

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.

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~~ AND
23 ~~TWO ACRES IN THE R-20 DISTRICT. THE MINIMUM LOT SIZE IS 2.5 ACRES~~
24 IN THE R-20 DISTRICT AND THE LOT SHALL ABUT AN INTERMEDIATE
25 ARTERIAL HIGHWAY, AS DESIGNATED IN THE GENERAL PLAN.

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

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

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

1 area used for these purposes shall be limited to no more than 5% of the
2 lot or one acre, whichever is less.

3 d. IN THE RR AND RC DISTRICTS, ~~[[S]]~~structures used for the Conditional
4 Use shall be at least 50 feet from lot lines and all outdoor parking or
5 storage areas shall be at least 100 feet from lot lines. ~~IN THE R-20~~
6 ~~DISTRICT, STRUCTURES USED FOR THE CONDITIONAL USE SHALL BE AT~~
7 ~~LEAST 30 FEET FROM LOT LINES AND ALL OUTDOOR PARKING OR~~
8 ~~STORAGE AREAS SHALL BE AT LEAST 50 FEET FROM LOT LINES.~~

9 E. IN THE R-20 DISTRICT, STRUCTURES FOR AND USES OF THE HOME-
10 BASED CONTRACTOR CONDITIONAL USE SHALL BE RESTRICTED AS
11 FOLLOWS:

12 (1) THE USE SHALL NOT ALTER THE RESIDENTIAL APPEARANCE
13 OF THE NEIGHBORHOOD.

14 (2) THE STRUCTURES USED FOR THE CONDITIONAL USE SHALL
15 BE AT LEAST 100 FEET FROM THE NEAREST RESIDENTIAL LOT
16 LINES.

17 (3) OUTDOOR PARKING OR STORAGE AREAS SHALL BE AT LEAST 75
18 FEET FROM RESIDENTIAL LOT LINES AND SCREENED FROM
19 PUBLIC STREETS AND RESIDENTIAL LOTS BY SOLID WALLS,
20 FENCES, OR A TREE BUFFER AT LEAST 25 FEET WIDE.

21 ~~e.F.~~ The location and design of the operation shall be such that the use will
22 not be a nuisance to residents of neighboring properties due to noise, dust
23 or fumes. Particular consideration shall be given to the location of
24 loading areas, parking and circulation areas, and driveways in relation to
25 neighboring properties.

26 ~~f.G.~~ If the driveway providing access to the proposed site is shared with other
27 properties, the petitioner shall demonstrate that the use will not result in
28 damage to or deterioration of the shared driveway or in increased hazards
29 to other users of the driveway.

30 ~~g.H.~~ Parking and storage areas shall be restricted as follows:

31 (1) Supplies shall be stored within a building, except that mulch,
32 compost, soil, sand, stone and other natural materials may be
33 stored outdoors. Supplies stored outdoors must be fully screened

1 from surrounding properties and roads by vegetation, fencing or
2 other appropriate means in accordance with the County
3 Landscape Manual.

4 (2) Equipment shall be either stored within a building or screened
5 from surrounding properties and roads by vegetation, fencing or
6 other appropriate means in accordance with the Howard County
7 Landscape Manual.

8 ~~h.I.~~ The Hearing Authority shall establish the maximum number of
9 employees permitted on the lot and the maximum allowable number of
10 employee trips per day.

11 ~~i.J.~~ The Hearing Authority shall establish the days and hours of operation.

12 ~~j.K.~~ New structures or additions to existing structures shall be designed to be
13 compatible in appearance and scale with other residential or agricultural
14 structures in the vicinity, as demonstrated by architectural elevations or
15 renderings that shall be submitted with the petition.

16 ~~k.L.~~ Minor repairs to vehicles or equipment shall be permitted, provided such
17 activities take place inside a building. Body work, engine rebuilding,
18 engine reconditioning, painting and similar activities shall not be
19 permitted.

20 ~~l.M.~~ Where two or more adjacent lots are under common ownership and used
21 as a single homesite, home-based contracting uses may be located on a
22 different lot than the principal dwelling, if the Hearing Authority
23 determines that this will provide a more compatible location in relation to
24 vicinal properties that effective screening will be provided by using
25 existing site features, or that it will result in decreased impacts on
26 neighboring lots.

27 ~~m.N.~~ On an ALPP purchased or dedicated easement property, the following
28 additional criteria are required:

29 (1) The use shall not interfere with the farming operations or limit
30 future farming production.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

(2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.

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

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