

HARFORD COUNTY BILL NO. 23-030

Brief Title Restaurants Moratorium Continuation

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. Duvon
Council Administrator

Date 11/7/23

ENROLLED

John Vincent
Council President

Date 11/7/23

BY THE COUNCIL

Read the third time.

Passed: LSD 23-028

Failed of Passage: _____

By Order

Mylicia A. Duvon
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8th Day of November 2023, at 3:00 p.m.

Mylicia A. Duvon
Council Administrator



BY THE EXECUTIVE

[Signature]
COUNTY EXECUTIVE

APPROVED: Date 11.9.23

BY THE COUNCIL

This Bill No. 23-030 having been approved by the Executive and returned to the Council, becomes law on November 9, 2023.

EFFECTIVE: January 8, 2024

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 23-030

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

Legislative Day No. 23-024 Date September 19, 2023

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 and display and seating capacity with regard to uses that include nightclubs, bars, breweries and restaurants.

By the Council, September 19, 2023

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

on: October 17, 2023

at: 6:45 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 17, 2023, and concluded on October 17, 2023.

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.

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

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

8 WHEREAS, to facilitate, encourage, and promote the continued operation of additional
9 outdoor seating areas, the County Executive implemented a temporary moratorium on the
10 application of certain provisions of the Harford County Zoning Code to encourage continued outdoor
11 dining which became effective on May 19, 2021 and was set to expire on December 31, 2021 unless
12 renewed by a legislative act; and

13 WHEREAS, the County Executive continued to find it necessary to continue to facilitate and
14 encourage the continuation the operation of outdoor seating areas at restaurants, bars, breweries and
15 nightclubs and; therefore, the temporary moratorium was renewed two more times and is currently
16 set to expire on December 31, 2023 unless renewed by legislative act; and

17 WHEREAS, it necessary to continue to facilitate and encourage business economic growth
18 and continue the operation of outdoor seating areas at restaurants, bars, breweries and nightclubs to
19 again renew the temporary moratorium on the application of certain provisions of the Harford
20 County Zoning Code to encourage outdoor dining and to allow sufficient time to study and analyze
21 what, if any, modifications to the code should be made permanent.

22 NOW THEREFORE,

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

- 1 A. Purpose. The provisions of this Act are designed to temporarily allow bars, breweries,
2 nightclubs and restaurants to expand and continue outdoor dining.
- 3 B. The temporary moratorium on the application of the following sections of the Harford
4 County Zoning Code as they are related to outdoor dining uses only for bars, breweries,
5 nightclubs and restaurants is hereby continued:
- 6 1. Section 267-4, Definition of Outdoor Dining Area as to the requirement that the area
7 must be unenclosed.
 - 8 2. Section 267-23C(1)(a)[8], Yards; Exceptions and modifications to minimum yard
9 requirements; Encroachment.
 - 10 3. Section 267-26C(1), Off-Street Parking and Loading; Parking space requirement;
11 minimum parking spaces.
 - 12 4. Section 267-28, Temporary Uses.
 - 13 5. Section 267-33, Signs.
 - 14 6. Section 267-58C(3)(b), (d) and (e), VB Village Business District; Specific
15 regulations.
 - 16 7. Section 267-59C(4), B1, B2 and B3 Business Districts; Specific regulations; Lot
17 coverage.
 - 18 8. Section 267-59C(6)(a), (b) and (b)[6], B1, B2 and B3 Business Districts; Specific
19 regulations; Use limitations.
 - 20 9. Section 267-60C(4)(a) and (b), CI, LI and GI Industrial Districts; Specific
21 regulations; Design requirements; Lot coverage; Parking.
 - 22 10. Section 267-60C(6)(a) and (b), (7)(a) and (b), (8)(a) and (b), CI, LI and GI Industrial
23 Districts; Specific regulations; Use limitations.

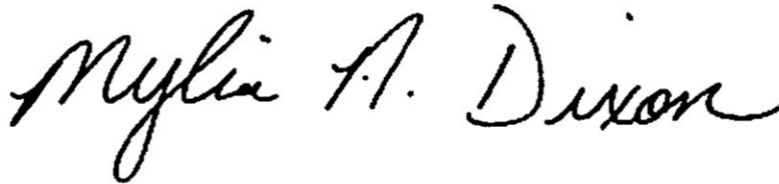
- 1 11. Section 267-61D(3)(b), MO Mixed Office District; Specific requirements; Design
- 2 Requirements; Parking standards.
- 3 12. Section 267-65D(4), Edgewood Neighborhood Overlay District; Streetscape design
- 4 standards as to the requirement that pedestrian circulation and access to store
- 5 entrances shall not be impaired.
- 6 13. Section 267-65D(6), Edgewood Neighborhood Overlay District; Streetscape design
- 7 standards as to the requirement that outdoor dining shall be compatible with the
- 8 colors and character of the storefront from which the business operates.
- 9 14. Section 267-73A(11), Agricultural/commercial; General provisions.
- 10 15. Section 267-73B(3)(a) and (c), Agricultural/commercial; Amusements; Farm
- 11 breweries.
- 12 16. Section 267-73F(2)(a) and (c), Agricultural/commercial; Services; Restaurants and
- 13 brewery, pub.
- 14 17. Table 58-1. Design Requirements for Specific Uses – VB Village Business District.
- 15 18. Tables 59-1, 59-2 and 59-3. Design Requirements for Specific Uses – B1
- 16 Neighborhood Business District, B2 Community Business District and B3 General
- 17 Business District.
- 18 19. Tables 60-1, 60-2 and 60-3. Design Requirements for Specific Uses – CI
- 19 Commercial Industrial District, LI Light Industrial District and GI General Industrial
- 20 District.
- 21 20. Table 61-1. Design Requirements for Specific Uses – MO Mixed Office District.
- 22 C. The temporary moratorium shall be applicable to property throughout the County that is
- 23 currently being legally operated as a bar, brewery, nightclub or restaurant.

1 D. The temporary moratorium shall sunset on December 31, 2024 unless renewed by legislative
2 act.

3 Section 2. And Be It Further Enacted that these provisions are only waived provided that all
4 fire, life safety and Americans with Disability Act requirements are met.

EFFECTIVE: January 8, 2024

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