

Mary Kay Sigaty, Councilperson,
Petitioner

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PLANNING BOARD OF

*

HOWARD COUNTY, MARYLAND

ZRA-174

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MOTION: *To recommend approval with revisions of the request to amend Section 103.0 of the Zoning Regulations to add a new definition for Cottage Food Business and Section 128.0.C to add Cottage Food Business as a permitted Accessory Use Home Occupation.*

ACTION: *Recommended approval with revisions; Vote 5 to 0.*

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RECOMMENDATION

On March 2, 2017 the Planning Board of Howard County, Maryland, considered the petition of Mary Kay Sigaty, Councilperson, to amend Section 103.0 and Section 128.0.C. of the Howard County Zoning Regulations (HCZR). The proposed amendment will add a new definition for Cottage Food Business and add Cottage Food Business as a permitted Accessory Use Home Occupation.

The Planning Board considered the petition, the Department of Planning and Zoning (DPZ) Technical Staff Report, and DPZ's recommendation to approve the petition with revisions.

Mary Kay Sigaty testified in support of the petition. The amendment will allow individuals to create certain products in a residential kitchen for sale at farmers' markets and other limited events. Maryland state law defines Cottage Food Businesses, specifically lists products allowed to be sold, and identifies limited events where products may be sold. The category is consistent with Accessory Use Home Occupation regulations because retail sales from a residence are not permitted and the amendment will facilitate small business opportunities otherwise not available to residents. Ms. Sigaty requested that the Planning Board amend DPZ's proposed text for Section 103.0 to strike the numbered section reference and the text "as amended", add "Code of Maryland Regulations" and place parentheses around "COMAR".

Board Discussion and Recommendation

In work session, one board member asked why the rules are more lax for the proposed category than for catering. Ms. Sigaty noted that Cottage Food Businesses are permitted in residential kitchens while catering requires a commercial kitchen. In addition, Cottage Food Businesses are very limited as to permitted product type and sales venues and amounts. A board member asked what constitutes a public event as mentioned in the definition. Ms. Sigaty responded that in addition to farmers' markets, events such as PTA bake sales and craft shows are included.

Board members unanimously supported the amendment and concurred that the noted text changes will provide needed clarification for residents conducting a Cottage Food Business.

Motion and Vote

Mr. Coleman made a motion to approve the petition in accordance with the recommendations of the Technical Staff Report, Exhibit B, with the noted revision to the Section 103.0 text to strike the numbered section reference and the text "as amended", add "Code of Maryland Regulations" and place parentheses around "COMAR". Ms. Adler seconded the motion, which passed by a vote of 5 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 21 day of March, 2017, recommends that ZRA-174, as described above, be **APPROVED WITH REVISIONS**.

HOWARD COUNTY PLANNING BOARD



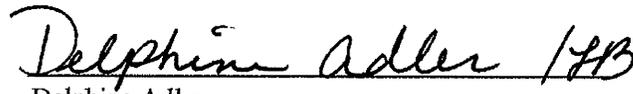
Phillip Engelke, Chair



Erica Roberts, Vice Chair



Jacqueline Easley

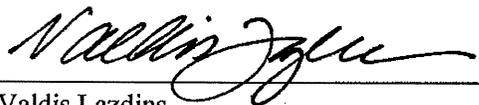


Delphine Adler



Edward Coleman

ATTEST:



Valdis Lazdins
Executive Secretary