

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008
Amended thru January 4, 2016

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	13-51	3/18/14
09-11	6/15/09	13-52	3/18/14
09-19AA	8/17/09	14-1	4/22/14
09-31AA	1/22/10	14-9	7/11/14
09-33AA	1/22/10	14-26AA	8/25/14
10-03	4/20/10	15-23AA	1/4/16
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		
13-17	7/22/13		
13-35	1/21/14		
13-36	1/21/14		
13-50	2/18/14		

- (a) The land may be developed only for a nonresidential use that is beneficial to the community, as specified in the amended easement;
 - (b) The agreement of the County Council shall be evidenced by legislative act of the Council; and
 - (c) An amended easement shall be effective only upon its recordation in the Land Records of the County.
- (5) Public roads shall be designed in a manner that is consistent with the Harford County Road Code and with the surrounding rural character.
 - (6) The easement shall not provide for public access to any privately-owned land.
 - (7) Landscaping and buffering. Landscaping and buffering in developable areas shall conform to the regulations in §267-29 (Landscaping) and §267-30 (Buffer Yards).

§ 267-73. Agricultural/Commercial. [Amended by Bill 13-52; and Bill 15-23AA]

A. General provisions. The following general requirements shall be applicable to all projects developed under this Article:

- (1) Must be approved by the Director of Planning.
- (2) Except as otherwise provided in this Subsection, the parcel shall be a minimum of 10 acres.
- * (3) For the 3 years prior to application for approval, gross agricultural income shall have been at least \$15,000 annually, as set forth on Internal Revenue Code Schedule F, or as set forth on any other financial documentation requested and approved by the Department of Planning and Zoning. Gross agricultural income shall remain at least \$15,000 annually as set forth in this Subsection (3).
- (4) The parcel shall be zoned and assessed agricultural.
- (5) Meets the specific criteria for the use.
- (6) Must be owner or tenant operated.
- (7) Safe and adequate access shall be provided for vehicular traffic, as determined by the State Highway Administration or Harford County.
- (8) Hours of operation are permitted between 6:00 a.m. and 10:00 p.m. unless otherwise specified.
- (9) Any lighting shall be shielded and directed away from any off-site residence and may be used only during permitted hours of operation.

** Note: Per Section 2 of Bill No. 15-23 as amended, The requirements of this Act shall not apply to projects that have applied for preliminary or site plan approval prior to September 15, 2015.*

- (10) Buildings in which animals are housed shall comply with §267-53 (AG Agricultural District).
- (11) Setbacks for these uses shall be a minimum of 100 feet from any property line except road frontage and 200 feet from any off-site residence. A buffer yard shall be provided between any parking or storage area and any public road and any off-site residence.
- (12) Written approval from the record owner is necessary if someone other than the owner of record is operating the use.

B. Amusements.

- (1) Commercial riding stables.
 - (a) Parking shall be provided a minimum of 100 feet from property lines except road frontage and 200 feet from any off-site residence.
 - (b) Pursuant to §267-30 (Buffer Yards), the property on which the commercial stable is located shall be buffered with a type "C" buffer. The buffer yard may be included in the setback area.
- (2) Private parties and receptions.
 - (a) Unless located entirely within an enclosed building, this use shall not be located less than 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (b) Adequate parking shall be provided on site and screened from any off-site residence.
 - (c) Hours of operation are not permitted between 12:00 midnight and 6:00 a.m.

C. Industrial uses associated with agricultural uses as provided for in the use charts.

- (1) Any new buildings or additions shall be located a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence. Existing buildings shall be exempt.
- (2) Outside storage is permitted provided it is a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).

D. Motor vehicle.

- (1) Commercial or construction vehicles and equipment storage, service and repair, used in the farming operation and owned by the farmer or tenant operator may be located on the property provided that the parcel is a minimum of 20 acres. The storage of commercial or construction vehicles and equipment shall be located not less than 100 feet from any property line except road frontage and 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
 - (a) Farm vehicles or pieces of equipment may be located on the farm property provided that the parcel is a minimum of 20 acres.

- (b) Storage of these vehicles or equipment for repair shall be a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
 - (2) School buses. A maximum of 25 school buses may be located on the property provided that the parcel is a minimum of 20 acres. School buses shall be located not less than 100 feet from any property line except road frontage and 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
- E. Retail.
- (1) Feed and grain storage and sales.
 - (a) Adequate on-site parking shall be gravel covered and a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (b) Hours of operation are permitted between 6:00 a.m. and 10:00 p.m. unless otherwise specified.
 - (2) Farm markets, private.
- F. Services.
- (1) Veterinary practice, large animals.
 - (a) Hours of operation shall not be limited for this use.
 - (b) The entire use must be setback 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (2) Restaurants.
 - (a) Shall not have seating capacity to accommodate more than 30 patrons.
 - (b) Any lighting shall be shielded and directed away from any off-site residence and may be used only during permitted hours of operation.
 - (c) Adequate on-site parking shall be gravel covered and a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (d) Shall not be in operation between 10:00 p.m. and 6:00 a.m.

§ 267-74. Garden and Mid-Rise Apartment Dwellings (GMA). [Amended by Bill 11-04, as amended]

- A. Purpose. To provide for development of multi-family dwelling unit projects in the B3 and R4 zoning districts.
- B. Objectives.
 - (1) To provide opportunity for new residential and mixed use development in the Development Envelope.

- (2) To encourage quality design and incorporation of limited business uses within a single development.
- (3) To assure compatibility of the proposed land uses with internal and surrounding uses.

C. Development standards.

- (1) Permitted uses. The following uses shall be permitted:
 - (a) Garden apartments.
 - (b) Mid-rise apartments. In the R4 district, retail and service uses may be incorporated into the overall project for up to 30% of the gross square footage. Business uses shall be located on only the first floor of any building. No more than 1 restaurant or bar shall be permitted per project. Freestanding signs advertising the business uses shall be limited to 120 square feet in size per project.
- (2) Access. Primary access to the GMA site shall be from a primary residential or higher functionally classified road.
- (3) Design. The proposed project shall be designed with buildings which are compatible and harmonious with surrounding uses. Efforts shall be made to minimize the impact and maximize the aesthetics to adjoining or surrounding properties. The design shall provide for adequate buffers, pursuant to §267-30 (Buffer Yards).
- (4) Open space. The open space shall constitute at least 20% of the parcel area, of which at least 10% shall be suitable for and devoted to active recreation. The project should be designed so that active recreational areas are suitably located and accessible to the residential dwellings and adequately buffered to ensure privacy and quiet for adjoining residential uses. All open space shall be provided pursuant to §267-31 (Open Space).
- (5) Landscaping. Any area not used for buildings, structures or parking shall be landscaped and properly maintained, pursuant to §267-29 (Landscaping).
- (6) For development in the B3 zoning district, which is located entirely within the Development Envelope, the R4 Conventional with Open Space (COS) Design Standards shall be used. The permitted density shall not exceed 20 dwelling units per acre.

§ 267-75. Nursing Homes and Assisted Living Facilities.

These uses may be granted in the R2 and CI districts in the Chesapeake Science and Security Corridor, provided that:

- A. A minimum parcel area of 5 acres is established and a maximum building coverage of 40% of the parcel is provided.
- B. The setbacks of the district for institutional uses shall be met.