



**County Commissioners:**

James J. Moran, At Large  
Jack N. Wilson, Jr., District 1  
J. Patrick McLaughlin, District 2  
Philip L. Dumenil, District 3  
Christopher M. Corchiarino, District 4

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**MEMORANDUM**

DATE: APRIL 10, 2025  
TO: QUEEN ANNE'S COUNTY PLANNING COMMISSION  
FROM: STEPHANIE JONES, PRINCIPAL PLANNER  
SUBJECT: CITIZEN SPONSORED TEXT AMENDMENT  
#25-04 –DAY-CARE CENTER IN APKIG DISTRICT

Citizen sponsored text amendments can be submitted to the County Commissioners the first ten business days in February in accordance with Article XXIX of the Zoning and Subdivision Regulations. The 2025 citizen sponsored text amendments were conveyed from the County Commissioners to the Planning Commission on February 28, 2025 for investigation and recommendation.

**Background and Objective:**

The intent of Text Amendment/County Ordinance #25-04 is to add day-care centers to the list of permitted uses in the Airport Protection and Kent Island Gateway (APKIG) District.

**Proposed Text Amendment/ County Ordinance #25-04 is to amend § 18:1-34.B, permitted uses in the APKIG District.**

See attachment for proposed ordinance.

**Comments:**

- Day-care center is defined as a building that provides day-care for children and adults on a regular basis.
- The APKIG District is located on south side of U.S. Route 50/301 as one crosses the Bay Bridge into Queen Anne's County providing for a business, commercial, and certain mixed-use opportunities in the airport environs that will not be detrimental to the airport.
- Applicable History:
  - In 2023 the County began its Zoning Code update with CO#23-05 which altered the uses within the APKIG District by removing apartments, adding duplexes as a permitted use (with specific density provisions), and addressing design standards that are required by the Maryland Aviation Administration and Federal Aviation Administration. An affiliated zoning map amendment was approved, CO#23-06, to rezone three parcels between the existing airport and U.S. Route 50/301 from Urban Commercial (UC) District to APKIG District.
  - Prior to the amendments day-cares were a permitted use because they are permitted within the UC District.

- Within the APKIG District retail sales and service establishments are a permitted use including a plethora of commercial uses that provide goods and/or services directly to the consumer for personal, recreational, or educational use. See definition in Applicable Laws attachment.
  - Educational uses are permitted in the APKIG District which could be considered consistent with a day-care center. While educational uses would be considered to include school-aged children, a day-care would include those children who are younger than school-aged. This distinction is applicable to the zoning code as well as the building code.
  - An educational facility for school-aged children exists within the APKIG District and day-cares were permitted prior to the map amendment under the UC District standards.
- As of now, Chapter 18:1 includes the following definitions for day-care. In 1994, family day-care center and group day-care center were added to the Code that further indicate the number of children or adults that can be cared for.
  - Family day-care center: A day-care center that, including any relatives of the care provider, cares for no more than eight children or adults.
    - Generally permitted or conditional use in all districts
  - Group day-care center: A day-care center that, including any relatives of the care provider, cares for nine or more children or adults.
    - Permitted in mostly all districts but considered a conditional use in residential and agricultural districts.
  - Day-care center: A building that provides day care for children or adults on a regular basis.
    - Day-care center is only listed within the NVC, but this district is no longer included on the County zoning map following the 2022 Comprehensive Plan update.
    - The definition of day-care center is encompassing of family day-care center and group-day care center but does not place a minimum or maximum on the number that can be cared for. Family and group day-care centers are further defined to differentiate between the number that can be cared for as a permitted use or conditional use.
- Three types of child day-cares are licensed and regulated through the State of Maryland, Department of Education under COMAR 13A.
  - Family Child Care Home: A provider may care for up to eight with no more than two under the age of two.
    - Specific to being located in a home.
  - Large Family Child Care Home: A provider may care for between nine and 12 children with no more than four under the age of two.
    - Specific to being located in a home.
  - Child Care Center: Agency, institution, or establishment that, for part or all of a day, or on a 24-hour basis on a regular schedule, and at least twice a week, offers or provides child care to children who do not have the same parentage
    - The capacity of children is based on the square footage of the facility
- Adult day-care centers, including medical day-care are licensed and regulated through the Maryland Department of Health, COMAR 10.12.04. Capacity is determined by the Adult Day Care Assessment and Planning System completed by a registered nurse.
- Since the existing code neither sets a maximum limit on the number of children or adults that a day-care center may allow, nor does it indicate that it must be located in a home, child care

centers and adult care centers may be interpreted as a group day-care or a day-care center in Chapter 18:1.

- For consistency with Chapter 18:1, it would be appropriate to use the term group day-care, instead of day-care center, as it is more consistent with the code. Day-care center is not listed, only family and group day-care, as a permitted or conditional use in the code.
  - It should be noted that Chapter 18:1 is not consistent with state definitions. During the update to Chapter 18:1, all group child-care and adult day care definitions will be updated for consistency with state definitions and licenses.
- According to the Maryland Child Care Resource Network, Child Care Demographics report of 2024:
  - Queen Anne’s County has a total of 12 day-care centers with a capacity of 821 children and 64 family providers caring for 474 children.
  - Number of childcare providers in the State of Maryland has been decreasing since 2019 and is projected to continue to decrease while the number of childcare centers have been on the rise since 2019, showing a rise following COVID and predicted to continue to increase.
- Although the Comprehensive Plan does not specifically address the needs for day-care, it does include population data indicating that the change in age distribution of those that are younger (under 5 to 9) is decreasing since 2000 and older distribution (75 to 85+) has increased since 2000. Also, it includes school enrollment projections according to Maryland Department of Planning, indicating that the projected school enrollment is not proposed to increase, but a need for before and after school care and summer would need to be obtained for these children.

**Recommendation:**

Planning Staff recommends that the Planning Commission send a favorable recommendation to the Board of County Commissioners on the proposed amendment to add day-care centers to the list of permitted uses in the APKIG District.

The Planning Commission recommendation should include consistency with §18:1, Md. Code Ann., Education and Health-General Articles, and the Comprehensive Plan.

- See above or include discussion points to provide consistency findings regarding the comprehensive plan and zoning and subdivision regulations.

**Resolution:**

RESOLVED, that the Planning Commission makes a **FAVORABLE/UNFAVORABLE** recommendation to the Board of County Commissioners regarding Citizen Sponsored Text Amendment #25-04 to add day-care centers to the list of permitted uses in the Airport Protection and Kent Island Gateway (APKIG) District. The Planning Commission provides the following findings:

***(\*PROVIDE FINDINGS FROM THE STAFF REPORT OR DISCUSSION RELATIVE TO CONSISTENCY/INCONSISTENCY WITH:***

- ***THE ZONING AND SUBDIVISION REGULATIONS,***
- ***ANNOTATED CODE OF MARYLAND (EDUCATION AND HEALTH-GENERAL ARTICLE)***
- ***THE COMPREHENSIVE PLAN \*)***

Attachments: Application and proposed ordinance, Applicable Laws, Recommendation from Economic Development Commission



LAW OFFICES OF

**STEVENS  
PALMER, LLC**

114 West Water Street, Centreville, Maryland 21617  
410-758-4600 [www.spp-law.com](http://www.spp-law.com)  
Joseph A. Stevens, Esq. [JStevens@spp-law.com](mailto:JStevens@spp-law.com)

February 10, 2025

HAND DELIVERED

The County Commissioners for  
Queen Anne's County  
C/O Stephanie I. Jones  
107 North Liberty Street  
Centreville, Maryland 21617

Re: Petition for Text Amendment – 214 Bay Manor 21666, LLC

Dear Commissioners:

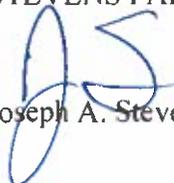
On behalf of 214 Bay Manor 21666, LLC ("Bay Manor"), a property owner in Queen Anne's County, please find enclosed a "Petition for Proposed Text Amendment" requesting an amendment to the provision of Chapter 18 of the County Code, Section 18:1-34 Airport Protection and Kent Island Gateway (APKIG) zoning district standards.

Bay Manor's property, located at 214 Pier One Road, Stevensville, Maryland 21666 (the "Property"), was rezoned on September 12, 2023, from Urban Commercial ("UC") zoning district to Airport Protection and Kent Island Gateway ("APKIG") zoning district. Under the UC zoning district standards, the use of family and group day-care centers is permitted. However, the APKIG zoning district standards does not currently permit day-care centers. The purpose of the proposed amendment is to allow the owners of the Property to lease space to a day-care center.

I respectfully request that the Proposed for Text Amendment be processed in accordance with Section 18:1-218 of the County Code and forwarded to the Planning Commission for its review and recommendation.

If you have any questions, please do not hesitate to contact me, and thank you for your kind assistance.

Very truly yours,  
STEVENS PALMER, LLC



Joseph A. Stevens

**RECEIVED**

FEB 10 2025

**QUEEN ANNE'S COUNTY  
PLANNING & ZONING**

County Commissioners

February 10, 2025

Page 2

cc: Amy G. Moredock, Director, Department of Planning and Zoning  
Patrick E. Thompson, Esq.  
Phil Leach, 214 Bay Manor 21666, LLC

**TEXT/CODE AMENDMENT APPLICATION  
QUEEN ANNE'S COUNTY CODE – LOCAL REGULATIONS  
CHAPTER 18:1 ZONING AND SUBDIVISION REGULATIONS**



***Queen Anne's County Department of Planning and Zoning***

110 Vincit Building, Suite 104, Centreville, MD 21620

410-758-1255 (phone) • 410-758-2509 (fax)

Pursuant to Part 7, "Administration, Enforcement, and Special Procedures", Article XXIX, § 18:1-218 "Proposal of amendment", of the Queen Anne's County Code – Local Regulations, I/We

Joseph A. Stevens, Esq. on behalf of the applicant, 214 Bay Manor 21666, LLC (and owner of property in Queen Anne's County, located at 214 Pier One Road, Stevensville, Maryland 21666).

**Applicant's Name**

of c/o Joseph A. Stevens, 114 West Water Street, Centreville, Maryland 21617 (410) 758-4600

**Address**

**Telephone Number**

hereby petition the County Commissioners of Queen Anne's County to amend Chapter 18, Zoning and Subdivision Regulations of Queen Anne's County, Maryland. I/We propose to amend Chapter 18, Article V, Section 18:1-34 Airport Protection and Kent Island Gateway District, Permitted uses (18:1-34.B.) as follows: SEE ATTACHED

The purpose of the proposed amendment is to permit: the owners of 214 Pier One Road, Stevensville, Maryland 21666 to lease space to a day-care center.

  
\_\_\_\_\_  
**Applicant's Signature**  
**By: Joseph A. Stevens,**  
**Attorney for Applicant**  
  
2/10/25  
\_\_\_\_\_  
**Date**

**Please Note:** The application for an amendment to the text of this Code shall, at a minimum state in particular, the Article, Section, and paragraph sought to be amended (noted above). The application shall contain the language of the proposed amendment and all supplemental and supporting documentation must be included (add additional sheets as necessary).

**Instructions:** § 18:1-218 specifies that applications for text amendments be filed with the Office of the Clerk to the County Commissioners for consideration by the County Commissioners only during the first 10 business days in the month of February of each calendar year.

<b>For Office Use Only:</b>
File Number <u>25-04</u>
Date Filed <u>February 10, 2025</u>
Date Referred to Planning Commission <u>February 25, 2025</u>
Date Recommend. Rec'd from Plan. Comm. _____
County Comm. Public Hearing Date _____
County Commissioners Action _____
Date of Action _____

Enacted 9 January 2020

PETITION FOR PROPOSED TEXT AMENDMENT

SECTION 18:1-34 OF THE  
 QUEEN ANNE’S COUNTY CODE

NOW COMES, 214 Bay Manor 21666, LLC owner of the property located at 214 Pier One Road, Stevensville, Maryland 21666, by and through its attorney, Joseph A. Stevens and Stevens Palmer, LLC, and in accordance with the Queen Anne’s County Code, (hereinafter referred to as “County Code”) Sections 18:1-215 through 18:1-222, hereby submits to the County Commissioners for Queen Anne’s County, MD the following proposed amendment to Section 18:1-34 of the County Code, Airport Protection and Kent Island Gateway District:

(**Bold** indicates language proposed to be added to the County Code. ~~Strike through~~ indicates language proposed to be deleted from the County Code).

18:1-34 Airport Protection and Kent Island Gateway District.

B. Permitted *uses*.

	Use	Permitted Use (P)/ Conditional Use (C)
1.	<i>Airport/airport-related uses</i>	P
2.	<i>Banquet facility</i>	P
3.	<b>Boat building</b>	P
4.	<b>Boat sales and repair</b>	P
5.	<b>Bowling alley</b>	P
6.	<i>Commercial apartments</i> finally approved by July 1, 2023	P
7.	<i>Conference center</i>	P
8.	<b>Day-care center.</b>	P
<del>8.</del>	<del><i>Duplex with accessory slip</i></del>	P
9.		
<del>9.</del>	<del><i>Marina</i></del>	P
10.		
<del>10.</del>	<del><i>Maritime convenience store</i></del>	P
11.		
<del>11.</del>	<del><i>Offices</i></del>	P
12.		
<del>12.</del>	<del><i>Outdoor recreation</i></del>	P
13.		
<del>13.</del>	<del><i>Passive recreation</i></del>	P
14.		
<del>14.</del>	<del><i>Residential accessory structures</i></del>	P
15.		
<del>15.</del>	<del><i>Retail sales/service establishment</i></del>	P
16.		
<del>16.</del>	<del><i>Shooting range, indoor; shall be located a minimum of 100 feet from any residential use</i></del>	P
17.		

WHEREFORE, the Petitioner respectfully requests that the County Commissioners for Queen Anne's County, Maryland accept, process, introduce and approve the proposed amendment to Section 18:1-34 of the County Code, Airport Protection and Kent Island Gateway District.

Respectfully submitted,



Joseph A. Stevens  
Stevens Palmer, LLC  
114 W. Water Street  
Centreville, Maryland 21617  
(410) 758-4600  
jstevens@spp-law.com

**APPLICABLE LAWS**

*Annotated Code of Maryland/Land Use Article*

§ 4-204. Zoning regulations -- Amendment, repeal, and reclassification

(a) Authority. -- Zoning regulations and boundaries may be amended or repealed.

*Annotated Code of Maryland/Education Article*

§ 9.5. Division of Early Childhood Development

Subtitle 3 Family Child Care Homes and Large Family Child Care Homes.

Subtitle 4 Child Care Centers.

*Annotated Code of Maryland/Health-General Article*

*Chapter 18:1*

§18:1-34: Airport Protection and Kent Island Gateway District

A. Purpose.

(1) The Airport Protection and Kent Island Gateway District is intended to prevent the creation or establishment of airport hazards.

(2) This district will also create a sense of entry to Kent Island and Queen Anne's County while providing for business, commercial and certain mixed-use opportunities in the airport environs that will not be detrimental to the efficiency and safety of the airport. *Structure* designs in this district should reflect traditional Eastern Shore character.

*Article XXIX. Amendments*

§18:1-218.A.1 Proposal of Amendment

A proposal for a text amendment, other than an amendment to the Subdivision Regulations, may be initiated by:

(a) Resolution of the County Commissioners;

(b) Resolution of the Planning Commission; or

(c) Petition of a property owner or property owners acting as a private citizens' group filed with the County Commissioners.

§18:1-220 Action by Planning Commission

A. Consideration. In considering any proposed amendment, the Planning Commission shall cause such investigation to be made as it deems necessary and for this purpose may require any person concerned to submit pertinent data and information.

B. Hearing. Before making any recommendation with respect to an amendment involving comprehensive rezoning or an amendment of the Subdivision Regulations, the Planning Commission shall hold at least one public hearing.

C. Report.

(1) The Commission shall submit its report and recommendation to the County Commissioners within 90 days from the date when it receives the proposal, unless an extension of time is granted by the County Commissioners.

(2) The recommendations of the Planning Commission shall include discussion of the matters required to be considered by the County Commissioners.

§18:1-221 Consideration by County Commissioners

C. Matters considered. In addition to other matters pertinent to the proposed amendment, the County Commissioners shall give specific consideration to the following matters:

- (1) The purposes set forth in Article 66B of the Annotated Code of Maryland [Land Use Article], the Comprehensive Plan, and this Chapter 18:1;
- (2) The recommendations of the Planning Commission; and
- (3) The relation of the proposed amendment to the Comprehensive Plan.

*18:App-1 Definitions*

**DAY-CARE CENTER**

A building that provides day care for children or adults on a regular basis

**FAMILY DAY-CARE CENTER**

A day-care center that, including any relatives of the care provider, cares for no more than eight children or adults.

**GROUP DAY-CARE CENTER**

A day-care center that, including any relatives of the care provider, cares for nine or more children or adults.

**RETAIL SALES/SERVICE ESTABLISHMENT**

A commercial enterprise that provides goods and/or services directly to the consumer for personal, recreational or educational use. These include: restaurants (excluding fast food), hotels, financial service, spas, salons, wineries, taverns, motion pictures, cultural services, educational services, galleries, food markets and marine stores.

*2022 Queen Anne's County Comprehensive Plan*

Chapter 2: County Profile

Table 2-6: Age Distribution Page 2-9

Chapter 3: Community Facilities and Services

Goal 3, Strategy 3: Encourage development of medical facilities. Page 3- Page 3-23

Table 3-4: School Enrollment Projections Page 3-16

Chapter 8: Economic Development and Tourism

Table 8:1: Employment Status Page 8-4



MEMORANDUM

TO: Queen Anne's County Planning Commission
FROM: Heather Bacher, Chair QAC Economic Development Commission
CC: Heather Tinelli, Director, Department of Economic & Tourism Dev.
Todd Mohn, County Administrator
Amy Moredock, Director, Department of Planning & Zoning
DATE: 3/28/25
SUBJECT: Text Amendments #25-03,#25-04,#25-05,#25-06

At its March 26th, 2025 Board Meeting, the Queen Anne's County Economic Development Commission (EDC) reviewed Text Amendments 25-03, 25-04,25-05 and 25-06 in order to provide comments and recommendations on the proposed amendments as it relates to economic growth.

After reviewing the documentation provided, and discussing the potential impact on economic development as well as opportunities for business and tourism in Queen Anne's County, the EDC voted as follows:

County Commissioners

- James J. Moran, At Large
Jack N. Wilson, Jr., District 1
Patrick McLaughlin, District 2
Philip L. Dumenil, District 3
Christopher M. Corchiarino, District 4

Commission Members

- Heather Bacher, Chair
Shelly Gross-Wade, Vice Chair
Lee Bridgman, Secretary
Lara Wilson, Treasurer
James P. Reilly
Larissa Costello
Deayna Ewell
Patricia Fox
Mason Popham
John Anderes
Shawna Payne
Kenneth Knight
Douglas Silber

#25-03 Support

This amendment would increase the maximum height from 30' to 40' in the Suburban Commercial Zone providing for opportunity to attract specific industry uses that require building structures with additional height requirements.



#25-04 Support

The EDC supports the addition of day care centers as a permitted use in the Airport Protection and Kent Island Gateway zoning district.

#25-05 Oppose

By a majority vote, the EDC voted to Oppose Text Amendment #23-05 which would add indoor shooting ranges as a permitted use in the Town Center zoning district. It was determined that this use is permitted and



**Queen  
Anne's  
County**  
MARYLAND

best suited for industrial and high commercial districts. In addition, the TC zoning is pedestrian oriented and allows single family dwellings; therefore, the EDC concurred that this use does not align with the other permitted uses with this zoning district.

**#25-06 No Position**

The economic development commission did not take a position on TACO 25-06 as they determined that the proposed text amendment was not in the pervue of the commission and its mission to support economic development.

Respectfully,

Heather Bacher, Chair

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