

Bill No. 23-19

Concerning: Amend the Use Table to allow for Child Care Center/Nursery School in the ORI, amend the Design Requirements to provide specific design requirements related to the new use, and clarify child Care as an accessory use.

Introduced September 5, 2023

Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_

Enacted: October 17, 2023

Effective: December 16, 2023

Expires: December 4, 2023

Frederick County Code, Chapter 1-19

Section(s) 5.310, 6.100, 8.250.3

## COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Vice President Kavonté Duckett and Council Member Jerry Donald

**AN ACT** to: Amend the Use Table to allow for Child Care Center/Nursery School in the ORI, amend the Design Requirements to provide specific design requirements related to the new use, and clarify Child Care as an Accessory Use.

Date Council Approved: 10/17/2023 Date Transmitted to Executive: 10/17/2023

Executive: Jamie Hyatt Date Received: 10/19/2023

Approved: ✓ Date: 10/24/23

Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

Date returned to Council by County Executive with no action: \_\_\_\_\_

By amending:

Frederick County Code, 1-19 Section(s) 5.310, 6.100, 8.250.3

Other: \_\_\_\_\_

**Boldface**

Underlining

[Single boldface brackets]

\* \* \*

*Heading or defined term.*

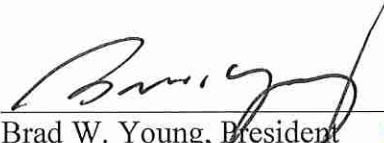

*Added to existing law.*

*Deleted from existing law.*

*Existing law unaffected by bill.*

The County Council of Frederick County, Maryland, wishes to facilitate options for working families in need of child care; and the availability of Office/Research Industrial (ORI) zoned property in the County presents opportunities for such facilitation; therefore, the County Council of Frederick County, Maryland finds it necessary and appropriate to amend the Frederick County Code to **Amend § 1-19-5.310 USE TABLE** to allow for Child Care Center/Nursery School in the ORI, to **Amend § 1-19-6.100. DESIGN REQUIREMENTS FOR SPECIFIC DISTRICTS** to provide specific design requirements related to the new use, and to **Amend § 1-19-8.250.3 CHILD CARE CENTERS IN THE ORI DISTRICT** to clarify Child Care as an Accessory use in ORI.

NOW, THEREFORE, BE IN ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby, amended as shown on Exhibit 1.

  
\_\_\_\_\_  
Brad W. Young, President   
County Council of Frederick County,  
Maryland

**Exhibit 1**

**§ 1-19-5.310. USE TABLE.**

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	<i>Zoning Districts</i>													
<i>Uses</i>	<i>RC</i>	<i>A</i>	<i>R1</i>	<i>R3</i>	<i>R5</i>	<i>R8</i>	<i>R12</i>	<i>R16</i>	<i>VC</i>	<i>MX</i>	<i>GC</i>	<i>ORI</i>	<i>LI</i>	<i>GI</i>
<i>Institutional</i>														
<i>Uses</i>	<i>RC</i>	<i>A</i>	<i>R1</i>	<i>R3</i>	<i>R5</i>	<i>R8</i>	<i>R12</i>	<i>R16</i>	<i>VC</i>	<i>MX</i>	<i>GC</i>	<i>ORI</i>	<i>LI</i>	<i>GI</i>
<i>Child care center/nursery school</i>	-	E	E	E	E	E	PS	PS	PS	PS	PS	<u>PS</u>	E	

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**§ 1-19-6.100. DESIGN REQUIREMENTS FOR SPECIFIC DISTRICTS.**

<i>Use Classification</i>	<i>Minimum Lot Area</i>	<i>Minimum Lot Area per Unit</i>	<i>Lot Width</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Height</i>
<i>Office/Research Industrial District ORI</i>							
<u>Other commercial uses and institutional uses</u>	40,000	-	100	50 <sup>2</sup>	25 <sup>2</sup>	40 <sup>2</sup>	60'

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**§ 1-19-8.250.3. CHILD CARE CENTERS AS AN ACCESORY USE IN THE ORI DISTRICT.**

In the ORI zoning district, a child care center may [shall] be an accesory [a secondary] use within a building utilized for a permitted use and the child care center shall not utilize more than 10% of the building floor area on the particular lot on which such child care center is located.

Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

\*\*\* - indicates existing law unaffected by bill.

Bill No. 23-19

1 The minimum size of a child care center shall be determined based on the amount of square  
2 footage required under the State of Maryland Code of Regulations 10.05.01. All recreational and  
3 open space shall be in accordance with state regulations. Play areas provided must be fully  
4 fenced.

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