

HARFORD COUNTY BILL NO. 24-026

Brief Title (Zoning - Outdoor Dining Moratorium Extension)

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

CERTIFIED TRUE AND CORRECT

Mylicia A. Dixon
Council Administrator

Date 10/8/24

ENROLLED

Robert Vincent
Council President

Date 10/8/24

BY THE COUNCIL

Read the third time.

Passed: LSD 24-026

Failed of Passage: _____

By Order

Mylicia A. Dixon
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8th
Day of October, 2024, at 3:00 p.m.

Mylicia A. Dixon
Council Administrator

BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date _____



BY THE COUNCIL

This Bill No. 24-026 having received neither the approval nor disapproval of the Executive within twenty-one (21) days of its presentation, becomes law on October 31, 2024.

EFFECTIVE: December 30, 2024

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 24-026

Introduced by Council Member Penman and Council Members Bennett, Giangiardano, Boyle-Tsottles, Guthrie, Reilly and President Vincenti

Legislative Day No. 24-022

Date: September 3, 2024

AN ACT to continue a temporary moratorium on the application of certain provisions of the Harford County Zoning Code related to setbacks, parking requirements, temporary uses, signs, outdoor storage, display and seating capacity with regard to uses that include nightclubs, bars, breweries and restaurants.

By the Council, September 3, 2024

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

on: October 1, 2024

at: 6:00 PM

By Order: *Mylia A. Dixon*, Council Administrator

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 October 1, 2024, and concluded on October 1, 2024.

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.

WHEREAS, on May 28, 2020, to promote and foster needed economic recovery in Harford County, the County Executive issued an executive order permitting expanded outdoor seating at restaurants, bars and breweries; and

WHEREAS, to facilitate and encourage additional outdoor seating areas at restaurants, bars and breweries the County Executive temporarily suspended certain provisions in the Harford County Code relating to setbacks, off-street parking requirements, temporary uses, signs, outdoor storage, display and seating capacity; and

WHEREAS, to facilitate, encourage, and promote the continued operation of additional outdoor seating areas, the County Council enacted Bill 23-030 to extend the temporary moratorium on the application of certain provisions of the Harford County Zoning Code to encourage continued outdoor dining which became effective on January 8, 2024, and is set to expire on December 31, 2024 unless renewed by a legislative act; and

WHEREAS, the County Council finds it necessary to continue to facilitate and encourage business economic growth by continuing the operation of outdoor seating areas at restaurants, bars, breweries and nightclubs through the renewal of the temporary moratorium on the application of certain provisions of the Harford County Zoning Code to encourage outdoor dining and to allow sufficient time to study and analyze what, if any, modifications to the code should be made permanent.

NOW THEREFORE,

Section 1. Be It Enacted By the County Council of Harford County, Maryland that:

A. Purpose. The provisions of this Act are designed to temporarily allow bars, breweries, nightclubs and restaurants to expand and continue outdoor dining.

B. The temporary moratorium on the application of the following sections of the Harford

County Zoning Code as they are related to outdoor dining uses only for bars, breweries, nightclubs and restaurants is hereby continued:

1. Section 267-4, Definition of Outdoor Dining Area as to the requirement that the area must be unenclosed.
2. Section 267-23C(1)(a)[8], Yards; Exceptions and modifications to minimum yard requirements; Encroachment.
3. Section 267-26C(1), Off-Street Parking and Loading; Parking space requirement; minimum parking spaces.
4. Section 267-28, Temporary Uses.
5. Section 267-33, Signs.
6. Section 267-58C(3)(b), (d) and (e), VB Village Business District; Specific regulations.
7. Section 267-59C(4), B1, B2 and B3 Business Districts; Specific regulations; Lot coverage.
8. Section 267-59C(6)(a), (b) and (b)[6], B1, B2 and B3 Business Districts; Specific regulations; Use limitations.
9. Section 267-60C(4)(a) and (b), CI, LI and GI Industrial Districts; Specific regulations; Design requirements; Lot coverage; Parking.
10. Section 267-60C(6)(a) and (b), (7)(a) and (b), (8)(a) and (b), CI, LI and GI Industrial Districts; Specific regulations; Use limitations.
11. Section 267-61D(3)(b), MO Mixed Office District; Specific requirements; Design Requirements; Parking standards.
12. Section 267-65D(4), Edgewood Neighborhood Overlay District; Streetscape design

standards as to the requirement that pedestrian circulation and access to store entrances shall not be impaired.

13. Section 267-65D(6), Edgewood Neighborhood Overlay District; Streetscape design standards as to the requirement that outdoor dining shall be compatible with the colors and character of the storefront from which the business operates.

14. Section 267-73A(11), Agricultural/commercial; General provisions.

15. Section 267-73B(3)(a) and (c), Agricultural/commercial; Amusements; Farm breweries.

16. Section 267-73F(2)(a) and (c), Agricultural/commercial; Services; Restaurants and brewery, pub.

17. Table 58-1. Design Requirements for Specific Uses – VB Village Business District.

18. Tables 59-1, 59-2 and 59-3. Design Requirements for Specific Uses – B1 Neighborhood Business District, B2 Community Business District and B3 General Business District.

19. Tables 60-1, 60-2 and 60-3. Design Requirements for Specific Uses – CI Commercial Industrial District, LI Light Industrial District and GI General Industrial District.

20. Table 61-1. Design Requirements for Specific Uses – MO Mixed Office District.

C. The temporary moratorium shall be applicable to property throughout the County that is currently being legally operated as a bar, brewery, nightclub or restaurant.

D. The temporary moratorium shall sunset on December 31, 2025, unless renewed by legislative act.

Section 2. And Be It Further Enacted that these provisions are only waived provided that all

- 1 fire, life safety and Americans with Disability Act requirements are met.

EFFECTIVE:

*The Council Administrator does
Hereby certify that seven (7) copies of this
bill are immediately available
for distribution to the public and press*

Nyline A. Dixon

Council Administrator