

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008
Amended thru January 26, 2013

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>
09-01	4/6/09
09-11	6/15/09
09-19AA	8/17/09
09-31AA	1/22/10
09-33AA	1/22/10
10-03	4/20/10
10-30	12/13/10
10-32AA	12/27/10
11-04AA	5/23/11
11-05AA	5/23/11
11-03	5/31/11
11-32	12/12/11
11-44	12/19/11
11-62AA	1/13/12
12-07AA	5/14/12
12-14	5/21/12
12-44	1/26/13

§ 267-4. Definitions. [Amended by Bill 09-19, as amended; Bill 11-04, as amended; Bill 11-05, as amended; Bill 11-32; and Bill 12-44]

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 - A species of mammal that is accustomed to living in or about the habitation of man and is dependent on man for food or shelter.

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.

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

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

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

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

ASSEMBLY HALL - See "community center."

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

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

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 standards of Article 70B, Continuing Care Contracts, of the Annotated Code of Maryland.

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.

§ 267-27. Accessory Uses and Structures. [Amended by Bill 09-19, as amended; and Bill 12-44]

- A. Generally. Except as otherwise restricted by this Part 1, customary accessory structures and uses shall be permitted in any district in connection with the principal permitted use within such district. Private roads and driveways shall be permitted in any district as an accessory use to any principal use when located in the same district as the principal use.
- B. Zoning certificate required. All accessory uses and structures, whether or not specified in this section, require the issuance of a zoning certificate.
- C. Use limitations. In addition to the other requirements of this Part 1, an accessory use or structure shall not be permitted unless it strictly complies with the following:
 - (1) In the AG, RR, R1, R2, R3, R4 and VR districts, an accessory structure shall neither exceed 50% of the square footage of habitable space or 1,000 square feet, whichever is greater. The height of the accessory structure shall not exceed the height of the principal structure.
 - (2) No accessory structure shall be used for living quarters, the storage of contractors' equipment or the conducting of any business unless otherwise provided in this Part 1.
 - (3) No accessory use or structure shall be established on any lot prior to substantial completion of the construction of the principal structure.
 - (4) No accessory use or structure on any lot shall increase any impervious surface area beyond the maximum permitted.
 - (5) No accessory use or structure shall be established within the required front yard, except agriculture, signs, fences, walls or parking area and projections or garages as specified in §267-23 (Yards), and modifications to minimum yard requirements.
 - (6) Uses and structures.
 - (a) For agricultural lots, detached accessory structures must be located:
 - [1] A minimum of 10 feet from the side or rear lot lines, unless the lot has a recorded easement.
 - [2] For lots with recorded easements, the owner must obtain a building permit or zoning certificate to locate any detached accessory structure within the recorded easement pursuant to §267-27C(8); otherwise, the setback shall be equal to the width of the recorded easement or 10 feet, whichever is greater.
 - (b) For residential lots, accessory structures will be considered attached if they are within 3 feet of the principal structure and must meet the principal structure setback requirements. For residential lots, detached accessory structures shall be located:
 - [1] A minimum of 3 feet from side or rear yard lot lines, unless the lot has a recorded easement.
 - [2] For lots with recorded easements, the owner must obtain a building permit or zoning certificate to locate any detached accessory structure within the recorded easement pursuant to §267-27C(8);

otherwise, the setback shall be equal to the width of the recorded easement or 3 feet, whichever is greater.

- (c) For townhouses and zero-lot-line dwellings, detached accessory structures shall be located:
 - [1] Zero feet from side or rear yard lot lines, unless the lot has a recorded easement.
 - [2] For lots with recorded easements, the owner must obtain a building permit or zoning certificate to locate any detached accessory structure within the recorded easement pursuant to §267-27C(8); otherwise, the setback shall be equal to the width of the recorded easement.
- (d) The front, side and rear yard setback for accessory uses and structures for business, industrial and Continuing Care Retirement Community uses shall be equal to the same setbacks required for the principal structure.
- (e) For institutional uses, the front, side and rear yard setback for accessory uses and structures shall be equal to the same setbacks required for the principal structure. This requirement may be reduced up to 50% for accessory structures less than 300 square feet, located in the side and rear yard.
- (f) Retaining walls, 4 feet or greater in height, shall require a zoning certificate.

(7) Septic reserve areas may be permitted in any district to serve a use permitted and located in another district if the property is split-zoned and under the same ownership. These uses may also be permitted in a use setback. Stormwater management facilities may be permitted in any district to serve a use permitted and located in another district.

(8) Fences shall be permitted in any recorded drainage and utility easement. The placement of all other accessory uses shall be allowed in any recorded drainage and utility easement, pursuant to the following:

- (a) The accessory use or structure shall meet the setback and square footage requirements contained in §267-27C (Use Limitations);
- (b) The Department of Public Works shall approve the location;
- (c) The accessory structure shall meet the applicable requirements of this section; and
- (d) The applicant shall sign a hold harmless form, provided by the County.

(9) Small Wind Energy Systems. In order to properly integrate all regulating provisions affecting Small Wind Energy Systems, as defined in §267-4 (Definitions), and to regulate such systems in an orderly and comprehensive manner, it is hereby provided that Small Wind Energy Systems are subject to the regulations as set forth herein. The purpose of this subsection is to oversee the permitting of Small Wind Energy Systems and to preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of a Small Wind Energy System. These provisions shall apply to all Small Wind Energy Systems located in Harford County.

- [e] Noise. All Small Wind Energy Systems shall comply with the State-regulated noise ordinance.
- [f] Anemometers. If 8 pounds or less, the anemometers are exempt from the provisions of this subsection C [9].
- [g] Maximum number. One Small Wind Energy System shall be allowed on each parcel up to 20 acres; an additional system shall be allowed on every 20 acres thereafter up to a maximum of 5 Small Wind Energy Systems per parcel.
- [h] Rated nameplate capacity. A Small Wind Energy System that has a rated nameplate capacity of 2.5 kilowatts or less shall comply only with subsections (9)[a][1], (9)[b][1], (9)[b][2] and 9[b][3].

D. Accessory uses in agricultural and residential districts. The following accessory uses shall be permitted in agricultural and residential districts upon issuance of a zoning certificate, unless otherwise specified, in accordance with the following:

- (1) Pens or runs for animals shall not be located within 50 feet of any adjacent residential lot line. Kennels shall be permitted only as special exceptions.
- (2) Recreation facilities, such as swimming pools and tennis courts, if the facilities are used by the occupants, or guests of the principal use, and no admission or membership fees are charged, provided that the edge of the facility, including all mechanical equipment, shall be located at least 10 feet from any side or rear lot line. For community pools and tennis courts, the edge of the facility shall be located not less than 50 feet from any residential unit or side and rear lot line.
- (3) Storage in any structure on a residential lot.
- (4) Home occupations or professional offices. Home occupations or professional offices within the home may be permitted in accordance with the following criteria, modification of which can be granted only through Board of Appeals approval:
 - (a) The home occupation must be clearly incidental and subordinate to the residential use and shall not exceed in area 25% of the gross floor space of the principal building.
 - (b) The home occupation shall be conducted within the dwelling unit or accessory structure, and no outdoor display or storage of materials, goods, supplies or equipment used in the home occupation shall be permitted on the premises.
 - (c) The residential character of the dwelling unit shall not be altered to accommodate a home occupation.
 - (d) Not more than 1 person, or 2 persons for medical offices, other than members of the immediate family residing in the dwelling unit, may be employed in the home occupation. The total of all employees, inclusive of family members, shall not exceed 3. No home occupation shall be open to the public between 9:00 p.m. and 8:00 a.m.
 - (e) No home occupation shall generate greater traffic volumes, or increased traffic hazards, than would normally be expected in a residential district.

- (f) No retail sales, other than for goods produced on the premises, shall be conducted on the premises.
- (g) Additional off-street parking required for the home occupation shall be provided in the side or rear yard of the lot and shall be buffered from adjacent public roads and residential lots.
- (h) No goods, materials or supplies shall be delivered by commercial vehicles, either to or from the premises, in connection with the home occupation, except by the United States Postal Service or a delivery service.
- (i) Notwithstanding the above, home occupations shall not include automobile repair; selling of bait, crabs or fish; construction businesses; dancing or karate schools; funeral homes; kennels; medical clinics; petroleum storage or delivery businesses; printing businesses; private clubs; radio stations; restaurants; or variety or gift stores.
- (5) Agricultural tenant house, including mobile homes, for bona fide farm workers when not more than 1 such structure is provided on parcels of 11 to 50 acres, and not more than 1 additional tenant house per 50 acres thereafter.
- (6) Private horse stables, provided that any stables, corrals, feeding and bedding areas for horses shall be located at least 50 feet from any public road or lot lines.
- (7) Agricultural retail grown on site, provided that the parcel has sufficient road frontage to ensure safe ingress and egress. Any permanent or temporary structure shall meet the minimum front, rear and side yard requirements for a single-family home in the district. Entrances and exits to the required parking area shall be at least 50 feet from any intersection on a local road and 100 feet from all other road intersections.
- (8) Recreational vehicles and equipment shall be stored in the rear yard or in the side yard if completely buffered from any adjacent residence and the side yard setback of the district for the principal use is maintained. No living or sleeping in or other occupancy of a recreational vehicle, camper or trailer shall be permitted for more than 7 calendar days within any 90 day period unless the location has been approved for such use. No zoning certificate is required.
- (9) Vehicles used for commercial purposes, which do not meet the definition of Commercial Vehicle as defined in Section 267-4 (Definitions), may be allowed in residential and agricultural districts on the basis of 1 vehicle for each lot. No zoning certificate is required.
- (10) One inoperative or untagged motor vehicle may be parked or stored for a continuous period of no more than 6 months on any lot of less than 2 acres. Two inoperative or untagged motor vehicles may be parked or stored for a continuous period of no more than 6 months on any lot of 2 acres or more. This requirement does not apply to bona fide agricultural equipment or vehicles stored within a completely enclosed building.
- (11) A day-care center operated in a church, private school or public school.
- (12) Mulch storage and sales as an accessory use to commercial greenhouses and nurseries in the AG district, provided that:
 - (a) A separate zoning certificate is not required;

- (b) The sale of mulch accounts for less than 20% of the annual gross sales receipts of the greenhouse or nursery;
- (c) Outdoor storage of mulch is limited to:
 - [1] A maximum area of 1 acre or 10% of the total lot area, whichever is less; and
 - [2] A maximum height of 10 feet;
- (d) If the Department determines that there is reason to believe that the mulch sales and storage are of such an extent as to constitute more than an accessory use, the owner of the property shall provide, within 14 calendar days after receiving written notice from the Department, evidence that the percentage requirement is not being violated. If such evidence is not provided, the Department shall proceed with the appropriate enforcement action;
- (e) In accordance with the State law on access to public records, §10-611 *et seq.* of the State Government Article, the Department shall treat the gross sales receipts information it obtains as confidential financial information, and shall not permit public inspection of the information; and
- (f) If a mulch storage and sales operation, conducted as an accessory use to a commercial greenhouse or nursery, does not meet the requirements of items (b) or (c) of this paragraph (12), the operation shall be considered the principal use of the property, and shall be subject to the requirements applicable to a mulch storage and sales operation conducted as a principal use.

E. Accessory uses permitted in business and industrial districts. The following accessory uses shall be permitted in the business and industrial districts upon issuance of a zoning certificate, unless otherwise specified, in accordance with the following:

- (1) Incidental repair facilities and outside storage of goods normally carried in stock, used in, or produced by, the business or industrial use, provided that no storage is within 10 feet of any side or rear lot line, all storage is effectively buffered from any adjacent residential use or district and such use is not prohibited under the applicable district regulations of this Part 1.
- (2) A dwelling unit, including a mobile home, for a caretaker or watchman shall be permitted, provided that:
 - (a) Not more than 1 dwelling unit is provided for security or protection of the principal use.
 - (b) The requirements for the dwelling unit shall not differ from those imposed by this Part 1 for a housing unit of the same or similar type as a principal permitted use.
- (3) Retail sales in industrial districts shall be permitted, provided that the goods sold are manufactured or produced on the site.

(4) Mulch storage and sales as an accessory use to commercial greenhouses and nurseries in the VB and GI districts, provided that:

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

F. Exemptions. Day-care homes, family are exempt from the provisions of this section and shall not require a zoning certificate.

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

Temporary uses shall be permitted, subject to the following:

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

- (a) The zoning certificate shall specify the use, dates and hours of operation of the event. Hours of operation are only permitted between 6:00 a.m. and 11:00 p.m.
- (b) Adequate arrangements for temporary sanitary facilities must be approved by the State or County Department of Health and Mental Hygiene.
- (c) No permanent or temporary lighting shall be installed without an electrical permit.
- (d) The site shall be cleared of all debris at the end of the event and cleared of all temporary structures within 3 calendar days thereafter. A bond in the amount of \$500.00, or a signed contract with a disposal firm, shall be provided to ensure that the premises shall be cleared of all debris.
- (e) Adequate off-street parking shall be provided, and a stabilized drive to the parking area shall be maintained.
- (f) It shall be the responsibility of the applicant to guide traffic to parking areas. The applicant shall notify the local enforcement authority and shall provide adequate traffic control.
- (g) The applicant shall notify the local fire and emergency personnel to determine and identify any emergency response requirements.

- (2) Christmas tree displays and sales for nonprofit organizations shall be permitted in any district for a maximum period of 45 calendar days.
- (3) Contractor's office and construction equipment sheds or accommodations for security shall be permitted in any district if the use is incidental to a construction project. A zoning certificate is not required for these uses; however, a minimum setback of 10 feet from all property lines is required. The office or shed shall be removed upon completion of the project.
- (4) A real estate sales office shall be permitted in any district for rental or sale of dwellings in the project. The office shall be removed upon initial sales of all units. A rental office may be permanently maintained in a rental project.
- (5) Agricultural retail shall be permitted on a seasonal basis, provided that the parcel used for agricultural purposes has sufficient road frontage to ensure safe ingress and egress. Sales area, including produce stands, shall be set back a minimum of 20 feet from the nearest public road right-of-way. Entrances and exits to the required parking area shall be at least 50 feet from any intersection on a local road and 100 feet from all other road intersections.
- (6) When fire or natural disaster has rendered a residence unfit for human habitation, the temporary use of a mobile home, located on the lot during rehabilitation of the original residence, or construction of a new residence, is permitted for a period of 12 months, if water and sanitary facilities approved by the State Department of Health and Mental Hygiene are provided. The Director of Planning may extend the permit an additional 60 calendar days. Further extensions thereof shall require Board approval. The mobile home shall be removed from the property upon completion of the new or rehabilitated residence.

(7) Hawkers and peddlers sales shall be permitted in the VB, B2, B3 and CI districts, subject to the following additional requirements:

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