



# Frequently Asked Questions (FAQs) Permitted Land Uses and Structures

## **How do I determine which uses are permitted on a property?**

*The zoning district in which the property is located determines the permitted uses. Each zoning district contains primary uses, accessory uses, and conditional uses. Any use not listed as permitted is prohibited.*

*The Zoning Regulations can be found at the following link:*

[https://library.municode.com/md/howard\\_county/codes/zoning](https://library.municode.com/md/howard_county/codes/zoning)

*Primary or principal uses are those uses permitted as a matter of right in the specific zoning district.*

*Accessory uses are uses normally and customarily incidental and subordinate to a primary use and may be permitted by right or require a permit from the Department of Planning and Zoning as required in [Section 128.0](#) of the Zoning Regulations.*

*Conditional uses (formerly called special exceptions) are land uses and activities which require approval by the Hearing Authority for a specific location, based upon criteria established in the zoning regulations. The uses, criteria, and process are found in [Sec. 131.0](#) of the Zoning Regulations.*

## **How do I find out more information about Conditional Uses?**

*Information regarding the Hearing Examiner's rules of procedures, schedule, and decisions can be found at the following link:*

<https://cc.howardcountymd.gov/Zoning-Land-Use/Hearing-Examiner>

## **Can I operate a business out of my house?**

*Yes, in limited circumstances.*

*Home occupations may be permitted as an accessory use in some residential zoning districts and in residential land use areas of the multi-use districts, subject to compliance with [Section 128.0.C](#) of the Zoning Regulations.*

*A home occupation permit is required for occupations which require DPZ approval of a federal, state or local permit or license. A permit is required for all home-based contractor businesses. The applications can be obtained under “Zoning” at:*

<https://www.howardcountymd.gov/Departments/Planning-and-Zoning/Application-Forms-and-Fees>

## **I want to have an in-law suite on my property or rent out an apartment. Is this permitted?**

*An accessory apartment, or a second dwelling unit, may be permitted if listed in the accessory use section of the applicable zoning district. The accessory apartment must be within a single-family detached home, comply with the specific zoning districts accessory use requirements, and comply with Section [128.0.A.13](#) of the zoning regulations.*

*The application can be obtained under “Zoning” at:*

<https://www.howardcountymd.gov/Departments/Planning-and-Zoning/Application-Forms-and-Fees>

## **Are there any restrictions on parking or storing vehicles on residential property?**

*Parking is a permitted accessory use in residential zoning districts. Refer to each zoning district’s accessory use section for the number of off-street parking of commercial vehicles.*

*In residential districts, off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles are not permitted unless in accordance with [Section 128.0.D.9](#) of the zoning regulations.*

*On residential lots less than one acre no more than 4 motor vehicles may be parked in the front yard and must be parked on asphalt, concrete, paver or any other hard surfaced, dustless materials (refer to [Section 128.0.A.14.c](#)).*

*On lots 20,000 square feet or smaller, storage of recreational vehicles or boats shall be limited to the following:*

- a. One recreational vehicle with a length of 30 feet or less; and*
- b. One boat with a length of 20 feet or less.*

*The police department enforces parking or storage of vehicles on public roads.*

## **What are the regulations for livestock and chicken keeping on residential property?**

*The zoning regulations permit the keeping of chickens and livestock as an accessory use to a residence.*

*Residential chicken keeping is permitted on residential lots between 10,000 and 40,000 square feet permit subject to the requirements of [Section 128.0.D.10](#) of the zoning regulations. The maximum number of chickens is eight hens. Roosters are prohibited.*

*Livestock keeping is permitted on residential lots 40,000 square feet or larger subject to the requirements of [Section 128.0.D.11](#) of the zoning regulations. The number of livestock is based on the Animal Unit definition in [Sec. 103.0](#).*

*There is no limitation on the number of livestock on a farm, which is defined as a lot or parcel of land used for farming that is 3.0 acres or larger.*

## **What kind of uses are allowed on farms?**

See the definition of Farming in [Section 103.0](#) for uses permitted by right.

Additional uses identified in [Sec. 128.0.I](#) are allowed through a Special Farm Permit

Furthermore, [Section 131.0](#) contains uses that are allowed on farms through a Conditional Use.

## **Can I convert my home into an assisted living facility?**

*In most residential zoning districts, assisted living facilities for up to eight persons are permitted as an accessory use. Care of more than eight persons may be permitted as a “Nursing Homes and Residential Care Facilities” conditional use. See [Section 131.0.N.38](#) for the specific requirements.*

## **I am a business owner and want to move into a new tenant space. What plans need to be processed through Planning and Zoning?**

*The proposed use must be a permitted use in the zoning district and the use must be indicated on the approved site development plan. If the use is not indicated on the site development plan a redline revision to the site plan may be required. The following link provides and overview of the “redline” revision process:*

<https://www.howardcountymd.gov/LinkClick.aspx?fileticket=9xmqGhVswsw%3d&portalid=0>

## **How do I obtain a letter from the zoning division that states that my proposed business is allowed?**

*Please submit the following application:*

<https://www.howardcountymd.gov/LinkClick.aspx?fileticket=fzC01uFh0D8%3d&portalid=0>

## **How do I obtain a zoning verification letter?**

*Please submit the following application:*

<https://www.howardcountymd.gov/LinkClick.aspx?fileticket=xVDfVIVqDQM%3d&portalid=0>

## **Buildings/Structures**

### **Do I need a permit to construct a structure on my residential property?**

*Permits are issued by the Department of Inspections, Licenses and Permits at 410-313-2455 or: <https://www.howardcountymd.gov/Departments/Inspections-Licenses-and-Permits>.*

### **How big can my garage or accessory building be?**

*Garages/accessory buildings cannot be larger than the principal use building. Additionally, the maximum cumulative lot coverage permitted for all of the accessory structures located on any given residential lot developed with a single-family detached dwelling is:*

- (a) 600 square feet for a lot in the planned public water and sewer service area.*
- (b) 1,200 square feet for a lot in the RC or RR district which is 2 acres or less*
- (c) 2,200 square feet for a lot in the RC or RR district which is greater than 2 acres.*

*The cumulative lot coverage restrictions cited above shall apply to all accessory structures on any residentially zoned lot developed with a single-family detached dwelling, excepting only legitimate farm buildings located on properties meeting the definition of "farm", shipping containers used as accessory storage structures, and swimming pools. Farm structures, shipping containers used as accessory storage structures, and swimming pools are not subject to size restrictions; however, they must be subordinate and incidental to the principal use.*

### **Can I put a bathroom and/or kitchen in my accessory building?**

*Full baths, full kitchens, residential habitation and commercial uses are not permitted in accessory structures.*

### **How do I determine the setback and height restrictions ( i.e. Bulk Regulations) for a property?**

*Structures must comply with the setback and height limits listed in the bulk requirements section of the specific zoning district in which the property is located. Each zoning district has setbacks for principal and accessory structures. Structures attached to the principal structure must meet the principal structure setbacks, and structures detached from the principal structure must meet the accessory structure setbacks and maximum lot coverage requirements of [Section 128.0.A.12](#).*

### **Are there exceptions to the setback and height requirements?**

*Yes, [Section 103.0 – "Structure"](#) and [Section 128.0.A](#) identify exceptions to the bulk regulations.*

*Additionally, bulk regulations may be adjusted through an Administrative Adjustment or*

*Variance. Information on these processes can be found at:*

<https://www.howardcountymd.gov/Departments/Planning-and-Zoning/Zoning/Zoning-Administration>

**I want to build a fence on my residential property. What are my setback restrictions?**

*Fences, walls and retaining walls are subject to [Section 128.0.A.9](#) of the zoning regulations.*

*Essentially, closed fences, walls and retaining walls three feet in height or less, noise walls of any height, and open fences six feet in less in height are exempt from all structure and use setbacks. Refer to the complete section for other exemptions.*