

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008

Amended thru July 5, 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	15-17	12/7/15
10-30	12/13/10	15-23AA	1/4/16
10-32AA	12/27/10	15-35AA	2/8/16
11-04AA	5/23/11	15-36AA	2/16/16
11-05AA	5/23/11	15-39AA	2/16/16
11-03	5/31/11	16-02AA	5/17/16
11-32	12/12/11	16-07	7/5/16
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		

ARTICLE IX. Special Exceptions

§ 267-86. Purpose.

Special exceptions may be permitted when determined to be compatible with the uses permitted as of right in the appropriate district by this Part 1. Special exceptions are subject to the regulations of this Article and other applicable provisions of this Part 1.

§ 267-87. General Regulations.

- A. Special exceptions require the approval of the Board in accordance with §267-9 (Board of Appeals). The Board may impose such conditions, limitations and restrictions as necessary to preserve harmony with adjacent uses, the purposes of this Part 1 and the public health, safety and welfare.
- B. A special exception grant or approval shall be limited to the Site Plan approved by the Board. Any substantial modification to the approved Site Plan shall require further Board approval.
- C. Extension of any use or activity permitted as a special exception shall require further Board approval.
- D. The Board may require a bond, irrevocable letter of credit or other appropriate guaranty as may be deemed necessary to assure satisfactory performance with regard to all or some of the conditions.
- E. In the event that the development or use is not commenced within 3 years from date of final decision, after all appeals have been exhausted, the approval for the special exception shall be void. In the event of delays, unforeseen at the time of application and approval, the Director of Planning shall have the authority to extend the approval for an additional 12 months or any portion thereof.

§ 267-88. Specific Standards. [Amended by Bill 09-31, as amended; Bill 10-03; Bill 11-04, as amended; Bill 13-4 as amended; and Bill 16-007]

The special exceptions enumerated herein, in addition to other conditions as may be imposed by the Board, shall comply with the following requirements:

- A. Amusements.
 - (1) Arenas and stadiums. These uses may be granted in the B3, CI, LI and GI districts, provided that:
 - (a) Separate vehicular entrances and exits shall be provided at least 400 feet away from any road intersection.
 - (b) No buildings or structures, including rides or other apparatus, shall be located less than 50 feet from any parcel boundary or less than 200 feet from any adjacent residential lot.

- (c) No automobile parking space shall be located within any required setback area or within 50 feet of any adjacent residential lot.
 - (d) A minimum parcel area of 75 acres is established.
 - (e) A type "E" buffer, pursuant to §267-30 (Buffer Yards), shall be provided adjacent to any residential lot line.
- (2) Country clubs, golf clubs, tennis and swim clubs. These uses may be granted in the AG, RR, R1, R2, R3, R4 and GI districts, provided that:
 - (a) No off-street parking or loading area shall be located within any required yard or within 25 feet of any parcel boundary.
 - (b) Off-street parking and loading areas, swimming pools and tennis courts shall be buffered from adjacent residential lots.
 - (c) The principal access shall be provided from an arterial or collector road.
 - (d) No more than 20% of the land area upon which such a use is conducted may be located in the GI district.
 - (e) Any outside lighting used to illuminate a use permitted under this section shall be designed, installed and maintained in a manner not to cause a glare or reflection on adjacent residential lots.
- (3) Fairgrounds, racetracks and theme parks. These uses may be granted in the AG, CI, LI and GI districts, provided that:
 - (a) A minimum parcel area of 75 acres is established.
 - (b) The principal access shall be provided from an arterial or collector road.
 - (c) Separate vehicular entrances and exits shall be provided at least 400 feet away from any road intersection.
 - (d) No buildings or structures, including rides or other apparatus, shall be located less than 50 feet from any parcel boundary or less than 200 feet from any adjacent residential lot.
 - (e) No automobile parking space shall be located within any required setback area or within 50 feet of any adjacent residential lot.
 - (f) A type "E" buffer, pursuant to §267-30 (Buffer Yards), shall be provided adjacent to any residential lot line.
- (4) Marinas and boat launching, storage and repair. These uses may be granted in the AG, RR, R1, R2, R3, R4, B1, B2 and LI districts, provided that:
 - (a) In the urban residential districts, such facilities shall be a part of a Conventional with Open Space (OCS) development or a Planned Residential Development (PRD).

F. Residential uses.

- (1) Apartments, high-rise. These uses may be granted in the R4 and B3 districts, provided that:
 - (a) A minimum parcel area of not less than 3 or more than 20 acres shall be established.
 - (b) The density shall not exceed 30 dwelling units per acre for high-rise apartments, and the maximum building coverage shall be 30% of the total parcel for high-rise apartments.
 - (c) The location is suitable for apartment dwellings with regard to traffic, access, efficiency and convenience of land use and safety.
 - (d) The proposed project is designed with properly arranged traffic flow, pedestrian linkages and parking; buildings which are compatible and harmonious with surrounding uses; and minimum obstruction to the view of those who live in the surrounding area.
 - (e) The open space shall constitute at least 35% of the parcel area, of which at least 40% shall be suitable for and devoted to active recreation.
 - (f) Any area not used for buildings, structures or parking shall be landscaped and properly maintained.
 - (g) In the B3 district, apartment dwelling structures shall be able to provide retail and service uses primarily intended for the future residents. No individual retail accessory use may exceed 1,500 square feet, and the total retail accessory uses shall not exceed 150 square feet per dwelling unit. No freestanding signs advertising the business uses shall be allowed.
- (2) Camps, retreats and recreational vehicle parks. These uses may be granted in the AG district, provided that:
 - (a) Recreational vehicle parks shall contain electrical and water outlets for individual sites, 1 or more central sanitary stations, toilets and shower facilities.
 - (b) The parcel shall have a minimum frontage of 200 feet on a collector or arterial road.
 - (c) The maximum density permitted shall be 10 campsites or rooms per acre, with a minimum campsite size of 3,000 square feet. All campsites shall be at least 50 feet from any property line.
 - (d) The only permitted permanent residential occupancy shall be for the resident owner or manager.
- (3) Country inns, tourist homes and resorts. These uses may be granted in the AG, RR, R1, R2, R3, R4, RO and VR districts, provided that:

- (a) Eating and sleeping facilities for at least 3 guests on a daily or weekly short-term basis shall be provided.
 - (b) The project shall be responsive to the natural and historic features of the parcel.
 - (c) Any historic structures renovated and used shall be subject to review by the Historic Preservation Commission, consistent with Article XIII.
- (4) Group home for sheltered care. This use may be granted in the AG, RR, R1, R2, R3, R4, RO and VR districts, provided that:
 - (a) A minimum parcel area of 3 acres is required in the AG district. A minimum parcel area of 2 acres is required in the RR and R1 districts.
 - (b) Density is limited to 8 residents per acre.
- (5) Nursing homes and assisted living facilities. These uses may be granted in the AG, RR, R1, R2, VR, VB and B1 districts, 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.
 - (c) The density shall not exceed 20 beds per acre of the parcel.
- (6) Personal-care boarding homes. This use may be granted in the AG, RR, R1, R2, R3, R4, RO, VB and VR districts, provided that:
 - (a) The proposed use shall be located in a single-family detached dwelling.
 - (b) The proposed use meets the minimum lot size requirements for a conventional single-family residence in the district where located.
 - (c) A maximum density of 1 Boarder per 2,000 square feet of lot area shall be maintained.
 - (d) Where an application is for construction of a new dwelling, the building shall be similar in appearance to other single-family dwellings in the neighborhood.
 - (e) All applicable State and County laws and regulations are satisfied.
- (7) Mobile homes. These uses may be granted in the R3, R4, VR, VB, B1, B2 and B3 districts, provided that:
 - (a) The main roof of each unit shall be pitched, having at least 1 foot of rise for each 4 feet of horizontal. The roofing material shall be compatible with residential dwellings within the neighborhood in which the mobile home is to be located.