

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

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

§ 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; and Bill 22-06]

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.

APPURTENANCES AND ENVIRONMENTAL SETTINGS - All the grounds and structures surrounding a designated Landmark or Historic District to which that Historic Landmark or Historic District relates physically or visually. Appurtenances and environmental settings are unique to each Historic Landmark or Historic District and may include, but are not limited to, walkways and driveways

(whether paved or unpaved), trees, landscaping, pastures, croplands, waterways, open space, setbacks, parks, public spaces and rocks.

AQUIFER - A permeable geologic formation, either rock or sediment, that when saturated with groundwater is capable of transporting water through the formation.

ARCADE - A structure housing 3 or more commercial mechanical or electronic devices used for amusement.

AS-BUILT - Scaled and dimensioned drawing done by a licensed surveyor or engineer that accurately depicts the location of all improvements on the property.

ASSEMBLY HALL - See "community center."

ASSISTED LIVING FACILITY - A facility to provide supervision, monitoring or assistance with the activities of daily living for more than 25 elderly or disabled persons in a residential setting.

AVERAGE CONTACT GRADE - The mean elevation of the highest and lowest points of contact of the structure.

BASE FLOOD - The flood having a 1% chance of being equaled or exceeded in any given year.

BASEMENT - An area of a structure having ½ or more of its floor-to-ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of not less than 6½ feet.

BEST MANAGEMENT PRACTICES (BMP'S) - Conservation practices or systems of practices and management measures that control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxins and sediment.

BLOCK - A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

BOARDING HOME FOR SHELTERED CARE - A nonprofit home for the sheltered care of more than 8 unrelated persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.

BOARD OF APPEALS OR BOARD - The administrative body of the County vested and charged with the power set forth in this Part 1.

BREWERY, MICRO - A facility that produces malt based liquors such as beer, ale, porter, stout and similar grain based beverages on the premises and which possesses the appropriate license from the State of Maryland. The facility may brew, bottle, contract, store and enter into temporary delivery agreements with distributors. Products may be brewed onsite and sold for on-premises or off-premises consumption in accordance with the limits of the appropriate license from the State of Maryland. Said facility may also include site tours and product tasting.

BREWERY, PRODUCTION - A facility that produces any amount of malt based liquors such as beer, ale, porter, stout and similar grain based beverages to be sold offsite and which possesses the appropriate license from the State of Maryland. Said facility may also include site tours and product tasting.

BREWERY, PUB - A restaurant that is permitted to produce malt based liquors such as beer, ale, porter, stout and similar grain based beverages on the premises for consumption on the premises and which possesses the appropriate license from the State of Maryland. If the restaurant use ceases, the use of the premises would be considered and subject to the regulations of a Brewery, Micro.

BUFFER - Land area left in its natural state or which is vegetated and managed to protect significant and/or sensitive special natural features from the adverse impacts of adjacent land uses or development.

BUFFER EXEMPT AREA - Those areas as of December 1, 1985 where it can be demonstrated that the existing pattern of residential, commercial, industrial or recreational development in the Critical Area prevents the buffer from fulfilling the functions set forth in COMAR 27.01.09.01.b for water quality and wildlife habitat and which are mapped buffer exempt by the Department of Planning and Zoning.

BUFFER YARD - A portion of a lot that may be included within setbacks, improved with plantings, earth berms or fences that acts to soften or mitigate the effects of one land use upon another.

BUILDING - Any structure having a roof supported by columns or walls and intended for the shelter, housing, storage or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

BUILDING COVERAGE - That portion of a lot that is covered by buildings.

BUILDING HEIGHT - The vertical distance of a building or structure measured from the average contact grade to the highest point of the roof.

BUILDING LINE - The line that is located at the front yard setback of a lot and at which the required lot width for the district is met.

BUILDING, PRINCIPAL - Any building which serves a principal permitted use. Any buildings or structures attached to the "principal building," either directly or by a breezeway, shall be considered part of the "principal building."

BUSINESS SERVICES - Establishments primarily engaged in rendering services to businesses on a fee or contract basis, including actuarial services, advertising services, blueprinting and photocopying, catering, credit reporting and collection services, data processing, detective and protection services, direct-mail advertising, disinfecting and exterminating, duplicating and publishing, employment agencies and services, janitorial services, motion-picture distribution services, office or business equipment rental and leasing, photofinishing, secretarial or stenographic, tag and title service, telecommunications and window cleaning.

CALIPER - The diameter of a tree measured:

- A. At 6 inches above grade for trees with a caliper of 4 inches or less; and
- B. At 12 inches above grade for trees with a caliper of more than 4 inches.

CAMPGROUND - An area used for a range of overnight accommodation, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes, trailers or other forms of moveable shelter on a permanent year-round basis.

CANOPY - A detachable roof like structure supported from the ground, deck, floor, wall or building for the purpose of protection from the sun or weather.

CERTIFICATE OF APPROPRIATENESS - A certificate issued by the Department of Planning and Zoning in conjunction with the Historic Preservation Commission indicating its approval of plans for construction, alteration, rehabilitation, restoration, reconstruction, moving, or demolition of a Historic Landmark or of a site or structure within a designated Historic District.

CHANGE OF USE - Any use that differs substantially from the previous use of a building or land.

CIDERY – A facility that produces hard cider (alcoholic drinks made by fermenting the juice of fruit) on the premises and which possesses the appropriate license from the State of Maryland. The facility may produce, bottle, contract, store and enter into temporary delivery agreements with distributors. Products may be produced onsite and sold for on-premises or off-premises consumption in accordance with the limits of the appropriate license from the State of Maryland and the Harford County Liquor Control Board. The facility may also include site tours and product testing.

CLEAR AND CLEARING - Cutting or removing trees, ground cover, stumps, and roots, including the movement of topsoil prior to grading.

CLEARCUTTING - The removal of the entire stand of trees in 1 cutting with subsequent reforestation obtained by natural seeding from adjacent stands or from trees that were cut, from advanced regeneration or stump sprouts or from planting of seeds or seedlings by man.

CLINIC - A place for the treatment of outpatients by 3 or more health professionals in group practice.

CLUB, NON-PROFIT – A social, civic service or fraternal association or corporation which is organized as a non-profit organization and operated exclusively for educational, social, civic, fraternal, patriotic or athletic purposes.

CLUB, PRIVATE – A social, civic service or fraternal association or corporation which is organized as a for profit organization for educational, social, civic, fraternal, patriotic or athletic purposes.

CLUB, RECREATIONAL – A yacht or boat club, country club, golf club, swim club or tennis club or other similar use and may be organized as a for profit or non-profit organization. Recreational clubs shall not be open to the general public at any time.

CLUSTER DEVELOPMENT - A residential development in which dwelling units are concentrated in a selected area or selected areas of the development tract so as to provide natural habitat, forest preservation, agricultural preservation, or other permanent open space uses on the remainder.

COLLECTOR SYSTEM - Sewer pipelines, smaller than 24 inches in diameter, which collect sanitary wastewater from a drainage area and conveys it to the interceptor.

CO-LOCATION - Placement of an antenna on an existing communications tower, building, light, utility pole or water tower where the antenna and all supports are located on the existing structure.

COLONIAL NESTING WATER BIRDS - Herons, egrets, terns and/or glossy ibis, which, for purposes of nesting, congregate (that is, "colonize") in relatively few areas, at which time the regional populations of these species are highly susceptible to local disturbances.

COMMERCIAL AMUSEMENT AND RECREATION - Establishments providing commercial amusement, entertainment or recreation, including arcades, bowling alleys, martial arts clubs and schools, miniature golf courses, pool halls, skating rinks, tennis and racquetball clubs.

COMMERCIAL HARVESTING - The cutting and removal of trees by companies or private individuals for economic gain.

COMMERCIAL VEHICLE - Any self-propelled or towed vehicle used on public roadways to transport passengers or property when:

- A. The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
- B. The vehicle is designed to transport more than 15 passengers, including the driver; or

- C. The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding in accordance with the hazardous materials regulations of the United States Department of Transportation; or
- D. A single, full or semi-trailer with a manufacturer's gross vehicle weight rating over 7,000 lbs.

COMMUNICATIONS ANTENNA - Any structure or device deployed by or on behalf of any government-licensed or government-permitted entity to collect or radiate electromagnetic waves, including directional antennas, microwave dishes and satellite dishes, and omni-directional antennas. Communications antenna does not include a radio operator antenna operated by an amateur radio operator who is licensed by the federal communications Commission and whose domicile is on the lot where the antenna and related equipment is placed.

COMMUNICATIONS TOWER - A structure erected to support communications antennas. Communications towers include, and are limited to:

- A. A lattice tower is a structure that consists of vertical and horizontal supports and metal crossed strips or bars to support antennas and connecting appurtenances. Lattice towers may be freestanding or supported by guy wires. (see guyed tower.)
- B. A monopole is a structure that consists of a single freestanding pole structure to support antennas and connecting appurtenances.
- C. A guyed tower is any communications tower using guy wires connecting above grade portions of a communications tower diagonally with the ground to provide support for tower, antennas and connecting appurtenances.

COMMUNICATIONS TOWER HEIGHT - The measurement from the lowest point of the base at ground level on which the tower is mounted to the top of the tower or the top of the highest point, whichever is greater.

COMMUNITY CENTER - A building, which has a permitted capacity in excess of 150 people, is used for recreational, social, educational, cultural or religious activities and is owned and operated by a public or nonprofit organization.

COMMUNITY GREEN - A primary internal landscaped open space designed and intended for the use and enjoyment of the community.

COMMUNITY PLAN - Sub area planning document that further defines the intentional land use and long-range planning objectives adopted by the County Council.

COMMUNITY SOLAR ENERGY GENERATING SYSTEM (CSEGS) - Any solar energy generating system that functions as a principal use that uses energy from the sun to produce electricity for delivery through distribution lines to end-users that satisfies the requirements of the Public Utilities Article of the Annotated Code of Maryland, as amended, and does not exceed 2 megawatts of capacity, as measured in alternating current.

COMMUNITY WATER SYSTEM - A public water system that uses an average of 10,000 gallons per day and services at least 15 service connections used by year-round residents, or regularly serves at least 25 residents throughout the year.

CONSERVATION DEVELOPMENT - A residential development in which single-family dwelling lots are concentrated in a selected area or selected areas of the parcel.

USE CLASSIFICATION	ZONING DISTRICTS															PERMITTED USE CHARTS
RETAIL TRADE	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Agricultural retail	P						SE		P	P	P	P	P			P
Antique shops, art galleries and museums	SE						SD		P	P	P	P	P			P
Auction houses, animal and agricultural related products	SD/SE								SE			SE	P			P
Auction houses, non agricultural related	SD								P		P	P	P			P
Christmas tree sales	T	T	T	T	T	T		T	T	T	T	T	T		T	
Convenience goods stores							SD		P	P	P	P	P			P
Farm Market, Private	SD															
Farmers co-ops	P								P	P	P	P	P			P
Feed and grain mills	P								P				P			P
Feed and grain - storage and sales	SD								P							
General merchandise stores												P	P			
Hawkers and peddlers									T		T	T	T			
Integrated Community Shopping Centers (ICSC)										SD	SD	SD				
Liquor stores									P		P	P	P			P
Mixed Use Center							SD			SD	SD	SD	SD	SD	SD	
Shopping centers									P	P	P	P				
Shoppers merchandise stores							SD(4)		P		P	P	P			P
Specialty shop							SD		P	P	P	P	P			P

(1) Indicates permitted in the Edgewood Neighborhood Overlay District 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.
 (5) indicates that only apparel and accessories and communication equipment sales and service are permitted as shoppers merchandise stores within the MO 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															
SERVICES		AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Blacksmiths	P									P			P	P		P	
Brewery, Micro											P	P	P		P	P	
Brewery, Pub	SD									SE	SE	P	P	P		P	
Business services, including commercial schools								SD		P	P	P	P	P		P	
Carpet and rug cleaning service										P		P	P	P	P	P	
Cidery											P	P	P		P		
Construction services and suppliers	SE								SE			P	P	P	P		
Corporate offices												P	P	P	P	P	
Corporate Office Parks (COPS)												SD	SD				
Distillery, Limited											P	P	P			P	
Financial, insurance and real estate services								SD		P	P	P	P	P		P	
Fortune telling											P	P					
Funeral homes and mortuaries	SE									P		P	P				
Health services and medical clinics								SE		P	P	P	P	P		P	
Kennels	SE										P	P	P				
Lawn and landscaping services	SE								SE		P	P	P				
Mixed Use Center								SD			SD	SD	SD	SD	SD	SD	
Personal services, excluding tattoo parlors								SD	SD	SE	P	P	P	P		P	
Pet grooming	SE									P	P	P	P	P			
Planned Employment Center								SD(1)					SD(1)	SD(1)	SD(1)	SD(1)	
Professional services								SD	SD	SE	P	P	P	P		P	
Restaurants	SD							SD		SE	SE	P	P	P		P	
Restaurants, take-out										P	P	P	P	P		P	
Small engine repair	SE									P		P	P	P			
Tattoo parlors											P	P					
Veterinary clinics or hospitals	SE									P		P	P				
Veterinary practice, large animals	SD/SE																

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PERMITTED USE CHARTS

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"P"	indicates permitted subject to applicable code requirements
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