

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

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

§ 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; Bill 22-08; Bill 22-11; and Bill 22-24]

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.

ABATEMENT – The act of putting an end to a land alteration or development activity or reducing the degree or intensity of the alteration or activity.

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 BEST MANAGEMENT PRACTICE –

- A. Agricultural Best Management Practice means an agronomic, conservation or pollution control practice, installation or structure that manages soil loss, nutrients, animal wastes or agricultural chemicals so as to minimize their movement into State waters.

- B. Agricultural Best Management Practice includes strip cropping, terracing, cover crops, grass waterways, animal waste management, conservation tillage, riparian buffers, nutrient management and stream protection practices such as fencing, stream crossings and remote watering devices.
- C. Agricultural Best Management Practice does not include a shoreline erosion control measure authorized by the Department of the Environment under COMAR 26.24.04.

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.

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

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

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

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

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

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.

COVER CROP - The establishment of a vegetative cover to protect soils from erosion and to restrict pollutants from entering the waterways. Cover crops can be dense, planted crops of grasses or legumes, or crop residues such as corn, wheat or soybean stubble which maximize infiltration and prevent runoff from reaching erosive velocities.

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

CRITICAL AREA - All lands and waters defined in §8-1807 of the Natural Resources Article, Annotated Code of Maryland. Critical Area includes all waters of and lands under the Chesapeake Bay and Atlantic Coastal Bays and their tributaries to the head of tide, all State and private wetlands designated under Title 16 of the Environment Article, Annotated Code of Maryland, all land and water areas within 1,000 feet beyond the landward boundaries of State or private wetlands and the heads of tides designated under Title 16 of the Environment Article, Annotated Code of Maryland, and modification to these areas through inclusions or exclusions proposed by local jurisdictions and approved by the Commission as specified in §8-1807 of the Natural Resources Article, Annotated Code of Maryland.

CRITICAL AREA BUFFER - An area that, based on conditions at the time of development, is immediately landward from mean high water of tidal waterways, the edge of bank of a tributary stream or the edge of a tidal wetland; and the area exists, or may be established in, natural vegetation to protect a stream, tidal wetland, tidal waters or terrestrial environments from human disturbance. The Buffer includes an area of at least 100 feet, even if that area was previously disturbed by human activity, and also includes any expansion for contiguous areas, including a steep slope, hydric soil, highly erodible soil, nontidal wetland or a nontidal wetland of special State concern as defined in COMAR 26.23.01.01.

CRITICAL AREA BUFFER YARD - In the Critical Area, Buffer Yard means an area at least 25 feet wide, located between development activity and tidal waters, tidal wetlands or a tributary stream, planted with vegetation consisting of native canopy trees, understory trees, shrubs and perennial herbaceous plants that is used in modified buffer areas to provide water quality and habitat benefits. This area is to be managed and maintained in a manner that optimizes these benefits.

CRITICAL AREA GRANDFATHERED PARCEL OR LOT - A parcel or lot of land in the Critical Area that was created through the subdivision process and recorded as a legally buildable lot prior to December 1, 1985.

CRITICAL HABITAT AREA - A habitat that:

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

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

CUT –

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

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

DAY-CARE CENTER - A facility operated for the purpose of providing nonresidential group care as defined by State law for a specific number of unrelated minor or dependent persons. Day-care center may include a supplementary use to include kindergarten classes approved by the Maryland State Department of Education.

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

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