

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**SITTING AS THE DISTRICT COUNCIL**  
**2017 Legislative Session**

Bill No. CB-33-2017

Chapter No. \_\_\_\_\_

Proposed and Presented by Council Member Glaros

Introduced by \_\_\_\_\_

Co-Sponsors \_\_\_\_\_

Date of Introduction April 25, 2017

**ZONING BILL**

1 AN ORDINANCE concerning

2 Residential Zones—Accessory Uses—Home Occupation

3 For the purpose of amending the definition of Home Occupation within the Zoning Ordinance  
4 and permitting the use in the residential zones of Prince George's County, under certain specified  
5 circumstances.

6 BY repealing and reenacting with amendments:

7 Section 27-107.01,

8 The Zoning Ordinance of Prince George's County, Maryland,

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2015 Edition, 2016 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
15 District in Prince George's County, Maryland, that Section 27-107.01 of the Zoning Ordinance of  
16 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,  
17 be and the same is hereby repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 2. GENERAL.**

20 **DIVISION 1. DEFINITIONS.**

1 **Sec. 27-107.01. Definitions.**

2 (a) Terms in the Zoning Ordinance are defined as follows:

3 \* \* \* \* \*

4 (118) **Home Occupation:** Any occupation or enterprise for gain or profit carried on in  
5 a dwelling unit and meeting the following criteria:

6 (A) [It is customarily conducted entirely within a dwelling unit solely by the  
7 residents;] The business shall be located within the dwelling unit or a permitted accessory  
8 building associated with the dwelling unit, and shall involve an area that does not exceed thirty-  
9 three percent (33%) of the total square footage of the dwelling unit; and

10 (B) It is incidental and secondary to the main residential use of the dwelling unit;  
11 the principal person conducting the business use shall be a full-time resident of the dwelling unit;

12 (C) It does not change the residential character or external appearance of the  
13 dwelling unit, its associated structures, or its [primary] principal residential use, nor does it have  
14 any exterior evidence, other than a permitted sign, to indicate that the dwelling unit is used for  
15 any but residential purposes;

16 (D) [It has no on-premises storage of merchandise to be sold and used or  
17 equipment or materials to be used off the premises, unless storage is specifically permitted;]  
18 There shall be no outdoor display or storage of goods, equipment, or services associated with the  
19 business, and the business shall not involve significantly greater volumes or frequencies of  
20 deliveries or shipments, vehicular traffic, or pedestrian traffic than normally expected in a  
21 residential area;

22 (E) [Employment of nonresidents is prohibited unless specifically permitted as  
23 provided below] There shall be no more than two (2) employees who do not reside in the  
24 dwelling unit;

25 (F) Off-street parking requirements in Part 11 do not apply to home occupations;

26 (G) Not more than two (2) vehicles associated with the home occupation or  
27 enterprise may be based at the subject property, nor parked on-site or off-site or on a public street  
28 within four hundred (400) yards from the property. Upon request by the Department of  
29 Permitting, Inspections, and Enforcement, each dwelling unit resident shall provide for  
30 inspection the Motor Vehicle Administration registrations for all vehicles owned or leased by the  
31 resident, titled in the business name, or listed as business personal property on the resident's or

1 the business' income or property tax returns;

2 (H) The business shall not result in adverse noise, vibration, odor, fumes, or  
 3 electrical or communications interference (including visual or audible interference with radio or  
 4 television reception) that can be detected by the normal senses off the premises.

5 (I) The business is in conformance with all applicable licensing, permitting, and  
 6 any other State or local regulatory requirements;

7 (J) The following uses are permitted as a home occupation accessory to a  
 8 dwelling unit, subject to restrictions in the definitions of those uses, and with additional  
 9 restrictions as indicated:

10 (i) Instruction that involves a single instructor and not more than five (5)  
 11 students at any one time;

12 (ii) General clerical work (such as typing, envelope or flyer preparation or  
 13 mailing, bookkeeping, and the like), with no more than two (2) nonresident employees on the  
 14 premises at any time;

15 (iii) Retail businesses involving only door-to-door, home party, or mail-  
 16 order sales, with temporary storage of merchandise permitted prior to delivery;

17 (iv) The practice of electrolysis (the destruction of hair roots with an electric  
 18 current);

19 (v) The practice of taxidermy;

20 (vi) Nail salons, beauty parlors and barber shops of [one (1) chair] two (2)  
 21 chairs;

22 (vii) Catering businesses limited to food preparation for off-premises  
 23 delivery, with no more than one (1) nonresident employee and one (1) customer on the premises  
 24 at any time. The business shall be on property of at least ten (10) contiguous acres and may be in  
 25 the dwelling unit or in an accessory building subordinate to the dwelling in size and use;

26 (viii) The creation, production, and storage within the dwelling unit and  
 27 accessory buildings, for sale at another location, of tangible objects of art or craft items, works in  
 28 progress, and supplies and materials; and

29 (ix) The practice of acupuncture.

1            [(I)] (K) The following uses are not permitted as a home occupation accessory to a  
2 dwelling unit:

3                            (i) Fortunetelling;

4                            (ii) Nursing or care homes, family or adult day care centers, congregate  
5 living facilities, group residential facilities, hospitals, and the like;

6                            (iii) Tourist homes;

7                            (iv) Nail salons, beauty parlors, or barber shops of more than [one (1) chair]  
8 two (2) chairs;

9                            (v) Businesses, trades, offices, or enterprises which use more than two (2)  
10 commercial vehicles, alter the residential appearance of the dwelling, or adversely impact the  
11 residential character of the neighborhood; and

12                            (vi) Wholesale dealers' display, storage or repair of vehicles.  
13

1 SECTION 2 BE IT FURTHER ENACTED that this Ordinance shall take effect on the date  
2 of its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

COUNTY COUNCIL OF PRINCE GEORGE’S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE’S COUNTY,  
MARYLAND

BY: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.