

§267-73 Agricultural/Commercial.

A. General Provisions. The following general requirements shall be applicable to all projects developed under this Article:

(1) Must be approved by the Zoning Administrator.

~~(2) The parcel must be a minimum of 20 acres and be zoned and assessed agricultural with gross agricultural/commercial sales of at least \$15,000 annually. This was eliminated by the ZCU Workgroup. We agree.~~

(3) Meets the specific criteria for the use.

(4) Must be owner or tenant operated. **Omitted: Employees may include only family members living on the site and not more than the total of 160 equivalent employment hours by outside employees per week.**

(5) Safe and adequate access shall be provided for vehicular traffic, as determined by the State Highway Administration or Harford County. **Omitted: Must be approved to participate in the U.S. Department of Agriculture Commodity Credit Corporation Payment Limitation Program.**

(6) Hours of operation are permitted between 6:00 a.m. and 10:00 p.m. unless otherwise specified.

(7) Any lighting shall be shielded and directed away from any off-site residence and may be used only during permitted hours of operation.

FOH: This will include lighted signs and is acceptable.

(8) Buildings in which animals are housed shall comply with §267-53 (AG Agricultural District).

(9) Setbacks for these uses shall be a minimum of 100 feet from any adjacent residential lot except for road frontage.

(10) Written approval from the record owner is necessary if someone other than the owner of record is operating the use.

(11) Tenant farmer/tenant operator is an individual or business entity that is actively producing or managing livestock, crops or other agricultural products and is not the owner of the property being farmed. Agreement for this use is usually compensated by a contract for rent, lease or on a crop sharing basis.

B. Amusements.

(1) Commercial riding stables.

(a) Parking shall be provided, a minimum of 100 feet from property lines except road frontage and 200 feet from any off-site residence.

NEW (b) Pursuant to §267-30 (Buffer yards), the property on which the commercial stable is located shall be buffered with a "Type C" buffer. The buffer yard may be included in the setback area defined in Subsection [2].

(2) Private parties and receptions.

(a) Unless located entirely within an enclosed building, this use shall not be located less than 100 feet from any lot line except road frontage and 200 feet from any off-site residence.

(b) Adequate parking shall be provided on-site and screened from any offsite residence.

(c) Hours of operation are not permitted between 12:00 midnight and 6:00 a.m. **Changed the word "dawn" to "6:00 a.m."**

C. Industrial uses associated with agricultural uses as provided for in the use charts.

(1) Any new buildings or additions shall be located a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence. Existing buildings shall be exempt.

(2) Outside storage is permitted provided it is a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer yards).

D. Motor Vehicle.

(1) Commercial or construction vehicles and equipment storage used in the farming operation and owned by the farmer or tenant operator shall be located not less than 100 feet from any property line except road frontage and 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer yards). The income produced through the use of these vehicles and equipment for other than farming operation shall not exceed more than 50% of the gross annual income of the farmer or tenant operator based on a calendar year.

(a) Farm vehicles or pieces of equipment may be located on the farm property.

(b) Storage of these vehicles or equipment for repair shall be a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer yards).

(2) School buses. **A maximum of 25 school buses** may be located on the property not less than 100 feet from any property line except road frontage and 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer yards). **OLD code said: " School buses may be located on the property"**

FOH: Prior to this, any number of school buses could be located on the property by the use of a formula which was never published and for which the Department of Planning & Zoning refused to divulge. Having at least a maximum amount is some relief from a farm comprised of buses

(3) Tenant farmer/tenant operator is an individual or business entity that is actively producing or managing livestock, crops of other agricultural products and is not the owner of the property being farmed. Agreement for this use is usually compensated by a contract for rent, lease or on a crop sharing basis.

E. Retail.

(1) Feed and grain storage and sales.

(a) Adequate on-site parking shall be gravel covered and a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence.

~~(b) Hours of operation are permitted between 6:00 a.m. and 10:00 p.m. unless otherwise specified.~~

FOH: Not necessary. This is under General Provisions A (6).

F. Services.

(1) Veterinary practice, large animals.

(a) Hours of operation shall not be limited for this use.

(b) Setback of 100 feet from any lot line except road frontage and 200 feet from any off-site residence.

G. Restaurants.

(1) Shall not have seating capacity to accommodate more than 30 patrons.

~~(2) Any lighting shall be shielded and directed away from any off-site residence and may be used only during permitted hours of operation.~~

FOH: Not necessary here as it is covered under General Provisions A (7). A (7) is shown to apply to all AG/Commercial use.

(3) Adequate on-site parking shall be gravel covered and a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence.

(4) Shall not be in operation between 10:00 p.m. and ~~7:00 a.m.~~ 6:00 a.m.

FOH: Restaurant should be same as others and start at 6:00 a.m