

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

Amended thru May 6, 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
12-48AA	2/11/13
13-4AA	5/6/13

ARTICLE VII. District Regulations.

[The Permitted Use Charts have been amended by Bill 09-31, as amended; Bill 11-06; Bill 12-14; Bill 12-48 as amended and Bill 13-4 as amended]

§ 267-49. General Provisions.

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

§ 267-50. Principal Permitted Uses by District.

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

§ 267-51. Requirements for Specific Districts.

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

§ 267-52. Materially Similar Uses.

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

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USE CLASSIFICATION	ZONING DISTRICTS															
TRANSPORTATION, COMMUNICATION & UTILITIES (TCU)	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Aircraft landing and storage, private	SE												SE	SE	SE	
Airports, general aviation	SE												SE	SE	SE	
Ambulance services, commercial									P			P	P		P	
Bus depots												P	P			
Communication and broadcasting stations	SE								P		P	P	P	P		P
Communication and broadcasting towers	SE*	SE*	SE*	SE*				SE*	SE*	SE*	SE*	P	P	P	P	P
Freight terminals												P	P		P	
Helistops	P												P	P	P	
Highway maintenance facilities	P								P			P	P	P	P	
Limousine Services									P		P	P	P			
Power and regeneration plants															P	
Public utility facilities, sanitary landfills and sewage treatment plants	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Rubble Landfills	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Sewage pumping stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Solid waste transfer stations	P											P	P		P	
Taxi stands									P			P	P			
Train stations											P	P	P	P	P	
Truck stops or terminals												P	P		P	

PERMITTED USE CHARTS

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

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

USE CLASSIFICATION	ZONING DISTRICTS															
WAREHOUSING, WHOLESALING & PROCESSING	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Abattoirs, slaughterhouses	SE												P		P	
Bottling plants												P	P	P	P	
Creamery, cold storage	P								P		P	P	P		P	
Industrial laundries and dry cleaning												P	P		P	
Petroleum and gas products, sales or underground storage not to exceed 25,000 gallons' capacity												SE	P		P	
Petroleum and gas products, storage above ground and underground in excess of 25,000 gallons' capacity															SE	
Warehousing and wholesaling, processing and distribution									P			P	P	P	P	
Mini-warehousing									P			P	P			

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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; and Bill 13-4 as amended]

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

- A. Amusements.
 - (1) Arenas and stadiums. These uses may be granted in the B3, CI, LI and GI 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.
- (2) Country clubs, golf clubs, tennis and swim clubs. These uses may be granted in the AG, RR, R1, R2, R3, R4 and GI districts, provided that:
 - (a) No off-street parking or loading area shall be located within any required yard or within 25 feet of any parcel boundary.
 - (b) Off-street parking and loading areas, swimming pools and tennis courts shall be buffered from adjacent residential lots.
 - (c) The principal access shall be provided from an arterial or collector road.
 - (d) No more than 20% of the land area upon which such a use is conducted may be located in the GI district.
 - (e) Any outside lighting used to illuminate a use permitted under this section shall be designed, installed and maintained in a manner not to cause a glare or reflection on adjacent residential lots.
- (3) Fairgrounds, racetracks and theme parks. These uses may be granted in the AG, CI, LI and GI districts, provided that:
 - (a) A minimum parcel area of 75 acres is established.
 - (b) The principal access shall be provided from an arterial or collector road.
 - (c) Separate vehicular entrances and exits shall be provided at least 400 feet away from any road intersection.
 - (d) No buildings or structures, including rides or other apparatus, shall be located less than 50 feet from any parcel boundary or less than 200 feet from any adjacent residential lot.
 - (e) No automobile parking space shall be located within any required setback area or within 50 feet of any adjacent residential lot.
 - (f) A type "E" buffer, pursuant to §267-30 (Buffer Yards), shall be provided adjacent to any residential lot line.
- (4) Marinas and boat launching, storage and repair. These uses may be granted in the AG, RR, R1, R2, R3, R4, B1, B2 and LI districts, provided that:
 - (a) In the urban residential districts, such facilities shall be a part of a Conventional with Open Space (OCS) development or a Planned Residential Development (PRD).

- (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. 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:

- (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.
- (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.

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.