

Harford County, Maryland

SUBDIVISION REGULATIONS



Chapter 268 of the Harford County Code, as amended

Effective December 22, 2008
Amended thru October 5, 2022

DEPARTMENT OF PLANNING AND ZONING

Harford County, Maryland

**SUBDIVISION REGULATIONS
AMENDMENT INFORMATION:**

<u>Bill Number</u>	<u>effective date</u>
09-32	1/22/10
11-06	5/23/11
11-13	6/27/11
12-50	12/31/12
13-37AA	1/21/14
14-26AA	8/25/14
14-33AA	12/26/14
21-27	3/14/22
22-13	10/5/22

ARTICLE III. Requirements For The Development of Land

§ 268-9. General.

- A. No part of any planned subdivision of land that will be served by a community or multi-use sewerage system, as defined by the State Department of Health and Mental Hygiene, will be finally approved by the County if the total planned subdivision will generate 5,000 gallons of average daily sewage flow, unless that part of the subdivision to be recorded and its respective sewerage system is in, at least, an "immediate priority" sewer service area in the Harford County Master Plan for Water and Sewer. A determination of the amount of average daily sewage flow by the Harford County Department of Public Works shall be final as to the developer for the purposes of this section. Water and sewer facilities are highly dependent on the topography to provide effective and efficient utility services. If required, by the Director of Public Works, drainage and utility easements shall be provided between lots wider than the minimum side yard widths allowed by the Harford County Zoning Code, as amended. This requirement may necessitate wider lots at these locations.
- B. The subdivision layout shall conform to the Master Plan and Zoning Code of Harford County, as amended.
- C. All subdivision of land shall conform to the Floodplain Management Regulations in Chapter 131 of the Harford County Code, as amended.

§ 268-10. Chesapeake Bay Critical Area Overlay District. [Amended by Bill 11-06 and 22-13]

In addition to all other requirements, all subdivision of land which lies within the area designated as the Chesapeake Bay Critical Area Program shall also meet all requirements of §267-63 through §267-63.21 of the Harford County Zoning Code, as amended. In addition, applications for subdivision of land which lies within the Chesapeake Bay Critical Area Program shall be forwarded by the Department of Planning and Zoning to the Chesapeake Bay Critical Area Commission in accordance with COMAR 27.03.01.

§ 268-11. Streets and Roads.

- A. Streets and roads shall conform to the Harford County Transportation Element Plan.
- B. Wherever a tract of land to be subdivided includes any part of a road indicated on the Transportation Element Plan, the location, type and construction of such road shall be incorporated by the subdivider in the layout plan.
- C. Notwithstanding the provisions of subsection B, when a tract of land to be subdivided abuts an existing County road, the subdivider shall, as a condition of subdivision approval, deed to the County a road improvement right-of-way appropriate to the road and its functional classification. When the tract fronts along one side of the existing road, the subdivider shall deed $\frac{1}{2}$ of the required right-of-way, generally calculated from the center line of the existing road. Title to road improvement rights-of-way shall be good and marketable and free of financial liens.

§ 268-12. Improvements.

- A. For the purpose of this section, the term "subdivision" shall not include a division of land which creates or permits a residential or agricultural subdivision not exceeding 5 lots, including lots around existing dwellings, from a parcel or tract of land as it existed on February 8, 1977.

- B. For the purposes of this section, "development" does not include:
 - (1) The use of land for agriculture; and
 - (2) The construction, reconstruction, alteration or enlargement of a single-family residence on an existing lot or parcel.
- C. No subdivision or development shall be approved unless it directly accesses to an existing paved road network. All roads providing access from a subdivision/development to an existing paved County or State road shall be constructed to the appropriate County road specifications by the subdivider/developer, if the subdivider/developer desires to proceed with the project prior to the County's performing the required construction pursuant to the County's capital improvements program. If a developer decides to undertake construction, a public works agreement shall be executed as required by law.
- D. Construction of access road. Any new or existing road right-of-way or access way, leading from an existing County or State road to the proposed project and all internal roads, including stub roads, shall be constructed or improved to the prescribed width and road construction, as set forth in the Subdivision Regulations of Harford County and the Harford County Road Code, as amended.
- E. Frontage improvements.
 - (1) Proposed developments, including residential, business, industrial or institutional developments or subdivisions to be constructed along existing County roadways will be required to improve County roadways along their property in order to provide safe ingress and egress to the site and to mitigate the impact of that development. Should construction of the roadway be considered infeasible at the time of development, the developer may deposit the estimated construction cost in an account with Harford County for the future improvements of that roadway to the designated County road standards.
 - (2) Frontage improvements may be required when a parcel of land is subdivided or developed for purposes of creating:
 - (a) Any business, industrial or institutional use;
 - (b) Any residential use for more than 5 dwelling units; or
 - (c) Any transient housing use with more than 5 guest rooms.
 - (3) The extent of the road improvements required pursuant to this section shall be determined by the Department of Planning and Zoning with the concurrence of the Department of Public Works at the time of preliminary plan approval.
 - (4) Construction of road improvements shall be required of a property owner pursuant to this section, if 1 or more of the following is applicable:
 - (a) The additional traffic to be placed on the roadway is directly related to the proposed development and necessitates additional improvements to the road;