

HARFORD COUNTY BILL NO. 19-016 As Amended

Brief Title (Zoning Code Changes)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Meghan A. Dixon
Council Administrator

Date 6/18/19

ENROLLED

[Signature]
Council President

Date 6/18/19

BY THE COUNCIL

Read the third time.

Passed: LSD 19-019

Failed of Passage: _____

By Order

Meghan A. Dixon
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 19th day of June, 2019 at 3:00 p.m.

[Signature]
Council Administrator



BY THE EXECUTIVE

[Signature]
COUNTY EXECUTIVE

APPROVED: Date 6/21/19

BY THE COUNCIL

This Bill No. 19-016 As Amended having been approved by the Executive and returned to the Council, becomes law on June 21, 2019.

EFFECTIVE: August 20, 2019

**BILL NO. 19-016
AS AMENDED**

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 19-016

Introduced by Council President Vincenti at the request of the County Executive

Legislative Day No. 19-013 Date May 7, 2019

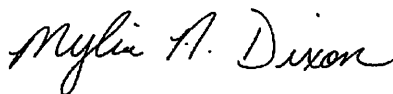
AN ACT to add the definitions of “club, non-profit”, “club, private” and “club, recreational” to Section 267-4, Definitions; and to repeal and reenact, with amendments, the definition of “outdoor dining area” of Section 267-4, Definitions, both of Article I, General Provisions; to repeal and reenact, with amendments, Subsection F, Panhandle-lot requirements, of Section 267-22, Lots; to repeal and reenact, with amendments, Subsection C(1), Encroachment, of Section 267-23, Yards; to repeal and reenact, with amendments, Subsection B(2), Freestanding signs, of Section 267-33, Signs; to repeal and reenact, with amendments, Subsection B(6), Directional signs, of Section 267-33, Signs; to add new Subsection I(6)(h) to Section 267-33, Signs, all of Article V, Supplementary Regulations; to repeal and reenact, with amendments, Subsection D(3)(c), Building design standards, of Section 267-61, MO Mixed Office District, of Article VII, District Regulations; to repeal and reenact, with amendments, Subsection A(2), Country clubs, golf clubs, tennis and swim clubs, of Section 267-88, Specific standards; and to repeal and reenact, with amendments, Subsection C(2), Civic service clubs and fraternal organizations, of Section 267-88, Specific standards, both of Article IX, Special Exceptions, and all of Part 1, Standards; and to repeal and reenact, with amendments, the Permitted Uses Chart, all of Chapter 267, Zoning, of the Harford County Code, as amended; to create definitions for non-profit club, private club and recreational club and establish in what zoning districts they are permitted by right, by special exception or as a special development; to revise the definition of outdoor dining so that the seating standard and limitation is moved to Article V, Supplementary Regulations; to allow one panhandle lot in the GI Zoning District; to allow directional signs in the B1, B2 and B3 Zoning Districts; to allow for increased sign height based on road grade for freestanding signs; to remove the requirement that all building sides shall be built with finish materials, including brick, natural stone and ornamental block, and to allow wood, vinyl or aluminum siding in the MO Zoning District; and generally relating to zoning.

By the Council, May 7, 2019

Introduced, read first time, ordered posted and public hearing scheduled

on: June 4, 2019

at: 6:30 PM

By Order: , Council Administrator

**BILL NO. 19-016
AS AMENDED**

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PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on June 4, 2019, and concluded on June 4, 2019.

Mylia A. Dixon

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

**BILL NO. 19-016
AS AMENDED**

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AS AMENDED**

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that the definitions
2 of “club, non-profit”, “club, private” and “club, recreational” be, and they are hereby, added to Section
3 267-4, Definitions, of Article I, General Provisions; that the definition of “outdoor dining area” of
4 Section 267-4, Definitions, of Article I, General Provisions, be, and it is hereby, repealed and reenacted,
5 with amendments; that Subsection F, Panhandle-lot requirements, of Section 267-22, Lots, of Article
6 V, Supplementary Regulations, be, and it is hereby, repealed and reenacted, with amendments; that
7 Subsection C(1), Encroachment, of Section 267-23, Yards, of Article V, Supplementary Regulations,
8 be, and it is hereby, repealed and reenacted, with amendments; that Subsection B(2), Freestanding
9 signs, of Section 267-33, Signs, of Article V, Supplementary Regulations, be, and it is hereby, repealed
10 and reenacted, with amendments; that Subsection B(6), Directional signs, of Section 267-33, Signs, of
11 Article V, Supplementary Regulations, be, and it is hereby, repealed and reenacted, with amendments;
12 that new Subsection I(6)(h) be, and it is hereby, added to Section 267-33, Signs, of Article V,
13 Supplementary Regulations; that Subsection D(3)(c), Building design standards, of Section 267-61,
14 MO Mixed Office District, of Article VII, District Regulations, be, and it is hereby, repealed and
15 reenacted, with amendments; that Subsection A(2), Country clubs, golf clubs, tennis and swim clubs, of
16 Section 267-88, Specific standards, of Article IX, Special Exceptions, be, and it is hereby, repealed and
17 reenacted, with amendments; that Subsection C(2), Civic service clubs and fraternal organizations, of
18 Section 267-88, Specific standards, of Article IX, Special Exceptions, be, and it is hereby, repealed and
19 reenacted, with amendments, all of Part 1, Standards; and that the Permitted Uses Chart be, and it is
20 hereby, repealed and reenacted, with amendments, all of Chapter 267, Zoning, of the Harford County
21 Code, as amended, and all to read as follows:

22 **Chapter 267. Zoning**

23 **Part 1. Standards**

24 **Article I. General Provisions**

25 **§ 267-4. Definitions.**

1 As used in this Part, the following terms shall have the meanings indicated:

2 CLUB, NON-PROFIT – A SOCIAL, CIVIC SERVICE OR FRATERNAL ASSOCIATION OR
3 CORPORATION WHICH IS ORGANIZED AS A NON-PROFIT ORGANIZATION AND
4 OPERATED EXCLUSIVELY FOR EDUCATIONAL, SOCIAL, CIVIC, FRATERNAL,
5 PATRIOTIC OR ATHLETIC PURPOSES.

6 CLUB, PRIVATE – A SOCIAL, CIVIC SERVICE OR FRATERNAL ASSOCIATION OR
7 CORPORATION WHICH IS ORGANIZED AS A FOR PROFIT ORGANIZATION FOR
8 EDUCATIONAL, SOCIAL, CIVIC, FRATERNAL, PATRIOTIC OR ATHLETIC
9 PURPOSES.

10 CLUB, RECREATIONAL – A YACHT OR BOAT CLUB, COUNTRY CLUB, GOLF CLUB, SWIM
11 CLUB OR TENNIS CLUB OR OTHER SIMILAR USE AND MAY BE ORGANIZED AS A
12 FOR PROFIT OR NON-PROFIT ORGANIZATION. RECREATIONAL CLUBS SHALL
13 NOT BE OPEN TO THE GENERAL PUBLIC AT ANY TIME.

14 OUTDOOR DINING AREA – An accessory outdoor dining area of an existing restaurant. [Outdoor
15 seating is limited to 30% of the overall indoor seating or 12 seats, whichever is greater.] The
16 tables and chairs must be removable and the area must be unenclosed.

17

18 **Article V. Supplementary Regulations**

19 **§ 267-22. Lots.**

20 F. Panhandle-lot requirements. Panhandle lots shall be permitted for agricultural [and], residential
21 AND GENERAL INDUSTRIAL uses, to achieve better use of irregularly shaped parcels, to avoid
22 development in areas with environmentally sensitive features or to minimize access to collector or
23 arterial roads, subject to the following requirements:

24 (1) Except in Agricultural and Rural Residential Districts, with regard to any parcel, as it
25 existed on September 1, 1982, not more than 1 lot or 10% of the lots intended for

1 detached dwellings may be panhandle lots.

2 (2) The Director of Planning may grant a waiver to allow 20% of lots intended for detached
3 dwellings to be panhandle lots where the topography, natural features, or geometry of
4 the parcel make a greater percentage of panhandle lots necessary, subject to approval
5 from the Director of Public Works that adequate water and sewer may be provided on
6 the lots.

7 (3) ONE SINGLE PANHANDLE LOT SHALL BE PERMITTED IN THE GENERAL
8 INDUSTRIAL DISTRICT, AND SAID PANHANDLE LOT SHALL COMPLY
9 WITH THE REQUIREMENTS SET FORTH IN SUBSECTION (5)(A) BELOW.

10 [(3)](4) A common drive shall be constructed to serve any group of 4 or less panhandle lots.
11 Driveways for all panhandle lots shall access from the common drive. Frontage lots
12 may be required to share in the common drive.

13 [(4)](5) The minimum width of a panhandle lot shall meet the following criteria:

- 14 (a) Single panhandles: 25 feet.
- 15 (b) Multiple panhandles: 12 1/2 feet each.

16 [(5)](6) Where a common drive is required, the following shall apply:

17 (a) Prior to, or at the time of, recordation of a panhandle subdivision, the owner
18 shall also record subdivision restrictions that shall provide for the construction,
19 type, responsibility for the same, including all costs, and use and maintenance
20 of the common drive, which shall be applicable to all lots subject to the
21 common-drive plan. The subdivision restrictions shall be reviewed and
22 approved by the Department of Law prior to recordation to ensure that all lots
23 subject to the common-drive plan will be subject to the restrictions upon
24 recordation thereof for inclusion in the deeds of conveyance.

25 (b) The Department of Planning and Zoning, with the advice of the Law

1 Department, shall establish rules and regulations for the drafting of common-
2 drive agreements.

3 (c) The County shall bear no responsibility for the installation or maintenance of
4 the common drive.

5 (d) In all cases public water service shall end at the edge of public right-of-way.
6 Public sewer service shall also end at the edge of public right-of-way, except in
7 those cases where the panhandle lots must be served by a public main as
8 determined by the Division of Water & Sewer.

9

10 **§ 267-23. Yards.**

11 C. Exceptions and modifications to minimum yard requirements.

12 (1) Encroachment.

13 (a) The following structures may encroach into the minimum yard requirements,
14 not to exceed the following dimensions:

15 [1] Awnings, canopies, cornices, eaves or other architectural features: 3
16 feet.

17 [2] Bay windows, balconies, chimneys or porches: 3 feet.

18 [3] Open fire escapes: 5 feet.

19 [4] Uncovered stairs or necessary landings: 6 feet.

20 [5] Fences and walls: in accordance with § 267-23 (Yards).

21 [6] Unenclosed patios, sunrooms and decks: up to, but not to exceed, 35%
22 of the side or rear yard requirement for the district.

23 [7] Attached storage sheds may encroach 10 feet into the rear yard only.
24 Such storage sheds shall not have internal access to the dwelling unit.

25 [8] Outdoor dining areas shall be permitted to encroach up to, but not to

1 exceed, 50% of the side, rear or front yard setback requirement for the
2 district. SEATING FOR SUCH OUTDOOR DINING AREAS
3 SHALL NOT EXCEED 30% OF THE OVERALL INDOOR
4 SEATING, OR 12 SEATS, WHICHEVER IS GREATER.
5

6 **§ 267-33. Signs.**

7 B. General provisions. Signage shall be constructed in an unobtrusive manner which compliments
8 the architectural elements of quality, style, color and material of the building, and the
9 architectural period of the building(s). The following broad categories of sign types are
10 regulated by this section unless otherwise provided herein:

11 (2) Freestanding signs. The maximum area of any freestanding sign shall not exceed 120
12 square feet. The setback measured to the edge of the sign shall be equal to 1/3 of the
13 required building setback. Unless otherwise provided herein, the maximum height
14 allowed for any freestanding sign is 20 feet measured from the [base of the sign.]
15 ROAD GRADE. IF THE ELEVATION OF THE PROPERTY WHERE THE SIGN
16 IS TO BE LOCATED IS ABOVE THE ROAD GRADE, THE MAXIMUM HEIGHT
17 OF THE SIGN MAY BE INCREASED 1 FOOT IN HEIGHT FOR EVERY 1 FOOT
18 OF ELEVATION ABOVE THE ROAD GRADE. IN NO INSTANCE SHALL THE
19 HEIGHT OF A FREESTANDING SIGN EXCEED 30 FEET ABOVE THE ROAD
20 GRADE. Except as otherwise provided for herein, electronic message boards are
21 permitted as freestanding signs in the B1, B2, B3, CI, LI and GI Zoning Districts and
22 are limited to 1 single- or double-sided sign per road frontage. Temporary or portable
23 electronic message boards are not permitted. Electronic message boards shall not
24 exceed 60 square feet in size, and shall display only on-premises messages, or time
25 and/or temperature displays. An electronic message board shall consist only of

1 alphabetic or numeric characters and shall not include any graphic, pictorial or
2 photographic images or videos. The appearance of any animation, motion, flashing,
3 blinking or shimmering is not permitted. A single message, or segment of a message,
4 shall have a display time of at least 2 seconds, including the time needed to move the
5 message onto the sign board, with all segments of the total message to be displayed
6 within 10 seconds. A display traveling horizontally across the message board shall
7 move between 16 and 32 light columns per second. Requirements for display times do
8 not apply to time and/or temperature displays.

9
10 (6) Directional signs. UNLESS OTHERWISE PROVIDED HEREIN, The maximum area
11 of any directional sign shall not exceed 6 square feet. Directional signs can be located
12 at the nearest intersection of any major collector or arterial road and set back 10 feet
13 from the property line. Unless otherwise provided herein, the maximum height allowed
14 for any directional sign is 6 feet above the nearest public road grade.

15
16 I. Sign standards by zoning district and development type.

17 (6) B1 Neighborhood Business, B2 Community Business, B3 General Business, CI
18 Commercial Industrial, LI Light Industrial and GI General Industrial Districts. In
19 addition to the requirements set forth in this section, signs in the B1, B2, B3, CI, LI and
20 GI Districts must comply with the following standards:

21 (H) FOR PROPERTIES IN THE B1, B2 AND B3 DISTRICTS, A MAXIMUM
22 OF 2 DIRECTIONAL SIGNS MAY BE PERMITTED PROVIDED:

23 [1] THE SIGN IS LOCATED WITHIN 1,000 FEET OF THE
24 COMMERCIAL STRUCTURE TO WHICH IT IS DIRECTING AND
25 THE PROPERTY ON WHICH THE COMMERCIAL STRUCTURE

1 IS LOCATED IS ALSO ZONED B1, B2 OR B3.

2 [2] THE SIGN AREA DOES NOT EXCEED 20 SQUARE FEET.

3 [3] THE SIGN HEIGHT DOES NOT EXCEED 10 FEET ABOVE THE
4 NEAREST PUBLIC ROAD GRADE.

5 [4] IF THE BUSINESS FOR WHICH THE SIGN WAS ERECTED IS
6 NO LONGER OPERATING, THE SIGN SHALL BE REMOVED
7 PROMPTLY.

8
9 **Article VII. District Regulations**

10 **§ 267-61. MO Mixed Office District.**

11 D. Specific requirements. The following uses are permitted, subject to the additional requirements
12 below:

13 (3) Design requirements. Development in the MO District shall comply with the following
14 regulations:

15 (c) Building design standards.

16 [1] An architectural rendering of the building facade and elevations of the
17 structures shall be submitted to the Department of Planning and Zoning
18 as part of the site plan approval process and shall be reviewed in
19 accordance with the Department of Planning and Zoning’s Mixed
20 Office Design Manual.

21 [2] Architecturally harmonious materials, colors, textures and treatments
22 shall be used for all exterior walls within the MO District. The
23 building materials, colors, textures and treatments shall be harmonious
24 within the project. [All sides of the building are to be built with finish
25 materials, including brick, natural stone and ornamental block. In no

event, however, shall wood, vinyl or aluminum siding be used.]

[3] Mechanical equipment shall be located within the building or within a mechanical equipment penthouse. If mechanical equipment is located on the roof or is freestanding on the site, it shall be effectively buffered from view by means fully compatible with the architecture. Mechanical equipment shall be buffered from view from all sides.

[4] Outdoor storage is prohibited.

Article IX. Special Exceptions

§ 267-88. Specific standards.

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.

(2) [Country clubs, golf clubs, tennis and swim clubs.]CLUB, RECREATIONAL. 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.

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C. Institutional uses.

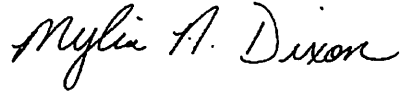
(2) [Civic service clubs and fraternal organizations.] CLUB, NON-PROFIT. These uses may be granted in the AG, RR, R1, R2, R3, R4 and VR Districts, provided that:

- (a) Any building shall be at least 100 feet from any adjacent residential lot and at least 50 feet from any other lot line. The front yard depth shall be at least 25 feet, except along roads with 80-foot rights-of-way or more, where the front yard depth shall be at least 50 feet.
- (b) Total building coverage shall not be more than 30% of the parcel area.
- (c) No parking area shall be located in any required front yard.
- (d) A Type "D" buffer, pursuant to § 267-30 (Buffer yards), shall be provided along any boundary with an adjacent residential lot.

Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date it becomes law.

EFFECTIVE: August 20, 2019

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator

USE CLASSIFICATION	ZONING DISTRICTS															
AMUSEMENTS	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Adult book stores, adult entertainment centers												P				
Agricultural public events	P															
Agricultural resource center	SE															
Arenas and stadiums												SE	SE	SE	SE	
Carnivals, circuses, concerts & public events (excluding religious activities)	T							T	T	T	T	T	T	T	T	
Commercial amusement and recreation									P		P	P	P	P		P
CLUB, PRIVATE										P	P	P				
[Country clubs, golf clubs, tennis and swim clubs]	SE	SE	SE	SE	SE	SE					P	P	P		SE	
CLUB, RECREATIONAL																
Fairgrounds, racetracks, and theme parks	SE												SE	SE	SE	
Golf driving ranges and miniature golf courses	SE								SE			P	P			
Gymnasiums and health clubs									P	P	P	P	P	P	P	P
Marinas, boat launching, storage and repair	SE	SE	SE	SE	SE	SE				SE	SE	P	P	SE	P	
Motor vehicle recreation, ATV and go-cart tracks	SE														SE	
Nightclubs, lounges, bars and taverns									P			P	P			P
Noncompetitive recreational amusement cars													P			
Private parties and receptions	SD															
Riding stables, commercial or club (except accessory uses)	SD/SE											P	P			
Shooting ranges, indoor	SE											P	P			
Theaters, indoor	SE								P		P	P	P			P
Theaters, outdoor	SE								P			P	P			P
Trap, skeet, rifle and archery ranges, outdoor	SE												SE		SE	

PERMITTED USE CHARTS

BILL NO. 19-016

(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.

BILL NO. 19-016

USE CLASSIFICATION	ZONING DISTRICTS															
INSTITUTIONAL	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Animal Shelters	SD										SD	SD	SD			
Cemeteries, memorial gardens and crematories	SE	SE	SE	SE	SE	SE		SE	SE	SE	SE	SE	SE	SE		
[Civic service clubs and fraternal organizations] CLUB, NON-PROFIT	SE	SE	SE	SE	SE	SE	P	SE	P	P	P	P	P	P		P
Community centers or assembly halls	SE	SE	SE	SE	SE	SE	P	SE	P	P	P	P	P	P		P
Day-care centers	SE	SE	SE	SE	SE	SE	P	SE	P	P	P	P	SE	SE	SE	P
Fire stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fire stations with fire station assembly hall	P	SE	SE	SE	SE	SE		SE	P	P	P	P	P	P		P
Hospitals				SE	SE	SE				P	P	P	P	P		P
Houses of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Libraries	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Mixed Use Centers						SD				SD	SD	SD	SD	SD	SD	
Parks; recreation areas, centers and facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Planned Employment Centers						SD(1)						SD(1)	SD(1)	SD(1)	SD(1)	
Prisons												P	P			
Schools, colleges, and universities	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P		P

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