

# Harford County, Maryland

## ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

Amended thru July 25, 2022

*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	15-39AA	2/16/16
09-11	6/15/09	16-02AA	5/17/16
09-19AA	8/17/09	16-07	7/5/16
09-23AA	10/13/09	16-20	8/22/16
09-31AA	1/22/10	16-28	2/13/17
09-33AA	1/22/10	16-29AA	2/13/17
10-03	4/20/10	17-02	4/24/17
10-30	12/13/10	17-04	6/5/17
10-32AA	12/27/10	17-08AA	8/14/17
11-04AA	5/23/11	17-15AA	12/26/17
11-05AA	5/23/11	17-18AA	1/16/18
11-03	5/31/11	18-04AA	6/18/18
11-32	12/12/11	18-33	12/10/18
11-44	12/19/11	18-34	12/10/18
11-62AA	1/13/12	18-35	12/10/18
12-07AA	5/14/12	18-36	12/10/18
12-14	5/21/12	19-04AA	5/13/19
12-44	1/26/13	19-15AA	8/12/19
12-48AA	2/11/13	19-16AA	8/20/19
13-4AA	5/6/13	19-29AA	1/2/20
13-17	7/22/13	19-28	1/13/20
13-35	1/21/14	19-30	2/14/20
13-36	1/21/14	20-01	4/20/20
13-50	2/18/14	20-11	8/10/20
13-51	3/18/14	21-01AA	5/10/21
13-52	3/18/14	21-03AA	8/6/21
14-01	4/22/14	21-14	8/16/21
14-09	7/11/14	21-19	11/22/21
14-26AA	8/25/14	21-20AA	12/20/21
15-17	12/7/15	21-23	1/10/22
15-23AA	1/4/16	22-06	7/19/22
15-35AA	2/8/16	22-08	7/25/22
15-36AA	2/16/16		

**§ 267-4. Definitions.** [Amended by Bill 09-19, as amended; Bill 11-04, as amended; Bill 11-05, as amended; Bill 11-32; Bill 12-44; Bill 12-48 as amended; Bill 13-35; Bill 14-1; Bill 15-39 as amended; Bill 16-02 as amended; Bill 16-20; Bill 17-04; Bill 18-36; Bill 19-04 as amended; Bill 19-15 as amended; Bill 19-16 as amended; Bill 19-29 as amended; Bill 20-11; Bill 21-01 as amended; Bill 21-19 as amended; Bill 22-06 and Bill 22-08]

**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 DWELLING UNIT (ADU)** – An independent, self-contained dwelling unit located within a single-family detached dwelling.

**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

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

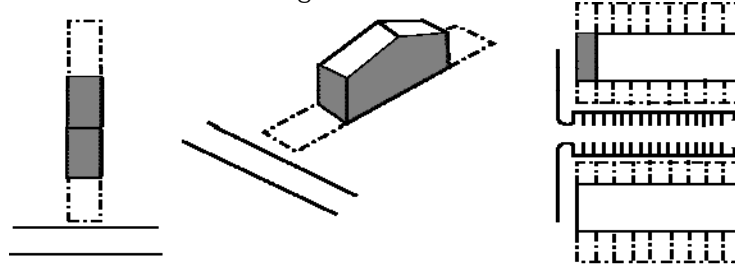


Figure 11 townhouse dwelling

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.

ELECTRIC VEHICLE - A vehicle that uses electricity for propulsion.

ELECTRIC VEHICLE CHARGING STATION - A structure that hosts a connected point in an electrical wiring installation at which current is taken to charge an electric vehicle.

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

ENTERTAINMENT AND EVENTS CENTER - An integrated venue for indoor and/or outdoor amusement, recreation and social activities with a combination of amusement, recreation, social, retail, office and service uses.

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.



USE CLASSIFICATION	ZONING DISTRICTS															
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
<b>AMUSEMENTS</b>																
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		P
Entertainment and events center											SE	SE	SE	SE	SE	SE
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.

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

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

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## 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; Bill 19-16 as amended; Bill 21-01 as amended; and Bill-22-08]

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.
    - (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.

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- (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).
  - (b) A type "B" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any boundary with an adjacent residential lot and along any public road.
- (5) Motor vehicle recreation, ATV and go-cart tracks. These uses may be granted in the AG and GI districts, provided that:
- (a) A minimum parcel area of 25 acres is established.
  - (b) Proper sediment control measures are used for any stormwater runoff.
  - (c) The primary activity takes place a minimum of 500 feet from any adjacent residential lots.

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- (d) No adjoining property is participating in the agricultural preservation program.
  - (e) Hours of operation shall be established by the Board of Appeals.
- (6) Outdoor theaters. These uses may be granted in the AG district, provided that:
- (a) Such theaters shall be for live productions only.
  - (b) All structures shall be located at least 200 feet from any adjacent residential lot.
  - (c) Parking areas shall be buffered from adjacent residential lots by a type "C" buffer, pursuant to §267-30 (Buffer Yards).
- (7) Indoor shooting ranges. These uses may be granted in the AG district, provided that:
- (a) Adequate measures are taken to ensure that no loaded firearms will be brought into or taken out of the building.
  - (b) The sale, consumption or possession of alcoholic beverages on the premises is forbidden.
  - (c) Such range is constructed in such a manner as to eliminate danger to persons or property from flying projectiles.
  - (d) The manner and times of operation shall be such that there will be no resulting detrimental disturbances to neighboring uses.
- (8) Golf driving ranges and miniature golf courses. These uses may be granted in the AG and VB districts, provided that:
- (a) The use shall not be within 50 feet of any lot line or within 200 feet of any adjacent residential lot.
  - (b) A minimum parcel area of 6 acres shall be provided for golf driving ranges.
- (9) Trap, skeet, rifle or archery ranges, outdoor. These uses may be granted in the AG, CI and GI districts, provided that:
- (a) A minimum parcel area of 75 acres shall be required for all rifle and pistol ranges. A minimum parcel area of 25 acres shall be required for all trap, skeet and archery ranges.
  - (b) Discharging of firearms or release of arrows shall not be permitted within 500 feet of any property line.
  - (c) Such range is constructed in such a manner as to eliminate danger to persons or property from flying projectiles.
  - (d) The manner and times of operation shall be such that there will be no resulting detrimental disturbances to residential neighborhoods.
  - (e) The facilities shall be designed so that the topographic features of the parcel are used to enhance safety and minimize firearm noise.

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- (10) Indoor theaters. These uses may be granted in an AG district, provided that:
- (a) Such theaters shall be for live productions only.
  - (b) The proposed uses shall be located on an historic site or within an historic structure.
  - (c) Any historic structures renovated and used shall be subject to review by the Historic Preservation Commission.
  - (d) The project shall respond to and be protective of natural and historic features of the site.
  - (e) All structures shall be located at least 200 feet from any adjacent residential lot.
  - (f) Parking areas shall be buffered from adjacent residential lots. Sufficient parking to accommodate all patrons on the site shall be provided.
  - (g) A minimum parcel area of 3 acres is established.
  - (h) Activities or uses on the site shall be limited to those approved by the Board.
- (11) Riding stables, commercial or club. These uses shall be granted in the AG district, provided that:
- (a) No stable shall be located within 50 feet of any residential lot.
  - (b) A minimum parcel area of 5 acres is established.
- (12) Agricultural resource center. This use may be granted in the AG district, provided that:
- (a) A minimum parcel area of 100 acres is established.
  - (b) The principal access shall be provided from a collector or higher functionally classified roadway as defined by the most recently adopted Transportation Element Plan.
  - (c) No building or structure, including temporary structures, shall be located less than 200 feet from any adjacent residential lot.
  - (d) Any outside lighting shall be designed, installed and maintained in a manner not to cause a glare or reflection on adjacent residential lots.
  - (e) Ancillary uses to the agricultural resource center are defined as office space, banquet hall and meeting rooms. The ancillary uses are limited to 10% of the total building square footage or 25,000 square feet, whichever is less.
  - (f) Public events are limited to 1 event per 30 calendar days, and hours of operation for public events are permitted between 6:00 a.m. and 10:00 p.m.
  - (g) A type "E" buffer yard, pursuant to §267-30 (Buffer Yards), shall be provided adjacent to any residential lot.

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- (13) Entertainment and events center. This use may be granted in the B2, B3, CI, LI, GI and MO zoning districts provided that:
- (a) A minimum parcel area of 5 acres is established.
  - (b) The entertainment and events center shall be served by public water and sewer facilities.
  - (c) The use shall be setback a minimum of 100 feet from residentially zoned parcels.
  - (d) In the CI, LI and GI zoning districts, a 200-foot setback shall be established from any established industrial use that manufactures chemical, petroleum products including refining and lubricating oils and greases, ammunition ordnance and accessories, steel or metal manufacturing, reclaimed rubber, recycling centers, secondary smelting and refining, or tire and inner tubes.
  - (e) Pursuant to §267-30 (Buffer Yards), a type "E" buffer shall be established along all residential lot lines and a type "A" buffer shall be established along all non-residential lot lines, excluding adjoining public or private rights-of-way.
  - (f) No outdoor activities are permitted between 10:00 p.m. and 8:00 a.m. Sunday through Thursday and between 11:00 p.m. and 8:00 a.m. Friday and Saturday.
  - (g) Any lighting shall be shaded, shielded or directed so that the light intensity or brightness does not adversely affect the operation of vehicles or reflect into the residential lots or buildings and may be used only during the permitted hours of operation.
  - (h) The site shall provide a minimum of 1 of the permitted uses from the Amusements Classification on the Permitted Uses Chart as set forth in Subsection [1] below and shall be designed to integrate a minimum of 2 other permitted uses as set forth in Subsection [2] below:
    - [1] Amusements.
      - [a] Commercial amusement and recreation.
      - [b] Gymnasiums and health clubs.
      - [c] Nightclubs, lounges, bars and taverns.
      - [d] Private parties and receptions.
      - [e] Indoor theaters.
      - [f] Outdoor theaters.
    - [2] Retail trade and services.
      - [a] Brewery, micro.
      - [b] Brewery, pub.
      - [c] Distillery, limited.
      - [d] Restaurants.

- [e] Restaurants, take-out.
- [f] Shoppers merchandise store.
- [g] Specialty shop.
- [h] Liquor store.
- [i] Personal service, excluding tattoo parlors.
- [j] Professional services.

- (i) One use from the Amusements classification on the Permitted Use Chart as set forth in Subsection [1] above, as well as a minimum of 2 additional permitted uses as set forth in Subsections [1] and [2] above, shall be operational at all times.

B. Industrial uses.

- (1) Offal or dead animal disposal or processing services. These uses may be granted in the AG and GI districts, provided that:
  - (a) The vehicles and equipment are stored entirely within an enclosed building or are buffered from adjacent residential lots and public roads.
  - (b) No vehicle used for transportation of offal or dead animals is parked or equipment is stored within any required yard.
- (2) Paper and allied products. These uses may be granted in the GI district, provided that structures are designed so as to ensure that the activities conducted therein will not endanger the public health and safety and, further, that any odors will not be a nuisance to the neighborhood.
- (3) Petroleum refining. These uses may be granted in the GI district, provided that:
  - (a) Such buildings and structures are constructed to ensure that the activities enclosed therein will not endanger the public health and safety.
  - (b) The applicant bears the cost of such additional fire-protection services as the use may necessitate.
- (4) Lubricating oils and greases. These uses may be granted in the GI district, provided that:
  - (a) Such buildings and structures are constructed to ensure that the activities enclosed therein will not endanger the public health and safety.
  - (b) The applicant bears the cost of such additional fire-protection services as the use may necessitate.
- (5) Asbestos products. These uses may be granted in the GI district, provided that:
  - (a) Such buildings are constructed to ensure that the activities enclosed therein will not endanger the public health and safety.
  - (b) Outside storage is prohibited.
- (6) Ammunition. These uses may be granted in the LI and GI district, provided that such buildings are constructed to ensure that the activities enclosed therein will not endanger the public health and safety.



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- (7) Ordnance and accessories. These uses may be granted in the LI district, provided that:
- (a) The Board of Appeals shall establish the hours in which the operation and testing shall occur.
  - (b) The trajectory of any weapons being tested outdoors be directed away from any buildings within site-line, within 1/2 mile.
  - (c) Underground testing must occur within approved containment devices.
  - (d) Air drops of ordnance and accessories is prohibited.
  - (e) Appropriate off-site signs shall be posted within standard limits, warning of explosions and radio-wave interference.
  - (f) Facilities testing self-propelled machinery shall be buffered with a 100-foot landscaped buffer yard that provides a 100% opaque screen year-round.
- (8) Laboratory research, experimental or testing. These uses may be granted in the AG district, provided that:
- (a) A minimum parcel area of 10 acres is required.
  - (b) The research activity is directly linked to agricultural research or requires the cultivation of crops or the keeping of animals or requires a rural setting to perform the work activities.
- (9) Biological Products. These uses may be granted in the CI, LI and GIS districts, provided that:
- (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.

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- (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.

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

- (b) It is located on a parcel frontage of at least 200 feet.
- (c) A front yard depth of at least 50 feet, a side yard depth equal to at least 2 times the height of the tallest structure located on the parcel which is proximate to the side yard and a rear yard depth of at least 50 feet.
- (d) School buses shall be garaged or shall be stored in an area to the rear of the main building and adequately buffered.
- (e) A type "C" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any boundary with an adjacent residential lot.

D. Motor vehicle and related services.

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

- (3) Salvage and junk yards. These uses may be granted in the GI district, provided that:
  - (a) A minimum parcel area of 10 acres is required.
  - (b) Storage and salvage areas are fully buffered from view of public roads and neighboring residences by means of a solid fence or wall at least 8 feet high.
  - (c) No salvage material or junk may be piled more than 6 feet high or above the level of the buffer yard, whichever is greater.
  - (d) A type "E" buffer yard (see §267-30 (Buffer Yards)) shall be provided along any adjacent road right-of-way or adjacent property.

E. Natural resource uses.

- (1) Mineral extraction and processing. These uses may be granted in the AG, RR, R1, R2, R3, R4, RO, VR, VB, B1, B2 and B3 districts, provided that:
  - (a) A permit for such use has been approved by the Maryland Department of the Environment.
  - (b) No building or structure shall be located within 100 feet of any road right-of-way or adjoining property line.
  - (c) The following buffer requirements shall be maintained:
    - [1] In addition to §267-30 (Buffer Yards), all areas in which extraction activities occur shall maintain a minimum 1,000 foot buffer from any adjacent road and a minimum buffer of 1,500 feet from any adjacent residentially zoned parcel. Within the required buffer yard, a minimum 20 foot recreational buffer shall be maintained;
    - [2] The storage of overburden shall not be visible above the tree line and shall be properly screened from any adjacent road or residentially zoned parcel; and
    - [3] Blasting activities shall not be permitted within 2,000 feet of any residentially zoned parcel or designated historic landmark.
  - (d) Existing trees and ground cover along public road frontage shall be preserved, maintained and supplemented by the selective cutting, transplanting and addition of trees, shrubs and other ground cover for the depth of the front yard setback. Where it is determined that landscaping is not practical because of soil and/or operation conditions, other buffering shall be provided.
  - (e) Any use authorized as a conditional use pursuant to Board of Appeals approval prior to the effective date of this Part 1 shall comply with the conditions as previously established. Any use authorized after the effective date of this Part 1, as amended, may proceed, subject to the conditions of this section. Where a conditional use or special exception has been granted, any modification or change of operations affecting the conditions or expansion of the use shall be subject to approval by the Board of Appeals.
  - (f) The Director of the Department of Planning and Zoning annually shall require all active mining operations that operate subject to a Board of Appeals decision to submit to the Department a Certificate of Compliance. The Certification shall be signed by the Chief Executive

Officer and the Plant Operator/Manager of the company which owns the property and shall state whether the mining operation is in compliance with all of the conditions in the Board's decision. The Certificate of Compliance shall include detailed information to address the conditions imposed as part of the Board of Appeals case. The Director of the Department of Planning and Zoning may require any additional information needed to verify compliance, such as a property line or topographic survey or part or all of the property sealed by a Professional Land Surveyor or Registered Property Line Surveyor.

- (2) Sawmills, firewood processing and distribution. These uses may be granted in the AG and B3 districts, provided that:
  - (a) A minimum parcel area of 10 acres is required.
  - (b) Storage areas are fully buffered from view of public roads and neighboring residences by means of a solid fence or wall at least 8 feet high.
  - (c) A type "E" buffer yard (see §267-30 (Buffer Yards)) shall be provided along any adjacent road right-of-way or adjacent property.
  - (d) No wood products shall be piled more than 6 feet high or above the level of the buffering, whichever is greater.
- (3) Mulch processing, storage and sales. These uses may be granted in the AG district, provided that:
  - (a) A minimum parcel area of 10 acres is required.
  - (b) Storage areas are fully buffered from view of public roads and neighboring residences by means of a solid fence or wall at least 8 feet high.
  - (c) A type "E" buffer yard (see §267-30 Buffer Yards) shall be provided along any adjacent road right-of-way or adjacent property.
  - (d) No wood products shall be piled more than 6 feet high or above the level of the buffering, whichever is greater.

F. Residential uses.

- (1) Apartments, high-rise. These uses may be granted in the R4 and B3 districts, provided that:
  - (a) A minimum parcel area of not less than 3 or more than 20 acres shall be established.
  - (b) The density shall not exceed 30 dwelling units per acre for high-rise apartments, and the maximum building coverage shall be 30% of the total parcel for high-rise apartments.
  - (c) The location is suitable for apartment dwellings with regard to traffic, access, efficiency and convenience of land use and safety.
  - (d) The proposed project is designed with properly arranged traffic flow, pedestrian linkages and parking; buildings which are compatible and harmonious with surrounding uses; and minimum obstruction to the view of those who live in the surrounding area.

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- (e) The open space shall constitute at least 35% of the parcel area, of which at least 40% shall be suitable for and devoted to active recreation.
  - (f) Any area not used for buildings, structures or parking shall be landscaped and properly maintained.
  - (g) In the B3 district, apartment dwelling structures shall be able to provide retail and service uses primarily intended for the future residents. No individual retail accessory use may exceed 1,500 square feet, and the total retail accessory uses shall not exceed 150 square feet per dwelling unit. No freestanding signs advertising the business uses shall be allowed.
- (2) Camps, retreats and recreational vehicle parks. These uses may be granted in the AG district, provided that:
- (a) Recreational vehicle parks shall contain electrical and water outlets for individual sites, 1 or more central sanitary stations, toilets and shower facilities.
  - (b) The parcel shall have a minimum frontage of 200 feet on a collector or arterial road.
  - (c) The maximum density permitted shall be 10 campsites or rooms per acre, with a minimum campsite size of 3,000 square feet. All campsites shall be at least 50 feet from any property line.
  - (d) The only permitted permanent residential occupancy shall be for the resident owner or manager.
- (3) Country inns, tourist homes and resorts. These uses may be granted in the AG, RR, R1, R2, R3, R4, RO and VR districts, provided that:
- (a) Eating and sleeping facilities for at least 3 guests on a daily or weekly short-term basis shall be provided.
  - (b) The project shall be responsive to the natural and historic features of the parcel.
  - (c) Any historic structures renovated and used shall be subject to review by the Historic Preservation Commission, consistent with Article XIII.
- (4) Group home for sheltered care. This use may be granted in the AG, RR, R1, R2, R3, R4, RO and VR districts, provided that:
- (a) A minimum parcel area of 3 acres is required in the AG district. A minimum parcel area of 2 acres is required in the RR and R1 districts.
  - (b) Density is limited to 8 residents per acre.
- (5) Nursing homes and assisted living facilities. These uses may be granted in the AG, RR, R1, R2, VR, VB and B1 districts, provided that:
- (a) A minimum parcel area of 5 acres is established and a maximum building coverage of 40% of the parcel is provided.
  - (b) The setbacks of the district for institutional uses shall be met.
  - (c) The density shall not exceed 20 beds per acre of the parcel.

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- (6) Personal-care boarding homes. This use may be granted in the AG, RR, R1, R2, R3, R4, RO, VB and VR districts, provided that:
- (a) The proposed use shall be located in a single-family detached dwelling.
  - (b) The proposed use meets the minimum lot size requirements for a conventional single-family residence in the district where located.
  - (c) A maximum density of 1 Boarder per 2,000 square feet of lot area shall be maintained.
  - (d) Where an application is for construction of a new dwelling, the building shall be similar in appearance to other single-family dwellings in the neighborhood.
  - (e) All applicable State and County laws and regulations are satisfied.
- (7) Mobile homes. These uses may be granted in the R3, R4, VR, VB, B1, B2 and B3 districts, provided that:
- (a) The main roof of each unit shall be pitched, having at least 1 foot of rise for each 4 feet of horizontal. The roofing material shall be compatible with residential dwellings within the neighborhood in which the mobile home is to be located.
  - (b) The exterior finish of the unit shall be of a color, material and scale which are harmonious with the existing residential dwellings within the neighborhood in which the mobile home is to be located. In no case shall the degree of reflectivity of exterior finishes exceed that of semi-gloss white paint. Siding, trim and features shall be compatible with other materials used in construction of the mobile home unit.
  - (c) The mobile home unit shall be placed on a permanent foundation in accordance with the manufacturer's specifications. Installation shall include a positive surface water drainage away from each unit.
  - (d) All wheels, axels, transporting lights and removable towing apparatus shall be removed from each unit prior to occupancy.
  - (e) The lot size and yard requirements applicable to single-family detached dwellings in the respective zoning district shall apply to mobile homes.
  - (f) In the VR and VB districts, mobile homes shall have a minimum width of 24 feet and a minimum length of 48 feet.

G. Retail trade.

- (1) Agricultural retail. This use may be granted in the RO district, provided that the parcel has sufficient road frontage to ensure ingress and egress. Any permanent structure shall meet setback for retail uses.
- (2) Antique shops, art galleries and museums. These uses may be granted in the AG district, provided that a minimum parcel area of 2 acres is required and the proposed use is located in an historic structure.
- (3) Auction sales, agricultural related products. These uses may be granted in the AG, VB and B3 districts, provided that:
  - (a) A minimum parcel area of 3 acres shall be established.



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- (b) No facility for overnight shelter of animals shall be within 200 feet of any adjacent residential lot.
- H. Services.
- (1) Construction services and suppliers. These uses may be granted in the AG and VB districts, provided that:
- (a) A minimum parcel area of 5 acres in the AG district and .5 acres in the VB district is required.
  - (b) If the use includes the storage of commercial vehicles and equipment, the vehicles and equipment must be stored entirely within an enclosed building or fully buffered from view of adjacent residential lots and public roads.
  - (c) All parking and storage areas must be paved.
  - (d) A type "C" buffer, pursuant to §267-30 (Buffer Yards), shall be provided along any adjacent road rights-of-way or adjacent residential lots.
- (2) Lawn and landscaping services. This use may be granted in the AG and VB districts, provided that:
- (a) A minimum parcel area of 2 acres in the AG district and .5 acres in the VB district is required.
  - (b) All parking areas must be paved.
  - (c) A type "C" buffer yard, pursuant to §267-30 (Buffer Yards), shall be provided along any adjacent road rights-of-way or adjacent residential lots.
  - (d) All commercial vehicles, equipment and supplies must be stored within an enclosed building.
- (3) Small engine repair. This use may be granted in the AG district, provided that:
- (a) A minimum parcel area of 2 acres is required.
  - (b) All equipment must be stored within an enclosed building or fully buffered from view of adjacent residential lots and public roads.
- (4) Funeral homes and mortuaries. These uses may be granted in the AG district, provided that:
- (a) The proposed use shall be located in a building which is residential in character.
  - (b) A type "B" buffer, pursuant to §267-30 (Buffer Yards), shall be provided between the parking area and any residential lot or public road.
  - (c) Access for such use shall be from an arterial or collector road.
  - (d) A minimum parcel area of 3 acres is established.
- (5) Kennels. These uses may be granted in the AG district, provided that:
- (a) A minimum parcel area of 5 acres must be provided.

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- (b) All buildings for the shelter of animals and all runways shall be located at least 200 feet from any lot line.
  - (6) Pet grooming. This use may be granted in the AG district, provided that:
    - (a) The activity takes place inside a completely enclosed building.
    - (b) No animals may be kept overnight, except those owned by the proprietor.
  - (7) Personal services. These uses may be granted in the VR district, provided that:
    - (a) A type "B" buffer, pursuant to §267-30 (Buffer Yards), must be provided between the parking area and any adjacent residential lot.
    - (b) Gross floor area shall not exceed 5,000 square feet.
  - (8) Professional services. These uses may be granted in the VR district, provided that:
    - (a) A type "B" buffer, pursuant to §267-30 (Buffer Yards), must be provided between the parking area and any adjacent residential lot.
    - (b) Gross floor area shall not exceed 5,000 square feet.
  - (9) Restaurants and Brewery, Pub. These uses may be granted in the VB and B1 districts, provided that:
    - (a) The use is located with direct access to an arterial or collector road.
    - (b) A type "A" buffer, pursuant to §267-30 (Buffer Yards), must be provided along the public road(s) and any adjacent residential lot.
  - (10) Veterinary clinics or hospitals or veterinary practice, large animals. These uses may be granted in the AG district, provided that:
    - (a) A minimum parcel area of 3 acres is required.
    - (b) The use shall be located with direct access to an arterial or collector road.
    - (c) A type "A" buffer, pursuant to §267-30 (Buffer Yards), shall be provided between the parking area and any adjacent residential lot.
    - (d) Any runways or outdoor holding areas shall be set back at least 200 feet from any lot line.
  - (11) Health services and medical clinics. These uses may be granted in the RO district, provided that:
    - (a) The structure shall be of a size, scale and facade compatible with the surrounding residential neighborhood.
    - (b) All parking shall be accommodated on the site in a manner compatible with the surrounding roads and uses.
    - (c) A type "A" buffer yard, pursuant to §267-30 (Buffer Yards), shall be provided between the parking area and any adjacent residential lot.
  - I. Transportation, Communications and Utilities (TCU).
    - (1) Aircraft landing and storage, private. This use may be granted in the AG, CI, LI and GI districts, provided that:

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- (a) The airfield is designed in accordance with design criteria required for private use airports as set forth in the current Code of Maryland Regulations, Title 11, Department of Transportation, Subtitle 03, Maryland Aviation Administration, Chapter 04, Aeronautical Regulations.
  - (b) The approach and landing paths are in accordance with the requirements for private use airports as set forth in the current Code of Maryland Regulations, Title 11, Department of Transportation, Subtitle 03, Maryland Aviation Administration, Chapter 04, Aeronautical Regulations.
  - (c) The length of the runway and the height of obstacles at each end of the runway are compatible with takeoff and landing performance, as defined in the flight manual for the aircraft to be operating from the airfield.
  - (d) The length of the runway is sufficient for the aircraft to stop safely without thrust reversal after aborting takeoff at takeoff speed.
  - (e) No business, such as the sale or leasing of aircraft, maintenance or flight instructions, shall be allowed.
  - (f) The applicant shall maintain a flight operation log that shall be open for inspection by representatives of the Department of Planning and Zoning.
  - (g) Notwithstanding the number of trips per day generated, prior to submission of an application to the Board of Appeals, a community input meeting shall be held, as provided for in Section 268-20, as applicable.
- (2) Airports, general aviation. These uses may be granted in the AG, CI, LI and GI districts, provided that:
- (a) Landing, takeoff and utility areas used by aircraft shall be provided with a hard surface.
  - (b) All commercial maintenance or servicing of aircraft shall take place entirely within an enclosed structure. No structures used for the commercial maintenance or servicing of aircraft shall be located less than 200 feet from any property line.
  - (c) Airport approach and landing paths are in accordance with requirements for public use airports as set forth in the current Code of Maryland Regulations, Title 11, Department of Transportation, Subtitle 03, Maryland Aviation Administration, Chapter 04, Aeronautical Regulations.
  - (d) The airfield is designed in accordance with the design criteria for public use airports as set forth in the current Code of Maryland Regulations, Title 11, Department of Transportation, Subtitle 03, Maryland Aviation Administration, Chapter 04, Aeronautical Regulations.
  - (e) A sturdy and well-constructed fence, not less than 6 feet in height, shall be constructed along any public road. All aircraft stored on the site shall be secured by locks or stored inside a locked enclosure to prevent the unauthorized use of such aircraft.
  - (f) Appropriate airport accessory uses, such as restaurants, snack bars, automobile rental agencies, airline business offices and service facilities, but not other business or industrial uses, may be permitted.

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- (g) The Director of Planning shall refer the application to the Maryland Aviation Administration or the appropriate regional planning bodies to determine:
    - [1] If such airport is an integral part of or will interfere with the general plan of airports for the Maryland-Washington regional district.
    - [2] If the takeoff and landing pattern of a new, reoriented or lengthened runway will interfere with the flight pattern of any nearby airport.
  - (h) The length of the runway and the height of obstacles at each end of the runway are compatible with takeoff and landing performance, as defined in the flight manual for the aircraft to be operating from the airfield.
  - (i) No more than 50% of the land area upon which the commercial operation is conducted may be located in the AG district. The commercial operation includes all buildings, pavement areas, airport approach and landing paths, aircraft parking and storage areas.
  - (j) Notwithstanding the number of trips per day generated, prior to submission of an application to the Board of Appeals, a community input meeting shall be held, as provided for in Section 268-20, as applicable.
- (3) Communications and broadcasting stations. These uses may be granted in the AG district, provided that:
- (a) A minimum parcel area of 1 acre is established.
  - (b) The building shall be architecturally compatible with adjacent buildings.
  - (c) The building shall be set back at least 50 feet from any adjacent residential lot.
- (4) Community Solar Energy Generating System (CSEGS). This use may be granted in the R1, R2, R3, R4, B1, B2, B3, CI, LI, and MO districts provided that:
- (a) No energy producing or service structures shall be located closer than 150 feet from any property line and no closer than 250 feet from any offsite dwelling unit. The setbacks for all other buildings and structures shall be the setbacks as set forth in the underlying zoning district.
  - (b) No structures shall exceed 15 feet in height.
  - (c) No CSEGS shall produce glare hazard to occupants of neighboring properties or persons traveling neighboring roads. All solar panels used in the CSEGS shall utilize glare-mitigating technology. A glare hazard analysis is required to assess the impacts of glare and if applicable, a plan to mitigate any glare hazard with additional screening shall be presented.
  - (d) No CSEGS shall be constructed in any Natural Resource District or the Resource Conservation Area of the Chesapeake Bay Critical Area.
  - (e) No CSEGS shall be located on or within the viewshed of a property listed on the Harford County Historic Landmark list.
  - (f) The siting of any CSEGS shall avoid areas or locations that could potentially create environmental conflicts.

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- (g) The siting of any CSEGS shall avoid visual corridors that are scenic viewsheds or scenic areas and shall not be located within 1 mile on either side of any designated scenic by-way on any County or State maintained roadway.
- (h) No CSEGS shall be constructed on land which is encumbered with an Agricultural Preservation or Conservation Easement; whether the easement is acquired through donation or with public funds, private funds or a combination of public and private funds.
- (i) The CSEGS shall be enclosed by a security fence that is located between the landscape buffer and the CSEGS and is a minimum height of 6 feet and suitable to prevent unauthorized access. The fence shall be constructed to meet any applicable State or Federal rule or standard addressing the physical security of power system facilities. Fencing shall be designed and installed to allow for the passage of small wildlife. The fence shall not be used to display any signage except as required by law.
- (j) A Type C landscape buffer shall be required along the perimeter of the project unless State or Federal standards provide minimum vegetation clearance distances and in such case, the landscaping requirements shall apply to the extent plantings can be installed in conformance with such standards.
- (k) In the B1, B2, B3, CI, LI and MO Districts, the landscape buffer and setbacks shall be as set forth in the underlying zoning district. Facilities in these zoning districts do not need to comply with the provisions set forth in Sections (4)(a), (4)(b), (4)(j) and the 2,000 foot setback provision in (4)(m).
- (l) The only signage permitted shall be no larger than 6 square feet, shall identify the CSEGS operator, its contact phone numbers and emergency contact information and shall be posted at each entrance and exit of the property at no less than 2 locations.
- (m) Up to 3 CSEGS may be constructed together on a parcel or on adjoining parcels and constitute a single community solar project. No single community solar project shall be closer than 2,000 feet from any other community solar project.
- (n) Decommissioning of a CSEGS
- [1] The operator or property owner shall provide written notice by certified mail to the Department whenever the CSEGS is out of active production for more than 6 months. Any CSEGS that ceases to produce electricity for 12 months shall be considered abandoned.
- [2] The operator or property owner shall either recommence production of electricity and schedule a site inspection with the Department of Planning and Zoning to verify that all use requirements are still intact or shall remove all equipment and systems and restore the site as near as practicable to its original predevelopment condition within 12 months of being considered abandoned.
- [3] The operator or property owner shall notify the Department of Planning and Zoning, by certified mail, regarding plans to decommission a CSEGS facility, including the proposed date of discontinued operation.

- [4] A decommissioned CSEGS site shall be restored to its original predevelopment condition within 12 months of notification and inspected by the Department of Planning and Zoning.
- [5] Failure to comply with the requirements of this Section shall authorize, but not require, the County to remove the CSEGS and restore the site to its predevelopment condition and charge the property owner all associated costs.
- [6] As a condition of Special Exception approval, the owner and/or operator agree to allow entry to remove an abandoned or decommissioned CSEGS facility.

(o) Financial assurance.

- [1] Prior to the issuance of a building permit, the operator or property owner shall provide a bond, surety, letter of credit or other financial assurance in a form acceptable to the Department of Planning and Zoning to secure payment of 125% of the anticipated cost of removal of all associated site improvements and restoration of the site to its predevelopment condition. The financial assurance shall remain in full force and effective while the CSEGS remains in place.
- [2] The County shall review the amount of the security every 5 years and may require additional security or reduce the amount of the posted security if it determines, in its sole discretion, that the posted security no longer equals 125% of the decommissioning costs.

J. Warehousing, wholesaling and processing.

- (1) Abattoirs and slaughterhouses. These uses may be granted in the AG district, provided that:
  - (a) A minimum parcel area of 20 acres is established.
  - (b) The use is provided with direct access from arterial or collector roads.
- (2) Petroleum and gas products, sales or storage. Underground petroleum and gas products storage not in excess of 25,000 gallons' capacity may be granted in the B3 district, and aboveground and underground petroleum and gas products storage in excess of 25,000 gallons' capacity may be granted in the GI district, provided that:
  - (a) The applicant demonstrates that the best practicable means known for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, dust, smoke, gas, noise or similar nuisance and protect against fire and explosion shall be employed.
  - (b) The parcel is located at least 300 feet from any railroad siding or bulk storage area for other volatile or explosive materials.
  - (c) The tanks are set back at least 100 feet from any public road right-of-way, and the premises are enclosed by a secure fence of at least 8 feet in height.
  - (d) The tanks are located at least 400 feet from any institutional use and at least 300 feet from any adjacent residential or business use.
  - (e) All properties adjacent to the facility must be served by public water.