

ORDINANCE 2026 - XX

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FROSTBURG ENTITLED “AN ORDINANCE TO AMEND AND SUPPLEMENT THE CITY’S ZONING ORDINANCE BY INCLUDING AND DESIGNATING ACCESSORY DWELLING UNITS AS A PERMITTED USE ON ANY LOT WITH AN EXISTING SINGLE-FAMILY DETACHED DWELLING UNIT”.

WHEREAS, the City of Frostburg is a municipal corporation of the State of Maryland, organized and operating under a charter (“Charter”) adopted in accordance with the laws of the State of Maryland;

WHEREAS, Article V, Sections 501 and 502 of the Charter empower the City of Frostburg to regulate matters of zoning within the City;

WHEREAS, the City of Frostburg Zoning Ordinance (the “Zoning Ordinance”) is set forth in Appendix A of the Frostburg Code;

WHEREAS, our community faces a severe housing crisis and is falling short of meeting current and future housing demand;

WHEREAS, it is the policy of the State of Maryland to promote and encourage the creation of accessory dwelling units on land with a single-family detached dwelling unit as the primary dwelling unit in order to meet the housing needs of the citizens of Maryland;

WHEREAS, the City of Frostburg can play an important role in reducing the barriers that prevent homeowners from building accessory dwellings, thereby increasing the supply of affordable housing;

WHEREAS, state law requires that local jurisdictions establish policies that further the intent of this state law;

WHEREAS, all legislative bodies with planning and zoning authority are required by Maryland law to adopt a local ordinance authorizing development of accessory dwelling units by October 1, 2026;

WHEREAS, presently, accessory dwelling units are defined in Section 2.1 of the Zoning Ordinance and are permitted in all zoning districts which permit single-family detached dwelling units;

WHEREAS, the current definition and regulations pertaining to accessory dwelling units in the Zoning Ordinance do not meet the regulations set forth under Maryland law;

WHEREAS, amendments are proposed to the Zoning Ordinance to adopt the current state regulations pertaining to accessory dwelling units;

WHEREAS, the Frostburg Planning Commission reviewed the proposed amendments at its September 9, 2026 public meeting and voted to recommend that the Mayor and City Council adopt them;

WHEREAS, a public hearing on this Ordinance was held of the _____ day of _____, 2026, during the City's regular monthly meeting; and

WHEREAS, the Mayor and City Council reviewed the Planning Commission's recommendations and, having considered the testimony at the public hearing, if any, adopt them as set forth hereinafter.

NOW THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG that Part 2 of the Appendix A of the City Code (Definitions) is amended by adding the definition of "Accessory Dwelling Unit" to Section 2.1 as follows:

Accessory Dwelling Unit: a secondary dwelling unit that is on the same lot, parcel, or tract as a primary single-family detached dwelling unit and not greater than 75% of the size of and subordinate in use to the primary single-family detached dwelling unit. "Accessory dwelling unit" includes a structure that is separate from the primary single-family detached dwelling unit or attached as an addition, to the primary single-family detached dwelling unit. See standards in Section 8.10.

SECTION 2: BE IT FURTHER ORDAINED that the existing definition for "Dwelling, Primary with Accessory Apartment" in Section 2.1 of Appendix A of the City Code be amended as follows:

Dwelling, Primary with Accessory Apartment: ~~a residence with the external appearance of a single-family residence, but in which there is located a second living quarters on the property, which is no larger than twenty-five percent (25%) of the total floor area of the principal structure. Common terms for such use are in-law suite or guesthouse. A primary dwelling with accessory apartment shall be limited to the occupancy limit for one dwelling unit as set forth by the zoning district.~~ See Accessory Dwelling Unit.

SECTION 3: BE IT FURTHER ORDAINED that Part 8 of Appendix A of the City Code be amended to include Section 8.10 as follows:

Sec. 8.10 - Accessory Dwelling Units.

- A. An accessory dwelling unit is permitted on any lot with an existing single-family detached dwelling unit, provided it meets all other standards for accessory structures.
- B. An accessory dwelling unit is exempt from the calculation of density for the lot, parcel, or tract upon which it is located. The construction of accessory dwelling

units is not restricted by any City of Frostburg ordinance, policy, or program intended to limit residential growth.

- C. The rear and side lot line setback requirements for accessory dwelling units are the same as other accessory structures for the zoning district in which the lot, parcel, or tract is located.

SECTION 4: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG that this Ordinance shall take effect twenty (20) days from the date of its passage.

Passed this _____ day of _____, 2026.

Introduced: _____
Public Hearing: _____
Adopted: _____
Effective: _____

Todd Logsdon, Mayor of The City of Frostburg

ATTEST

Patrick O'Brien, City Administrator of The
City of Frostburg