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Article XIV Definitions

§ 165-103 **Purpose.**

This article is intended to clarify the meaning of specific terms used throughout the Town of Bel Air Development Regulations. The meaning and construction of words and phrases defined in this article apply throughout the Development Regulations, except where the context clearly indicates a different meaning or construction. Any word or term not defined in this article shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's International Dictionary of the English Language.

§ 165-104 **Terms defined.**

The following definitions shall be used in the interpretation and construction of the Development Regulations:

ABANDON

The relinquishment of the right to use or cessation of the use of property for a period of one year or more.

ABUTTING

To physically touch, border upon or share a common property line.

ACCESS

A means of vehicular or pedestrian approach, entry to or exit from a property.

ACCESSORY STRUCTURE

A subordinate structure detached from, but located on the same lot as, a principal building, the use of which is incidental to that of the principal structure. **[Amended 4-3-2017 by Ord. No. 780-17]**

ACCESSORY USE

A use that is customarily incidental and subordinate to the principal use of the land or of a building on the same lot.

ADDITION

Any construction that increases the size of a building.

ADJACENT

To be situated near, but not necessarily touching, a common property line (i.e., separated by a street, alley or highway).

ADJOINING PROPERTY

As applied to development review, land which shares a common property line, property that would be adjoining but for an intervening easement or road and property that would be adjoining but for

intervening property owned by the applicant or an entity controlled by the applicant.[**Added 10-21-2019 by Ord. No. 794-19**]

ADULT ENTERTAINMENT CENTER

An entity or establishment that, as its principal business purpose, offers for sale, rental, exhibition or viewing any printed, recorded, digitally analogued or otherwise viewable matter, any kind of sexual paraphernalia or any kind of live performance, entertainment or exhibition that depicts, describes or relates to sexual conduct, sexual excitement or sadomasochistic abuse. For purposes of this definition, "sexual conduct" means human masturbation, sexual intercourse, or the touching of or contact with genitals, pubic areas or buttocks of a human, or the breasts of a female, whether alone or between members of the same or opposite sex, or between humans and others; "sexual excitement" means the condition of human genitals, or the breasts of a female, when in a state of sexual stimulation, or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity; and "sadomasochistic abuse" means flagellation or torture by or upon a human who is nude or clad in undergarments or in a revealing or bizarre costume, or the condition of one who is nude or so clothed and is being fettered, bound or otherwise physically restrained. "Adult entertainment center" includes an adult bookstore.[**Amended 4-3-2017 by Ord. No. 780-17**]

AFORESTATION

The removal of an existing forest in accordance with an approved forest conservation plan according to procedures set forth in the Maryland Forest Conservation Technical Manual.

AFFORDABLE HOUSING

A sales price or rent within the means of a low- or moderate-income household as defined by state or federal legislation.

AFFORESTATION

The establishment of a forest on an area from which forest cover has been absent for a long period of time in accordance with an approved **forest conservation plan or** landscape plan; planting of open areas which are not presently in forest cover in accordance with an approved **forest conservation plan or** landscape plan; or establishment of a forest in accordance with an **forest conservation plan or** approved landscape plan according to procedures set forth in the Maryland Forest Conservation Technical Manual.

AGRICULTURAL PRODUCT PROCESSING

Use that serves to support agricultural production such as timber processing, milling, canning and wool or textile processing.[**Added 4-3-2017 by Ord. No. 780-17**]

AISLE

That portion of a parking area reserved for ingress and egress of vehicles to/from parking spaces; not to include any portion of street rights-of-way.

ALLEY

A public or private way, other than a street, affording secondary means of access to the side or rear of abutting properties **as defined in Section 165-118.D.**

ALTER

To change the exterior appearance or supporting members of a structure, such as bearing walls, columns or beams, or to modify the area frontage or depth of a lot, landscaped open space or parking area.

AMUSEMENT CENTER

An establishment or arcade offering five or more amusement devices, including but not limited to coin-operated electronic games, shooting galleries, table games, computer games, pool/billiards, movie theater and similar amusement diversions, within an enclosed building.[Amended 4-3-2017 by Ord. No. 780-17]

ANIMAL, DOMESTIC

Any animal that has been bred and/or raised to live in or about the habitation of humans and is dependent on people for food and shelter, ~~excluding horses, cows, sheep, goats, pigs and fowl.~~

ANIMAL, FARM

Any animal customarily raised in an agricultural setting, including but not limited to ~~poultry,~~ pheasants, cows, livestock, chinchillas, horses, goats, sheep, ~~pigs~~ ~~monkeys~~ and other similar animals and fowl.

APARTMENT BUILDING

A structure containing three or more dwelling units with a common entrance or access. (See "dwelling, multifamily.") [Amended 4-3-2017 by Ord. No. 780-17]

APPROVAL BODY

The agency, board, commission, group or other legally designated individual or agency that has been charged with the review and approval of plans and applications.

APPURTENANCES

The visible, functional or ornamental objects accessory to the environmental setting of a structure. These include paving, trees, landscaping, waterways, etc.

ARCHITECTURAL FEATURE

Ornamentation or decorative features attached to or protruding from an exterior wall.

ASSISTED LIVING FACILITY

A facility that provides supervision, monitoring or assistance with the activities of daily living for elderly or disabled persons in a residential setting.

AVERAGE DAILY TRAFFIC

Average number of cars per day that pass over a given point.

AWNING

A roof-like cover, often of fabric, metal or glass, designed and intended for protection from the weather or as a decorative embellishment and which projects from a wall or roof of a structure over a window, walk, door or the like.

BANQUET FACILITY HALL

A building or establishment maintained in whole or in part as rental space for the purpose of private events where access by the general public is restricted. [Added 4-3-2017 by Ord. No. 780-17]

BAR

A portion of an establishment where the sale or dispensing of liquor by the drink for on-site consumption is undertaken and considered separate from dining, dancing and banquet areas. [Amended 4-3-2017 by Ord. No. 780-17]

BASE FLOOD ELEVATION

The elevation at which a flood has a one-percent chance of being equaled or exceeded in any given year.

BASEMENT

A portion of a building located partly or entirely underground but having no more than 1/2 of its floor-to-ceiling height above the average grade of the adjoining ground. [Amended 4-3-2017 by Ord. No. 780-17]

BED-AND-BREAKFAST

A dwelling containing **no more than nine** ~~eight~~ beds or rental units or fewer, where lodging is offered to the traveling public for temporary occupancy **of 30 days or less**, and where breakfast is provided as part of the room rental charges. [Amended 4-3-2017 by Ord. No. 780-17]

BERM

An earthen mound formed to obstruct undesirable views or noise as a buffer.

BEST MANAGEMENT PRACTICES

A combination of conservation measures, structures or management practices that reduces or avoids adverse impacts of development on adjoining sites, land, water or waterways and controls soil loss and reduces water quality degradation caused by nutrients, animal waste, toxins and sediment.

BILLBOARD ~~{relocated to SIGN, BILLBOARD}~~

~~A sign which directs attention to a business, commodity, service, entertainment, event, or other activity conducted, sold or offered in a location other than the property on which the sign is located.~~

BLOCK

A tract of land bounded by a combination of streets and/or public parks, cemeteries, rights-of-way, waterways, or boundaries of the Town or any other barrier to the continuity of development.

BOARDINGHOUSE

A dwelling unit, other than in a hotel, motel, group home, halfway house, apartment building or facility for foster care ~~as defined in the Family Law Article of the Annotated Code of Maryland~~, in which lodging and meals are provided **in a communal setting** for compensation to **minimum of four and not exceeding nine** ~~three or more~~ adult persons not related to the owner by blood, marriage or adoption **with a minimum occupancy exceeding 30 days**. [Amended 4-3-2017 by Ord. No. 780-17]

BODY-PIERCING SERVICE

A skin-penetrating adornment procedure which involves piercing or entering the skin or the mucous membrane of an individual for the purpose of inserting pigmented patterns, jewelry or other forms of body decoration. "Body piercing" includes skin-penetrating body adornment procedures and tattooing, but does not include piercing of an earlobe using a properly disinfected ear-piercing gun and single-use, sterile studs and clutches.

BUFFER

A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another. See "screening."

BUILDING

A structure having a roof supported by columns or walls, used or intended to be used for the shelter, storage, or enclosure of any person, animal, process, equipment, or goods and materials of any kind or nature. Where divided by party walls, each portion shall be deemed a separate building.

- A. **BUILDING AREA (ENVELOPE)** The area of a lot remaining for buildings and structures after the minimum yard, open space, floodway and other development constraints have been excluded.
- B. **BUILDING COVERAGE (ENVELOPE)** Total square footage of a lot covered by a building.

[\[Image\]](#)

Figure 165-104.I

- C. **BUILDING FRONTAGE** That portion of a structure extending along a street.
- D. **BUILDING FRONTAGE, MULTIPLE** That portion of a structure extending along two or more streets.
- E. **BUILDING FRONTAGE, PRIMARY** That portion of a structure extending along a street and containing the major entrance(s) to the structure.
- F. **BUILDING, HEIGHT OF** The vertical distance to the highest point of the roof for flat roofs, to the deck-line of mansard roofs, and to the average height between eaves and the ridge for gable, hip and gambrel roofs, measured from the average point **with** ~~of~~ grade **as measured along the perimeter of the structure**.

[\[Image\]](#)

Figure 165-104.II

- G. **BUILDING LINE** A building limit fixed at a specific distance from the front, rear or side boundaries of a lot beyond which a structure cannot extend.
- H. **BUILDING, PRINCIPAL** The primary building on a lot, or a building that contains a principal use.

BUILDING OFFICIAL

The administrative official charged with enforcement of the Building Code as described in Chapter 145, Building Construction, of the Bel Air Town Code.

BUSINESS INCUBATOR

A facility dedicated to the startup and growth of small businesses, accomplished through management and facility support systems. For purposes of this definition, "management support systems" includes access to professional advice, information on small business regulations, management, advertising, promotion, marketing, sales, inventory, employees, labor relations and financial counseling. "Facility support systems" includes clerical and reception staff, cleaning and building security and access to copy and facsimile machines, computers, faxes and other electronic equipment.

BUSINESS SERVICE

Services rendered to a business establishment or individual on a fee or contract basis, including, but not limited to, actuarial, advertising, credit reporting, janitorial, secretarial/stenographer services, computer and data-processing services, photofinishing, ~~broker services~~, window cleaning, blueprinting and photocopying, tag and title services, telephone sales and other similar general office services.

BUSINESS SERVICE, GROUP

A business service establishment consisting of five or more full-time equivalent employees.

BUSINESS SUPPORT SERVICE

Establishments or places of business engaged in the provision of services used by office, professional and service establishments. Typical uses include blueprint/photocopying, janitorial services, photo finishing, window cleaning, protective services and other similar services.

CALIPER

The diameter of a tree trunk measured in inches, six inches above ground level for trees up to four inches in diameter and 12 inches above ground level for trees over four inches in diameter. (See also "DBH.")

[\[Image\]](#)

Figure 165-104.III

CANOPY

A fixed roof-like structure, other than an awning, which projects from a wall of a building and extends along all or a majority of the wall's length to provide shelter over an entryway or walkway.

CAR WASH/AUTO DETAILING SERVICE

An area of land or a structure with machine- or hand-operated facilities used principally for the cleaning, polishing, washing or hand washing of motor vehicles.

CATERING

A service providing meals and/or refreshments for public or private entertainment for a fee.

CLUSTER MAILBOX

A grouping of mailboxes at a central location to serve several units within a development.

COMMERCIAL EQUIPMENT OR TRAILER

See Town Code Chapter **450**, Vehicles and Traffic. [Amended 4-3-2017 by Ord. No. 780-17]

COMMERCIAL VEHICLE

See Town Code Chapter **450**, Vehicles and Traffic. [Amended 4-3-2017 by Ord. No. 780-17]

COMMUNICATIONS ANTENNA

Any device used to collect or radiate electromagnetic waves including directional and omnidirectional antenna, whip, dish or panel not exceeding six feet in height attached to a tower, pole or structure. [Added 4-3-2017 by Ord. No. 780-17]

COMMUNICATIONS TOWER

Tower, pole structure or platform that holds antenna or antennas, used for cellular communications or similar uses exceeding 35 feet in height. [Amended 4-3-2017 by Ord. No. 780-17]

COMMUNITY

The citizens of the Town of Bel Air.

COMMUNITY CENTER

A building used for public, cultural, educational, recreational, or civic purposes, usually owned and operated by a public or nonprofit group or agency. [Amended 4-3-2017 by Ord. No. 780-17]

COMMUNITY SHELTER

A group housing facility intended to provide temporary board, lodging and personal services to homeless persons and those requiring protection from physical or psychological harm. [Amended 4-3-2017 by Ord. No. 780-17]

COMPATIBILITY

The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. Elements affecting compatibility include density; floor area ratio; pedestrian or vehicular traffic generated; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, or radiation.

COMPREHENSIVE PLAN

The currently adopted version of the Town of Bel Air Comprehensive Plan.

CONCEPT PLAN

A preliminary presentation and attendant documentation of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of discussion and classification.

CONSTRUCTION/SALES/OFFICE TRAILER

Any structure to conduct business, trade, or occupation, or for use as a selling or advertising device, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

CONSTRUCTION SUPPLY SERVICES

The performance of work by, or furnishing of supplies to, members of building trades, including building contractors; carpentry and wood flooring services; electrical services; energy systems services and products; general contracting; masonry, stonework, tile setting and plastering services; plumbing, heating and air-conditioning services; roofing and sheet metal services; and other such services.

CONTIGUOUS

Next to, abutting or touching and having a boundary or portion thereof which is common or coterminous.

CONVENIENCE GOODS

A retail store generally containing less than ~~5,000~~ 3,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers. It is designed to attract a large volume of stop-and-go traffic. Illustrative examples of convenience stores are those operated by the "7-11" and "Royal Farm Store" chains.

CORPORATE OFFICE

A business which offers general office space and attendant support services for those businesses located within the center. [Amended 4-3-2017 by Ord. No. 780-17]

COTTAGE HOUSING

~~A second dwelling on a single residential lot for occupancy only by immediate family members of the residents of the principal dwellings on the lot.~~

COURT

An open, unoccupied and unobstructed space on the same lot with and bounded on two or more sides by the walls of a building. "Outer court" is a court having at least one side thereof opening onto a street, alley, yard, or other permanent open space.

CREMATORIUM

A building fitted with the proper appliances for the purposes of cremation of human remains.

CRITICAL ROOT ZONE (CRZ)

The area around the trunk of a tree where the bulk of the root system is located. This area is measured as a circle around the tree trunk one foot in radius for each one inch in **the tree's** diameter at breast height (DBH). [Amended 4-3-2017 by Ord. No. 780-17]

CROSSWALK

A roadway or street passageway through a block at ground level or overhead, designed exclusively for pedestrians.

DAY-CARE CENTER, FAMILY

A person, agency or institution licensed by the state to provide day care for no more than eight unrelated individuals in a residence for a portion or all of a day and on a regular schedule more often than once a week.

DAY-CARE CENTER, GROUP

A person, agency or institution licensed by the state to provide group care in a residence for between nine and 12 adults or children who do not all have the same parentage, or care of 13 or more adults or children in facilities other than a private home setting, for a portion or all of a day and on a regular schedule more often than once a week.

DBH (DIAMETER AT BREAST HEIGHT)

The diameter of a **tree's trunk** measured at 4.5 feet from grade **level. Where the trunk splits into two or more trunks below the 4.5 foot from grade level, then each trunk is measured individually at 4.5 feet from grade level.**

DECK

An open, above-grade platform or structure immediately adjacent or attached to the principal structure. The structure may be covered with a roof or similar covering and/or screened.

DEMOLITION

The deliberate removal or destruction of the frame or foundation of any portion of a building or structure, including willful neglect on the maintenance and repair of a structure.

DENSITY

The number of dwelling units permitted per acre.

DEVELOPMENT

The construction, reconstruction after demolition of more than 50% of an existing structure, conversion, relocation or enlargement of any structure; the division of a parcel of land into two or more parcels; and any use or extension of the use of land. [Amended 4-3-2017 by Ord. No. 780-17]

DEVELOPMENT REGULATIONS

A document outlining the Town of Bel Air Zoning, Signage and Subdivision Regulations.

DEVELOPMENT STANDARDS

Regulations and requirements addressing specific needs and concerns for provision of facilities, protection of environmental and other resources, and fulfillment of goals of the Town of Bel Air Comprehensive Plan. These are in addition to specific regulations for individual zoning districts.

DISTRICT, ZONING

A portion of the incorporated territory of the Town of Bel Air within which certain uniform zoning regulations and requirements or various combinations thereof apply under the provisions of this chapter.

DORMITORY

A building on or near a school campus designed to accommodate students actively attending the school. [Added 4-3-2017 by Ord. No. 780-17]

DRAINAGE

The removal of surface water or groundwater from land by drains, grading or other means.

DRIPLINE

Vertical line extending from the outermost tree canopy to the ground.

DRIVE-THROUGH FACILITIES

An establishment that, by design, physical facilities, service or by packaging procedures, encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

DRIVEWAY

An accessway for cars leading from a street or alley to a garage, house, group of houses, or business.

DUST-FREE MATERIAL

A durable surface which is paved with bituminous concrete, portland cement, bituminous tar and chip or similar material acceptable to the Director of Public Works.

DWELLING

A structure or portion thereof that is used exclusively for human habitation, but not including a tent, cabin, trailer, recreational vehicle, or a room in a hotel. [Amended 4-3-2017 by Ord. No. 780-17]

- A. DWELLING, ACCESSORY An independent dwelling which is occupied for a period exceeding 30 days located on the same lot and accessory to a primary residential dwelling. An accessory dwelling is typically located on a single family detached lot.**

A.B DWELLING, MULTIFAMILY Three or more dwelling units with common access constructed on a permanent foundation, designed for three or more families and located on a single lot or parcel.

B.C DWELLING, SEMIDETACHEDA building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof and which are on separate lots.

C.D DWELLING, SINGLE-FAMILY DETACHEDA building containing one dwelling unit that is not attached to any other dwelling by any means and is surrounded by open space or yards.

D.E DWELLING, TOWNHOUSEA single-family attached dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside.

E.F DWELLING, TWO-FAMILYA building on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling or floor extending from exterior wall to exterior wall, except for common stairwells exterior to both dwelling units; does not include semidetached dwellings.

DWELLING UNIT (HOUSEKEEPING UNIT)

One or more rooms physically arranged so as to create an independent housekeeping establishment consisting of a separate kitchen or cooking facility and provisions for living, sleeping, eating and sanitation.

EASEMENT

A right of use over the property of another.

ELECTRIC SUBSTATION

A substation whose purpose is to transform voltage to a level so this power can be consumed in the general vicinity of the substation.

ELECTRONIC EQUIPMENT SUPPLY/SERVICE

A facility that stocks and supplies electronics and associated equipment for distribution or installation. [Added 4-3-2017 by Ord. No. 780-17]

ENVIRONMENTALLY SENSITIVE AREA

An area with one or more of the following environmental characteristics:

- A. Steep slopes;
- B. Floodplains;
- C. Soils classified as having high-water tables;
- D. Soils classified as highly erodible, subject to erosion, or highly acidic;
- E. Land formerly used for landfill operations or hazardous industrial use;

- F. Stream corridors;
- G. Mature stands of native vegetation;
- H. Wetlands and wetland transition areas; and
- I. Habitats of endangered species.

FAMILY

[Amended 7-16-2012 by Ord. No. 753-12; 4-3-2017 by Ord. No. 780-17; 9-16-2019 by Ord. No. 792-19]

- A. Any number of persons related by blood, marriage or adoption;
- B. Up to three adult persons maintaining a common household together with any adult dependents (as defined by the United States Internal Revenue Code) or minor children, including foster children, of such persons;

FEASIBLE

Capable of being accomplished in a successful manner after a reasonable period of time, taking into account economic, environmental, social and technological factors.

FEED/GRAIN MILL

A building equipped to process agricultural products such as grain into flour, meal or feed products.
[Added 4-3-2017 by Ord. No. 780-17]

FENESTRATION

The arrangement of windows and architectural details on a building.

FIFTY-FIVE-AND-OVER HOUSING

A residential structure or group of residential structures with four or more dwelling units, each of which is intended for, and occupied by, at least one individual 55 years of age or older.

FINAL DECISION

The last unappealable decision.

FITNESS CENTER

A facility, including health clubs and athletic clubs, that is equipped for the conduct of sports, exercise, leisure-time activities or other customary recreational activities.

FLAG

Fabric or other flexible material, usually rectangular and of distinctive design used as a symbol, such as for a nation, state, locality, organization, or political cause.

FLOODPLAIN

Any floodplain referenced in a floodplain ordinance for the purpose of applying floodplain regulations. (See "one-hundred-year floodplain.")

FLOODWAY

The channel of a stream or watercourse and the adjacent land areas that must be reserved to discharge the one-percent-probability flood without cumulatively increasing the water surface elevation more than a designated height, generally one foot.

FLOOR AREA, GROSS

The sum of all horizontal areas of all floors of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet. [Amended 4-3-2017 by Ord. No. 780-17]

FLOOR AREA, NET

The total of all floor areas of a building, excluding vestibules, elevator shafts, janitorial closets, mechanical/electrical rooms, interior vehicular parking and loading. Multi-tenant buildings also exclude stairwells, common hallways, common restrooms and common reception areas. [Amended 4-3-2017 by Ord. No. 780-17]

FOOTCANDLE

A standard measurement of illumination over a surface area of one square foot.

FOREST CONSERVATION PLAN (FCP)

A plan approved pursuant to the Natural Resources Article of the Annotated Code of Maryland, and Chapter 216, Forest Conservation, of the Bel Air Town Code. [Amended 4-3-2017 by Ord. No. 780-17]

FOREST STAND DELINEATION (FSD)

The methodology for evaluating **and documenting for approval** the existing vegetation on a site proposed for development, as provided in the Forest Conservation Technical Manual, **which must be updated during any subsequent development review process on the site occurring more than five (5) years from the date of prior approval for the FSD.**

FORTUNE TELLING

A person or group of persons who engage in the practice or profess to practice the business or act of prophecy, intuitive counseling, cartomancy, divination, clairaudience, necromancy, astrology, phrenology, life reading, fortune-telling, clairvoyance, crystal gazing, palmistry, numerology, or reading of tarot or similar cards for any form of compensation.

[Added 5-2-2011 by Ord. No. 741-11]

FRONTAGE

Any/all sides of a lot abutting on a street.

FRONTAGE, PRIMARY

The side of a structure that provides the main access for the use or tenant space.

FUEL STORAGE FACILITY

Any premises or units where gasoline, propane, natural gas or other petroleum products are stored in bulk for the purpose of sale or distribution.

FULL-TIME EQUIVALENT EMPLOYEE

The number of persons necessary for forty-hour-a-week coverage is equal to one full-time employee.

GARAGE, PRIVATE

An accessory building or portion of a main building designed, arranged, or used primarily for the housing or storage of private motor vehicles.

GARAGE, PUBLIC

A building or portion thereof, other than an automobile salesroom, used or held out for the housing or storage of six or more motor vehicles, where service or repair facilities, if any, are incidental to the principal use of storage. A public garage may be a principal or accessory use.

GENERAL MERCHANDISE

Any use **over 5,000 square feet** characterized by the sale of bulky items and/or outside display/storage of merchandise or equipment, such as lumber and building materials, farm and garden supplies, marine equipment sales and service and stone monument sales.

GOOD CAUSE SHOWN

A substantial and compelling reason or reasons to be used as a basis to permit modification to a provision of the Development Regulations or to grant an extension of a prior approval.

GREEN BUILDING/GREEN DESIGN

Building design that yields environmental benefits, such as savings in energy, building materials, water consumption or reduced waste generation.

GREENHOUSE AND NURSERY, COMMERCIAL

A building used for the cultivation and sale of plants grown on the premises or as nursery stock and for accessory items directly related to plant care and maintenance, such as pots, soil, mulch, fertilizers, insecticides, rakes or shovels. **[Amended 4-3-2017 by Ord. No. 780-17]**

GROUND COVER

A low-growing perennial plant with a mature height of six inches to 18 inches.

GROUP HOME, LARGE

A nonprofit residential facility other than a halfway house, or a community shelter in which more than nine but not more than 16 unrelated persons with developmental disabilities, mental disorders or those in recovery from addiction as defined in the State of Maryland Code, Health-General Article, live together and maintain a common household. **[Amended 9-16-2019 by Ord. No. 792-19]**

GROUP HOME, SMALL

A nonprofit residential facility other than a halfway house, or a community shelter in which more than three but not more than nine unrelated persons with developmental disabilities, mental disorders or those in recovery for addiction as defined in the State of Maryland Code, Health-General Article, live together and maintain a common household. [Added 9-16-2019 by Ord. No. 792-19]

GROWING SEASON

The period of consecutive frost-free days as stated in the current soil survey for this county published by the National Cooperative Soil Survey Program, 16 U.S.C. Chapter 3B, generally the period from April through November. [Amended 4-3-2017 by Ord. No. 780-17]

HABITABLE SPACE

Actual living space of the principal use and structure, not including basements (even if improved), porches, decks, garage areas or other accessory uses or structures.

HALFWAY HOUSE

A dwelling unit or part thereof in which lodging, meals and some combination of personal care, social or counseling services, or transportation are provided in exchange for compensation to three or more persons in the custody of the state or federal correctional or juvenile justice systems.

HELIPAD

Area designed to accommodate touchdown and liftoff of helicopters for the purpose of picking up or discharging passengers, patients or cargo. [Added 4-3-2017 by Ord. No. 780-17]

HIGHWAY

Any thoroughfare, freeway, or arterial carrying traffic, including any thoroughfare having a Maryland primary highway number or a United States highway number.

HISTORIC DISTRICT

A group of properties officially designated by the Board of Town Commissioners as an historic area within predetermined boundaries having historic significance as defined in Chapter 246, Historic Preservation, of the Bel Air Town Code.

HISTORIC SITE

An individual property officially designated by the Board of Town Commissioners as having historic significance as defined in Chapter 246, Historic Preservation, of the Bel Air Town Code.

HISTORIC STRUCTURE

A structure of historical, architectural, archeological, or cultural significance which is eligible for designation on the National or State Register of Historic Places, as a Harford County landmark or as a Bel Air historic site or district.

HOME OCCUPATION

Any activity carried out for gain by a resident and conducted as a customary, incidental and accessory use in the resident's dwelling unit. A home occupation may include a for-profit home business or home office for a resident who may work for another employer or contract or consult

with another company or individual. A home occupation does not include goods, wares or merchandise offered, displayed or kept for sale within the dwelling unit. For purposes of this chapter, "home occupation" shall include the following:

- A. Artists not employing industrial fabrication techniques.
- B. Authors and writers.
- C. Dressmakers, seamstresses and tailors.
- D. Model making, weaving, custom woodworking and other home crafts not involving industrial fabrication techniques.
- E. Music and dance teachers having classes of fewer than four pupils at any one time.
- F. Offices of a person practicing a trade/profession from a residence.
- G. Repairs of bicycles (but no other vehicles), cameras, clocks, jewelry and small appliances not involving industrial fabrication techniques.
- H. **Tutoring** **Tutoring** or instruction of fewer than four pupils at any one time. [Added 4-3-2017 by Ord. No. 780-17]
- I. Other uses as may be found by the reviewing authority to be consistent with the purpose of the district in which the use is located. [Amended 4-3-2017 by Ord. No. 780-17]

HOSPITAL

An institution providing inpatient health care services and medical or surgical care, including general hospitals and specialized medical institutions.

HOTEL

A building in which lodging and/or boarding is provided for compensation and in which access to and from all rooms is made through an inside lobby or office.

HOUSE OF WORSHIP

A building, structure or group of buildings or structures that, by design and construction, are primarily intended for conducting organized religious services and associated accessory uses.

ILLUMINATION, DIRECT

Lighting that travels directly from its source to the viewers eye.

ILLUMINATION, INDIRECT

Lighting cast upon an opaque surface from a concealed source.

IMPACT FEES

Costs imposed on new development to fund public facility improvements required by new development and to ease fiscal burdens on localities.

IMPERVIOUS SURFACE

Any surface through which rainfall cannot pass or be effectively absorbed (roads, bridges, paved parking lots, sidewalks, etc.).

IMPROVEMENT, PUBLIC

Includes but is not limited to the following: a street pavement, with or without curbs and gutters; sidewalks; crosswalks; water and gas mains and other public utilities; sanitary sewers and storm drains, with appurtenant construction; street trees; street signs.

INDOOR RECREATION ~~{Relocated to “Recreation, Indoor”}~~

~~An establishment providing completely enclosed recreational activities. Accessory uses shall be permitted to include the preparation and service of food and/or the sale of equipment related to enclosed uses. Included in this definition shall be bowling, roller skating or ice skating, laser tag, miniature golf, batting cage and related athletic oriented games, including arenas/stadiums. [Amended 4-3-2017 by Ord. No. 780-17]~~

INDUSTRIAL USE

An establishment primarily engaged in manufacturing, construction, communication, transportation, electric, gas or sanitary services, and/or wholesale trade.

INFILL DEVELOPMENT

Construction of any residential, commercial, institutional or industrial structure located in an existing developed area.

INFRASTRUCTURE

Water- and sewer lines, roads, schools and other public facilities needed to support developed areas.

INSTRUCTIONAL SERVICES

A for-profit educational facility offering classes to the public. Such facilities include, but are not limited to, martial arts, drivers education, real estate classes, arts and crafts classes and computer classes.

INTERSECTION

The crossing of two or more roads at grade.

ISLAND

An area within a right-of-way or parking area upon which vehicular traffic may not traverse. The area is to provide for pedestrian safety, separation of vehicles and/or landscaping and is formed by curbing or painted markings.

ITINERANT DEALERS, PEDDLERS AND SOLICITORS

See Town Code Chapter 272. [Added 4-3-2017 by Ord. No. 780-17]

JUNKYARD

Any area where waste or scrap material, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles, is bought, sold, exchanged, baled, packed, stored, disassembled or handled, but not including areas where such uses are conducted entirely within a completely enclosed building. Not included are pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, salvaged machinery and the processing of used, discarded or salvaged materials as part of manufacturing operations.

KENNEL

An establishment, not part of an agricultural use, in which six or more domestic animals, such as cats, dogs and other pets, more than six months old are kept, groomed, bred, boarded or trained.

LANDMARK BUILDINGS

A structure with significant historic, architectural or cultural meaning or importance.

LAND TRUST

A public or private nonprofit organization which holds conservation easements donated for the purpose of open space preservation or forest conservation.

LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED)

The Green Building Rating System, which is a nationally accepted bench mark for design, construction and operation of high-performance green buildings.

LEASABLE AREA/SPACE

The total floor area designed for owner or tenant occupancy and exclusive use. It is expressed in square feet, measured from the center lines of joint partitions and exteriors of outside walls.

[Amended 4-3-2017 by Ord. No. 780-17]

LEVEL OF SERVICE

A measurement tool designed to calculate the maximum number of vehicles that have a reasonable expectation of passing over a given section of roadway or through an intersection in a given period of time under prevailing roadway and traffic conditions. For purposes of this Part 2, "level of service" is categorized in a series of letter grades, "A" through "F." Level of Service "A" denotes the best traffic conditions while Level of Service "F" indicates gridlock.

LIQUOR STORE

A retail establishment that sells packaged liquor, wine or beer for consumption off premises which possesses the appropriate license from the State of Maryland **or more than 50% of all sales are for alcoholic beverages or related items.** [Added 4-3-2017 by Ord. No. 780-17]

LOCAL LEGISLATIVE BODY

The Board of Town Commissioners for Bel Air.

LOCATION

A lot, premises, building, structure, wall or any place whatsoever upon which development of any type regulated by the Development Regulations is proposed or exists.

LOT

A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon **a unit**.

A. **LOT AREA** The total horizontal area located within the property lines.

[Image]

Figure 165-104.IV

- B. **LOT, CORNER** A lot situated at the intersection of two or more streets or upon two parts of the same street forming an interior angle of 135° or less.
- C. **LOT DEPTH** The average horizontal distance between the front lot line and the rear lot line or other parallel lot line of a lot, measured within the lot boundaries.
- D. **LOT, DOUBLE FRONTAGE** A lot having frontage on two nonintersecting streets, as distinguished from a corner lot.
- E. **LOT FRONTAGE** That portion of a lot extending along a **public or private** street.
- F. **LOT, INTERIOR** Any lot other than a corner lot.
- G. **LOT LINE** A line of record bounding a lot which divides one lot from another lot or from a public or private street or waterway or any other public space. When a lot line is curved, all dimensions related to said lot line shall be based on the chord of the arc.
- H. **LOT LINE, FRONT** The lot line separating a lot from a street right-of-way. On a through lot, both lines adjacent to the street shall be deemed front lot lines. On a corner lot, all lot lines which **face are also** a street right-of-way **line** shall be considered front lot lines.
- I. LOT, MULTI-FRONTED A lot having frontage on three or more streets, as distinguished from a corner lot, a double frontage lot or a through lot.**
- J. LOT LINE, REAR** Except in the case of corner lots **or multi-fronted lots**, the line opposite and most distant from the front lot line.
- J.K. LOT LINE, SIDE** Any lot line connected to a front or rear lot line.
- K.L. LOT LINE, STREET OR ALLEY** Any lot line separating the lot from a street or alley.
- L.M. LOT, PANHANDLE** A lot with the appearance of a frying pan or flagstaff in which the handle is most often used as the point of access to a road.

M.N. LOT SIZE REQUIREMENTS Restrictions on the dimensions of a lot, to include a specified zoning district size, lot area and lot width, all established to limit the minimum size and dimension of a lot in a given zoning district.

N.O. LOT, THROUGH A lot having a pair of opposite lot lines along two more or less parallel public streets and which is not a corner lot.

O.P. LOT WIDTH The width of the lot measured at right angles to its center line at the front building line.

MANUFACTURING, PRIMARY

Establishments engaged in the initial processing or treatment of raw materials or manufacturing of products that require additional processing, fabrication or assembly for ultimate use by the consumer. These shall include, but not be limited to, chemical and allied products, fabricated metal products, food and kindred products, lumber and wood products, furniture stripping, machinery production, miscellaneous manufacturing, paper and allied products, petroleum and coal products, rubber and miscellaneous plastics, stone, clay and glass manufacturing and transportation equipment manufacturing.

MANUFACTURING, SECONDARY

Establishments engaged in the manufacture of products for final use or consumption. This usually involves the secondary processing, fabrication or assembly of semifinished products from a primary manufacturing industry. These shall include, but not be limited to, the following: apparel and other textile manufacturing, furniture and fixtures, instruments and related products, leather and leather products, office computing and accounting equipment manufacturing.

MATURE TREE

A tree of any species which measures a minimum of 10 inches in diameter at breast height (DBH) or greater.

MAXIMUM EXTENT PRACTICABLE (MEP)

Designing, construction, renovation and restoration projects so that all reasonable opportunities for using building techniques and treatments for reducing the carbon footprint of new development are exhausted.

MEDICAL CANNABIS DISPENSARY

Establishment licensed by the State of Maryland to acquire, process, possess, transfer, transport, sell, distribute and administer cannabis and related products for use by a qualified patient or caregiver.
[Added 4-3-2017 by Ord. No. 780-17]

MEDICAL SERVICES

The provision of medical, dental, surgical, or other health-related services to individuals, including medical outpatient clinics, medical laboratories, **therapeutic massage, chiropractic clinics, osteopathic clinics**, dental clinics, dental laboratories, hospital supplies ~~and~~ **opticians, optometrists, or osteopaths.**

MICROBREWERY/WINERY/DISTILLERY

Facility used for the production of beer, hard cider, wine or other alcoholic beverages where such beverages are brewed, fermented or distilled for consumption on site, sale as packaged goods or distribution wholesale and which possesses the appropriate license from the State of Maryland.

[Added 4-3-2017 by Ord. No. 780-17]

MINI STORAGE

Facility that contains various sizes of individual compartmentalized and controlled access stalls for the storage of customer's goods and wares. [Added 4-3-2017 by Ord. No. 780-17]

MITIGATION

Process or projects replacing lost or degraded resources, such as wetlands or habitat, at another location.

MIXED-USE CENTER

A building, ~~or~~ structure **or integrated development** containing both commercial and residential floor space, conceived and designed as a single environment in which both commercial and residential amenities are provided.

MOTOR VEHICLE SALES, SERVICE AND STORAGE

A lot, building, premises or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor-driven vehicles, including, but not limited to, filling, repair and service stations, commercial vehicle construction and industrial sales, service and storage facilities from vehicle sales and service facilities, motor vehicle rental and leasing facilities and public garages.

NEIGHBORHOOD

An area of a community with characteristics that distinguish it from other areas and that may include distinct economic characteristics, housing types or boundaries defined by physical barriers, such as roads or natural features; for purposes of annexation and/or zoning review, an area two blocks from the applicable site in all directions.

NONCONFORMING

- A. **NONCONFORMING BUILDING OR STRUCTURE** A legally preexisting building or structure that was lawful when constructed and continues to be lawful, even though it no longer conforms to the bulk area and/or setback requirements of the zone in which it is located because of the adoption or amendment of the Development Regulations or Zoning Maps.
- B. **NONCONFORMING USE** A legally preexisting use which was lawful when established and continues to be lawful, even though it no longer conforms to the requirements of the zone in which it is located because of the adoption or amendment of the Development Regulations or Zoning Maps.

NONTIDAL WETLANDS

All palustrine aquatic bed, palustrine emergent, palustrine forested and palustrine scrub-shrub wetlands as defined by the United States Fish and Wildlife Service, except tidal wetlands regulated

under Title 9 of the Natural Resources Article of the Annotated Code of Maryland. These nontidal wetlands are lands where the water table is usually at or near the surface (i.e., periodically saturated) or areas where the substrate or soil is covered by shallow water at some time during the growing season. They are further characterized by one or both of the following two attributes:

- A. The land supports predominantly obligate or facultative wet hydrophyte plant species cited in the Department of Natural Resources publication entitled "Vascular Plant Species Occurring in Maryland Wetlands."
- B. The substitute is predominantly hydric soil.

NURSING HOME

A use providing bed care and inpatient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease or communicable disease.

OFFICE

A building or portion of a building wherein services are performed involving predominantly administrative, professional or clerical operations.

ONE-HUNDRED-YEAR FLOODPLAIN

The channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater which has a one-percent chance of being equaled or exceeded in any given year.

OPEN SPACE

Any area of land or water set aside, dedicated, designed, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

OUTDOOR DINING OR BAR

An outdoor dining area or bar accessory to restaurant or tavern located on the same property.
[Added 4-3-2017 by Ord. No. 780-17]

OUTDOOR PROMOTIONAL EVENTS

Carnivals, craft shows, flea markets and similar events.

OUTDOOR SALES EVENTS

Tent sales, temporary sidewalk sales, Christmas tree sales, flower sales, inventory reduction or liquidation sales, distressed merchandise sales, seasonal merchandise sales, yard sales or similar short-term events.

OVERLAY DISTRICT

A specially mapped district which is subject to supplementary regulations or requirements for development.

PARCEL

Any contiguous area, site, or portion of land under common ownership.

PARKING DECK

See “garage, storage.”

PARKING IMPACT STUDY

A documented analysis, prepared by a professional transportation consultant or engineer, delineating the effects of a development on area parking facilities based on the parking needs generated by the proposed use.

PARKING, COMMERCIAL

An off-street parking structure or surface lot used for the daily or long-term storage of motor vehicles, with or without payment of a fee. [Amended 4-3-2017 by Ord. No. 780-17]

PARKING, MUNICIPAL

An off-street parking structure or surface lot, other than a private lot, that is available to the general public for use. [Added 4-3-2017 by Ord. No. 780-17]

PARKING SPACE

An area designated and used for parking space, as specified in Article VII, for normal, handicapped or compact-sized vehicles.

PARKING STRUCTURE

A building or part of a building solely used or designed to be used for the parking and storage of vehicles.

PERFORMANCE STANDARD

A minimum requirement or maximum allowable limit on the effects of a use. Such standards are placed on individual uses in addition to the general zoning requirements.

PERSON

Any individual, corporation, incorporated association, firm, partnership, sole proprietorship and any other recognized legal entity.

PERSONAL SERVICES

Establishments primarily engaged in providing services involving the care of a person or his/her personal goods or apparel, including catering, clothing alteration, formal wear/rental, funeral home/morticians, interior decorating, pet grooming, photo studio, shoe repair and watch/jewelry repair.

PHARMACY

Retail establishment engaged in the preparation and sale of prescription, nonprescription drugs, related health aids, and medical equipment. Convenience goods are considered as accessory retail. [Added 4-3-2017 by Ord. No. 780-17]

PLANNING COMMISSION

The Town of Bel Air Planning Commission.

PLANT UNIT

A deciduous tree at least two inches in caliper or greater, an evergreen tree at least five feet in height, or a suitable shrub, as approved by the Planning Commission.

PLAT

A map showing the location, boundaries and ownership of individual properties planned and developed as a single project.

PLAT, FINAL

A surveyor's precise drawing that fixes the locations and boundaries of lots and streets.

POULTRY

Domestic fowl raised in confinement as a pet or for meat, eggs or feathers.

PRINTING/PUBLISHING SERVICES

A commercial use that designs, produces, or distributes printed material. [Added 4-3-2017 by Ord. No. 780-17]

PROFESSIONAL SERVICE, GROUP

Professional service establishment consisting of three or more professionals. [Amended 4-3-2017 by Ord. No. 780-17]

PROFESSIONAL SERVICES {removed overlap with Medical Services}

The service by members of any profession, including but not limited to accountants, architects, ~~chiropractors, doctors,~~ lawyers, ~~dentists,~~ financial service practitioners, insurance agents, engineers, ~~opticians, optometrists, osteopaths,~~ real estate agents, travel agents or social workers.

PROJECT AREA

Area encompassing all recorded properties and rights-of-way proposed for development or supporting development.

PROJECTION

The distance by which a sign, canopy, marquee, roofline and the like extends over public property or beyond the building line.

PUBLIC

Open to common use, whether or not government ownership is involved.

PUBLIC ART

A park, plaza, mural, sculpture, fountain, street furniture, bas-relief, painting or similar decorative element which is located in an area where the public is directly or indirectly invited to visit or permitted to congregate.

QUALIFIED PROFESSIONAL

A person regularly engaged in a business for pay or as a means of livelihood for a minimum of three years, whether certified or not.

QUALITY OF LIFE

Aspects of the economic, social and physical environment that make a community a desirable place in which to live or do business.

RATED CAPACITY

Factor used to calculate parking demand for uses specified in Article VII, § 165-51H, of this Part 2.

RECREATIONAL VEHICLE OR TRAILER

See Town Code Chapter 450, Vehicles and Traffic. [Amended 4-3-2017 by Ord. No. 780-17]

RECREATION, INDOOR {relocated}

An establishment providing completely enclosed recreational activities. Accessory uses shall be permitted to include the preparation and service of food and/or the sale of equipment related to the enclosed uses. Included in this definition shall be bowling, roller skating or ice skating, laser tag, miniature golf, batting cage and related athletic-oriented games, including arenas/stadiums.

RECREATION, OUTDOOR

An area free of buildings, except for rest rooms, dressing rooms, equipment storage, maintenance building, open-air pavilions, picnic grounds and similar structures, used primarily for recreational activities.

RECYCLING/REUSE CENTER

A designated facility which accepts donations of used goods for recycling, resale or free distribution. [Amended 4-3-2017 by Ord. No. 780-17]

RECYCLING/REUSE BIN OR CONTAINER

A designated bin or container, of less than 200 square feet, which accepts donations of used goods for recycling, resale or free distribution.

REDEVELOPMENT

Construction activity in a previously developed area including the demolition, rehabilitation or structural alteration of an existing structure. May also include the reconstruction of a structure after demolition of less than 50% or reconstruction using 100% of the existing foundation. [Added 4-3-2017 by Ord. No. 780-17]

REFORESTATION

The creation of a biological community dominated by trees and other woody plants containing at least 100 live trees per acre, with at least 50% of those trees having the potential of attaining a two-inch or greater diameter, measured at 4.5 feet above the ground, within seven years; or the establishment of a forest according to procedures set forth in the Maryland Forest Conservation

Technical Manual. This includes landscaping of areas under an approved landscaping plan establishing a forest at least 35 feet wide and covering 2,500 square feet or more of area.

RESTAURANT

A commercial establishment where food and beverages are prepared and served for consumption on or off the premises. However, a snack bar or refreshment stand shall not be deemed a restaurant.

REVIEWING AGENCY

Includes any of the primary agencies or individuals involved in the administration of the Town of Bel Air Development Regulations.

RIGHTS-OF-WAY

A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission line, oil or gas pipeline, waterline, sanitary or storm sewer or similar uses.

ROAD

See "street."

ROAD FRONTAGE

That portion of a lot abutting a street or highway and situated between lot lines intersecting such street or highway.

ROADWAY

The actual road surface area from curb-line to curb-line, which may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the roadway is that portion between the edges of the paved or hard surface width.

ROOFLINE

That part of the roof or parapet which covers the major area of the building which is the highest point as viewed in elevation from the front or side. (See "building, height of" illustration.)

ROUTINE MAINTENANCE

Work that does not alter the exterior fabric or features of a site or structure and has no material effect on the historical, architectural or archeological significance of a site or structure.

SATELLITE RECEIVING DISH

A device used or designed to receive electromagnetic signals from earth-orbiting satellites and other extraterrestrial sources and is external to or is attached to the exterior of any building. The term "satellite receiving dish" includes satellite earth stations, satellite television antennas, satellite dish antennas or any other devices designed to receive signals from satellites in the manner described above. For the purposes of these regulations, accessory satellite receiving dishes shall not be considered as wireless transmitting and receiving structures, rigid-structure antennae or long-wire antennae.

SCREENING

A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls or berms.

SEASONAL MERCHANDISE

Products that are primarily sold during a particular season of the year, e.g., Christmas trees, locally grown produce, holiday flowers, snowballs and similar products.

SETBACK

The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

SHED

A permanent storage facility exceeding 25 square feet and less than 200 square feet constructed as an accessory structure incidental to the use of the principal building, not to include shipping containers or tractor-trailer bodies. [Amended 4-2-2018 by Ord. No. 783-18]

SHOPPERS' MERCHANDISE

Establishment exceeding 5,000 square feet that offers Commodities **which tend to be purchased on a comparison basis,** including, but not limited to, apparel/accessories, automobile supplies, business equipment, china/glassware, commercial art, communications equipment, computers/calculators, drugstores, fabrics/upholstery, floor coverings, hardware, home appliances, home improvement supplies, home furnishings/furniture, import stores, liquor stores, luggage/leather goods, musical instruments/supplies, paint/wall coverings, party supplies, photographic equipment sales, radios, records and tapes, sporting goods, television/stereo sales and service, variety stores and toy/game stores. Establishments commonly referred to as "catalog showrooms," "department stores," "discount stores," and "supermarkets" shall be regulated as shoppers' merchandise.

SHOPPING CENTER

A group or assemblage of four or more retail trade and service uses exceeding 20,000 square feet in aggregate developed under a uniform plan or scheme of development and serviced by **a common, integral access, circulation, and parking facility-facilities. Residential uses may be part of a shopping center when shared facilities are provided.** [Amended 4-3-2017 by Ord. No. 780-17]

SHORT TERM RENTAL

A residential home unit or an accessory building available for rent on a temporary basis for 30 days or less.

SIDEWALK CAFE

A portion of a food establishment or eating or drinking facility located contiguous to a restaurant on a public sidewalk or public open space. [Amended 4-3-2017 by Ord. No. 780-17]

SIGHT TRIANGLE

The area at the corner of a lot fronting on two streets, which shall remain unobstructed for sight distance purposes, as specified in Article **IX** of this Part **2**.

SIGN

A structure which consists of a device, light, letter, word, model, barrier, logo, insignia, or representation, including any announcement, declaration, demonstration, display illustration or insignia used to advertise or promote the interest(s) of any person when the same is placed out of doors in view of the general public, but excluding window displays or merchandise and signs which are incidental to the display of merchandise.

A. SIGN, AREA

- (1) For a sign, either freestanding or attached, the area shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing incidental to the display itself.
- (2) For a sign consisting of individual letters or symbols attached to or painted on a surface or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all the letters and symbols.

B BILLBOARD {relocated}

A sign which directs attention to a business, commodity, service, entertainment, event, or other activity conducted, sold or offered in a location other than the property on which the sign is located.

CB. SIGN, BANNER A temporary sign displayed on cloth or similar flexible material and designed to be mounted on an open framework or hanging from posts, poles or wall-mounted, used as an advertisement. [Amended 4-3-2017 by Ord. No. 780-17]

DC. SIGN, CONSTRUCTION A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

ED. SIGN, DIRECTIONAL Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit."

FE. SIGN, DIRECTORY A self-supporting sign in a fixed location listing the names and/or logos of businesses and located at the entrance to a property on which groupings of business, commercial or industrial uses have been concentrated.

GF. SIGN, ~~ELECTRIC~~ ELECTRONIC MESSAGE

Any sign that uses changing lights or LED elements to form images or words wherein the color, brightness, sequence of message and the rate of change is electronically programmed and can be modified by electronic processes. ~~Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.~~

H. SIGN, FEATHER OR WINDSAIL

Any temporary ground-mounted freestanding sign made of vinyl, canvas or similar flexible material fabricated as a large pennant for advertisement.

- IG. SIGN, FREESTANDING** A self-supporting sign in a fixed location and not attached to any building or structure.
- JH. SIGN, ILLUMINATED** A sign lighted by or exposed to artificial lighting, either by lights on or in the sign or directed toward the sign.
- KI. SIGN, MARQUEE** A sign which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or rearranged manually without altering the face or surface of the sign.
- LJ. SIGN, ON-PREMISES** Sign or other advertising device which advertises or indicates only the person occupying the premises on which it is located, the merchandise for sale, or the activity conducted thereon.
- ~~**K. SIGN, POLITICAL** A sign designed to influence the action of voters for the passage or defeat of a measure or the election of a candidate for nomination or election to public office at a national, state, or other local election.~~
- ML. SIGN, PROJECTING** A permanent sign that is hung at a ninety-degree angle from the face of and affixed to a building or structure and extends 12 inches or beyond the building wall, structure or parts thereof.
- NM. SIGN, SANDWICH BOARD** An A-frame or easel sign used for advertising in front of a specific business.
- ON. SIGN, TEMPORARY** A banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials and intended to be displayed for a **limited time period** ~~less than six months~~. [Amended 4-2-2018 by Ord. No. 783-18]
- PO. SIGN, VEHICLE** Any sign exceeding 10 square feet in area, mounted, painted, placed on, attached or affixed to a trailer, watercraft, truck, automobile or other form of motor vehicle so parked or placed that the sign thereon is discernible from a public street or right-of-way, and which, by its size, location and manner of display, acts as a means of communication calculated to exhibit advertising of an on-site or off-site business.
- QP. SIGN, WALL (FLAT)** One affixed directly to the exterior wall or screening surface and confined within the limits thereof and which projects from that surface 12 inches or less at all points.
- R. SIGN, WINDOW**
Any outward facing sign placed within two feet on the inside of the window or within a display space inside of a window.

SIGNIFICANT CHANGE

A modification to a structure, natural feature or function that alters the location, size or orientation of a building, stormwater management facility, road, parking area or a feature that is visible from the public right-of-way.

SITE PLAN

A plan, to scale, showing uses and structures proposed for a parcel of land as required by the Town of Bel Air Development Regulations. It includes lot lines, streets, building sites, reserved open space, buildings, major landscape features (both natural and man-made), and existing and proposed utility lines.

SMOKING LOUNGE

An establishment which is dedicated in whole or in part to the sale and smoking of tobacco products or other legal substances on its premises; includes establishments such as cigar bars, hookah cafes, tobacco clubs, and vape lounges. [Added 10-1-2012 by Ord. No. 754-12; amended 4-3-2017 by Ord. No. 780-17; 9-16-2019 by Ord. No. 792-19]

SPA

Establishment which provides homeopathic services such as aroma therapy, nontherapeutic massage, waxing, facials, sauna, steam room, nail services and various types of skin treatments.

SPECIAL DEVELOPMENT

A use permitted in a zoning district upon showing that such use in a specified location will comply with all conditions and standards for the location or operation of the use as specified in this Part 2 and authorized by the Planning Commission. (See Article XII, § 165-94.)

SPECIAL EVENTS

Circuses, fairs, carnivals, festivals, outdoor sales events, or other types of temporary outdoor uses that run for a limited time, but not more than six weeks; are intended to or are likely to draw substantial crowds or a steady flow of customers; and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

SPECIAL EXCEPTION

A use which is conditionally compatible with other uses in the district in which it is permitted. (See Article XII, § 165-93.)

SPECIALTY FOOD STORE

A retail establishment **less than 5,000 square feet** which primarily carries **limited** **only one** types of interrelated goods, including a bakery, candy/nut confectionery, dairy food store, delicatessen, product store, health food store, ice cream parlor, meat/fish store and wine and cheese shops.

SPECIALTY SHOPS

A retail store **less than 5,000 square feet** which carries **limited** **only one** types of interrelated goods, including but not limited to bookstores, candle shops, cosmetic shops, florist shops, gift shops, hobby and craft supply shops, novelty shops, jewelry shops, key shops, newspaper/magazine shops,

pet shops, photographic shops, plant shops, print stores, secondhand merchandise, souvenir shops, stationery shops, tack shops, telephone stores and tobacco shops.

STABLE, PRIVATE

A structure designed to shelter not more than two animals.

STORY

That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

STORY, HALF

A partial story under a gable, hip or gambrel roof, the wall plates of which, on at least two opposite exterior walls, are not more than four feet above the floor of such story.

STREET

A public or private right-of-way which provides a public means of access to an abutting property. The term "street" shall include road, avenue, drive, circle, highway or similar term.

- A. **STREET, ARTERIAL** A street designed to carry large volumes of traffic, normally controlled by traffic signs and signals, and serves a major portion of the vehicular traffic entering and leaving the Town.
- B. **STREET, COLLECTOR** A street designed to carry moderate volumes of traffic, which, in addition to providing access to abutting properties, is intended to collect traffic from, and distribute it to, a series of local streets within a neighborhood.
- C. **STREET, LOCAL** A street designed to carry limited volumes of traffic and intended to serve and provide access primarily to the properties abutting thereon or to provide a cross-connection between other local streets.

STREET FURNITURE

Structures placed within the street right-of-way for the purpose of amenity or service, including but not limited to benches, trash receptacles, information boards, bollards, and decorative light fixtures.

STRUCTURAL ALTERATION

Any change in the structural members of a building, such as walls, columns, beams, girders, or rafters.

STRUCTURE

Anything built or constructed.

SUBDIVIDER

Any person or agent thereof who subdivides any land as defined herein or undertakes any of the activities covered by the subdivision regulations of the Town of Bel Air Development Regulations.

The term "subdivider" includes the term "developer," even though the persons involved in successive stages of a project may vary.

SUBDIVISION

The division of any lot, tract or parcel of land into two or more lots, parcels, plats or sites, or the division of any land by the laying out or creation of any new public street, road, alley, public use, parking area, easement, or any other public place, space, or building site, for the purpose, whether immediate or future, of transfer of ownership or building development. It includes resubdivision, lot consolidation and, when appropriate to the context, relates to the process of resubdivision or to the land or territory subdivided.

SUBSTANTIAL CONSTRUCTION

Completion of footings and foundation in new construction, with walls at least partially erected, or any alteration of a structural member in existing construction.

SUBSTANTIAL IMPROVEMENT/CHANGE

Any addition to a property and/or any extension, repair, reconstruction, or other improvement of a property, the cost of which equals or exceeds 50% of the fair market value of a property before the improvement is made. [Amended 4-3-2017 by Ord. No. 780-17]

SUPERMARKET

A retail establishment which sells dry groceries, produce, household items and limited baking or delicatessen items prepared on premises having a gross floor area (exclusive of basement) exceeding **5,000** ~~3,000~~ square feet.

SUSTAINABLE DEVELOPMENT

Development with the goal of preserving environmental quality, natural resources and livability for present and future generations. Sustainable initiatives work to ensure efficient use of resources.

TATTOO SERVICE

See "body-piercing service."

TAVERN

An establishment used primarily for the dispensing of alcohol for consumption on premises to the general public where food is sold or served as accessory to the primary use and which possesses the appropriate license from the State of Maryland. [Amended 4-3-2017 by Ord. No. 780-17]

TAVERN WITH ENTERTAINMENT

A tavern (as defined separately in Article XIV) in which dancing, gaming or live entertainment are provided. [Amended 4-3-2017 by Ord. No. 780-17]

TOWN STANDARD SPECIFICATIONS AND DETAILS

Current standards, specifications and details for water mains, sanitary sewers, storm drains, streets and roads, as adopted by the Board of Town Commissioners, and all amendments thereto.

TRANSITION AREA

Properties located on the fringe of the downtown commercial districts which are significantly impacted by commercial development and traffic patterns.

USE

The purpose or activity for which land, buildings, or structures are designed, arranged, intended, occupied or maintained.

USE CATEGORY

A group of similar use types that are associated with each other to such an extent that they perform a specific land use function. For the purposes of this Part 2, use categories are:

- A. Amusements/entertainment;
- B. Industrial;
- C. Institutional;
- D. Natural resources;
- E. Residential;
- F. Retail uses;
- G. Service uses; and
- H. Temporary uses.

USE, TEMPORARY

The temporary use or activity permitted for a maximum period of 30 days unless otherwise noted in this Part 2.

VARIANCE

An adjustment in the application of specific area, bulk or density regulations of the Town of Bel Air Development Regulations because of special circumstances applicable to a particular property. See Article XII, § 165-92.

VEHICLE ACCOMMODATION AREA

That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.

WAREHOUSING

A commercial facility used for the storage and handling of freight or merchandise. Storage incidental to retail sales not in excess of 50% of the total gross square feet of the establishment is excluded.

[Added 4-3-2017 by Ord. No. 780-17]

WATERSHED

The geographic area which drains into a specific body of water. A watershed may contain several sub-watersheds.

WETLANDS

Natural areas, as determined by the United States Army Corps of Engineers, that have a predominance of hydric soils and that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

YARD

An open area between the lot line and setback or existing building line within which no principal structures shall be located. [Amended 9-16-2019 by Ord. No. 792-19]

- A. **YARD, FRONT** A yard extending the full width of the lot between any principal building and **the all front lot lines** and measured perpendicular to the front lot line at the closest point **to of the nearest point on the** principal building.
- B. **YARD, REAR** A yard extending the full width of the lot between any principal building and the rear lot line and measured perpendicular to the rear lot line at the closest point **to of the nearest point on the** principal building. **A lot with multiple front yards may not have a rear yard.** Rear yard dimensions may be averaged as stated in Article IX.
- C. **YARD, SIDE** A yard extending from the front yard to **the rear yard any other lot line** between any principal building and the side lot line and measured perpendicular to the side lot line at the closest point **to of the nearest point on the** principal building. Side yard dimensions may be averaged as stated in Article IX.

ZONING ADMINISTRATOR

The administrative officer charged with enforcement of the requirements specified in the Land Use Article of the Annotated Code of Maryland and the requirements of the Town of Bel Air's Development Regulations. The Zoning Administrator is also known as the Director of Planning and Community Development. [Amended 4-3-2017 by Ord. No. 780-17]

ZONING CASE

Any request for subdivision, site plan approval, special exception, special development, variance, interpretation, annexation or rezoning or amendment, modification or clarification of the same.

ZONING MAP

The Zoning Map of Bel Air, Maryland, dated November 28, 2016, together with all amendments thereto subsequently adopted. [Amended 4-3-2017 by Ord. No. 780-17]