

§ 267-62. NRD Natural Resource District. [Amended by Bill 09-31, as amended; Bill 11-04, as amended; Bill 13-36; Bill 16-02; and Bill 23-06 as amended]

A. Purpose. The intent of this district is to preserve significant/special environmental features identified herein and to:

- (1) Provide uniform guidelines for use of land within the Natural Resource District to protect the ecology of the area.
- (2) Protect steep terrain.
- (3) Protect water quality and quantity in streams, rivers and water courses.
- (4) Minimize erosion/siltation and protect native/noninvasive vegetation.
- (5) Protect nontidal wetlands.
- (6) Protect persons and property from environmental hazards such as erosion, siltation and floodwaters.

B. Application. The Natural Resource District shall apply to the following environmental features:

- (1) Steep slopes: any land area exceeding 40,000 square feet with a slope in excess of 25%.
- (2) Nontidal wetlands: Nontidal wetlands shall not be disturbed by development. A buffer of at least 75 feet shall be maintained in areas adjacent to nontidal wetlands except isolated nontidal wetlands that are less than 10,000 square feet, which shall be subject to the 25 foot buffer requirement set forth in the Code of Maryland Regulations.
- (3) Streams: the Natural Resource District for all perennial and intermittent streams shall be a minimum of 75 feet on both sides, measured from the top of the streambank or 50 feet beyond the 100 year floodplain, whichever is greater. For all streams that have a drainage area of more than 400 acres, as depicted on the Harford County Hydrology/Drainage Area Map, which is incorporated herein by reference, the Natural Resource District shall be expanded to a minimum distance of 150 feet on both sides, measured from the top of the streambank or 50 feet beyond the 100 year floodplain, whichever is greater. The Natural Resource District boundaries under this provision shall include the buffer requirements of Subsection B(2).

C. Permitted uses. The following land uses shall be permitted, provided that the conditions described herein are met:

- (1) Agriculture. Agriculture shall be permitted, provided that accepted soil conservation practices of the soil conservation district are approved and implemented along watercourses or a forested buffer or 25 foot-wide grass filter strip, along the edge of cropland bordering streams, is provided to reduce surface runoff and associated pollutants from entering waterways.

(2) Forestry. Commercial timber operations shall be permitted, provided that a site-specific Buffer Management Plan is prepared and approved. The Buffer Management Plan shall address potential water quality impacts and shall include a minimum undisturbed buffer designed according to site characteristics. Trees within the buffer may also be harvested to remove diseased, insect-damaged or fire-damaged trees in order to salvage the same or reduce potential stream blockage due to fallen timber. Landowners are exempted from the Buffer Management Plan requirement when timber is harvested for personal use only. Forestry operations within the urban residential districts (R1, R2, R3 or R4) shall be required to meet the conservation requirements.

(3) The NRD shall not be disturbed, with the following exceptions:

- (a) Basic maintenance, including native plantings and invasive species removal.
- (b) Passive recreation and foot and walking trails. Alteration of the natural environment and removal of surface vegetation in these areas shall be prohibited with the exception of selective clearing to accommodate passive recreation and foot and walking trails which are constructed with environmentally friendly materials.
- (c) Utility transmission facility.
- (d) Road and driveway crossings. The number of road and driveway crossings shall be minimized. If a road or driveway crossing is necessary, it shall cross the stream at a 90-degree angle whenever possible. The best possible methods shall be used to reduce stormwater drainage into the stream and to remove sediment from unavoidable drainage into the stream.
- (e) Stormwater management facilities.

D. Conservation requirements. The following conservation measures are required within this district:

- (1) All permitted uses shall minimize soil disturbance during development and shall reduce soil erosion and sedimentation. When developing Site Plans, consideration shall be given to maintaining the existing drainageways within the Natural Resource District.
- (2) Clearing or removal of natural ground cover and vegetation in preparation for development of permitted uses shall be minimized. Site development shall be clustered or designed in such a manner to preserve large contiguous tracts of woodland. Clearing of woodlands shall not reduce the area coverage of trees below 70%. Trees within the buffer may be harvested to remove diseased, insect-damaged or fire-damaged trees to salvage the same or reduce potential stream blockage due to fallen timber.
- (3) Sensitive environmental areas, including significant/special natural features, and significant wildlife habitats shall not be disturbed during any development.

- E. Variances. The Board may grant a variance to Subsections C or D upon a finding by the Board that the proposed development has been designed to minimize adverse impacts to the Natural Resource District to the greatest extent possible. Prior to rendering approval, the Board shall request advisory comments from the Director of Planning, the Soil Conservation District and the Maryland Department of the Environment.
- F. Development adjustment. If more than 30% of a parcel zoned residential is within this district, or is included as a habitat protection area within the Chesapeake Bay Critical Area, the housing types and design requirements, excluding gross density, of the next most dense residential district shall apply, provided that sensitive environmental features on the site are protected. If townhouses are part of the project, a minimum of 10% of the required open space shall be active open space notwithstanding the requirements contained in §267-31B(1) with respect to the percentage of active open space. In no event, however, shall townhouses be permitted in the R1 district.
- G. No portion of the Natural Resource District shall be allowed within privately-owned urban residential district lots, except for the panhandle portion of any residential lot and except on lots greater than 20,000 square feet, in a minor subdivision. In lots adjacent to the Natural Resource District, rear yard setbacks may be reduced up to 50% but in no case shall be less than 20 feet.
- H. The requirements of this section shall not apply to developments with approved Preliminary Plans prior to September 1, 1982.

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