

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2014 Legislative Session**

Bill No. CB-72-2014
Chapter No. 52
Proposed and Presented by Council Member Olson
Introduced by Council Members Olson, Campos and Patterson
Co-Sponsors _____
Date of Introduction September 30, 2014

ZONING BILL

1 AN ORDINANCE concerning

2 Home Occupations

3 For the purpose of amending the definition of Home Occupation to include the practice of
4 acupuncture.

5 BY repealing and reenacting with amendments:

6 Section 27-107.01 (a) (118),

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

8 being also

9 **SUBTITLE 27. ZONING.**

10 The Prince George's County Code

11 (2011 Edition; 2013 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
14 District in Prince George's County, Maryland, that Section 27-107.01 (a) (118) of the Zoning
15 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
16 County Code, be and the same is hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**

18 **PART 2. GENERAL.**

19 **DIVISION 1. DEFINITIONS.**

20

1 **Sec. 27-107. 01. Definitions.**

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

3 * * * * *

4 (3.1) **Acupuncture:** A medical practice or procedure that treats illness by the insertion
5 of needles at specified sites of the body. The use may include treatment for humans or animals.
6 The acupuncture of animals by a licensed acupuncturist requires certification from the Maryland
7 University of Integrative Health.

8 * * * * *

9 (118) **Home Occupation:**

10 Any occupation or enterprise for gain or profit carried on in a dwelling unit and
11 meeting the following criteria:

- 12 (A) It is customarily conducted entirely within a dwelling unit solely by the
13 residents;
- 14 (B) It is incidental and secondary to the main residential use of the dwelling unit;
- 15 (C) It does not change the residential character or appearance of the dwelling or
16 its primary residential use, nor does it have any exterior evidence, other than a permitted sign, to
17 indicate that the dwelling is used for any but residential purposes;
- 18 (D) It has no on-premises storage of merchandise to be sold and used or
19 equipment or materials to be used off the premises, unless storage is specifically permitted;
- 20 (E) Employment of nonresidents is prohibited unless specifically permitted as
21 provided below;
- 22 (F) Off-street parking requirements in Part 11 do not apply to home occupations;
- 23 (G) Not more than two (2) vehicles associated with the home occupation or
24 enterprise may be based at the subject property, nor parked on-site or off-site or on a public street
25 within four hundred (400) yards from the property. Upon request by the Department of
26 Permitting, Inspections, and Enforcement, each dwelling unit resident shall provide for
27 inspection the Motor Vehicle Administration registrations for all vehicles owned or leased by the
28 resident, titled in the business name, or listed as business personal property on the resident's or
29 the business' income or property tax returns;

1 (H) The following uses are permitted as a home occupation accessory to a
 2 dwelling, subject to restrictions in the definitions of those uses, and with additional restrictions as
 3 indicated:

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

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

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

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

13 (v) The practice of taxidermy;

14 (vi) Nail salons, beauty parlors and barber shops of one (1) chair;

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

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

22 (ix) The practice of acupuncture;

23 (I) The following uses are not permitted as a home occupation accessory to a
 24 dwelling:

25 (i) Fortunetelling;

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

28 (iii) Tourist homes;

29 (iv) Nail salons, beauty parlors, or barber shops of more than one (1) chair;

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

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

* * * * *

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
2 (45) calendar days after its adoption.

Adopted this 28th day of October , 2014.

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: _____
Mel Franklin
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.