

Cottage Food Businesses as Home Occupations

For the purpose of adding a definition of “cottage food business” to Title 21 (Planning and Zoning) of the Code of the City of Annapolis; amending § 21.64.330 (Home Occupations) to expressly permit cottage food businesses as a home occupation; and generally relating to cottage food businesses and home occupations.

City Council of the
City of Annapolis

Ordinance 15-26

Introduced by: Alderman Schandelmeier
Co-sponsored by:

Referred to:

- Planning and Zoning Commission
- Rules and City Government Committee

AN ORDINANCE concerning

Cottage Food Businesses as Home Occupations

FOR the purpose of adding a definition of “cottage food business” to Title 21 (Planning and Zoning) of the Code of the City of Annapolis; amending § 21.64.330 (Home Occupations) to expressly permit cottage food businesses as a home occupation; and generally relating to cottage food businesses and home occupations.

BY repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2026 Edition:

- **Section 21.72.010**
- **Section 21.64.330**

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Title 21 - Planning and Zoning
Division VI – General Terms and Rules of Measurement
Chapter 21.72 – Terms and Definitions

Explanation Note: Strikethrough indicates matter stricken from existing law.
Underlining & black means copyediting or reformatting of existing Code section
Underlining & red means new matter added to the code.

Section 21.72.010 – Terms.

[The following definition is added to Division VI (Definitions) of Title 21 (Planning and Zoning) of the Code of the City of Annapolis, in appropriate alphabetical order.]

“Cottage food business” is a home occupation that meets the definition of ‘Cottage food business’ set forth in Md. Health-General Code Ann. § 21-301(b-1), as amended from time to time. Approved cottage food product items generally include baked goods, jams, jellies, candies, dry mixes, and snacks that do not require refrigeration for safety.

Title 21 — Planning and Zoning
Chapter 21.64 — Use Standards
Section 21.64.330 — Home Occupations

Section 21.64.330. Home Occupations.

A. Area. The total floor area utilized for the occupation, including both indoor and outdoor areas, shall not exceed twenty-five percent of the total floor area of the dwelling unit.

B. Operators. Operators of a home occupation must use the principal building on the zoning lot as their primary residence.

C. Employees. Not more than one nonresident of the zoning lot may be employed in a home occupation.

D. Permitted Occupations. Home occupations may include the uses listed below:

1. Arts and crafts studios,
2. Beauty parlors limited to one chair, this use is permitted in the R3-Revitalization and the R4-Revitalization districts only,
3. Business and professional offices,
4. Computer services,
5. Cottage food businesses,
- ~~6~~7. Dressmaking, tailoring and similar uses,
- ~~7~~8. Photography studios,
- ~~8~~9. Repair services for bicycles, cameras, clocks, computers, jewelry, or small appliances,
- ~~9~~10. Tutoring, including music and dance, and
- ~~10~~11. Other similar uses consistent with the provisions of this section.

E. Prohibited Occupations. The following uses are not permitted as home occupations:

Explanation Note: ~~Strikethrough~~ indicates matter stricken from existing law.
Underlining & black means copyediting or reformatting of existing Code section
Underlining & red means new matter added to the code.

1. Beauty parlors including hairdressing, except as otherwise permitted in this section,
 2. ~~Food~~ Commercial food preparation services, including catering; however, cottage food businesses complying with applicable State law shall not be deemed prohibited food preparation services.
 3. Furniture refinishing,
 4. Rental services,
 5. Manufacturing and processing operations other than the production of arts and crafts,
 6. Motor vehicle sales, repair or painting, and
 7. Other uses inconsistent with the provisions of this section.
- F. On-Premise Sales.** Home occupations shall not sell goods on the premises in the same form as that in which the goods are purchased by the operators; and only articles or services produced on the premises shall be displayed or sold.
- G. Appearance and Character.** A home occupation shall not alter the residential appearance and character of the dwelling, accessory building, or zoning lot.
- H. Exterior Evidence.**
- There shall be no exterior evidence, other than a sign, to indicate that the lot is being used for any purpose other than that of a dwelling. Exterior evidence shall include outdoor display or storage of merchandise ~~or of service vehicles~~, noise, dust, vibration, glare, fumes, odors or extensive parking area.
- I. Parking.** No off-street parking provided for a home occupation shall be located in a required front yard.
- J. Sewer System.**
- A cottage food operator shall not discharge fats, oils, or grease to the City sewer system. Operators shall implement source control, including collecting, cooling, and disposing of fats, oils, and grease as solid waste rather than through drains. The Director of Public Works may require a grease interceptor or grease recovery unit at a specific address for cause.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that:

1. The Department of Planning and Zoning shall promulgate such regulations and guidance documents necessary for full implementation of this Ordinance; and
2. This Ordinance shall take effect 30 days after adoption, to give the Planning and Zoning Department time to implement it.

Explanation Note: ~~Strikethrough~~ indicates matter stricken from existing law.
Underlining & black means copyediting or reformatting of existing Code section
Underlining & red means new matter added to the code.