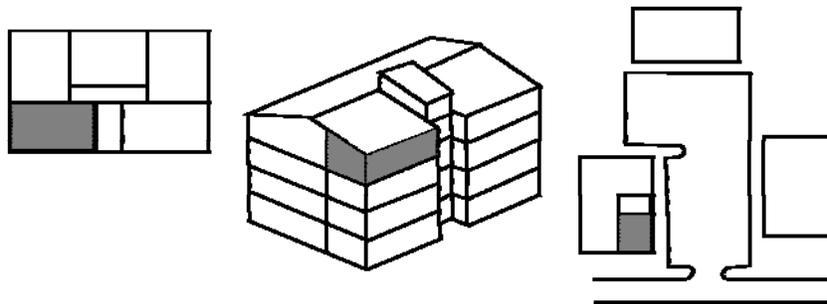


Figure 5 mid-rise apartment

DWELLING, MOBILE HOME - A structure that is transportable in one or more sections, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and if built after 1974, was constructed to the federal mobile home construction and safety standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development.

DWELLING, MULTI-FAMILY - Two or more dwelling units constructed on a permanent foundation, designed for 2 or more families and located on a single lot or parcel.

DWELLING, MULTIPLEX - A building containing 3 or more attached dwelling units having common walls and/or roof and a separate entry for each unit. For buildings containing more than 4 units, interior units access from the front and rear of the dwelling. End units are oriented to the area away from the interior units.

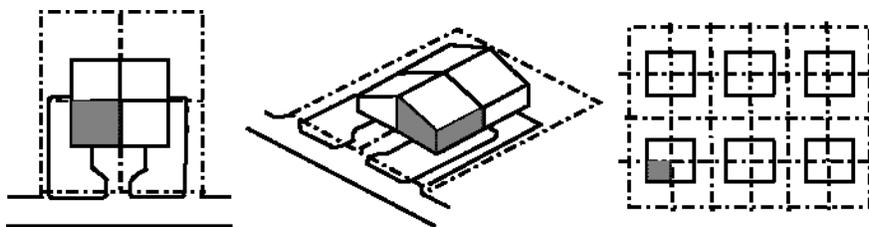


Figure 6 multiplex dwelling

DWELLING, PATIO, ATRIUM OR COURT - A building containing 2 or more attached dwelling units, not more than 1½ stories in height, sharing common walls, and designed to orient interior living space to a court or private open space.

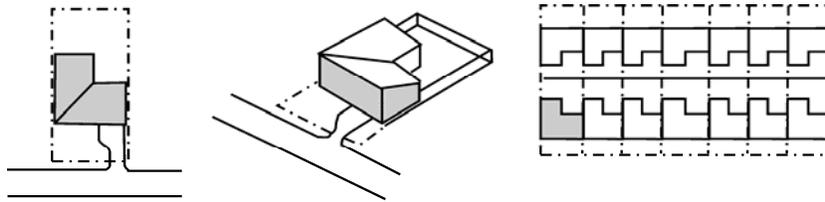


Figure 7 patio, atrium or court dwelling

DWELLING, ROW DUPLEX - A duplex dwelling that shares 1 or more common walls with other duplex or townhouse dwellings.

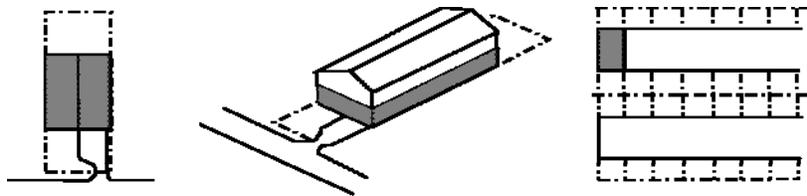


Figure 8 row duplex dwelling

DWELLING, SEMIDETACHED - A building containing 2 attached dwelling units which share a common wall at the lot line and which are on separate lots.

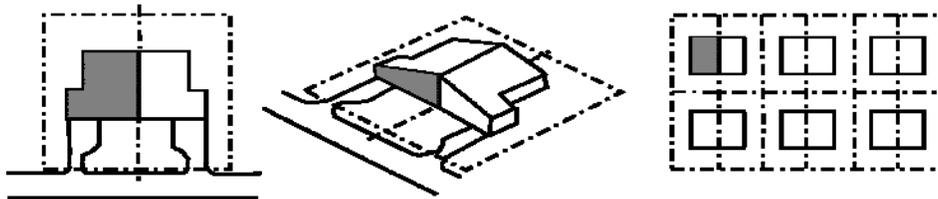


Figure 9 semi-detached dwelling

DWELLING, SINGLE-FAMILY DETACHED - A building containing 1 dwelling unit on 1 lot and detached from any other dwelling. This does not include a mobile home.

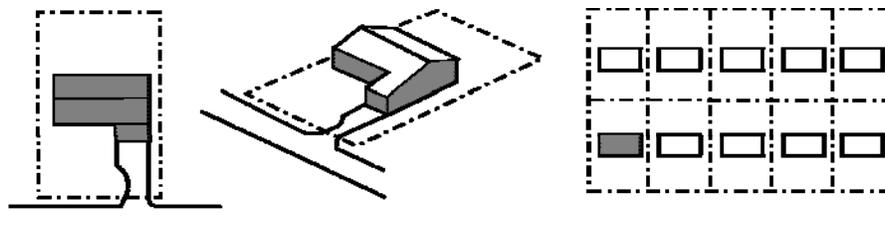


Figure 10 single-family detached dwelling

DWELLING, TOWNHOUSE - A building containing 3 or more attached dwelling units in a row having access from the front and rear of the dwelling.

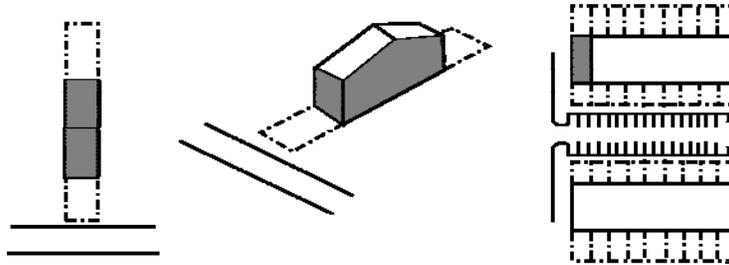


Figure 11 townhouse dwelling

DWELLING, TRANSIENT - Accommodations that shall not serve as a permanent residence.

DWELLING UNIT - A dwelling designed for 1 or more individuals who function as a single household unit or family.

DWELLING UNIT, EFFICIENCY - A dwelling unit consisting of not more than 1 habitable room, together with kitchen or kitchenette and sanitary facilities.

EASEMENT - A grant of 1 or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity for a specific purpose.

EGRESS - An exit.

ENFORCEMENT OFFICER - The Director of the Department of Planning and Zoning or the Director's designee.

EPA - United States Environmental Protection Agency.

EPA STORMWATER NPDES PERMIT - A permit meeting the requirements of the National Pollution Discharge Elimination System Permit Applications Regulations for Stormwater Discharges issued by the EPA on November 16, 1990.

EQUIPMENT BUILDING - Any structure, cabinet or box, accessory to a communications tower or communications antenna which houses equipment related to the wireless transmission of voice, data or other signal.

EXPECTED PEAK GRAVITY FLOW - The projected average flow peaked in accordance with the Maryland Department of the Environment Design Guidelines for Sewerage Facilities Peaking Curve.

EXTERIOR FEATURES, HISTORIC – Include:

- A. Any exterior design, composition or surface of a site or structure, including the architectural style and general design and arrangement of the site or structure;
- B. The finish, appearance, material and texture of any exterior building material on a site or structure; and
- C. The type, formation and style of a site or structure's windows, doors, light fixtures, siding, roofs, chimneys, signs and any other character-defining exterior components of the site or structure.

EXTRACTION - Removal or recovery of soil, rock, minerals, mineral substances or organic substances, other than vegetation, from water or land, on or beneath the surface of either, whether exposed or submerged.

FAMILY - A social unit living together.

FARM - As defined for purposes of the census of agriculture since 1978, any place that has, or has the potential to produce, \$1,000 or more in annual gross sales of agricultural products.

FARM BREWERY – An agricultural processing and manufacturing facility located on a parcel with equipment, components and supplies used for the processing, production and packaging of malt based liquors such as beer, ale, porter, stout and similar grain based beverage on the premises with ingredients being grown on the property on which the facility is located. Said facility shall also include product tasting and may include, among other things, product sales and site tours. Other farm brewer activities may include, but not be limited to, associated cooking, fermenting, bottling, storage, aging, shipping and receiving.

FARM MARKET, PRIVATE - A market held on private property by multiple vendors selling agricultural and agricultural processed products on a limited basis, not exceeding 1 event per crop season.

FARMERS CO-OP - An enterprise that is collectively owned by a group of farmers, is operated for their mutual benefit and provides goods or services in support of agricultural activities.

FENCE - An artificially constructed barrier of any material or combination of materials erected to enclose or buffer areas of land.

FIRE STATION ASSEMBLY HALL - A building that is owned by a fire company and that under the State Fire Prevention Code has a permitted capacity of more than 150 persons.

FLOODPLAIN - The channel and a contiguous area of a stream, river or other water body that has been or may reasonably expect to be flooded by the 1% annual storm.

FLOOR AREA, GROSS - The sum of the gross horizontal areas of all floors of a building measured from the exterior face of exterior walls or from the center line of a wall separating 2 buildings, but not including interior parking spaces, loading space for motor vehicles or any space where the floor-to-ceiling height is less than 6 feet.

FOREST - A biological community dominated by trees and other woody plants, excluding orchards, covering a land area of 10,000 or more square feet including:

- A. An area having at least 100 trees per acre, if at least 50% of the trees have a DBH of 2 inches or more; and
- B. That has been cut, but not cleared.

FORESTED AREA - A biological community dominated by trees and other woody plants covering a land area of 1 acre or more. This also includes areas that have been cut, but not cleared. It also includes areas of 1 acre or more in size that have been designated as developed woodlands not only because they predominantly contain trees and natural vegetation, but also contain residential, commercial or industrial structures and uses. Such areas can further be characterized by the presence of at least 400 seedlings per acre, which are vigorous, well-distributed throughout and free to grow to at least 25% tree canopy cover.

FOREST INTERIOR DWELLING BIRDS - The species of birds identified by the Maryland Department of Natural Resources, that require relatively large forested tracts in order to breed successfully, such as various species of flycatchers, hawks, owls, warblers, vireos and woodpeckers.

FORESTRY - The clearing or harvesting of forested or wooded areas, including temporary logging and milling operations, and selective cutting or clearing for commercial purposes.

FRONTAGE - That portion of a lot that abuts a road or road right-of-way.

GARAGE - A building or part thereof used or intended to be used for the parking and storage of motor vehicles.

GAS STATION - Any business whose primary function is the dispensation of gasoline for vehicles.

GENERAL MERCHANDISE - Any use characterized by the sale of bulky items and/or outside display/storage of merchandise or equipment, such as lumber and building materials, farm and garden supplies, marine equipment sales and service and stone monument sales.

GREENHOUSES AND NURSERIES, COMMERCIAL - A retail business for the cultivation and sale of plants grown on the premises in greenhouses or as nursery stock and accessory items directly related to their care and maintenance, such as pots, soil, mulch, fertilizer, insecticides, rakes or shovels. This use includes the storage and sale of mulch incidental to the nursery operation, but does not include the processing or grinding of mulch.

GROUNDWATER - The water contained within the earth's surface that has penetrated from precipitation and from infiltration by streams, ponds and lakes.

GROUNDWATER CONTAMINATION - Presence of any substance, designated by the U.S. EPA or the State of Maryland as a primary or secondary water quality parameter, in excess of the maximum allowable contaminant level (MCL).

GROUNDWATER TRAVEL TIME - The distance groundwater will travel in a given time.

GROUP HOME FOR SHELTERED CARE - A 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.

GROUP PARKING - A hard-surfaced area designed to provide parking for 3 or more dwelling units, for business uses requiring more than 10 parking spaces or any other parking area designed for 20 or more motor vehicles.

GROWTH ALLOCATION - A finite amount of acreage that may be used by a local jurisdiction to reclassify a less intense Critical Area designation to a more intense Critical Area designation.

HABITAT AREAS OF LOCAL SIGNIFICANCE - Areas whose geographic location has been mapped by the Harford County Department of Planning and Zoning that have been determined to be important to the County because they contain species uncommon or of limited occurrence in the County or because the species are found in unusually high concentration or because they contain an unusual diversity of species.

HABITAT PROTECTION AREA – An area that is designated for protection:

- A. Under the Maryland Annotated Code, Natural Resources Article, §8-1806, regulations adopted under that authority or a local program; or
- B. By the Secretary of the Department of Natural Resources. It includes any existing area of open water, tidal or nontidal wetland, stream or river channel, stream or river bank or upland area of any type and size, including a reasonable protective area, within Harford County's Chesapeake Bay Critical Area which has been determined to be of significant natural value because it contains at least 1 of the following:

- (1) A buffer area adjacent to tidal waters, tidal wetlands or tributary streams.
- (2) Nontidal wetlands.
- (3) The habitat of a species of plant or animal listed by State or Federal authorities as endangered, threatened or in need of conservation or a designated natural heritage area.
- (4) A plant or wildlife habitat which is determined to be of local significance.
- (5) A forest interior dwelling bird habitat.
- (6) A colonial water bird nesting habitat.
- (7) A habitat for the feeding, resting or grouping of wintering and migrating waterfowl species.
- (8) Anadromous fish propagation waters.

HAWKER AND PEDDLER - Any person engaged in the business of selling goods, wares or merchandise, who must be licensed by the State as a "hawker" or "peddler."

HAZARDOUS MATERIAL - Any substance that:

- A. Conveys toxic, lethal, or other injurious effects or which causes sublethal alterations to plant, animal or aquatic life; or
- B. May be injurious to human beings. Hazardous materials include any matter identified as a "hazardous waste" by the Environmental Protection Agency or a "controlled hazardous substance" by the Maryland Department of the Environment.

HEALTH SERVICES - Establishments providing support to the medical profession and patients, including medical and dental labs, blood banks, oxygen and miscellaneous types of medical supplies and services.

HIGH-DENSITY RESIDENTIAL USE - Land zoned for densities of more than 1 dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities and water and sewer service.

HIGHLY ERODIBLE SOILS - Soils with a slope greater than 15% or soils with a K factor greater than .35 and with slopes greater than 5%.

HISTORIC DISTRICT - A significant concentration, linkage or continuity of sites, structures or objects that are united historically, architecturally, archeologically, culturally or aesthetically by plan or physical development.

HISTORIC LANDMARK/LANDMARK - A site, structure, building, Historic District or object designated by Harford County for its historic, architectural, archaeological or cultural significance and which is worthy of preservation, listed in the Harford County Historic Landmarks List pursuant to §267-112 (Designated Historic Landmarks).

HISTORIC PRESERVATION COMMISSION - The Commission as set forth in Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended.

HOME OCCUPATION - Any business activity regularly conducted by a resident as an accessory use within the dwelling or an accessory building which meets the standards specified in this Part 1 for such use.

HOMEOWNERS' ASSOCIATION - An association or other legal entity comprised of owners of land or dwellings, organized to own, operate or maintain open space or facilities used in common by such owners.

HOSPITAL - An institution providing inpatient health-care services and medical or surgical care to persons suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related activities, such as laboratories or training facilities.

HOTEL - A building offering transient lodging accommodations to the general public which may provide as accessory uses, restaurants, meeting rooms and recreation facilities.

HOUSING FOR THE ELDERLY - A building which is designed for the needs of elderly persons and which is subject to management or other legal restrictions that require that the project shall be occupied by households wherein at least one person is aged 55 or over.

HYDRIC SOILS - Soils that are wet frequently enough to periodically produce anaerobic conditions, thereby influencing the species composition or growth, or both, of plants on those soils, as identified by the United States Department of Agriculture Soil Conservation Service.

HYDROPHYTIC VEGETATION - Those plants cited in "Vascular Plant Species Occurring in Maryland Wetlands" (Dawson and Burke 1985), which are described as growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content (plants typically found in water habitats).

IMPACT FEE - A fee imposed to help finance the cost of improvements or services.

IMPERVIOUS SURFACE - Any surface or material that does not absorb water or substantially reduces the infiltration of stormwater. Impervious surfaces include roofs, streets, sidewalks and parking areas paved with asphalt, concrete, compacted sand, compacted gravel or clay.

INDIRECT RECHARGE AREA - The area contributing water to surface watercourses up gradient of the aquifer or wellfield area of contribution.

INGRESS - An entry.

INTENSELY DEVELOPED AREAS - Those areas within the Chesapeake Bay Critical Area (CBCA) where residential, commercial, institutional and/or industrial developed land uses predominate and where relatively little natural habitat occurs. Such areas are to be at least 20 acres in size and have at least 1 of the following features:

- A. Housing density is equal to or greater than 4 dwelling units per acre.
- B. Industrial, institutional or commercial uses are concentrated in the area.
- C. Public sewer and water collection and distribution systems are currently serving the area and housing density is greater than 3 dwelling units per acre.

INTERCEPTOR - Sewer pipe lines 24 inches or larger in diameter.

INTERMITTENT STREAM - A stream that has been confirmed to be an intermittent stream through field verification utilizing the most recently accepted investigation methods of the United States Army Corp of Engineers.

INTERSECTION - The crossing of 2 or more roads at grade.

ISOLATED NONTIDAL WETLANDS – A nontidal wetland that is not hydrologically connected, through surface or subsurface flow to streams, tidal or nontidal wetlands or tidal waters.

JUNK - Any scrap, waste, reclaimable material or debris, either stored or used in conjunction with dismantling, processing, salvage, storage, bailing, disposal or other use or disposition.

JUNK- OR SALVAGE YARD - Any land or structure used for the storage and/or sale of junk or the collection, dismantlement, storage or salvage of 3 or more untagged or inoperative motor vehicles, including a salvaging operation, but excluding wrecked motor vehicles stored for a period of not more than 90 calendar days.

KENNEL - Any establishment, not part of an agricultural use, in which 6 or more domestic animals, such as cats, dogs and other pets, more than 6 months old are kept, groomed, bred, boarded, trained or sold.

LANDSCAPING - The improvement of property with lawns, trees, plants and other natural or decorative features.

LEACHABLE MATERIAL - Material, including salt and certain components of concrete, asphalt, tar, coal, etc., which is readily soluble in water and thus easily removed and transported in solution by meteoric and/or groundwater.

LIMITED DEVELOPMENT AREAS - Those areas within the Chesapeake Bay Critical Area that are currently developed in low- or moderate-intensity uses. They also contain areas of natural plant and animal habitats, and the quality of runoff from these areas has not been substantially altered or impaired. These areas shall have at least 1 of the following features:

- A. Housing density ranging from 1 dwelling unit per 5 acres up to 4 dwelling units per acre.
- B. Areas not dominated by agriculture, wetland, forest, barren land, surface water or open space.
- C. Areas having public sewer or public water, or both.
- D. Areas meeting the definition of intensely developed areas except for being less than 20 acres in size.

LIVE/WORK UNITS - Structures that have professional offices or retail services on the first floor with residential uses on the second floor. The property owner or business operator must occupy the residence.

LIVESTOCK - Generally accepted outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.) not to include cats, dogs and other domestic animals.

LODGING HOUSE - A building offering transient dwelling accommodations where the facilities are multifaceted with a distinguished style, including marked upgrades in the quality of physical attributes, amenities and Level of Service and comfort provided. At a minimum, the lodging house shall include a lobby, a concierge, personal services, business center, pool and wireless internet in the common areas. Wireless internet shall be offered to each unit in the lodging house.

LOFT - An intermediate level located between the floor and ceiling of a story, open on at least 1 side to the room in which it is located.

LOT - A designated area of land established by plat, subdivision or as otherwise permitted by law to be used, developed or built upon as a unit.

LOT, ADJACENT RESIDENTIAL - A lot that abuts another lot or parcel of land and is either within a residential district or is a lot of 2 acres or less intended for residential use.

LOT, AGRICULTURAL - A lot that is zoned agricultural and is 2 acres or more.

LOT AREA - The total area within the lot lines of a lot, excluding any road right-of-way or reservation.

LOT, CORNER - A lot abutting upon 2 or more roads at their intersection or upon 2 parts of the same road forming an interior angle of less than 135°.

LOT COVERAGE - The percent of a total lot or parcel that is:

- A. Occupied by a structure, accessory structure, parking area, driveway, walkway or roadway;
- B. Covered with gravel, stone, shell, impermeable decking, a paver, permeable pavement or any manmade material; or
- C. Covered or occupied by a stairway or impermeable deck.

Lot coverage does not include:

- A. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
- B. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
- C. A wood mulch pathway; or
- D. A deck with gaps to allow water to pass.

LOT FRONTAGE - The length of the frontage.

LOT LINE - A line of record bounding a lot which divides 1 lot from another lot or from any road right-of-way or from any other public space.

LOT LINE, FRONT - The lot line separating a lot from a road right-of-way.

LOT LINE, REAR - The lot line opposite and most distant from the front lot line; in the case of triangular or otherwise irregularly shaped lots, a line at least 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

LOT LINE, SIDE - Any lot line other than a front or rear lot line.

LOT, MINIMUM AREA OF - The smallest area established by this Part 1 on which a use, structure or building may be located in a particular district.

LOT, PANHANDLE - A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip connecting the main building site with the frontage street.

LOT, RESIDENTIAL - A lot which is zoned RR, R1, R2, R3, or R4 or is less than 2 acres and is intended for residential use.

LOT, THROUGH - A lot which fronts upon 2 parallel roads or which fronts upon 2 roads which do not intersect at the boundary of the lot and which has no rear lot line.

LOT WIDTH - The horizontal distance between the lot lines along a straight line parallel to the front lot line at the minimum required building setback line.

LOW- AND MODERATE-INCOME HOUSING - Housing which is categorized as for low- or moderate-income families by the United States Department of Housing and Urban Development or an appropriate State agency.

LOW-DENSITY RESIDENTIAL USE - Undeveloped land zoned for densities of less than or equal to 1 dwelling unit per 5 acres.

MAIN STREET DISTRICT - Area designated in a Community Plan that has identified commercial uses within walkable distances and allows a mix of office, retail and residential uses.

MARINA - Any facility for the mooring, berthing, storing or securing of watercraft, but not including community piers and other noncommercial boat docking and storage facilities.

MARQUEE - Any covering of permanent construction projecting from the wall of a building above an entrance.

MASTER PLAN - The Master Plan of the County adopted in accordance with Sections 701 and 702 of the Charter, including the most recently adopted Master Plan and associated Element Plans.

MEAN HIGH WATER LINE - The average level of high tides at a given location along the shoreline.

MEDIUM-DENSITY RESIDENTIAL USE - Land zoned for density of more than 1 dwelling unit per 5 acres, and less than or equal to 1 dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities and water and sewer service.

METEOROLOGICAL TOWER (MET TOWER) - Includes the tower; base plate; anchors; guy wires and hardware; anemometers (wind speed indicators); wind direction vanes; booms to hold equipment, anemometers and vanes; data logger; instrument wiring and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

MINI-WAREHOUSING - A building or group of buildings that contains varying sizes of individual compartmentalized and controlled access stalls for the storage of customers' goods or wares.

MIXED USE CENTER - A mixture of office, retail, recreational, hotel and residential uses within a single structure or within multiple structures, but physically and functionally integrated.

MOBILE HOME PARK - A parcel of land used, designed, developed and maintained to accommodate 2 or more mobile homes for long-term residential occupancy by rental of space or condominium ownership.

MOBILE HOME SUBDIVISION - A parcel of land subdivided into 2 or more lots to accommodate 2 or more mobile homes for residential occupancy.

MOTEL - See "hotel."

MOTOR VEHICLE - A self-propelled, free-moving vehicle with 2 or more wheels primarily for conveyance on a road.

MOTOR VEHICLE RECREATION - The use of land for vehicle competition involving automobiles, motorcycles, tractors, trucks or other self-propelled vehicles.

MULCH STORAGE AND SALES - An operation for the storage of natural wood mulch for landscaping and other uses and for sale of the product, either wholesale or retail. Mulch storage and sales includes composting, but does not include the processing or grinding of mulch.

NATIVE VEGETATION - Trees, shrubs and herbaceous plants that naturally occur in the State of Maryland.

NATURAL HERITAGE AREA - An area that has been designated by the Secretary of the Department of Natural Resources in accordance with COMAR 08.03.08 as a Natural Community which meets the following criteria:

- A. Contains 1 or more threatened or endangered species or wildlife species in need of conservation;
- B. Is a unique blend of geological, hydrological, climatological or biological features; and
- C. Is considered to be among the best statewide examples of its kind.

NATURAL REGENERATION - The natural establishment of trees and other vegetation of a density of at least 400 woody, free-to-grow seedlings per acre which are capable of growing to a height of at least 20 feet at maturity.

NEIGHBORHOOD MARKET - Establishments primarily engaged in the provision of frequently or recurrently needed goods for household consumption such as prepackaged food and beverages and limited household supplies and hardware. Typical uses include country stores and shall not include fuel pumps or selling of fuel for motor vehicles.

NET TRACT AREA -

- A. In the AG zoning district, the portion of the parcel for which land use will be changed or that will no longer be used primarily for agriculture, and in all other zoning districts, the total area of the parcel, to the nearest 1/10 acre.
- B. "Net tract area" does not include the following areas:
 - (1) Any unforested area within the floodplain district established under Chapter 131 of the Harford County Code, as amended;
 - (2) Any right-of-way for:
 - (a) An overhead transmission line of a public utility if the line is designed to carry a voltage in excess of 69,000 volts; or
 - (b) An underground pipeline used to transport natural gas or petroleum products, if the right-of-way averages at least 50 feet in width; or
 - (3) Any area within the Chesapeake Bay Critical Area Overlay District established pursuant to §267-63 (Chesapeake Bay Critical Area Overlay District).

NONCOMPETITIVE RECREATIONAL AMUSEMENT CAR - A miniature amusement car that is electronically controlled from a central location and is designed and used to carry 1 or 2 persons on a track at a recreational amusement facility and is not designed for use on a road.

NONCONFORMING BUILDING OR STRUCTURE - A building or structure the size, dimension or location of which was lawful prior to the adoption or amendment of this Part 1, but which fails, by reason of adoption or amendment of this Part 1, to conform to the present requirements of the district.

NONCONFORMING LOT - A lot which was legally subdivided and recorded among the County Land Records prior to adoption or amendment of this Part 1 and which, after adoption or amendment of this Part 1, fails to comply with the dimensional requirements of this Part 1.

NONCONFORMING USE - A use which was lawful prior to adoption or amendment of this Part 1, but which fails, by reason of such adoption or amendment, to conform to the present requirements of the district in which it is located.

NONTIDAL WETLANDS - All palustrine aquatic bed, palustrine emergent, palustrine forested and palustrine scrub-shrub wetlands as defined by the United States Fish and Wildlife Service, except tidal wetlands regulated under Title 9 of the Natural Resources Article, Annotated Code of Maryland. These nontidal wetlands are lands that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The technical guidelines for determining the 3 parameters of nontidal wetlands (vegetation, soils and hydrology) shall be followed in accordance with the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual.

NONTRANSIENT NONCOMMUNITY WATER SYSTEM - A public water system that uses an average of 10,000 gallons per day and regularly serves at least 25 of the same individuals over 6 months per year.

NURSING HOME OR SKILLED CARE FACILITY - A facility devoted primarily to the long-term treatment and care of the aged or elderly or persons suffering from illnesses, diseases, deformities or injuries which do not require extensive or intensive care such as normally provided in a general or other specialized hospital.

ONE PERCENT ANNUAL FLOOD - A flood that has a 1% chance of being equaled or exceeded in any given year. This is also referred to as the 100 year flood or the base flood.

OPEN SPACE - Any area of land or water set aside, dedicated, designed or reserved for:

- A. Public or private use or enjoyment; or
- B. The use and enjoyment of owners and occupants of land adjoining or neighboring such open space; or
- C. The preservation of significant/special natural features.

OUTDOOR DINING AREA - An accessory outdoor dining area of an existing restaurant. The tables and chairs must be removable and the area must be unenclosed.

OVERBURDEN STORAGE OR DISPOSAL - Any residual soil, rock, mineral, scrap or other material displaced by the extraction use.

OVERLAY DISTRICT OR OVERLAY ZONE - Any specially mapped district that is subject to supplementary regulations or requirements.

PAD SITE - A separate lot or leased site that is located within a shopping center site. The pad site is subject to any conditions established by the Zoning Code or the Board of Appeals.

PALUSTRINE WETLANDS - All nontidal wetlands dominated by trees, shrubs, persistent emergent plants or emergent mosses or lichens and all such wetlands that occur in tidal areas where the salinity due to ocean-derived salts is below ½ part per 1,000 parts of water.

PARAPET - A low wall protecting the edge of a roof.

PARCEL - Any contiguous area, site or portion of land under common ownership.

PARKING AREA - An area, other than sales lots, designed for the parking of 3 or more motor vehicles and available to the public, either for a fee or as an accommodation to clients or customers.

PASSIVE RECREATION - Outdoor recreation that does not require significant maintenance or facilities, such as walking, picnicking, viewing and environmental education activities.

PERCOLATION RATE - The rate at which water flows or trickles through porous soils as determined by a percolation test.

PERENNIAL STREAM - A stream that has been confirmed to be a perennial stream through field verification utilizing the most recently accepted investigation methods of the United States Army Corp of Engineers.

PERMANENT FOUNDATION - A foundation as required by the Harford County Building Code or the manufacturer's specifications, in the case of manufactured homes, to provide for complete enclosure with a material which is compatible with the structure.

PERSONAL CARE BOARDING HOME - Any premises which provides personal care to adults, for consideration, and provides these services to a minimum of 3 adults not related to the provider or owner.

PERSONAL SERVICES - Services rendered to an individual, including beauty and barber shops, clothing alterations, dance and music studios, interior decorating, laundromats, general dry cleaning, linen supply, photography studios, rug cleaning and repair services (in-home cleaning), shoe repair services and watch and jewelry repair services.

PERVIOUS SURFACE - Any surface that allows for the infiltration of water.

PIER - A structure, usually of open construction, extending out into the water from the shore, to serve as a landing place, recreational facility, etc., rather than to afford coastal protection.

PIER, COMMUNITY - A noncommercial boat docking or mooring facility that is owned by and operated for the benefit of the residents of a platted riparian subdivision or condominium, apartment or other multiple-family dwelling unit; the term does not include an individual private pier maintained by a riparian landowner.

PLANNED EMPLOYMENT CENTER - Development option designed to permit and promote major economic development opportunities such as corporate offices, educational/training facilities, research and development facilities or other uses that create significant job opportunities and investment benefits.

POLLUTANT TRAVEL TIME - The time required by pollutants to travel from one point to another.

PRIVATE HARVESTING - The cutting and removal of trees for personal, noncommercial use.

PROFESSIONAL SERVICES - Service by members of any profession, including accountants, architects, chiropractors, dentists, doctors, engineers, lawyers, optometrists, osteopaths or social workers.

PROJECT APPROVAL - The approval of development activities, other than developments undertaken by a State or local government agency, in the Chesapeake Bay Critical Area by the Harford County Department of Planning and Zoning or other approving agency of Harford County. The term includes approval of subdivision plans, plats and site plans; mapping of areas under floating zone or overlay zone provisions; the issuance of variances, special exceptions; and the issuance of other zoning-related approvals. Project approval does not include building permits.

PROVIDER - Any person or persons who have primary responsibility for and who receive consideration for the operation of the home.

PUBLIC EVENT - A temporary event, conducted by a private or public entity, including carnivals, circus, festivals, craft shows and concerts.

PUBLIC UTILITY - A gas and electric company regulated by the Maryland Public Service Commission or a cable television company operating under a franchise granted by the County Council.

PUBLIC UTILITY FACILITY - A utility facility owned by a governmental agency or private organization, maintained and operated for benefit of the general public, but excluding highway maintenance facilities, sewage treatment plants, sewage pumping stations and solid waste transfer stations.

PUBLIC WATER-ORIENTED RECREATION - Shore-dependent recreation facilities or activities provided by public agencies which are available to the general public.

RECHARGE AREA - An area where water flows into the ground to re-supply a water body or aquifer.

RECLAMATION - The reasonable rehabilitation of disturbed land for useful purposes, which provides protection to the natural resources found on or adjacent to the site, including water bodies.

RECREATIONAL BUFFER - An area where a path is created for recreational use.

RECREATIONAL VEHICLE - A vehicular-type portable structure without a permanent foundation, which can be towed, hauled or driven and which is primarily designed as temporary living accommodation for recreational, camping and travel use, including travel trailers, truck campers, camping trailers and self-propelled motor homes.

RECYCLING - The series of activities by which discarded materials are collected, sorted, processed and converted into raw materials and used in the production of new products.

RECYCLING CENTER - A building in which only recyclable material is collected, processed, and/or baled in preparation for shipment to others who will use those materials to manufacture new products.

REDEVELOPMENT - Construction activities in previously developed areas, which include the demolition of existing structures and building new structures or the substantial renovation of existing structures, often changing form and function. Redevelopment may involve existing property owners and businesses or new owners and tenants.

REFORESTATION - The creation 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.

RELATIVE - A grandparent, grandchild, parent, child, brother, sister, aunt or uncle.

REPAIR SHOP, AUTOMOTIVE - Any building, premises and land in which or upon which a business, service or industry involving the maintenance, servicing, repair or painting of motor vehicles is conducted or rendered.

REPAIR SHOP, SMALL ENGINE - Any building, premises and land in which or upon which a business, service or industry involving the maintenance, servicing or repair of engines for equipment such as lawnmowers, go-carts, weed trimmers, chainsaws or electric motors is rendered.

RESORT - A facility for 3 or more transients, which provides special recreational amenities or is designed for access to a unique natural amenity for the recreation or relaxation of the users and not primarily oriented to single-night lodging.

RESOURCE CONSERVATION AREAS - Those areas in the Chesapeake Bay Critical Area that are characterized by nature-dominated environments (that is, wetlands, forests and abandoned fields) and resource-utilization activities (that is, agriculture, forestry, fisheries activities or aquaculture). Such areas shall have at least 1 of the following features:

- A. Density is less than 1 dwelling unit per 5 acres.
- B. Dominant land use is in agriculture, wetland, forest, barren land, surface water or open space.

RESTAURANT - An establishment where food and drink are prepared, served and consumed primarily within the principal building.

RESTAURANT, TAKE-OUT - An establishment where food and drink are sold in a form ready for consumption, where the consumption is designed to take place outside the confines of the restaurant.

RETAINING WALL - A wall that is constructed to hold a mass of earth in place or prevent erosion of an embankment.

REVITALIZATION - Efforts to improve residential and business areas, which include the physical enhancement of existing streetscapes and structures, marketing or other efforts to fill vacancies and boost business. Revitalization generally focuses on current property owners and businesses.

RIGHT-OF-WAY - A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, waterline, sanitary storm sewer and other similar uses.

ROAD - A right-of-way which has been improved and is intended for motor vehicle traffic and provides the principal means of access to property.

ROAD, ARTERIAL - A road which serves as a major traffic way and is identified in the Transportation Element Plan as an urban or rural principal or minor arterial road.

ROAD, BUSINESS DISTRICT - Usually wider than most County roads and built to support heavy truck traffic that performs the following:

- A. Provides interconnection between highly developed commercial or industrial property to arterial roads.
- B. Provides access to individual properties comprising a commercial complex.
- C. Carries heavy volumes of truck traffic within or adjacent to any land which has been approved for any class of commercial or industrial use.

ROAD, COLLECTOR - A road which serves to carry traffic to or from local streets and connects them to other collector streets or to arterial highways and is identified in the Transportation Element Plan as either an urban collector road or rural major or minor collector road.

ROAD, LOCAL - A road which collects and distributes traffic within subdivisions and provides direct access to individual land uses. "Local road" may include primary and minor residential roads, as well as business/industrial roads as defined by the Harford County Road Code.

ROAD, MINOR RESIDENTIAL - A local road distributing and collecting traffic within residential subdivisions or neighborhoods, and performing the following:

- A. Provides direct driveway access to abutting properties.
- B. Distributes traffic generated within a neighborhood to primary residential roads.
- C. Carries little or no through traffic.

ROAD, PARKWAY - A road which acts as a major corridor between several communities and employment centers mostly in the urbanized areas. The appearance of a parkway is intended to be very scenic and environmentally sensitive, with formal landscaping, and it is not intended to provide direct access to individual properties or businesses. A parkway could include pedestrian and bicycle accommodations, an exclusive right-of-way, and skywalk facilities are often provided. A substantial right-of-way is required.

ROAD, PRIMARY RESIDENTIAL - A major local road distributing and collecting traffic within larger residential subdivisions or neighborhoods, and performing the following:

- A. Provides direct access between minor residential roads and collectors and minimal direct driveway access to abutting properties.
- B. Distributes traffic generated within a neighborhood to collector roads.
- C. Carries a limited amount of through traffic.

ROAD, PRIVATE - Any road that has not been accepted by the County or other government entity, and is not owned and/or maintained by the County or other government entity.

ROAD, STUB - Those roads projecting from a development road, to the property line of an adjacent property, typically ending in a T-turnaround.

ROOFLINE - The part of the roof or parapet which covers the major area of the building.

ROUTINE MAINTENANCE, HISTORIC - An undertaking that:

- A. Does not change or alter an exterior feature of a Historic Landmark or a site or structure within a Historic District; and
- B. Will not materially impair the historic, archeological, architectural or cultural significance of a Historic Landmark or a site or structure within a Historic District.

RUBBLE LANDFILL - A sanitary landfill required to be permitted as a rubble landfill under Title 26 of the Code of Maryland regulations.

SANITARY LANDFILL - A sanitary landfill, as defined in Chapter 109 of the Harford County Code, as amended, that is in the County Solid Waste Management Plan. "Sanitary landfill" includes a rubble landfill.

SEEDLING - An unbranched woody plant of less than 24 inches in height and less than ½ inch in diameter at a point 2 inches above the root collar.

SELECTIVE CLEARING - The planned removal of trees, shrubs and plants using specific standards and protection measures under an approved Forest Conservation Plan.

SELECTIVE CUTTING - The removal of single, scattered, mature trees or other trees from forested areas by periodic cutting operations.

SETBACK - Unless otherwise provided, the line which is the required minimum distance from the road right-of-way or any lot line that establishes the area within which principal buildings or structures must be erected or placed.

SHOPPERS' MERCHANDISE - Commodities which tend to be purchased on a comparison basis, including apparel and accessories, automobile supplies, business equipment sales and service, china and glassware, commercial art, communications equipment sales and service, draperies, fabrics and reupholstery, floor coverings, furniture, hardware, home appliances and furnishings, luggage and leather goods, musical instruments and supplies, paint and wall coverings, party supplies, photographic equipment sales and service, radios, compact discs, digital video discs secondhand merchandise, sporting goods, television and stereo sales and service and toy and game shops. Establishments commonly referred to as "catalog showrooms," "department stores," "discount stores," "variety stores" and "supermarkets" shall be regulated as "shoppers' merchandise."

SHOPPING CENTER - A concentrated grouping of retail uses or retail and services uses designed, developed and managed as an integral entity, providing common vehicle access and group parking.

SHOPPING CENTER, INTEGRATED COMMUNITY - A shopping center that contains a gross floor area of more than 75,000 square feet.

SIGN - A permanent or temporary device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGN, AGRICULTURAL SEASONAL - A sign which advertises, on a seasonal, temporary basis, an agricultural product as defined in this section.

SIGN AREA - The area surfaces, including the outer extremities of all letters, figures, characters and delineations or surface area making contact with the outer extremities of the framework or background of the sign, whichever is greater. The support for the sign background, such as columns, pylons or buildings or part thereof, shall not be included in the "sign area" unless used for advertising purposes.

SIGN, BILLBOARD - Any outdoor advertising sign which promotes or advertises products, services, activities or businesses not related to the site or building or use on which it is located and is not a tenant identification sign.

SIGN, CANOPY - A wall sign that is affixed or displayed on a canopy.

SIGN, DIRECTIONAL - Any sign on a site for the purpose of directing traffic to another use, service or area.

SIGN, DIRECTORY - Informational sign utilized to identify name, address and occupants of a building or nonresidential development.

SIGN, ELECTRONIC MESSAGE Board - A sign with a fixed or changing display, or message composed of a series of lights that may be changed through electronic means.

SIGN, FACE OR SURFACE - The surface of a sign upon, against or through which a message is displayed or illustrated.

SIGN, FREESTANDING - A sign supported by uprights or braces placed upon the ground and not attached to any building.

SIGN, IDENTIFICATION - Any sign identifying or advertising a business, person, activity, product or service located on the premises where the sign is located.

SIGN, ILLUMINATED - Any sign which has characters, letters, figures, designs or an outline illuminated by electric lights or luminous tubes as a part of the sign.

SIGN, MARQUEE - A wall sign that is affixed or displayed on a marquee.

SIGN, PROJECT DEVELOPMENT - A temporary sign erected on the premises on which a development project is taking place, during the period of such construction, indicating the type of development, space and/or price of units and contact information.

SIGN, PROJECTING - Any sign which is attached to a building and extends beyond the line of said building or beyond the surface of that portion of the building to which it is attached.

SIGN, ROOF - Any sign erected, constructed and maintained upon or over the roof of any building with the principal support on the roof structure.

SIGN, TEMPORARY - Temporary signs include any portable sign or any other sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a limited period of time only.

SIGN, TENANT IDENTIFICATION - A sign giving the nature, logo, trademark or other identifying symbol, address or any combination of the name, symbol and address of a building, business development or establishment on the premises where it is located.

SIGN, VARIABLE MESSAGE Board - A sign with a display, that changes by electronic or mechanical means, other than electronic message Boards.

SIGN, WALL - All flat signs which are attached to the exterior of the building or other structure.

SIGNIFICANT/SPECIAL NATURAL FEATURES - Sensitive environmental areas to be left undisturbed, including water bodies, tidal and nontidal wetlands, forested areas to be retained and plant or wildlife habitat identified as of State or County importance.

SIGNIFICANTLY ERODING AREAS - Those shoreline areas eroding 2 feet or more per year.

SITE - Any tract, lot or parcel of land or combination of tracts, lots or parcels of land which are in 1 ownership or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision or project.

SITE, HISTORIC – The location of an event of historic significance or a structure which possesses historic, archeological, architectural or cultural significance.

SITE PLAN - A plan, prepared to scale, showing accurately and with complete dimensioning, all of the buildings, structures and uses and the exact manner of development proposed for a specific parcel of land.

SMALL WIND ENERGY SYSTEM – Equipment, including any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, guy wire or other component used in the system, that converts and then stores or transfers energy from the wind into usable forms of energy and that:

- A. Is used to generate electricity;
- B. Has a rated nameplate capacity of 50 kilowatts or less; and
- C. Has a total height of 150 feet or less.

SOILS WITH SIGNIFICANT DEVELOPMENT CONSTRAINTS - Highly erodible soils, hydric soils less than 40,000 square feet in extent, soils with hydric inclusions and soils with severe septic constraints. See Table 63-1, Soil Types in Harford County Critical Area with Development Constraints, §267-63 (Chesapeake Bay Critical Area Overlay District).

SOLID WASTE TRANSFER STATION - An intermediate destination for solid waste. Transfer stations may include separation of different types of waste and aggregation of smaller shipments with large ones. It may also include compaction to reduce the bulk of the waste.

SPECIAL DEVELOPMENTS - Projects that utilize innovations in design by permitting a variety of type, use and layout of buildings.

SPECIAL EXCEPTION - A use which may be permitted by the Board in a particular district only upon a showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in this Part 1.

SPECIALTY SHOP - A retail store which carries only 1 type of interrelated goods, including bookstores, candle shops, cosmetic shops, florist shops, gift shops, hobby and craft supply shops, import shops, jewelry shops, key shops, newspaper and magazine shops, novelty shops, pet shops, photographic shops, souvenir shops, stationery shops, tack shops, tobacco shops and wine and cheese shops.

STABILIZED SURFACE - Any material that can be compacted in such a manner that will provide a suitable dustless surface for vehicular movement and storage and not result in erosion or create the potential for flooding.

STABLE, COMMERCIAL RIDING - Any facility used primarily for the commercial hiring out of horses or ponies or instruction in riding where 5 or more horses are kept for these purposes.

STABLE, PRIVATE - An accessory structure to the principal residential use that shelters horses for the exclusive use of the residents of the premises.

STORY - That portion of a building between the surface of any floor and the surface of the floor next above it, if there is no floor above it, then the space between the floor and the ceiling next above it, excluding basements.

STREET - See "road."

STREETSCAPE - An area that may either abut or be contained within a public or private street right-of-way or access way that may contain sidewalks, street furniture or landscaping and similar features.

STRUCTURE - Anything constructed or erected on the ground or which is attached to something located on the ground. Structures include buildings, radio and TV towers, sheds, swimming pools, tennis courts, gazebos, decks and boathouses. In the Critical Area, structure means building materials that are purposely joined together on or over land or water, including those that do not result in lot coverage, per COMAR 27.01.09.01.01B(17).

STRUCTURE, HISTORIC - An assembly of materials that forms a stable construction and includes by way of illustration and not limitation, a building, structures accessory to a building, platform, tower, dam, bridge, pier, shed, shelter, ruin, fountain, statuary, survey markers, fences or display sign of historical, cultural or architectural significance.

STRUCTURED PERVIOUS SURFACE - Any approved porous pavement or modular pavers that allow the infiltration of water and resist compaction due to associated vehicular activities. Such structured surfaces may include porous asphalt on concrete, modular block systems and grass or gravel pavers.

SUBDIVIDER - An individual, partnership or corporation (or their legal designee) that undertakes the activities covered by these regulations.

SUBDIVISION - The term "subdivision" shall have the following meaning:

- A. Any division or redivision of a tract, parcel or lot of land into 2 or more parts by means of mapping, platting, conveyancing, change or rearrangement of boundaries;
- B. All subdivisions are also developments;
- C. Subdivision includes resubdivision or replat.

SUBDIVISION AGREEMENT - An agreement between a subdivider and Harford County to be executed and recorded in the office of the Clerk of the Circuit Court of Harford County, for the purpose of permitting the recordation of a final plat prior to completion and/or acceptance of a performance bond or other guarantee.

SUNROOM - A 1-story addition added to an existing dwelling with a glazing area in excess of 40% of the gross area of the structure's exterior walls and roof.

TEMPORARY USE - A use permitted for a fixed period of time as specified in this Part 1 with the intent to discontinue such use upon the expiration of a period of time, or a use that occurs on a periodic basis and is not continuous.

TENANT FARMER/TENANT OPERATOR - An individual or business entity that is actively producing or managing livestock, crops or other agricultural products and is not the owner of the property being farmed. Agreement for this use is usually compensated by a contract for rent, lease or on a crop sharing basis.

TENANT HOUSE - A dwelling unit located on agricultural property that is used either for occupancy by immediate members of the family owning or operating the agricultural use or by employees engaged in agricultural activities on the property.

THREATENED OR ENDANGERED SPECIES OR SPECIES IN NEED OF CONSERVATION - A plant or wildlife species designated by the State Department of Natural Resources in accordance with COMAR 08.03.08 as worthy of protection because of its rare or unusual occurrence in the State of Maryland.

TIDAL WETLANDS - Any land bordering on or lying beneath tidal waters, which is subject to regular or periodic tidal action and supports aquatic growth, including lands identified as "tidal wetlands" on the most current Department of Natural Resources Tidal Wetlands Boundaries Maps.

TOURIST HOME - A building in which lodging or meals are provided for compensation to 3 or more guests on a temporary basis.

TRAIL - A pedestrian linkage between uses.

TRANSFER OF DEVELOPMENT RIGHTS - A transaction involving the removal of the right to develop or build from one lot or parcel and placing it with another lot or parcel.

TRANSPORTATION ELEMENT PLAN - An Element of the Harford County Master Plan which identifies future roads, major road improvements, designates arterial collector and local roads and identifies possible public transportation enhancements, the feasibility of a public airport and bicycle routes.

TREE - A large, woody plant with at least 1 self-supporting trunk and numerous branches capable of growing to a height of at least 20 feet at maturity.

TREE, CHAMPION - The largest tree of its species in the United States, Maryland or Harford County, as appropriate.

TREE, SIGNIFICANT INDIVIDUAL - Tree with a DBH greater than 36 inches, or which has been identified as a State Champion Tree.

TRIBUTARY STREAMS - Those perennial and intermittent streams as mapped on the most recent United States Geological Survey 7½ Minute Topographic Quadrangle Maps [scale: 1:24,000], the Harford County Soil Survey or as may be identified through site inspection.

ULTIMATE PEAK GRAVITY FLOW - The average flow of the entire drainage area, assuming complete build-out of the Development Envelope using existing zoning densities, peaked in accordance with the Maryland Department of the Environment Design Guidelines for Sewerage Facilities Peaking Curve, or using actual measured peak flow factors, whichever is higher.

URBAN FORESTRY - A specialized branch of forestry concerned with the management, protection and conservation of forest, trees and other woody vegetation in urban and semi-urban areas.

USE - The purpose or activity for which land, buildings or structures are designed, arranged or intended or for which land, buildings or structures are occupied or maintained.

USE, AGRICULTURAL - The use of any tract of land for the production of animal or vegetable life. The uses include the pasturing, grazing and watering of livestock, and the cropping, cultivation and harvesting of plants.

USE, BUSINESS - Any use listed on the Principal Permitted Use Charts under the categories of Amusements, Motor Vehicle and Related Services, Retail Trade, Services or Transportation, Communications and Utilities (TCU).

USE, EXISTING - The lawful use of a building, lot or structure at the time of the enactment of this Part 1.

USE, INDUSTRIAL - Any use listed on the Principal Permitted Use Charts, under the categories of Industrial uses or Warehousing, Wholesaling and Processing.

USE, INSTITUTIONAL - Any use listed on the Principal Permitted Use Charts, under the category of Institutional uses.

USE, NONRESIDENTIAL - Any dwelling unit or use listed on the Principal Permitted Use Charts, under the category of Business, Industrial, Institutional, Transient Housing or Natural Resources uses with the exception of agriculture, forestry or wildlife refuge uses.

USE, PRINCIPAL - The primary or predominate use of any lot or parcel.

USE, RESIDENTIAL - Any dwelling unit or use listed on the Principal Permitted Use Charts, under the category of Residential uses.

UTILITY TRANSMISSION FACILITIES - Fixed structures that convey or distribute resources, wastes or both, including electric lines, water conduits and sewer lines.

VARIANCE - A departure from the terms of this Part 1 authorized pursuant to the provisions of this Part 1.

VETERINARY PRACTICE, LARGE ANIMALS - A facility wherein a doctor of veterinary medicine treats animals that are not domestic animals and of a general matured weight in excess of 50 pounds.

WASH PLANT - A facility where sand and gravel is washed during processing.

WATERBODY - The part of the earth's surface covered with water (such as a river, lake or ocean).

WATERFOWL STAGING AND CONCENTRATION AREA - An area of open water and adjacent marshes where waterfowl gather during migration and throughout the winter season.

WATERSOURCE PROTECTION DISTRICT - The surface and subsurface area surrounding a well or wellfield, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such well or wellfield.

WELL - A hole or shaft sunk into the earth to tap an underground supply of water.

WELL, PRIVATE - A well that provides a water supply for an individual residence or a single industrial, agricultural or commercial operation and that is not designed or used for general public consumption.

WHIP - An unbranched woody plant with a height of 24 inches or more and a diameter of less than 1 inch at a point 2 inches above the root collar.

WILDLIFE CORRIDOR - A strip of land having vegetation that provides habitat and a safe passageway for wildlife across a site.

WIND ENERGY SYSTEM OWNER - The person that owns, or intends to own, the property upon which a Small Wind Energy System will be operated in accordance with §267-27C(9) of the Harford County Code, as amended.

WIND GENERATOR - Blades and associated mechanical and electrical conversion components mounted on top of the wind tower.

WIND TOWER - The monopole, freestanding or guyed structure that supports a wind generator.

YARD - An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Part 1. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

YARD, FRONT - A yard extending the full width of the lot, which includes the area between the front building setback line and the road right-of-way.

YARD, REAR - A yard extending across the full width of the lot between the rear building setback line and the rear lot line.

YARD, SIDE - A yard extending from the front yard to the rear yard between the side building setback line and the side lot line.

ZONING CASE - Any matter brought before the Board under the provisions of this Part 1.

ZONING CERTIFICATE - An approval issued by the Director of Planning pursuant to §267-8 (Zoning Certificates) of this Part 1.

ZONING DISTRICT OR DISTRICT - An area within the County within which certain zoning regulations apply.

§ 267-5. Applicability.

This Part 1 shall apply to all lands, structures, buildings, properties and their uses within the territorial limits of the County, including land owned or leased by the County, and outside the incorporated towns or municipalities therein and to all owners of land and the tenants or occupants thereof, including land owned by municipal corporations, counties and state and local governments.

§ 267-6. Construal of Provisions; Word Usage.

- A. The terms and provisions of this Part 1 shall be liberally construed to effectuate the general purposes of this Chapter.
- B. In addition to rules generally applicable to the construction of zoning ordinances and codes and the interpretation requirements of the Harford County Code, the following rules of construction shall apply to the text of this Part 1:
 - (1) The particular shall control the general.
 - (2) In case of conflict between the text of this Part 1 and any caption, illustration, summary table or illustrative table, the text shall control.
 - (3) The phrase "used for" includes arranged for, designed for, intended for, maintained for or occupied for.
 - (4) The word "person" includes an individual, sole proprietorship, corporation, partnership or incorporated association and any recognized legal entity.
 - (5) Unless it is plainly evident from the context that a different meaning is intended, in a regulation which involves 2 or more items, conditions, provisions or events connected by the conjunction "and ... or" or "either ... or," the use of the conjunction is defined as follows:
 - (a) "And" means that all the connected items, conditions, provisions and events apply together and not separately.

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- (b) "Or" means that the connected items, conditions, provisions or events shall apply separately or in any combination.
 - (c) "Either ... or" means that the connected items, conditions, provisions or events shall apply separately but not in combination.
- (6) The word "includes" or "including" does not limit a term to the specified examples but is intended to extend the term's meaning to all other instances or circumstances of similar kind or character.
 - (7) When a term is defined in the County Subdivision Regulations or the County Building Code, as noted in this Part 1, it shall have the meanings specified in the Subdivision Regulations or Building Code unless specifically defined in this Part 1.
 - (8) The word "County" means Harford County, Maryland. The word "State" means the State of Maryland. The term "Charter" refers to the Harford County Charter, approved by the voters of the County, and all amendments thereto.
 - (9) The terms "County Council," "Board of Appeals," "Director of Planning," "Planning Advisory Board," "County Attorney," "Health Officer" and "Sediment Control Inspector" mean the respective Council, Boards, Officers and Department heads of the County.
 - (10) Throughout this Part 1, all words, other than the terms specifically defined herein, shall have the meanings inferred from their context in this Part 1 and their commonly accepted definitions.
- C. The provisions of this Part 1 shall be held to be minimum requirements. Where this Part 1 imposed a greater restriction than is imposed or required by other provisions of law or other rules, regulations, ordinances or by private restrictions, the provisions of this Part 1 shall control.
 - D. Notwithstanding the provisions of this Part 1, any development shall be subject to the provisions of the Subdivision Regulations, and any other activity requiring the issuance of a permit, license, grant or approval shall be subject to the applicable law.
 - E. The purpose clauses noted herein are for guidance only. In the event that any purpose clause conflicts with the specific provisions of this Part 1, the specific provisions shall control.

ARTICLE V. Supplementary Regulations

§ 267-22. Lots. [Amended by Bill 09-31, as amended, Bill 13-50; Bill 14-1; and Bill 19-16 as amended]

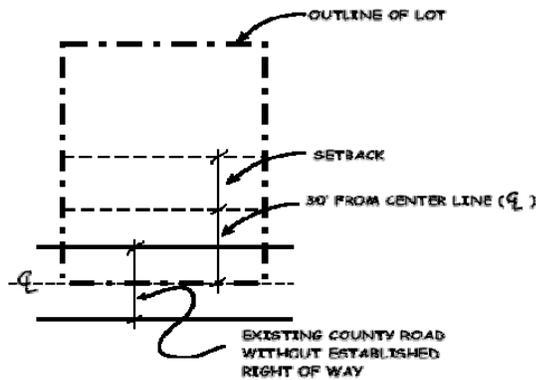
- A. Separate lot requirements. Except as otherwise permitted by this Part 1, not more than 1 principal dwelling unit shall be permitted on any single lot. Establishment of a building with separate dwelling units for rental, cooperative or condominium purposes or as Continuing Care Retirement Community on a single lot shall not violate this requirement.
- B. Division of building, parcel or lot. Division of existing buildings, parcels or lots shall not be permitted if the proposed division would create any buildings or lots that do not comply with the requirements of this Part 1.
- C. Lot frontage requirements. Any building, structure or use fronting on a public or private road shall be located on a lot abutting the road for at least 25 feet, except as otherwise required by this Part 1. In attached dwelling projects, provided that all buildings are so located to provide access for servicing, fire protection and off-street parking, lots may front on open space, courts or group parking areas, and each such attached dwelling unit shall not be required to meet the road frontage standard.
- D. Areas not satisfying lot area requirements. Those areas of a lot which lie in an existing or proposed road right-of-way, except alleys or designated open space, shall not qualify as part of the required minimum lot area. The area within the handle of a panhandle lot shall not be considered part of the required minimum area.
- E. Minimum residential lot area with septic systems. The minimum residential lot areas provided in this Part 1 shall not reduce any other prescribed lot size or lot width if a more-restrictive requirement exists. The minimum lot areas shall be subject to any additional area required by regulations of the State Department of Health and Mental Hygiene or County law or regulation.
 - (1) Any residential lot created after September 1, 1982, to be served by an individual sewage disposal system outside the 10-year sewer service area, as shown on the County Master Water and Sewer Plan, shall have a minimum lot area of 40,000 square feet and a minimum lot width at the building line of 100 feet.
 - (2) Any residential lot created after September 1, 1982, to be served by an individual sewage disposal system within the 10-year sewer area, as shown on the County Master Water and Sewer Plan, shall have a minimum lot area of 20,000 square feet and a minimum lot width at the building line of 100 feet.
- F. Panhandle-lot requirements. Panhandle lots shall be permitted for agricultural, residential and general industrial uses, to achieve better use of irregularly shaped parcels, to avoid development in areas with environmentally sensitive features or to minimize access to collector or arterial roads, subject to the following requirements:
 - (1) Except in agricultural and rural residential districts, with regard to any parcel, as it existed on September 1, 1982, not more than 1 lot or 10% of the lots intended for detached dwellings may be panhandle lots.

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- (2) The Director of Planning may grant a waiver to allow 20% of lots intended for detached dwellings to be panhandle lots where the topography, natural features, or geometry of the parcel make a greater percentage of panhandle lots necessary, subject to approval from the Director of Public Works that adequate water and sewer may be provided on the lots.
 - (3) One single panhandle lot shall be permitted in the general industrial district, and said panhandle lot shall comply with the requirements set forth in Subsection(5)(a) below.
 - (4) A common drive shall be constructed to serve any group of 4 or less panhandle lots. Driveways for all panhandle lots shall access from the common drive. Frontage lots may be required to share in the common drive.
 - (5) The minimum width of a panhandle lot shall meet the following criteria:
 - (a) Single panhandles: 25 feet.
 - (b) Multiple panhandles: 12½ feet each.
 - (6) Where a common drive is required, the following shall apply:
 - (a) Prior to, or at the time of, recordation of a panhandle subdivision, the owner shall also record subdivision restrictions that shall provide for the construction, type, responsibility for the same, including all costs, and use and maintenance of the common drive, which shall be applicable to all lots subject to the common-drive plan. The subdivision restrictions shall be reviewed and approved by the Department of Law prior to recordation to ensure that all lots subject to the common-drive plan will be subject to the restrictions upon recordation thereof for inclusion in the deeds of conveyance.
 - (b) The Department of Planning and Zoning, with the advice of the Law Department, shall establish rules and regulations for the drafting of common-drive agreements.
 - (c) The County shall bear no responsibility for the installation or maintenance of the common drive.
 - (d) In all cases public water service shall end at the edge of public right-of-way. Public sewer service shall also end at the edge of public right-of-way, except in those cases where the panhandle lots must be served by a public main as determined by the Division of Water & Sewer.
- G. Sanitary facilities shall comply with all State and County regulations for development on septic systems.

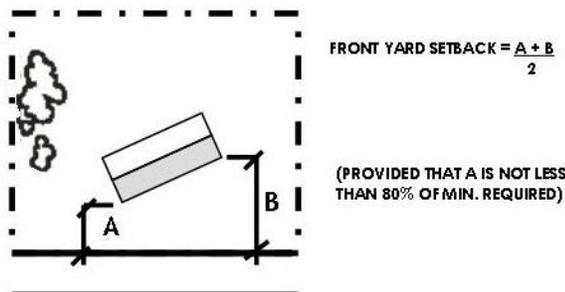
§ 267-23. Yards. [Amended by Bill 09-31, as amended, Bill 16-20 and Bill 19-16 as amended]

- A. Front yard depth.

- (1) The minimum front yard depth, as specified in this Part 1, shall be measured in the following manner:
 - (a) From the proposed or established public road right-of-way line;
 - (b) From any other right-of-way on a line 10 feet from and parallel to the edge of the hard-surfaced area or a line established as a private road right-of-way, whichever is greater; or
 - (c) In the case of a panhandle lot, from the end of the handle which is the greatest distance from the road right-of-way.
- (2) For the purpose of establishing a setback line on existing County roads without established right-of-way lines, the setback shall be measured 30 feet from the center line.



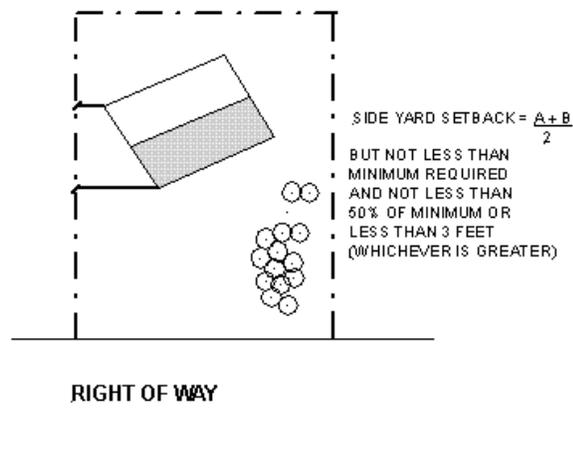
- (3) Average front yard. Where a structure is not parallel to the road, the minimum yard requirement may be met by averaging the yard width from one end of the structure to the other end, provided that the yard at the narrowest point is not less than 80% of the minimum yard required by this Part 1, not including the reductions permitted by this section.



- (4) Corner and through lots.
- (a) In the case of corner lots, a full front yard of the required depth will be provided off both front lines, except as otherwise permitted by this Part 1.
- (b) In the case of through lots, front yards will be provided off all front lot lines, except as otherwise permitted in this Part 1.
- (5) Yards along collector and arterial roads. In the event that residential lots abut 1 or more collector or arterial roads, the required front yard from the right-of-way of such roads shall be 40 feet from a collector road and 60 feet from an arterial road.

B. Side and rear yard depth.

- (1) The minimum side and rear yard depths, as specified in this Part 1, shall be measured in the following manner:
- (a) Perpendicularly from rear or side lot lines at the closest points to the proposed or existing structure.
- (b) When measured from an alley, $\frac{1}{2}$ of the alley width may be included as a portion of the rear or side yard.
- (c) For any project without individual lots, the side and rear yards shall be measured along the boundaries of the parcel.
- (2) Average side yard. The side yard width may be varied where the sidewall of a structure is not parallel with the side lot line. In such case, the average width of the side yard shall not be less than the otherwise-required minimum width; provided, however, that such side yard shall not be narrower at any point than $\frac{1}{2}$ the otherwise-required minimum width or narrower than 3 feet in all cases, except lot-line dwellings. Any minor offset, broken or irregular part of a structure which is not in the same vertical plane as the portion of the sidewall of the structure nearest to the side lot line shall not be included in the computation of the average side yard width.



C. Exceptions and modifications to minimum yard requirements.

(1) Encroachment.

(a) The following structures may encroach into the minimum yard requirements, not to exceed the following dimensions:

- [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. Seating for such outdoor dining areas shall not exceed 30% of the overall indoor seating, or 12 seats, whichever is greater.

(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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§ 267-33. Signs. [Amended by Bill 13-17; Bill 14-1; Bill 15-35 as amended; Bill 16-28; Bill 17-04 and Bill 19-16 as amended]

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 road grade. If the elevation of the property where the sign is to be located is above the road grade, the maximum height of the sign may be increased 1 foot in height for every 1 foot of elevation above the road grade. In no instance shall the height of a freestanding sign exceed 30 feet above the road grade.

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. Unless otherwise provided herein, 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.
- (8) Permanent residential entrance, and Continuing Care Retirement Community (CCRC) signs. Residential entrance, development project identification and CCRC signs, with letters or advertising area not to exceed a total area of 48 square feet, shall be permitted on the property, provided that it is located not less than 10 feet from the road right-of-way. In addition, the height of the sign or

structure shall not exceed 6 feet. If the parcel or lot has a multiple frontage of at least 50 feet, additional signs with letters or advertising area, not to exceed a total of 48 square feet, shall be permitted. Such sign or structure shall not exceed 6 feet in height and shall not be located less than 10 feet from the road right-of-way. Said signs may be split entrance signs; however, the overall advertising area may not exceed 48 square feet.

C. Exemptions. The following types of signs are exempt from all the provisions of this section, except for construction and safety regulations and the following standards:

- (1) Public signs. Public signs, erected by, or on the order of, a public official in the performance of duty, such as directional signs, regulatory signs, warning signs, informational signs and legal notices.
- (2) Integral signs. Integral signs that are carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure, as well as signs forming an integral part of or attached to pumps dispersing fuels, vending machines and service appliances.
- (3) Political campaign and public issue signs, except for billboards, signs announcing candidates seeking public office and advocating the support or defeat of public issues shall be permitted, provided that the total area of the signs does not exceed 16 square feet for each premises in a residential district and 32 square feet in an agricultural, business or industrial district. These signs shall be confined to private property. No sign shall be placed within 60 feet of the center of a road intersection or in such a manner as to impede vision.
- (4) Agricultural identification signs. Agricultural identification signs not to exceed 32 square feet in area and not to be located less than 35 feet from the center line of the road or 10 feet from the road right-of-way, whichever is greater.
- (5) Directional signs. Directional signs for any public, charitable, educational or religious function to be set back 10 feet from road right-of-way. These signs shall not exceed 2 square feet in sign area and shall not exceed 4 feet in height above the road grade.
- (6) Private traffic control. Signs directing traffic movement onto a premises or within a premises, not exceeding 4 square feet in area for each sign. Illumination of these signs shall conform to the provisions of this section.
- (7) Real estate signs. Real estate signs not exceeding 6 square feet in area and located on the subject property tract. They shall be removed within 7 calendar days after execution of a lease or transfer of the property.
- (8) Noncommercial flags. On-site flags of a nation, state, political subdivision, educational institution or noncommercial organization, provided that any flagpole utilized to display such flag is not more than 30 feet in height above the ground.
- (9) Ballpark signs. Signs installed on public property, with the permission of the Department of parks and recreation, at ball fields owned or operated by the County Department of Parks and Recreation. Said signs shall not exceed 6 square feet in size and shall be erected for no longer than 4 months.

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- (10) Project development sign. Temporary signs for undeveloped parcels to be set back at least 10 feet from the road right-of-way and not to exceed 10 feet in height above the road grade. One sign shall be permitted for each road frontage of at least 50 feet. The maximum sign area shall not exceed 32 square feet.
- D. Calculation of advertising or sign area.
- (1) Double-faced signs. One face of a sign having obverse and reverse faces shall be considered in calculating the advertising area. In the event that the faces of a sign are of a different area, the face having the larger area shall determine the advertising area of the sign.
- (2) Multi-faced or curved surface signs. The advertising area of a multi-faced or curved surface sign shall be calculated from dimensions derived from its greatest plane projection.
- (3) Modular signs. The advertising area of signs consisting of 2 or more individual letters, characters, numbers or figures shall be determined by the area of a described rectangle completely enclosing the extremities of all of the individual letters, characters, numbers or figures, provided, however, that if individual modules are mounted on a background, other than an integral structure component of a building, the entire area of such a background shall be calculated as advertising area.
- (4) Cylindrical signs. The advertising area of cylindrical signs shall be computed by multiplying $\frac{1}{2}$ of the circumference by the height of the sign.
- E. Illumination.
- (1) The light from any illuminated sign, including those on the interior of a building, shall be so shaded, shielded or directed so that the light intensity or brightness shall not interfere with the vision of motor vehicle operators or directly reflect onto adjacent residential lots or buildings.
- (2) No sign shall have blinking or flashing lights. With the exception of electronic message boards, as defined in §267-4 (Definitions), no sign shall have illumination devices which have a changing light intensity, brightness or color or which are so constructed and operated so as to create an appearance or illusion of writing. Nothing contained in this section shall be construed as preventing the use of lights or decorations commemorating religious and patriotic holidays.
- (3) No exposed reflective type bulbs, and no strobe lights or incandescent lamps exceeding 15 watts, shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to a public street or adjacent property.
- F. Prohibited signs. The following signs are prohibited in all districts and shall be removed in accordance with this section.
- (1) Signs containing statements, words or pictures of an obscene, indecent or immoral character that offend public morals or decency of the community.
- (2) Signs of a size, location, movement, content, coloration or manner of illumination which may be confused with or construed as a traffic control device, or which hide from view any permitted signs, or which distract or obstruct the view of road or pedestrian traffic in any direction at a road intersection.

- (3) Unless authorized by the utility, signs posted on any building, fence, pole or other property owned, leased or controlled by a public utility.
- (4) Except as provided in this section, signs that are placed within the County or State right-of-way.
- (5) Freestanding signs advertising business uses in Planned Residential Development projects.
- (6) Variable message boards.

G. Inspection, maintenance and removal.

- (1) All signs and supporting structures shall be kept in good repair and in a safe and attractive condition. Signs for which a zoning certificate is required may be inspected periodically by the Director of Planning for compliance with this section.
- (2) In the event that a billboard ceases to be used for advertising or falls into disrepair for a period of 3 months, the billboard will be deemed abandoned. Solicitation for advertising to be displayed on a billboard does not constitute advertising. Once a billboard has been abandoned, the Director of Planning shall notify the owner of the property and the owner of the billboard that the billboard has been abandoned and must be removed. The owners shall be responsible for taking all necessary steps to dismantle the billboard and remove and dispose of all visible remnants and materials from the subject parcel 90 calendar days after notification by the Director of Planning that the billboard has been abandoned.
- (3) The Director of Planning may order the removal of any sign, erected or maintained, in violation of this section. Written notice shall be given to the owner of such sign, building, structure or premises on which such sign is located to remove the sign or to bring it into compliance with this section within 10 calendar days from the date of the notice. Upon failure to remove the sign or to comply with this notice, or if it appears that the condition of the sign is such as to present an immediate threat to the safety of the public, the Department may remove the sign immediately without any additional notice. Any cost of removal incurred by the Department shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary debt or in the manner of taxes and such charge shall be a lien on the property.
- (4) Where the Director of Planning determines appropriate, signs within the AG, VB and VR Districts constructed along Scenic Byways shall be designed using the guidelines developed by the State Highway Administration to the greatest extent possible.
- (5) Any freestanding sign, permanent institutional sign, or permanent residential entrance sign and Continuing Care Retirement Community (CCRC) sign in the RR, R1, R2, R3, R4, RO, B1, Chesapeake Science and Security Corridor and ICSC Development shall have appropriate landscaping.
- (6) Billboards shall be landscaped with height appropriate plantings.

H. Nonconforming signs.

- (1) All signs or other advertising structures which were lawful prior to the enactment of this Part 1 or subsequent amendments, and which do not conform to regulations and restrictions under the terms of this Part 1 or amendments thereto, shall constitute nonconforming signs. Unless otherwise provided herein, nonconforming signs shall be replaced to conform to the requirements of this section when a sign is replaced or a site is redeveloped as defined in this Part 1.
- (2) All other signs or other advertising structures which were erected in violation of the law, or which are erected in violation of the provisions hereof, shall be removed, altered or replaced so as to comply with this section within 6 months of the effective date of this Part 1.

I. Sign standards by zoning district and development type.

- (1) Agricultural district. In addition to the requirements set forth in this section, signs in the Agricultural (AG) district must comply with the following standards:
 - (a) Commercial signs (including agricultural public events, agricultural retail, agricultural seasonal and any sign in connection with an approved special development or permitted nonresidential use). One externally lighted sign, not exceeding 16 square feet in area, on lots not exclusively used for residential purposes shall be permitted. These signs may be attached flat against the building or, if freestanding, located not less than 20 feet from the road right-of-way. Freestanding signs may not exceed 6 feet in height.
 - (b) 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 40 square feet in area and shall not exceed 8 feet in height.
 - (c) Permanent residential entrance or Continuing Care Retirement Community (CCRC) signs are permitted pursuant to the provisions of Subsection B(8).
 - (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.

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- (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.

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- (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.
 - (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.

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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) 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.
 - (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:

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- (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.
- (6) B1 Neighborhood Business, B2 Community Business, B3 General Business, C1 Commercial Industrial, LI Light Industrial and GI General Industrial districts. In addition to the requirements set forth in this section, signs in the B1, B2, B3, C1, LI and GI districts must comply with the following standards:
- (a) Signs erected on and attached to commercial, industrial or institutional buildings. The total area of all signs erected on and attached to commercial, industrial or institutional buildings shall not exceed 2 square feet per each linear foot of building width, measured along the front wall or entrance wall of a building. If a building is located on a lot having frontage on 2 streets, then the sign area for each side shall be calculated separately. The following types of signs shall be permitted:
 - [1] Wall signs.
 - [2] Projecting signs.

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- [3] Roof signs.
 - [4] Canopy signs.
 - (b) Two freestanding signs identifying commercial or industrial activity other than Integrated Community Shopping Centers shall be allowed on each road frontage if the property has a minimum of 40 feet of road frontage. The sign area shall be calculated on the basis of 1 square foot of sign for every foot of property road frontage, and the maximum sign area shall be determined in accordance with the restrictions contained in Subsection B(2) of this section.
 - (c) 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 10 feet from the road right-of-way.
 - (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 32 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) 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 54 square feet in area and shall not exceed 6 feet in height.
 - (f) Permanent residential entrance or Continuing Care Retirement Community (CCRC) signs are permitted pursuant to the provisions of Subsection B(8).
 - (g) An overall signage plan and architectural renderings of the signs shall be submitted as part of the Site Plan approval process. Creative modifications to the standard signage package used by large corporations and innovative sign lighting is strongly encouraged.
 - (h) For properties in the B1, B2 and B3 districts, a maximum of 2 directional signs may be permitted provided:
 - [1] The sign is located within 1,000 feet of the commercial structure to which it is directing and the property on which the commercial structure is located is also zoned B1, B2 or B3.
 - [2] The sign area does not exceed 20 square feet.
 - [3] The sign height does not exceed 10 feet above the nearest public road grade.
 - [4] If the business for which the sign was erected is no longer operating, the sign shall be removed promptly.

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- (7) MO Mixed Office district. In addition to the requirements set forth in this section, signs in the MO district must comply with the following standards:
- (a) Signs erected on and attached to commercial, industrial or institutional buildings. The total area of all signs erected on and attached to commercial, industrial or institutional buildings shall not exceed 1 square foot per each linear foot of building width, measured along the front wall or entrance wall of a building. If a building is located on a lot having frontage on 2 streets, then the sign area for each side shall be calculated separately. The following types of signs shall be permitted:
 - [1] Wall signs.
 - [2] Projecting signs.
 - [3] Roof signs.
 - [4] Canopy signs.
 - (b) Signs shall be considered an integral part of the design and shall incorporate the architectural elements and materials utilized. In all instances, consideration shall be taken to ensure each sign does not restrict sight distance for motor vehicle operators.
 - (c) An overall signage plan and architectural renderings of the signs shall be submitted as part of the Site Plan approval process. Creative modifications to the standard signage package used by large corporations and innovative sign lighting is strongly encouraged.
 - (d) Freestanding identification signs shall be limited to 1 sign for each road frontage. The maximum size of any sign shall not exceed 50 square feet. The maximum height of the signs shall not exceed 10 feet, and signs must be set back a minimum of 10 feet from the road right-of-way.
 - (e) Directional information signs shall be adequately provided and design coordinated.
 - (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 54 square feet in area and shall not exceed 6 feet in height.
 - (g) 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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- (h) The following types of signs shall not be permitted for any project located in the MO district:
- [1] Billboards.
 - [2] Temporary or portable signs.
- (8) Chesapeake Science and Security Corridor. In addition to the requirements set forth in this section, signs in the Chesapeake Science and Security Corridor must comply with the following standards:
- (a) Signs erected on and attached to commercial, industrial or institutional buildings. The total area of all signs erected on and attached to commercial, industrial or institutional buildings shall not exceed 2 square feet per each linear foot of building width, measured along the front wall or entrance wall of a building. If a building is located on a lot having frontage on 2 streets, then the sign area for each side shall be calculated separately. The following types of signs shall be permitted:
 - [1] Wall signs.
 - [2] Projecting signs.
 - [3] Roof signs.
 - [4] Canopy signs.
 - (b) An overall signage plan and architectural renderings of the signs shall be submitted as part of the Site Plan approval process. Creative modifications to the standard signage package used by large corporations and innovative sign lighting is strongly encouraged.
 - (c) Two freestanding signs identifying commercial or industrial activity other than community shopping centers shall be allowed on each road frontage if the property has a minimum of 40 feet of road frontage. The sign area shall be calculated on the basis of 1 square foot of sign for every foot of property road frontage, and the maximum sign area shall be determined in accordance with the restrictions contained in Subsection b(2) of this section. Signs shall be set back from the right-of-way 1/3 of the required front yard setback for the underlying zone.
 - (d) One directional sign, not exceeding 4 square feet in area or 6 feet above ground level, or 6 feet above road grade, whichever is higher, shall be permitted per business use if located at the nearest intersection of any major collector or arterial road and set back the required distance for the district. However, the maximum number of directional signs shall not exceed 3 per intersectional quadrant.
 - (e) Existing billboards located on sites within the Chesapeake Science and Security Corridor may remain and may be replaced subject to approval of necessary permits. Should the billboard be located on a site with an existing use, expansion of the use by more than 20% shall require the removal of said billboard. Should a billboard be located as the sole use on a site as of the effective date of the legislation, future development of the site, for other permitted uses, shall require the removal of said billboard. Notwithstanding the foregoing, the owner of a site upon which

a billboard is located within the Chesapeake Science and Security Corridor shall be permitted to redevelop the site for other permitted uses or expand the current use by more than 20% subject to the following conditions:

- [1] The site is subject to a lease with a third party for the billboard;
 - [2] The owner submits, to the Director of Planning, an affidavit that the owner has made good faith efforts to terminate the billboard lease, which efforts have failed;
 - [3] The lease term shall end no later than 2 years from the date of the issuance of the building permit for the property and the owner provides evidence of termination of the lease to the Director of Planning;
 - [4] The owner shall provide to the Director of Planning, a bond in an amount equal to 115% of the cost to remove the billboard at the end of the lease term; and
 - [5] The owner shall record, among the Land Records of Harford County, Maryland, a permanent easement for the benefit of the County to permit the County to enter upon the property to remove the billboard in the event the billboard is not removed within the time period set forth herein.
- (f) 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.
- (g) 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.
- (h) 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 10 feet from the road right-of-way.
- (9) Edgewood Neighborhood Overlay District (ENOD). In addition to the requirements set forth in this section, signs in the ENOD must comply with the following standards:
- (a) Signs erected on and attached to commercial, industrial or institutional buildings. The total area of all signs erected on and attached to commercial, industrial or institutional buildings shall not exceed 2 square feet per each linear foot of building width, measured along the front wall or entrance wall of a building. If a building is located on a lot having frontage on 2 streets, then the sign area for each side shall be calculated separately. The following types of signs shall be permitted:

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- [1] Wall signs.
 - [2] Projecting signs.
 - [3] Roof signs.
 - [4] Canopy signs.
- (b) An overall signage plan and architectural renderings of the signs shall be submitted as part of the Site Plan approval process. Creative modifications to the standard signage package used by large corporations and innovative sign lighting is strongly encouraged.
 - (c) Freestanding identification signs shall be limited to 1 sign for each road frontage. The maximum size of any sign shall not exceed 50 square feet. The maximum height of the signs shall not exceed 10 feet from the base of the sign, and signs must be set back a minimum of 10 feet from the road right-of-way line.
 - (d) Signs to identify the use of an occupant shall be designed as part of the architectural design of the building and attached thereto.
 - (e) Directional information signs shall be adequately provided and design coordinated.
 - (f) 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.
 - (g) 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.
 - (h) Billboards are not permitted for any new or redevelopment project located in the Edgewood Neighborhood Overlay District.
 - (i) One temporary or portable signs shall be permitted in the area designated as the main street only. Signs may not exceed 8 square feet in area, be located so as not to inhibit the normal flow of pedestrian traffic and in front of the specific business that is being advertised.
- (10) Integrated Community Shopping Center (ICSC). Signs for an ICSC shall comply with the following:
 - (a) Signs erected on and attached to commercial, industrial or institutional buildings. The total area of all signs erected on and attached to commercial, industrial or institutional buildings shall not exceed 2 square feet per each linear foot of building width, measured along the front wall

or entrance wall of a building. If a building is located on a lot having frontage on 2 streets, then the sign area for each side shall be calculated separately. The following types of signs shall be permitted:

- [1] Wall signs.
 - [2] Projecting signs.
 - [3] Roof signs.
 - [4] Canopy signs.
- (b) An overall signage plan and architectural renderings of the signs shall be submitted as part of the Site Plan approval process. Creative modifications to the standard signage package used by large corporations and innovative sign lighting is strongly encouraged.
- (c) Freestanding signs identifying Integrated Community Shopping Centers are allowed, but the maximum sign area shall be determined independently from the sign area restrictions contained in this section. Freestanding signs shall not exceed 1 square foot in area for each linear foot of road frontage or 200 square feet, whichever is smaller. One such sign shall be permitted for each road frontage, or not more than 2 signs shall be permitted along any frontage which exceeds 500 feet. The sign height shall not exceed 40 feet and shall be set back not less than 20 feet from the front property line.
- (d) Directional information signs shall be adequately provided and design coordinated.
- (e) The following types of signs shall not be permitted in an ICSC:
- [1] Billboards.
 - [2] Temporary signs.

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; Bill 17-04; Bill 17-18 as amended; Bill 19-15 as amended; and Bill 19-16 as amended]

§ 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
AMUSEMENTS																
Adult book stores, adult entertainment centers												P				
Agricultural public events	P															
Agricultural resource center	SE															
Arenas and stadiums												SE	SE	SE	SE	
Carnivals, circuses, concerts & public events (excluding religious activities)	T							T	T	T	T	T	T	T	T	
Club, private										P	P	P				
Club, recreational	SE	SE	SE	SE	SE	SE					P	P	P		SE	
Commercial amusement and recreation									P		P	P	P	P		P
Fairgrounds, racetracks, and theme parks	SE												SE	SE	SE	
Golf driving ranges and miniature golf courses	SE								SE			P	P			
Gymnasiums and health clubs									P	P	P	P	P	P	P	P
Marinas, boat launching, storage and repair	SE	SE	SE	SE	SE	SE				SE	SE	P	P	SE	P	
Motor vehicle recreation, ATV and go-cart tracks	SE														SE	
Nightclubs, lounges, bars and taverns									P			P	P			P
Noncompetitive recreational amusement cars													P			
Private parties and receptions	SD															
Riding stables, commercial or club (except accessory uses)	SD/SE											P	P			
Shooting ranges, indoor	SE											P	P			
Theaters, indoor	SE								P		P	P	P			P
Theaters, outdoor	SE								P			P	P			P
Trap, skeet, rifle and archery ranges, outdoor	SE												SE		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.

USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
INDUSTRIAL																
Ammunition (SIC-3482 and 3483)														SE	SE	
Apparel and other textile products (SIC-23)													P		P	
Asbestos products (SIC-3292)															SE	
Bakery products (SIC-205)	P											P	P	P	P	
Biological products (SIC-2831)													SE	SE	SE	P
Biomedical laboratories													P	P	P	P
Blast furnace (SIC-3312)															P	
Boat building and repairing (SIC-3732)													P		P	
Bottled and canned soft drinks (SIC-2086)													P	P	P	
Brewery, Production													P	P	P	
Chemicals and allied products (SIC-28), unless otherwise listed															P	
Communication equipment (SIC-366)													P	P	P	P
Concrete and asphalt manufacturing															P	
Construction and related equipment (SIC-353)															P	
Custom made wood household furniture	SD												P		P	
Dairy products (SIC-202)	P												P	P	P	
Distillery, Full													P	P	P	
Electric and electronic equip. (SIC-36), unless otherwise listed													P	P	P	P
Electrometallurgical products (SIC-3313)													P	P	P	
Electronic components and accessories (SIC-367)													P	P	P	P
Engines and turbines (SIC-351)															P	

PERMITTED USE CHARTS

(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.

USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
INSTITUTIONAL																
Animal Shelters	SD										SD	SD	SD			
Cemeteries, memorial gardens and crematories	SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	SE	SE	SE		
Club, non-profit	SE	SE	SE	SE	SE	SE	P	SE	P	P	P	P	P	P		P
Community centers or assembly halls	SE	SE	SE	SE	SE	SE	P	SE	P	P	P	P	P	P		P
Day-care centers	SE	SE	SE	SE	SE	SE	P	SE	P	P	P	P	SE	SE	SE	P
Fire stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fire stations with fire station assembly hall	P	SE	SE	SE	SE	SE		SE	P	P	P	P	P	P		P
Hospitals				SE	SE	SE				P	P	P	P	P		P
Houses of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Libraries	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Mixed Use Centers						SD				SD	SD	SD	SD	SD	SD	
Parks; recreation areas, centers and facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Planned Employment Centers						SD(1)						SD(1)	SD(1)	SD(1)	SD(1)	
Prisons												P	P			
Schools, colleges, and universities	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P		P

(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.

USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
MOTOR VEHICLE AND RELATED SERVICES																
Car wash											P	P	P			
Commercial vehicle and equipment (storage)	SE											P	P		P	
Commercial vehicle construction and industrial equipment sales and service												P	P		P	
Commercial or construction vehicle and equipment storage	SD															
Farm vehicles and equipment sales and service	SE								P			P	P		P	
Farm vehicles and equipment storage, service, and repair	SD															
Motor vehicle filling and service stations									P		P	P	P			P
Motor vehicle repair shops	SE								P	SE	P	P	P		P	
Motor vehicle rental and leasing									P			P	P			P
Motor vehicle sales and service									P			P	P			
Salvage and junk yards															SE	
School buses, storage	SD											P	P		P	
Towing business and storage facility												P	P			

PERMITTED USE CHARTS

- (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.
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	A blank cell indicates that the use is not permitted.
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§ 267-61. MO Mixed Office District. (Amended by Bill 15-36 as amended; Bill 18-33; and Bill 19-16 as amended]

- A. Purpose. The MO district is designed to promote major economic development opportunities, including corporate offices, research and development facilities and high-tech services which create significant job opportunities and investment benefits. Due to the excellent access and high visibility of the MO district, the intention of the MO district legislation is to promote high quality uses with high quality amenities. Designated at strategic I-95 interchanges, development will be subject to specific performance, architectural and site design standards. Enactment of this legislation shall not serve to open the Development Envelope beyond those areas designated "MO" on the 2004 Harford County Master Land Use Plan.
- B. Objectives.
- (1) To promote a mix of corporate offices, retail, recreational, hotel, residential and service uses in desirable areas in the County which have a positive effect on the County's economic tax base and employment.
 - (2) To maximize the attractiveness of and to enhance the visual appearance through preservation of significant natural features.
 - (3) To assure compatibility of the proposed land use with internal and surrounding uses by incorporating design standards and site design.
 - (4) To encourage pedestrian access to uses and to reduce traffic congestion by encouraging the clustering of buildings near internal streets.
 - (5) To maintain and enhance the visual character of the area.
 - (6) To allow a mixture of office, retail, recreational 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.
 - (7) To create quality usable public spaces.
 - (8) To ensure architectural standards of design for buildings, infrastructure and landscaping.
 - (9) To encourage the reduction of parking spaces through the use of shared parking lots within the development and to minimize parking as a visual element of the site and enhance the pedestrian environment.
- C. General regulations.
- (1) The project shall be reviewed in accordance with the Department of Planning and Zoning's Mixed Office Design Manual during the site plan approval process. The Director of Planning and Zoning shall have the authority to require compliance with the Mixed Office Design Manual.
 - (2) Minimum lot or parcel area for the project shall be 20 acres.

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- (3) Landscaping. Landscaping should provide for a transition from the surrounding agricultural uses and rural landscape to the employment, retail service and residential uses on the site. All other requirements set forth in §267-29 (Landscaping) must be met.
 - (4) Buffer yards. A type "D" buffer yard shall be provided along any adjacent public road. All other requirements set forth in §267-30 (Buffer Yards) must be met.
 - (5) Signage shall comply with requirements set forth in §267-33 (Signs).
 - (6) 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. The lighting fixtures shall be designed to assure compatibility with the building style. A Lighting Plan shall be submitted as part of the site plan approval process and approved by the Department of Planning and Zoning.
 - (7) The project shall have direct access to one or more collector or higher functional classification roadways as defined by the Harford County Transportation Element Plan.
 - (8) The project must be served by public water and sewer service.
- D. Specific requirements. The following uses are permitted, subject to the additional requirements below:
- (1) The principal permitted uses in the MO Mixed Office district shall be those uses shown on the Permitted Use Charts.
 - (2) 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 61-1, shall apply, subject to other requirements of this Part 1.
 - (3) Design requirements. Development in the MO district shall comply with the following regulations:
 - (a) Vehicular circulation.
 - [1] Loading and service areas shall be separated from the pedestrian and employee parking areas. Service areas shall be located away from roadways to the greatest extent possible. Loading and service areas shall be effectively buffered from adjoining properties and roadways.
 - [2] The internal vehicular circulation system shall follow a pattern of intersecting streets that provide alternative routes.
 - [3] Points of external access and alignments of internal roadways shall facilitate use of public transit. This may include rights-of-way sufficient for bus pull-outs and bus shelters as well as transit easements on private streets.

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- [4] A comprehensive pedestrian circulation system shall link all uses with the intent of minimizing walking distances and reducing dependence on the private automobile for internal travel and external access.
- (b) Parking standards.
- [1] A parking and pedestrian circulation plan shall be submitted as part of the Site Plan approval process.
 - [a] A multi-use path(s) to accommodate bike and pedestrian traffic shall be constructed with a 10 foot bike/pedestrian path easement, exclusive of any other easement.
 - [b] Bike racks shall be required for every 100 parking spaces.
 - [2] All parking areas must be effectively landscaped and buffered from adjacent roadways and adjoining residential districts pursuant to §267-29 (Landscaping) and §267-30 (Buffer Yards).
 - [3] Parking areas should be broken up into lots of no more than 150 cars; the parking areas shall be separated by landscaped islands.
 - [4] The number of parking spaces provided and overall design and layout of parking lots must be in accordance with §267-26 (Off-street Parking and Loading). To encourage Leadership in Energy and Environmental Design (LEED) and green building initiatives for mixed use developments zoned MO, reductions of parking through the use of shared parking within the development are permitted. The reduction of parking spaces should be justified with shared parking data from recognized industry groups such as the Urban Land Institute (ULI), the Institute of Transportation Engineers (ITE), the Transportation Research Board (TRB) or other documented studies.
 - [5] No direct access to any lot is allowed from a collector or higher functional classification road as defined in the Harford County Transportation Element Plan.
 - [6] All access points from a parcel in the MO district shall be consolidated wherever feasible.
- (c) Building design standards.
- [1] An architectural rendering of the building facade and elevations of the structures shall be submitted to the Department of Planning and Zoning as part of the Site Plan approval process and shall be reviewed in accordance with the Department of Planning and Zoning's Mixed Office Design Manual.

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- [2] Architecturally harmonious materials, colors, textures and treatments shall be used for all exterior walls within the MO district. The building materials, colors, textures and treatments shall be harmonious within the project.
 - [3] Mechanical equipment shall be located within the building or within a mechanical equipment penthouse. If mechanical equipment is located on the roof or is freestanding on the site, it shall be effectively buffered from view by means fully compatible with the architecture. Mechanical equipment shall be buffered from view from all sides.
 - [4] Outdoor storage is prohibited.
- (d) Retail/service uses.
- [1] Retail and service other than professional services and corporate office uses may be incorporated into the overall project for up to 40%.
 - [2] Retail and service uses shall not have direct access on a collector or higher functionally classified roadway.
 - [3] Any retail or service use may be incorporated as part of the office park buildings.
 - [4] Professional services and corporate office uses shall not be limited to 40% of the overall project.
- (e) Open space. The MO district shall include a minimum of 25% of the parcel area preserved as vegetated open space. The buffer yards, landscaped parking islands, building and perimeter landscaping shall be included in the calculation of open space, so long as a minimum width of 10 feet is maintained. Vegetated stormwater management facilities shall not be included in the calculation of open space.
- (f) Impervious surface. Impervious surface within the MO District shall be limited to 75%.
- (g) Utility facilities. Water towers or other similar utility facilities should, to the greatest extent possible, be located and designed to minimize the visibility of the structure from adjoining properties and roadways.
- (h) At least 15% of the overall project shall consist of uses other than retail trade and residential as provided in the Permitted Use Charts.
- E. Residential uses. Residential uses shall not exceed 45% of the overall project.

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 13-04 as amended; Bill 16-07; Bill 17-04; Bill 18-35; Bill 19-15 as amended and Bill 19-16 as amended]

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) Club, recreational. 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 5 acres is required.
- (b) A type "E" buffer, pursuant to §267-30 (Buffer Yards) shall be provided along any boundary with an adjacent residential lot.
- (c) Structures shall be designed so as to ensure that the activities conducted therein will not endanger the public health and safety.

C. Institutional uses.

- (1) Cemeteries, memorial gardens and crematories. These uses may be granted in the AG, RR, R1, R2, R3, R4, VR, VB, B1, B2, B3, CI and LI districts, provided that:
 - (a) A minimum parcel of 20 acres for cemeteries and memorial gardens shall be established, unless such uses are accessory to a house of worship.
 - (b) Structures used for interment, including mausoleums, vaults or columbariums, shall be set back not less than 50 feet from any road bounding the cemetery and not less than 50 feet from any other lot line.
 - (c) All graves or burial plots shall be set back not less than 30 feet from any public road right-of-way and not less than 50 feet from any adjacent lot line.
 - (d) Such use shall be subject to the approval of the State Department of health and mental hygiene.
- (2) Club, non-profit. These uses may be granted in the AG, RR, R1, R2, R3, R4 and VR districts, provided that:
 - (a) 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 25 feet, except along roads with 80 foot rights-of-way or more, where the front yard depth shall be at least 50 feet.
 - (b) Total building coverage shall not be more than 30% of the parcel area.
 - (c) No parking area shall be located in any required front yard.
 - (d) A type "D" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any boundary with an adjacent residential lot.
- (3) Community centers or assembly halls. These uses may be granted in the AG, RR, R1, R2, R3, R4 and VR districts, provided that:
 - (a) 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 50 feet.
 - (b) Total building coverage shall not be more than 30% of the parcel area.

- (c) No parking space shall be located in any required front yard.
 - (d) A type "B" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any boundary with an adjacent residential lot.
- (4) Day-care centers.
- (a) These uses may be granted in the AG, RR, R1, R2, R3, R4 and VR districts, provided that:
 - [1] A minimum parcel area of ½ acre is established.
 - [2] Access to the facility shall be from an arterial or collector road.
 - [3] All outdoor play areas shall be located in a fenced area in the rear of the building. A type "B" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any boundary with an adjacent residential lot.
 - [4] The operation may be conducted in a previously existing structure, or, if a new structure is constructed, the architecture of the building shall be harmonious with other architecture within the neighborhood.
 - [5] If the operator of a day-care center operated in a church, private school or public school has obtained a zoning certificate under the provisions of §267-28 (Accessory Uses and Structures), the day-care center is exempt from the requirements of this Subsection C(4).
 - (b) These uses may be granted in the CI, LI and GI districts, provided that:
 - [1] Access to the facility shall be from a public road.
 - [2] In order to minimize children's exposure to noise and other emissions from roads, parking areas and industrial activities, the facility's outdoor play area shall be fenced. A type "B" buffer, pursuant to §267-30 (Buffer Yards), shall be provided around the play area.
 - [3] 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.
 - [4] The Board may deny an application if the proposed facility would be located near an industrial use that constitutes a potential hazard to the children in the facility.
- (5) Fire station, with fire station assembly hall. This use may be granted in the RR, R1, R2, R3, R4 and VR districts, provided that: