

Introduced \_\_\_\_\_  
Public hearing \_\_\_\_\_  
Council action \_\_\_\_\_  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

2015 Legislative Session

Legislative day # 8

**BILL NO. 37 – 2015 (ZRA – 155)**

**Introduced by the Chairperson  
at the request of Jonathan L. Miller and Sonya A. Miller**

**AN ACT** amending the Howard County Zoning Regulations' Home-Based Contractors conditional use to permit the Home-Based Contractors conditional use in the R-20 zoning district under certain conditions; and generally relating to Home-Based Contractors.

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Introduced and read first time \_\_\_\_\_, 2015. Ordered posted and hearing scheduled.

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

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2015 and concluded on \_\_\_\_\_, 2015.

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

This Bill was read the third time \_\_\_\_\_, 2015 and Passed \_\_\_, Passed with amendments \_\_\_, Failed \_\_\_.

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

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ a.m./p.m.

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

Approved/vetoed by the County Executive on \_\_\_\_\_, 2015.

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

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law.  
~~Strikeout~~ 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 to read as follows:

3  
4 *By amending:*  
5 *Section 131.0: "Conditional Uses"*  
6 *Subsection N. 28 "Home-Based Contractors"*

7  
8  
9  
10 **Howard County Zoning Regulations**

11  
12 **SECTION 131.0: CONDITIONAL USES**

13  
14 **N. Conditional Uses and Permissible Zoning Districts**

15  
16 **28. Home-Based Contractors**

17 A Conditional Use may be granted in the RC [[and]], RR AND R-20 Districts  
18 for home-based contractors, subject to the following requirements, except that  
19 landscape contractors have separate requirements elsewhere in Section  
20 131.0.N., and home-based contractors meeting the requirements of Section  
21 128.0.C.2 are permitted accessory uses:

22 a. The minimum lot size is three acres IN THE RC AND RR DISTRICTS; AND  
23 TWO ACRES IN THE R-20 DISTRICT.

24 b. The number of commercial vehicles parked on the site shall be limited to  
25 three commercial vehicles for lots up to six acres, and five commercial  
26 vehicles for lots larger than six acres and not more than 20 acres.

27 On lots larger than 20 acres, the Hearing Authority may approve  
28 additional commercial vehicles, as is determined to be appropriate based  
29 upon the character of the property and its relation to the surrounding area.

30 c. On lots six acres or fewer, the area used for parking and storage of  
31 commercial vehicles, equipment and supplies, whether exterior or  
32 interior, shall be limited to no more than 50% of the area of the lot or  
33 10,000 square feet, whichever is less. On lots larger than six acres, the  
34 area used for these purposes shall be limited to no more than 5% of the  
35 lot or one acre, whichever is less.

- 1 d. IN THE RR AND RC DISTRICTS, [[S]]structures used for the Conditional  
2 Use shall be at least 50 feet from lot lines and all outdoor parking or  
3 storage areas shall be at least 100 feet from lot lines. IN THE R-20  
4 DISTRICT, STRUCTURES USED FOR THE CONDITIONAL USE SHALL BE AT  
5 LEAST 30 FEET FROM LOT LINES AND ALL OUTDOOR PARKING OR  
6 STORAGE AREAS SHALL BE AT LEAST 50 FEET FROM LOT LINES.
- 7 e. The location and design of the operation shall be such that the use will  
8 not be a nuisance to residents of neighboring properties due to noise, dust  
9 or fumes. Particular consideration shall be given to the location of  
10 loading areas, parking and circulation areas, and driveways in relation to  
11 neighboring properties.
- 12 f. If the driveway providing access to the proposed site is shared with other  
13 properties, the petitioner shall demonstrate that the use will not result in  
14 damage to or deterioration of the shared driveway or in increased hazards  
15 to other users of the driveway.
- 16 g. Parking and storage areas shall be restricted as follows:
- 17 (1) Supplies shall be stored within a building, except that mulch,  
18 compost, soil, sand, stone and other natural materials may be  
19 stored outdoors. Supplies stored outdoors must be fully screened  
20 from surrounding properties and roads by vegetation, fencing or  
21 other appropriate means in accordance with the County  
22 Landscape Manual.
- 23 (2) Equipment shall be either stored within a building or screened  
24 from surrounding properties and roads by vegetation, fencing or  
25 other appropriate means in accordance with the Howard County  
26 Landscape Manual.
- 27 h. The Hearing Authority shall establish the maximum number of  
28 employees permitted on the lot and the maximum allowable number of  
29 employee trips per day.
- 30 i. The Hearing Authority shall establish the days and hours of operation.
- 31 j. New structures or additions to existing structures shall be designed to be  
32 compatible in appearance and scale with other residential or agricultural

1 structures in the vicinity, as demonstrated by architectural elevations or  
2 renderings that shall be submitted with the petition.

3 k. Minor repairs to vehicles or equipment shall be permitted, provided such  
4 activities take place inside a building. Body work, engine rebuilding,  
5 engine reconditioning, painting and similar activities shall not be  
6 permitted.

7 l. Where two or more adjacent lots are under common ownership and used  
8 as a single homesite, home-based contracting uses may be located on a  
9 different lot than the principal dwelling, if the Hearing Authority  
10 determines that this will provide a more compatible location in relation to  
11 vicinal properties that effective screening will be provided by using  
12 existing site features, or that it will result in decreased impacts on  
13 neighboring lots.

14 m. On an ALPP purchased or dedicated easement property, the following  
15 additional criteria are required:

- 16 (1) The use shall not interfere with the farming operations or limit  
17 future farming production.
- 18 (2) Any new building or building addition associated with the use,  
19 including any outdoor storage and parking area shall count  
20 towards the cumulative use cap of 2% of the easement.

21  
22 ***Section 2. Be it further enacted*** by the County Council of Howard County, Maryland, that the  
23 *publisher of the Howard County Zoning Regulations is authorized hereby to amend the Conditional*  
24 *Uses and Permissible Zoning Districts chart attached to Section 131 of the Zoning Regulations in*  
25 *order to reflect the substantive changes made by this Act.*

26  
27 ***Section 3. And Be It Further Enacted*** by the County Council of Howard County, Maryland, that this Act  
28 *shall become effective 61 days after its enactment.*