

DEPARTMENT OF PLANNING AND ZONING CUSTOMER ASSISTANCE GUIDE

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HOME OCCUPATIONS

REVISED MAY 2006

Home Occupations are defined by the Zoning Ordinance as, "Any activity carried out for gain by a resident as an accessory use in the residents' dwelling unit. This definition does not apply to business activities conducted on farms, as permitted by the Zoning Ordinance." A home occupation is permitted in all zoning districts except WL (Wetlands). Conditions are imposed so that the home occupation does not change the residential character of the neighborhood, and that the use of the dwelling for the home occupation is incidental to its primary use as a residence.

The intent of providing zoning authorization for home occupations is to allow for the growth and development of small businesses. Applicants for home occupations should be aware that when the scale and intensity of their business activity expands to such a level that the business no longer meets the regulations, they need to find a commercial site.

SUMMARY OF HOME OCCUPATION RULES & REGULATIONS

See Section 3-1.05 (Use #14 & 15) of the Zoning Ordinance for regulations

- 1. Types of businesses permitted as home occupations.** Home occupations should be service-oriented, as no retail sales are permitted. Any uses that are listed separately in the Land Use Charts of the Zoning Ordinance shall not be permitted as home occupations (e.g., automobile repair, commercial studios, commercial performing arts studios, etc.). Condition #8 provides an exception to this provision for the following uses: non-medical offices, medical offices, office support services, home studios, and personal service uses.
- 2. Square footage of the area that can be used for the home occupation.** The occupation can not utilize more than 600 square feet, including storage. However, the use of a tobacco barn is permitted, regardless of size, with the conditions that (a) the barn shall have been in existence as of the effective date of the Zoning Ordinance (05/01/06); and (b) the barn shall be constructed of wood.
- 3. Location of the business.** The occupation must be conducted within the dwelling or a secondary structure (such as a garage).
- 4. Employees.** The business must be conducted by residents who reside on the premises. (A special exception may be obtained from the Board of Appeals for permission to hire up to two full-time non-resident employees.)

5. **Retail sales not permitted.** No article or commodity may be offered for sale or publicly displayed on the premises except those incidental to the services offered. Off-premise retail sales are allowed.
6. **Parking requirements for a home occupation.** If customers come to the premise (i.e. art classes, beauty salons, etc.), adequate off-street parking must be available so that there is no parking on a right-of-way. If road access to the home occupation is gained through another person's property via an easement/right-of-way, and such access is within 60' of any residence, written approval from those property owners must be obtained.
7. **Home occupations on property that is rented.** If the property is rented, written approval from the owner must be obtained to allow the occupation on the premises. If any violation of the home occupation regulations occurs, the property owner will be held responsible.
8. **Storage associated with the home occupation.** The Zoning Ordinance does not allow outside storage of equipment, materials or items to be repaired. All storage must be kept within the house or accessory building. Such storage is included in the 600 square foot limits.
9. **Sign regulations.** A 4-square-foot sign is permitted for a home occupation. If in a Town Center, Architectural approval may be required before the sign is erected. No sign permit is required, but the following additional conditions apply (See Section 6-8.05.B of the Zoning Ordinance):
 - a. The maximum height of home occupation signs shall be six feet;
 - b. Materials shall be limited to wood or a material that has the appearance of wood;
 - c. No window signs shall be permitted; and
 - d. No internally illuminated signs are permitted.
10. **Other types of licensing.** For home improvement businesses, contractors must also have a Maryland Home Improvement Commission License. For some businesses, a license from the Clerk of the Circuit Court is required, in addition to zoning approval from the Department of Planning and Zoning. If a business license is required, the applicant must provide the approved Home Occupation Permit to the Clerk of the Circuit Court. **The Department of Planning and Zoning will not approve the business license until the Home Occupation Permit has been approved, paid for, and a receipt is provided.**

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