

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2017 Legislative Session

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**Reference No.:** CB-033-2017

**Draft No.:** 2

**Committee:** PLANNING, ZONING AND ECONOMIC DEVELOPMENT

**Date:** 4/19/2017

**Action:** FAV (A)

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Committee Vote: Favorable as amended, 4-0 (In favor: Council Members Harrison, Franklin, Glaros and Toles)

Council staff summarized the purpose of CB-33-2017 and informed the committee of referral comments that were received. Council Vice-Chair Glaros, the bill's sponsor, informed the Committee that the provisions of the bill are intended to address the commercialization of residential property in the R-55 Zone. The legislation adds a square footage limitation for a home occupation and requires the person conducting the business to be a full-time resident.

The Planning Board supports the legislation with amendments as detailed in an April 12, 2017 letter to the Council Chairman. The Zoning and Legislative Counsel presented a Proposed Draft-2 (DR-2) prepared at the sponsor's request to address suggested Planning Board amendments as well as written comments received from the Chief Zoning Hearing Examiner (ZHE) by memorandum dated April 11, 2017 to the Committee Director. Proposed DR-2 included the following revisions: on page 1, lines 2 and 3, delete "Home-Based Businesses" and insert "Home Occupation"; on page 2, line 9, further clarify 25% by adding "of the total square footage of the dwelling unit"; on page 2, line 10, remove the brackets around "It is incidental and secondary to the main residential use of the dwelling unit" and on page 3, line 4, after "odor", strike "glare".

Harold Johnson, representing Nails by Design, addressed the Committee requesting an amendment on page 3, line 22 and on page 4, line 7 to change "one (1) chair" to "two (2) chairs." The Committee discussed increasing the 25% total square footage limitation to ensure the resident has sufficient space to conduct a business especially within smaller residences.

The Committee voted favorably on Proposed DR-2 including the amendment requested by Mr. Johnson, as well as an additional amendment on page 2, line 9, to change "twenty-five percent (25%) to "thirty-three percent "(33%).