

Introduced 11/7/16  
Public hearing 11/21/16  
Council action 1/3/17  
Executive action (1/14/17)  
Effective date 3/16/17

### County Council of Howard County, Maryland

2016 Legislative Session

Legislative day # 17

**BILL NO. 71 – 2016 (ZRA – 167)**

**Introduced by:** The Chairperson at the request of Elisa Kamens

**AN ACT** amending the Howard County Zoning Regulations ~~Conditional Use section to~~  
add a new definition for Pet Day Care Facility and to clarify that indoor noises at  
Pet Day Care Facilities Conditional Uses must not be detectible at the lot lines;  
and generally relating to Pet Day Care Facilities Conditional Uses.

Introduced and read first time November 7, 2016. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on November 21, 2016.

Tabled 12/5/16

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on January 3, 2017 and Passed ✓, Passed with amendments ✓, Failed \_\_\_\_\_.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

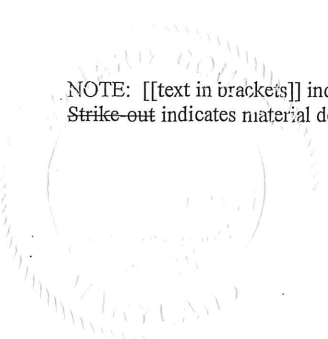
Sealed with the County Seal and presented to the County Executive for approval this 4<sup>th</sup> day of January, 2017 at 5 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2016

\_\_\_\_\_  
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.



1 *Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard*  
2 *County Zoning Regulations are hereby amended as follows:*

3  
4 *By Amending*

5  
6 Section 103.0: "Definitions"

7  
8 Section 131.0: "Conditional Uses"

9 Subsection N. "Conditional Uses and Permissible Zoning Districts"

10 Number 39. "Pet Day Care Facilities"

11  
12  
13  
14 **Howard County Zoning Regulations**

15  
16 **SECTION 103.0: Definitions**

17 **P**

18  
19 PET DAY CARE FACILITY: AN ESTABLISHMENT WHERE, FOR A FEE, CARE AND SERVICES ARE  
20 PROVIDED FOR DOMESTIC PETS. SERVICES MAY INCLUDE GROOMING, TRAINING, EXERCISING, AND  
21 SOCIALIZING, BUT PETS ARE NOT TO BE BOARDED OVERNIGHT, BRED, SOLD, OR LET FOR HIRE.

22  
23  
24 **SECTION 131.0: - Conditional Uses**

25  
26 **N. Conditional Uses and Permissible Zoning Districts**

27 The Hearing Authority may grant Conditional Uses in the specified districts in accordance  
28 with the following minimum criteria.

29  
30 **39. Pet Day Care Facilities**

31  
32 A Conditional Use may be granted in the RC, RR or R-20 Districts for pet day care  
33 facilities, provided that:

34  
35 a. The minimum lot size shall be one acre.

- 1           b.     All day care business functions must be completely enclosed within a  
2                     building. INDOOR [[N]]Noise must not be perceptible at lot lines.  
3
- 4           c.     The Hearing Authority may set hours of operation and limitations on the  
5                     number and type of pets cared for.  
6
- 7           d.     The facility shall not be located on a shared driveway.  
8
- 9           e.     Parking areas shall be located and landscaped to minimize visibility from  
10                    roads and adjacent residential properties.  
11
- 12          f.     There shall be no overnight boarding of pets.  
13
- 14          g.     Outdoor areas for walking or exercising pets may be permitted provided  
15                    that pets shall not be left unattended in such an area. The Hearing  
16                    Authority may set a limit on the number of pets permitted simultaneously  
17                    in the outdoor area. The perimeter of this outdoor area shall be fenced  
18                    and landscaped to ensure that animals are confined to the property and to  
19                    minimize the visibility of the enclosure. All fencing shall comply with all  
20                    requirements for fences as noted elsewhere in Section 128.0. The  
21                    petitioner must clearly delineate the outdoor area on the Conditional Use  
22                    plan.  
23
- 24          h.     Disposal of wastes must be such that odors or other emissions are not  
25                    perceptible at lot lines.  
26
- 27          i.     On an ALPP purchased or dedicated easement property, the following  
28                    additional criteria are required:  
29                    (1)     The use shall not interfere with farming operations or limit future  
30                            farming production.  
31                    (2)     Any new building or building addition associated with the use,  
32                            including any outdoor storage and parking area shall count  
33                            towards the cumulative use cap of 2% of the easement.  
34  
35

1     ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act***  
2     ***shall become effective 61 days after its enactment.***

3

4

5

6

7

Amendment 1 to Council Bill No. 71-2016

BY: Mary Kay Sigaty

Legislative Day No: 1  
Date: 1/3/17

Amendment No. 1

(This amendment adds a definition for "Pet Day Care Facility" to the Zoning Regulations).

1 On the title page, in line 1 of the title, strike "Conditional Use section" and substitute "to  
2 add a new definition for Pet Day Care Facility and;".

3  
4 On page 1, immediately following line 5, insert the following:  
5 "Section 103.0: "Definitions"".

6  
7 Also on page 1, immediately following line 13, insert the following:

8 **"SECTION 103.0: Definitions**

9 **P**  
10 **PET DAY CARE FACILITY: AN ESTABLISHMENT WHERE, FOR A FEE, CARE AND SERVICES ARE**  
11 **PROVIDED FOR DOMESTIC PETS. SERVICES MAY INCLUDE GROOMING, TRAINING, EXERCISING, AND**  
12 **SOCIALIZING, BUT PETS ARE NOT TO BE BOARDED OVERNIGHT, BRED, SOLD, OR LET FOR HIRE."**

13  
14  
15

ADOPTED 1/3/17  
FAILED  
SIGNATURE *Jessica Feldman*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

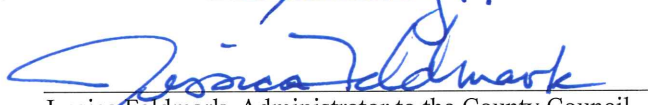
BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on January 14, 2017.

  
\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council