

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO. 10-2014**

AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE TO AMEND THE TOWN'S ZONING ORDINANCE CODIFIED AS CHAPTER 170 OF THE TOWN CODE TO ALLOW BY SPECIAL EXCEPTION, DAY CARE CENTERS IN THE CENTRAL BUSINESS DISTRICT, C-2 AND C-3 DISTRICTS AND ENFORCE THE TOWN'S ZONING ORDINANCE MORE EFFECTIVELY.

WHEREAS, article 23A, Section 3(30) of the Annotated Code of Maryland authorizes the Town Council to establish reasonable zoning regulations.

WHEREAS, Article 66B, Section 4.01(b) authorizes the Town Council to regulate the location and use of buildings, signs and structures on the land.

WHEREAS, the Town Council finds that the health, safety, and general welfare of the residents of the Town will be furthered and enhanced by clarifying certain terms and definitions within the Town's Zoning Ordinance, which is codified as Chapter 170 of the Centreville Town Code, in order to aid in the administration and enforcement thereof.

WHEREAS, the Town Council finds that the health, safety, and general welfare of the residents of the Town will be furthered and enhanced by conditionally allowing Adult Day Care facilities in the Commercial Zoning Districts within the Town's Zoning Ordinance, which is codified as Chapter 170 of the Centreville Town Code.

NOW, THEREFORE, be it ordained by the Town Council of Centreville that:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this ordinance.

Section 2. Section 170-22, "Central Business District CBD" of the Code be, and is hereby, amended as follows:

170-22. Central Business District CBD.

B. Special exception uses shall be as follows:

(3) Day Care Centers, subject to the following provisions:

a. Applicants shall meet requirements of state and local health departments for family/group care. Adult day-care centers are regulated by the Maryland Department of Health and Mental Hygiene.

b. A child day-care center shall not have more day-care children than the number which appears on the certificate of registration issued by the Office of Child Day Care Licensing and Regulation.

c. A site plan must be submitted showing existing or proposed buildings, play/outdoor areas, fencing, parking, ingress and egress, and with the following:

(1) The Board may prescribe specific conditions determined necessary to minimize effects of use on neighboring properties given identification of concerns specific to a particular site.

(2) The applicant shall provide 100 square feet of usable outdoor recreation area for each child that may use this space at any one time. Such usable outdoor recreation area shall be identified on the site plan and shall be sufficiently buffered from adjacent residential areas. Usable outdoor recreation areas shall be limited to the side and rear yard of the property. Recreational areas shall not include the required front yard of the property or any off-street parking areas. This provision does not apply for adult or elderly day care centers.

(3) All such uses shall be located so as to permit the safe pickup and delivery of all people on this site, including handicap ingress/egress.

Section 3. Section 170-23, "General Commercial District C-2" of the Code be, and is hereby, amended as follows:

C. Special exceptions shall be as follows:

(5) Day Care Centers, subject to the following provisions:

a. Applicants shall meet requirements of state and local health departments for family/group care. Adult day-care centers are regulated by the Maryland Department of Health and Mental Hygiene.

b. A child day-care center shall not have more day-care children than the number which appears on the certificate of registration issued by the Office of Child Day Care Licensing and Regulation.

c. A site plan must be submitted showing existing or proposed buildings, play/outdoor areas, fencing, parking, ingress and egress, and with the following:

(1) The Board may prescribe specific conditions determined necessary to minimize effects of use on neighboring properties given identification of concerns specific to a particular site.

(2) The applicant shall provide 100 square feet of usable outdoor recreation area for each child that may use this space at any one time. Such usable outdoor recreation area shall be identified on the site plan and shall be sufficiently buffered from adjacent residential areas. Usable outdoor recreation areas shall be limited to the side and rear yard of the property. Recreational areas shall not include the required front yard of the property or any off-street parking areas. This provision does not apply for adult or elderly day care centers.

(3) All such uses shall be located so as to permit the safe pickup and delivery of all people on this site, including handicap ingress/egress.

Section 4. Section 170-24, "Intense Commercial District C-3" of the Code be, and is hereby, amended as follows:

C. Special exceptions shall be as follows:

(4) Day Care Centers, subject to the following provisions:

a. Applicants shall meet requirements of state and local health departments for family/group care. Adult day-care centers are regulated by the Maryland Department of Health and Mental Hygiene.

b. A child day-care center shall not have more day-care children than the number which appears on the certificate of registration issued by the Office of Child Day Care Licensing and Regulation.

c. A site plan must be submitted showing existing or proposed buildings, play/outdoor areas, fencing, parking, ingress and egress, and with the following:

(1) The Board may prescribe specific conditions determined necessary to minimize effects of use on neighboring properties given identification of concerns specific to a particular site.

(2) The applicant shall provide 100 square feet of usable outdoor recreation area for each child that may use this space at any one time. Such usable outdoor recreation area shall be identified on the site plan and shall be sufficiently buffered from adjacent residential areas. Usable outdoor recreation areas shall be limited to the side and rear yard of the property. Recreational areas shall not include the required front yard of the property or any off-street parking areas. This provision does not apply for adult or elderly day care centers.

(3) All such uses shall be located so as to permit the safe pickup and delivery of all people on this site, including handicap ingress/egress.

Section 5. All new material has been underlined.

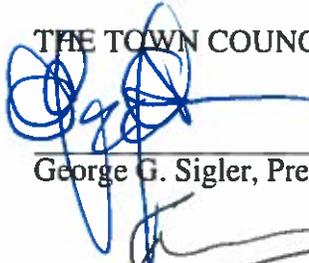
ATTEST:



Carolyn M. Brinkley
Town Clerk

First Reading: 9/4/2014
Second Reading: 9/18/2014
Adopted: 9/18/2014
Enacted: 10/9/2014

THE TOWN COUNCIL OF CENTREVILLE



George G. Sigler, President



Timothy E. McCluskey, Vice President



Jim A. Beauchamp, Member