

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008
Amended thru August 10, 2020

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

§ 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; and Bill 20-11]

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 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 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 - An animal that is accustomed to living in or about the habitation of man and is dependent on man for food or shelter, excluding livestock.

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.

ANIMAL SHELTER - A non-profit facility, as defined by the Internal Revenue Code as Amended, established for the purpose of providing shelter and care for domestic animals and livestock that have been abandoned or placed in the shelter by the Harford County Government or members of the public for permanent or temporary care. In addition to shelter and care, the facility shall provide evaluative care to determine the adoptability of animals, educational outreach programs on animal care for the community, on-site training programs for staff and volunteers, and areas for animals to exercise and socialize.

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

HOME OCCUPATION - Any business activity regularly conducted by a resident as an accessory use within the dwelling or an accessory building which meets the standards specified in this Part 1 for such use.

HOMEOWNERS' ASSOCIATION - An association or other legal entity comprised of owners of land or dwellings, organized to own, operate or maintain open space or facilities used in common by such owners.

HOSPITAL - An institution providing inpatient health-care services and medical or surgical care to persons suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related activities, such as laboratories or training facilities.

HOTEL - A building offering transient lodging accommodations to the general public which may provide as accessory uses, restaurants, meeting rooms and recreation facilities.

HOUSING FOR THE ELDERLY - A building which is designed for the needs of elderly persons and which is subject to management or other legal restrictions that require that the project shall be occupied by households wherein at least one person is aged 55 or over.

HYDRIC SOILS - Soils that are wet frequently enough to periodically produce anaerobic conditions, thereby influencing the species composition or growth, or both, of plants on those soils, as identified by the United States Department of Agriculture Soil Conservation Service.

HYDROPHYTIC VEGETATION - Those plants cited in "Vascular Plant Species Occurring in Maryland Wetlands" (Dawson and Burke 1985), which are described as growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content (plants typically found in water habitats).

IMPACT FEE - A fee imposed to help finance the cost of improvements or services.

IMPERVIOUS SURFACE - Any surface or material that does not absorb water or substantially reduces the infiltration of stormwater. Impervious surfaces include roofs, streets, sidewalks and parking areas paved with asphalt, concrete, compacted sand, compacted gravel or clay.

INDIRECT RECHARGE AREA - The area contributing water to surface watercourses up gradient of the aquifer or wellfield area of contribution.

INGRESS - An entry.

INTENSELY DEVELOPED AREAS - Those areas within the Chesapeake Bay Critical Area (CBCA) where residential, commercial, institutional and/or industrial developed land uses predominate and where relatively little natural habitat occurs. Such areas are to be at least 20 acres in size and have at least 1 of the following features:

- A. Housing density is equal to or greater than 4 dwelling units per acre.
- B. Industrial, institutional or commercial uses are concentrated in the area.
- C. Public sewer and water collection and distribution systems are currently serving the area and housing density is greater than 3 dwelling units per acre.

INTERCEPTOR - Sewer pipe lines 24 inches or larger in diameter.

INTERMITTENT STREAM - A stream that has been confirmed to be an intermittent stream through field verification utilizing the most recently accepted investigation methods of the United States Army Corp of Engineers.

INTERSECTION - The crossing of 2 or more roads at grade.

ISOLATED NONTIDAL WETLANDS – A nontidal wetland that is not hydrologically connected, through surface or subsurface flow to streams, tidal or nontidal wetlands or tidal waters.

JUNK - Any scrap, waste, reclaimable material or debris, either stored or used in conjunction with dismantling, processing, salvage, storage, bailing, disposal or other use or disposition.

JUNK- OR SALVAGE YARD - Any land or structure used for the storage and/or sale of junk or the collection, dismantlement, storage or salvage of 3 or more untagged or inoperative motor vehicles, including a salvaging operation, but excluding wrecked motor vehicles stored for a period of not more than 90 calendar days.

KENNEL - Any establishment, not part of an agricultural use, in which 6 or more domestic animals, such as cats, dogs and other pets, more than 6 months old are kept, groomed, bred, boarded, trained or sold.

LANDSCAPING - The improvement of property with lawns, trees, plants and other natural or decorative features.

LEACHABLE MATERIAL - Material, including salt and certain components of concrete, asphalt, tar, coal, etc., which is readily soluble in water and thus easily removed and transported in solution by meteoric and/or groundwater.

LIMITED DEVELOPMENT AREAS - Those areas within the Chesapeake Bay Critical Area that are currently developed in low- or moderate-intensity uses. They also contain areas of natural plant and animal habitats, and the quality of runoff from these areas has not been substantially altered or impaired. These areas shall have at least 1 of the following features:

- A. Housing density ranging from 1 dwelling unit per 5 acres up to 4 dwelling units per acre.
- B. Areas not dominated by agriculture, wetland, forest, barren land, surface water or open space.
- C. Areas having public sewer or public water, or both.
- D. Areas meeting the definition of intensely developed areas except for being less than 20 acres in size.

LIVE/WORK UNITS - Structures that have professional offices or retail services on the first floor with residential uses on the second floor. The property owner or business operator must occupy the residence.

LIVESTOCK - Generally accepted outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.) not to include cats, dogs and other domestic animals.

LOCAL DELIVERY – An establishment primarily engaged in providing local messenger and delivery services of small items within a geographical regional center. These establishments generally provide point-to-point pickup and delivery and do not operate as part of an intercity courier network.

LODGING HOUSE - A building offering transient dwelling accommodations where the facilities are multifaceted with a distinguished style, including marked upgrades in the quality of physical attributes, amenities and Level of Service and comfort provided. At a minimum, the lodging house shall include a lobby, a concierge, personal services, business center, pool and wireless internet in the common areas. Wireless internet shall be offered to each unit in the lodging house.

LOFT - An intermediate level located between the floor and ceiling of a story, open on at least 1 side to the room in which it is located.

LOT - A designated area of land established by plat, subdivision or as otherwise permitted by law to be used, developed or built upon as a unit.

LOT, ADJACENT RESIDENTIAL - A lot that abuts another lot or parcel of land and is either within a residential district or is a lot of 2 acres or less intended for residential use.

LOT, AGRICULTURAL - A lot that is zoned agricultural and is 2 acres or more.

LOT AREA - The total area within the lot lines of a lot, excluding any road right-of-way or reservation.

LOT, CORNER - A lot abutting upon 2 or more roads at their intersection or upon 2 parts of the same road forming an interior angle of less than 135°.

LOT COVERAGE - The percent of a total lot or parcel that is:

- A. Occupied by a structure, accessory structure, parking area, driveway, walkway or roadway;
- B. Covered with gravel, stone, shell, impermeable decking, a paver, permeable pavement or any manmade material; or
- C. Covered or occupied by a stairway or impermeable deck.

Lot coverage does not include:

- A. A fence or wall that is less than 1 foot in width that has not been constructed with a footer;
- B. A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier;
- C. A wood mulch pathway; or
- D. A deck with gaps to allow water to pass.

LOT FRONTRAGE - The length of the frontage.

LOT LINE - A line of record bounding a lot which divides 1 lot from another lot or from any road right-of-way or from any other public space.

LOT LINE, FRONT - The lot line separating a lot from a road right-of-way.

LOT LINE, REAR - The lot line opposite and most distant from the front lot line; in the case of triangular or otherwise irregularly shaped lots, a line at least 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

LOT LINE, SIDE - Any lot line other than a front or rear lot line.

LOT, MINIMUM AREA OF - The smallest area established by this Part 1 on which a use, structure or building may be located in a particular district.

LOT, PANHANDLE - A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip connecting the main building site with the frontage street.

LOT, RESIDENTIAL - A lot which is zoned RR, R1, R2, R3, or R4 or is less than 2 acres and is intended for residential use.

LOT, THROUGH - A lot which fronts upon 2 parallel roads or which fronts upon 2 roads which do not intersect at the boundary of the lot and which has no rear lot line.

LOT WIDTH - The horizontal distance between the lot lines along a straight line parallel to the front lot line at the minimum required building setback line.

LOW- AND MODERATE-INCOME HOUSING - Housing which is categorized as for low- or moderate-income families by the United States Department of Housing and Urban Development or an appropriate State agency.

LOW-DENSITY RESIDENTIAL USE - Undeveloped land zoned for densities of less than or equal to 1 dwelling unit per 5 acres.

MAIN STREET DISTRICT - Area designated in a Community Plan that has identified commercial uses within walkable distances and allows a mix of office, retail and residential uses.

MARINA - Any facility for the mooring, berthing, storing or securing of watercraft, but not including community piers and other noncommercial boat docking and storage facilities.

MARQUEE - Any covering of permanent construction projecting from the wall of a building above an entrance.

MASTER PLAN - The Master Plan of the County adopted in accordance with Sections 701 and 702 of the Charter, including the most recently adopted Master Plan and associated Element Plans.

MEAN HIGH WATER LINE - The average level of high tides at a given location along the shoreline.

MEDIUM-DENSITY RESIDENTIAL USE - Land zoned for density of more than 1 dwelling unit per 5 acres, and less than or equal to 1 dwelling unit per acre, including both existing and planned development and their associated infrastructure, such as roads, utilities and water and sewer service.

METEOROLOGICAL TOWER (MET TOWER) - Includes the tower; base plate; anchors; guy wires and hardware; anemometers (wind speed indicators); wind direction vanes; booms to hold equipment, anemometers and vanes; data logger; instrument wiring and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

MINI-WAREHOUSING - A building or group of buildings that contains varying sizes of individual compartmentalized and controlled access stalls for the storage of customers' goods or wares.

MIXED USE CENTER - A mixture of office, retail, recreational, hotel and residential uses within a single structure or within multiple structures, but physically and functionally integrated.

MOBILE HOME PARK - A parcel of land used, designed, developed and maintained to accommodate 2 or more mobile homes for long-term residential occupancy by rental of space or condominium ownership.

MOBILE HOME SUBDIVISION - A parcel of land subdivided into 2 or more lots to accommodate 2 or more mobile homes for residential occupancy.

MOTEL - See "hotel."

MOTOR VEHICLE - A self-propelled, free-moving vehicle with 2 or more wheels primarily for conveyance on a road.

MOTOR VEHICLE RECREATION - The use of land for vehicle competition involving automobiles, motorcycles, tractors, trucks or other self-propelled vehicles.

MULCH STORAGE AND SALES - An operation for the storage of natural wood mulch for landscaping and other uses and for sale of the product, either wholesale or retail. Mulch storage and sales includes composting, but does not include the processing or grinding of mulch.

NATIVE VEGETATION - Trees, shrubs and herbaceous plants that naturally occur in the State of Maryland.

NATURAL HERITAGE AREA - An area that has been designated by the Secretary of the Department of Natural Resources in accordance with COMAR 08.03.08 as a Natural Community which meets the following criteria:

- A. Contains 1 or more threatened or endangered species or wildlife species in need of conservation;
- B. Is a unique blend of geological, hydrological, climatological or biological features; and
- C. Is considered to be among the best statewide examples of its kind.

NATURAL REGENERATION - The natural establishment of trees and other vegetation of a density of at least 400 woody, free-to-grow seedlings per acre which are capable of growing to a height of at least 20 feet at maturity.

NEIGHBORHOOD MARKET - Establishments primarily engaged in the provision of frequently or recurrently needed goods for household consumption such as prepackaged food and beverages and limited household supplies and hardware. Typical uses include country stores and shall not include fuel pumps or selling of fuel for motor vehicles.

NET TRACT AREA -

- A. In the AG zoning district, the portion of the parcel for which land use will be changed or that will no longer be used primarily for agriculture, and in all other zoning districts, the total area of the parcel, to the nearest 1/10 acre.
- B. "Net tract area" does not include the following areas:
 - (1) Any unforested area within the floodplain district established under Chapter 131 of the Harford County Code, as amended;
 - (2) Any right-of-way for:
 - (a) An overhead transmission line of a public utility if the line is designed to carry a voltage in excess of 69,000 volts; or
 - (b) An underground pipeline used to transport natural gas or petroleum products, if the right-of-way averages at least 50 feet in width; or

(3) Any area within the Chesapeake Bay Critical Area Overlay District established pursuant to §267-63 (Chesapeake Bay Critical Area Overlay District).

NONCOMPETITIVE RECREATIONAL AMUSEMENT CAR - A miniature amusement car that is electronically controlled from a central location and is designed and used to carry 1 or 2 persons on a track at a recreational amusement facility and is not designed for use on a road.

NONCONFORMING BUILDING OR STRUCTURE - A building or structure the size, dimension or location of which was lawful prior to the adoption or amendment of this Part 1, but which fails, by reason of adoption or amendment of this Part 1, to conform to the present requirements of the district.

NONCONFORMING LOT - A lot which was legally subdivided and recorded among the County Land Records prior to adoption or amendment of this Part 1 and which, after adoption or amendment of this Part 1, fails to comply with the dimensional requirements of this Part 1.

NONCONFORMING USE - A use which was lawful prior to adoption or amendment of this Part 1, but which fails, by reason of such adoption or amendment, to conform to the present requirements of the district in which it is located.

NONTIDAL WETLANDS - All palustrine aquatic bed, palustrine emergent, palustrine forested and palustrine scrub-shrub wetlands as defined by the United States Fish and Wildlife Service, except tidal wetlands regulated under Title 9 of the Natural Resources Article, Annotated Code of Maryland. These nontidal wetlands are lands that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The technical guidelines for determining the 3 parameters of nontidal wetlands (vegetation, soils and hydrology) shall be followed in accordance with the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual.

NONTRANSIENT NONCOMMUNITY WATER SYSTEM - A public water system that uses an average of 10,000 gallons per day and regularly serves at least 25 of the same individuals over 6 months per year.

NURSING HOME OR SKILLED CARE FACILITY - A facility devoted primarily to the long-term treatment and care of the aged or elderly or persons suffering from illnesses, diseases, deformities or injuries which do not require extensive or intensive care such as normally provided in a general or other specialized hospital.

ONE PERCENT ANNUAL FLOOD - A flood that has a 1% chance of being equaled or exceeded in any given year. This is also referred to as the 100 year flood or the base flood.

OPEN SPACE - Any area of land or water set aside, dedicated, designed or reserved for:

- A. Public or private use or enjoyment; or
- B. The use and enjoyment of owners and occupants of land adjoining or neighboring such open space; or
- C. The preservation of significant/special natural features.

OUTDOOR DINING AREA - An accessory outdoor dining area of an existing restaurant. The tables and chairs must be removable and the area must be unenclosed.

OVERBURDEN STORAGE OR DISPOSAL - Any residual soil, rock, mineral, scrap or other material displaced by the extraction use.

OVERLAY DISTRICT OR OVERLAY ZONE - Any specially mapped district that is subject to supplementary regulations or requirements.

PAD SITE - A separate lot or leased site that is located within a shopping center site. The pad site is subject to any conditions established by the Zoning Code or the Board of Appeals.

PALUSTRINE WETLANDS - All nontidal wetlands dominated by trees, shrubs, persistent emergent plants or emergent mosses or lichens and all such wetlands that occur in tidal areas where the salinity due to ocean-derived salts is below $\frac{1}{2}$ part per 1,000 parts of water.

PARAPET - A low wall protecting the edge of a roof.

PARCEL - Any contiguous area, site or portion of land under common ownership.

PARKING AREA - An area, other than sales lots, designed for the parking of 3 or more motor vehicles and available to the public, either for a fee or as an accommodation to clients or customers.

PASSIVE RECREATION - Outdoor recreation that does not require significant maintenance or facilities, such as walking, picnicking, viewing and environmental education activities.

PERCOLATION RATE - The rate at which water flows or trickles through porous soils as determined by a percolation test.

PERENNIAL STREAM - A stream that has been confirmed to be a perennial stream through field verification utilizing the most recently accepted investigation methods of the United States Army Corp of Engineers.

PERMANENT FOUNDATION - A foundation as required by the Harford County Building Code or the manufacturer's specifications, in the case of manufactured homes, to provide for complete enclosure with a material which is compatible with the structure.

PERSONAL CARE BOARDING HOME - Any premises which provides personal care to adults, for consideration, and provides these services to a minimum of 3 adults not related to the provider or owner.

PERSONAL SERVICES - Services rendered to an individual, including beauty and barber shops, clothing alterations, dance and music studios, interior decorating, laundromats, general dry cleaning, linen supply, photography studios, rug cleaning and repair services (in-home cleaning), shoe repair services and watch and jewelry repair services.

PERVIOUS SURFACE - Any surface that allows for the infiltration of water.

PIER - A structure, usually of open construction, extending out into the water from the shore, to serve as a landing place, recreational facility, etc., rather than to afford coastal protection.

PIER, COMMUNITY - A noncommercial boat docking or mooring facility that is owned by and operated for the benefit of the residents of a platted riparian subdivision or condominium, apartment or other multiple-family dwelling unit; the term does not include an individual private pier maintained by a riparian landowner.

PLANNED EMPLOYMENT CENTER - Development option designed to permit and promote major economic development opportunities such as corporate offices, educational/training facilities, research and development facilities or other uses that create significant job opportunities and investment benefits.

POLLUTANT TRAVEL TIME - The time required by pollutants to travel from one point to another.

PRIVATE HARVESTING - The cutting and removal of trees for personal, noncommercial use.

PROFESSIONAL SERVICES - Service by members of any profession, including accountants, architects, chiropractors, dentists, doctors, engineers, lawyers, optometrists, osteopaths or social workers.

PROJECT APPROVAL - The approval of development activities, other than developments undertaken by a State or local government agency, in the Chesapeake Bay Critical Area by the Harford County Department of Planning and Zoning or other approving agency of Harford County. The term includes approval of subdivision plans, plats and site plans; mapping of areas under floating zone or overlay zone provisions; the issuance of variances, special exceptions; and the issuance of other zoning-related approvals. Project approval does not include building permits.

PROVIDER - Any person or persons who have primary responsibility for and who receive consideration for the operation of the home.

PUBLIC EVENT - A temporary event, conducted by a private or public entity, including carnivals, circus, festivals, craft shows and concerts.

PUBLIC UTILITY - A gas and electric company regulated by the Maryland Public Service Commission or a cable television company operating under a franchise granted by the County Council.

PUBLIC UTILITY FACILITY - A utility facility owned by a governmental agency or private organization, maintained and operated for benefit of the general public, but excluding highway maintenance facilities, sewage treatment plants, sewage pumping stations and solid waste transfer stations.

PUBLIC WATER-ORIENTED RECREATION - Shore-dependent recreation facilities or activities provided by public agencies which are available to the general public.

RECHARGE AREA - An area where water flows into the ground to re-supply a water body or aquifer.

RECLAMATION - The reasonable rehabilitation of disturbed land for useful purposes, which provides protection to the natural resources found on or adjacent to the site, including water bodies.

RECREATIONAL BUFFER - An area where a path is created for recreational use.

RECREATIONAL VEHICLE - A vehicular-type portable structure without a permanent foundation, which can be towed, hauled or driven and which is primarily designed as temporary living accommodation for recreational, camping and travel use, including travel trailers, truck campers, camping trailers and self-propelled motor homes.

RECYCLING - The series of activities by which discarded materials are collected, sorted, processed and converted into raw materials and used in the production of new products.

RECYCLING CENTER - A building in which only recyclable material is collected, processed, and/or baled in preparation for shipment to others who will use those materials to manufacture new products.

REDEVELOPMENT - Construction activities in previously developed areas, which include the demolition of existing structures and building new structures or the substantial renovation of existing structures, often changing form and function. Redevelopment may involve existing property owners and businesses or new owners and tenants.

REFORESTATION - The creation 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.

§ 267-26. Off-street Parking and Loading. [Amended by Bill 17-04 and Bill 20-11]

A. Generally.

- (1) No structure shall be erected, substantially altered or have its use changed unless permanent off-street parking and loading spaces have been provided and maintained in accordance with the provisions of this section. The Board may authorize a modification of the parking space requirements if it should find that, in the particular case, the peculiar nature of the use or the exceptional shape or size of the property or other exceptional situation or condition would justify such modification.
- (2) Parking and loading requirements based on floor area shall be determined by the total gross floor area of the use, excluding incidental storage, mechanical preparation areas and additional common areas such as corridors, stairwells and elevators.
- (3) Parking and loading requirements per seat shall be determined by the number of individual seats, except as otherwise required. For purposes of bench-type seating, 20 inches shall be the equivalent of 1 seat.
- (4) Parking requirements may be provided in attached or detached garages, in off-street parking lots or on parking pads on the lot. On residential lots, each required parking space shall have direct and unobstructed access to a road.
- (5) Each required parking space shall measure 9x18 feet for a standard-sized vehicle. For calculating the minimum gross area for the required parking, driving aisle, general circulating and landscaping, 325 square feet per parking space shall be used.
- (6) Business uses shall provide a minimum of 3 parking spaces.
- (7) Accessory parking areas, driveways and private roads may be granted by the Board of Appeals in any district to serve a use located in another district, whether or not the use is permitted in the subject district, in accordance with the following conditions:
 - (a) The parking area, driveway or private road shall be accessory to, and for the use of, 1 or more agricultural, residential, business or industrial use located in an adjoining district.
 - (b) No charge shall be made for the parking or storage of vehicles on any parking lot approved pursuant to this provision.
 - (c) Any private road or driveway shall provide access to an approved private, County or State road.
 - (d) The number of parking spaces and total parking area approved in the subject district under this section shall not exceed 30% of the parking spaces and area required by this Part 1 for the permitted use.

B. Group parking requirements. When group parking is provided, the facility shall be designed as follows:

- (1) Parking areas for business uses requiring more than 10 parking spaces, and all other uses requiring more than 20 parking spaces, shall be provided with a structured impervious surface and shall be so graded and drained as to dispose of surface water, and so arranged and marked as to provide for orderly and safe loading, unloading, parking and storage of motor vehicles.
- (2) Parking areas shall be landscaped pursuant to §267-29 (Landscaping).
- (3) The parking area shall be set back a minimum of 10 feet from arterial road rights-of-way and 5 feet from other public road rights-of-way.
- (4) Parking areas in excess of 10,000 square feet for business, industrial or institutional uses located less than 100 feet from any residential district shall require a type "B" buffer yard pursuant to §267-30 (Buffer Yards).
- (5) Any lighting used to illuminate a parking area shall be so designed to direct the light away from adjoining residential premises.
- (6) Institutional parks containing outdoor passive or active recreational facilities with no permanent structures may utilize grass parking. The design of the grass parking areas shall be approved by the Director of Planning and Zoning and the Director of Public Works.

C. Parking space requirements.

- (1) Minimum parking spaces. Except as otherwise provided in this Part 1, the following off-street parking space requirements shall apply. In the case of any building, structure or use not specifically mentioned herein, the use that is most similar to the following enumerated uses shall provide the requirement.

Type of Use	Off-street Parking Spaces Required
Natural resources	As required
Residential:	
Single-family detached, semidetached, duplex, lot-line, patio/court/atrium, row duplex, multiplex, townhouses and mobile homes	2 per dwelling unit
Garden, mid- and high-rise apartments:	
Efficiency	1.25 per dwelling unit
1-bedroom	1.50 per dwelling unit
2-bedrooms or more	2 per dwelling unit

Type of Use	Off-street Parking Spaces Required
Home occupations, except medical professions	Additional parking, as needed shall be accommodated on site
Continuing Care Retirement Community	1 per independent living unit plus 1 per 4 beds in assisted living and skilled care facilities plus 1 per employee (full-time equivalent) on largest shift
Transient housing:	
Boarding- and tourist houses	1 per sleeping room
Hotels and motels	1 per sleeping room, and 1 per 2 persons permitted in banquet room and accessory use (bars, lounge, etc.) As determined by maximum capacity requirements set forth in the State Fire Code
Camps, retreats and RV parks	1.5 per campsite
Nursing homes, assisted living facilities and personal care boarding homes	1 per 4 patient beds plus 1 per employee (full-time equivalent) on largest shift
Boarding home for sheltered care and group home for sheltered care	1 per 2 beds plus 1 per employee (full-time equivalent) on largest shift
Business:	
Banks and financial institutions	1 per 300 square feet of gross floor area, and 5 waiting spaces per drive-in lane
Beauty and barber shops	1 per 100 square feet of gross floor area
Convenience stores	1 per 150 square feet of gross floor space
Nightclubs, lounges, bars and taverns	1 per 50 square feet of gross floor area, excluding food preparation and storage areas
Funeral parlors and mortuaries	1 per 100 square feet of viewing area
Grocery stores and supermarkets	1 per 200 square feet of gross floor area, excluding storage area
Medical clinics and veterinary offices	6 per doctor
Medical and dental offices	4 per doctor or dentist
Motor vehicle sales and service	1 per 300 square feet of gross floor area, excluding storage area
Professional offices, except medical and dental offices	1 per 300 square feet of gross floor area
Personal services, except beauty and barber shops	1 per 200 square feet of gross floor area

Type of Use	Off-street Parking Spaces Required
Retail stores	1 per 200 square feet of gross floor area
Agricultural sales at roadside stands	1 per 250 square feet of sales area
Shopping centers	1 per 250 square feet of gross leasable floor area
Recreation:	
Arenas and stadiums	1 per every 3 seats
Bowling alleys	4 per lane, plus 1 per 150 square feet of gross floor area for accessory uses (lounge, snack bar, etc.)
Community centers	1 per 250 square feet of gross floor area, plus 1 per each 4 assembly seats
Golf driving ranges and miniature golf	1.25 per tee
Golf courses	3 per hole
Indoor/outdoor public swimming pools	1 per 75 square feet of gross water
Indoor/outdoor shooting ranges (archery, trap, etc.)	1 per each booth or firing position
Marinas	1.5 per berth, and 10% of the spaces shall be large enough for car with trailer if launching ramp is provided
Noncompetitive recreational amusement cars	1.25 spaces per recreational car
Private clubs	1 per 3 persons permitted under the State Fire Code
Racquet- and handball courts	4 per court, plus 1 per 150 square feet of gross floor area for accessory uses
Restaurants	1 per 3 patrons' seats or 1 per 200 square feet of gross floor area, excluding food preparation area, whichever is greater
Skating rinks	1 per 300 square feet of gross floor area
Theaters	1 per 3 patron seats
Institutional:	
Houses of worship and religious assemblies (indoor/outdoor)	1 per 3 seats. Up to 50% of the parking area can be pervious surface. Required parking spaces for schools and daycare facilities that are accessory to a house of worship are computed separately.

Type of Use	Off-street Parking Spaces Required
Hospitals	1 per bed
Libraries, museums, art galleries and observatories	1 per 250 square feet of gross floor area or 1 per 4 seats, whichever is greater
Schools, elementary or intermediate	2 per classroom, plus 1 per 8 seats in assembly hall
Schools, high	5 per classroom, plus 1 per 8 seats in assembly hall
Colleges, universities and business trade or technical schools	1 per 3 students
Day-care and nursery facilities	1 per 6 students, and 1 loading space
Industrial	On-site parking as necessary to accommodate traffic generated by the use and the largest employee shift

(2) Maximum parking spaces. The maximum number of off-street parking spaces permitted shall not exceed 130% of the minimum number of spaces required. This restriction does not apply to:

- (a) Spaces that are composed of a structured pervious surface; or
- (b) Spaces above this limit where the Director of Planning finds that the additional spaces are required by unique site conditions or use.

D. Parking standard modifications. The off-street parking requirements for any given use shall be established as per §267-26C (Parking Space Requirements) of the Harford County Zoning Code, as amended. The Director of Planning, with concurrence from the Director of the Department of Public Works, may:

- (1) Authorize a modification of the parking space requirements if the Director determines that, in the particular case, the specific nature of the use or the exceptional shape or size of the property or other exceptional situations or conditions warrant such a modification. Such a modification shall not reduce the number of parking spaces to less than 80% of the required spaces.
- (2) If pedestrian access, bicycle access and parking or linkages to mass transit are provided on site from the public right-of-way to the primary building, the required parking standards may be reduced by up to 10%. This reduction may be taken with the authorization of the Director of Planning. If nonresidential joint parking is provided in accordance with provisions established per §267-26C (Parking Space Requirements), the required parking standards may be reduced up to 20%. This reduction may be utilized in addition to:
 - (a) Any parking reduction authorized through §267-26D(1) (Parking Standard Modifications); and

(b) In the Chesapeake Science and Security Corridor, any parking reduction authorized through §267-64 (Chesapeake Science and Security Corridor).

E. Shared parking provisions. A portion of the required parking may be provided on another property provided that:

- (1) The underlying zoning of the other property permits parking for the principal use of the site being developed.
- (2) There is adequate parking to meet the parking requirements for all uses served by the parking.
- (3) The shared parking area is located less than 500 feet from the entrance of the primary building located on the site being developed. This distance may be increased to 2,000 feet in the CI, LI and GI zoning districts.
- (4) The shared parking area is subject to a shared parking agreement made between current owners of the properties. The agreement shall be recorded in the Land Records of the County. The agreement shall be reviewed and approved by the County's Department of Law prior to recordation. All shared parking agreements must also contain a provision for maintenance of the parking area.
- (5) The parking area must have safe vehicular and pedestrian access from the shared parking area to the subject property.
- (6) The required parking area shall be paved with an impervious surface.
- (7) Parking for residential uses shall be clearly designated.

F. Joint parking areas for nonresidential uses that do not conform to Subsection C are permitted, subject to the following:

- (1) The operations sharing the joint use of parking areas shall not be opened or used during the same principal operating hours.
- (2) The parties concerned with such joint use are subject to a written joint-use agreement.

G. Off-street loading.

- (1) Any use which regularly receives deliveries or shipments must provide off-street loading facilities in accordance with the requirements specified below.
- (2) Retail uses, industrial uses, warehouses, freight terminals and hospitals.
 - (a) Every retail establishment, industrial use, warehouse, freight terminal or hospital having a gross floor area of 6,000 square feet or more shall provide minimum off-street loading facilities as follows:

Gross Floor Area (square feet)	Number of Berths
6,000 to 24,999	1
25,000 to 79,999	2
80,000 to 127,999	3
128,000 to 197,999	4
198,000 to 255,999	5
256,000 to 319,999	6
320,000 to 391,999	7

(b) For each additional 72,000 square feet, or fraction thereof, of gross floor area, 1 additional berth shall be provided.

(3) Public assembly uses.

(a) Every public assembly use, such as auditoriums, convention halls, exhibition halls, stadiums or sports arenas, office buildings, welfare institutions, funeral homes, restaurants and hotels with a gross floor area of greater than 30,000 square feet shall provide off-street berths as follows:

Gross Floor Area (square feet)	Number of Berths
30,000 to 119,999	1
120,000 to 197,999	2
198,000 to 290,999	3
291,000 to 389,999	4
390,000 to 488,999	5
489,000 to 587,999	6
588,000 to 689,999	7

(b) For each additional 105,000 square feet, or fraction thereof, of gross floor area, 1 additional berth shall be provided.

(4) The minimum area for each off-street loading space, excluding area for maneuvering, shall be 250 square feet, measuring 10x25 feet with a vertical clearance of 14 feet.

(5) Loading spaces shall be designed so that no part of the vehicle shall extend into the right-of-way of a public road during the process of loading and unloading.

(6) Loading spaces shall be located at least 50 feet from any residential district, unless the loading space is totally enclosed within a building or buffered by a hedge, wall or solid board fence at least 6 feet in height.

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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; Bill 13-4 as amended; Bill 15-36 as amended; Bill 15-39 as amended; Bill 17-02; Bill 17-04; Bill 17-18 as amended; Bill 19-15 as amended; Bill 19-16 as amended; Bill 19-29 as amended; Bill 20-01 as amended; and Bill 20-11]

§ 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 TRANSPORTATION, COMMUNICATION & UTILITIES (TCU)	ZONING DISTRICTS															PERMITTED USE CHARTS
	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	
Communication and broadcasting towers	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	P	P	P	P	P	P
Freight terminals											P	P		P		
Helistops		P										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	P
Rubble Landfills	P	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		P		

(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															PERMITTED USE CHARTS
	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
WAREHOUSING, WHOLESALING & PROCESSING																
Abattoirs, slaughterhouses	SE												P		P	
Bottling plants												P	P	P	P	
Creamery, cold storage	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, distribution and local delivery								P			P	P	P	P		
Mini-warehousing								P			P	P				

(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.

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