

ORDINANCE NO. 1164

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING § 2.4.3 OF THE CITY'S UNIFIED DEVELOPMENT CODE FOR THE PURPOSES OF AUTHORIZING THE ~~PLANNING COMMISSION~~ COMMISSIONERS OF CAMBRIDGE, TO APPROVE AMENDMENTS TO DEVELOPMENT PLANS FOR PROJECTS IN THE PLANNED WATER COMMUNITY DISTRICT AND THE PLANNED WATER RESORT DISTRICT ~~IF IT DETERMINES THAT THE PROPOSED AMENDMENT IS A VIABLE ALTERNATIVE AND SHALL ENHANCE THE OVERALL PROJECT,~~ SUBJECT TO CERTAIN FINDINGS AND FOLLOWING REVIEW AND RECOMMENDATIONS OF THE PLANNING COMMISSION AND A PUBLIC HEARING; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO THE PLANNED WATER COMMUNITY DISTRICT AND THE PLANNED WATER RESORT DISTRICT IN THE CITY OF CAMBRIDGE.

WHEREAS, pursuant to Md. Code Ann., Land Use § 4-204 and § 2.2.3 of the Unified Development Code (the "UDC"), the Commissioners of Cambridge are authorized and empowered to amend, supplement, change, modify, and repeal the City of Cambridge's (the "City") zoning regulations and boundaries and change the City's zoning classifications; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-202 and § 3-27(1) of the Charter of the City of Cambridge, the Commissioners of Cambridge are authorized and empowered to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter as they may deem necessary for the good government of the City; for the protection and preservation of the City's property, rights, and privileges; for the preservation of peace and good order; to secure persons and property from danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the City and visitors thereto and sojourners therein; and

WHEREAS, pursuant to § 2.4.3 of the UDC, development projects which were lawfully approved by the City and have vested under the provisions regarding the Planned Water Community District ("PWCD") and the Planned Water Resort District ("PWRD") set forth in Article IX, Parts II and III, respectively, of the City's Zoning Ordinance, which was superseded by the UDC's adoption by the Commissioners of Cambridge on December 8, 2014, shall lawfully continue under the terms, conditions, and limitations of their approved development plans and shall be entitled to the rights and privileges contained therein but may not be otherwise amended or altered; and

WHEREAS, the Commissioners of Cambridge recognize that strict adherence to development plans for projects in the PWCD and PWRD may ultimately result in a project that is not viable due to changes occurring since the development plan's approval which may not have been foreseeable at the time of such approval; and

~~**WHEREAS**, the Commissioners of Cambridge are desirous of providing for amendments to development plans for projects in the PWCD and PWRD where doing so would ultimately result in a project that is viable or otherwise enhanced from its original design; and~~

WHEREAS, following a public hearing held on June 2, 2020, the City of Cambridge Planning Commission (the “Planning Commission”) recommended that the Commissioners of Cambridge approve a text amendment amending § 2.4.3 of the UDC to authorize the Planning Commission to approve amendments to development plans for projects in the PWCD and PWRD ~~if it determines that the proposed amendment is a viable alternative and shall enhance the overall project~~; and

WHEREAS, during its public meeting held on July 7, 2020, the Planning Commission recommended clarifications to the proposed amendments to § 2.4.3 of the UDC regarding findings to be made prior to approving any proposed amendment to a development plan and a public hearing thereon; and

WHEREAS, on July 13, 2020, the Commissioners of Cambridge held a public hearing regarding the foregoing text amendment recommended by the Planning Commission, notice of which was published on June 21, 2020 and June 28, 2020 in the Star Democrat, a newspaper of general circulation in the City, in accordance with Md. Code Ann., Land Use § 4-203(b) and § 2.2.3.C of the UDC; and

WHEREAS, on July 13, 2020, following the public hearing, the Commissioners of Cambridge voted to reject the foregoing text amendment recommended by the Planning Commission; and

WHEREAS, on August 10, 2020, the Commissioners of Cambridge proposed to amend the foregoing text amendment to provide that the Commissioners of Cambridge shall have the authority to approve amendments to development plans in the PWCD and PWRD, subject to certain findings and following review and recommendations of the Planning Commission and a public hearing, and scheduled a public hearing for August 24, 2020; and

WHEREAS, having considered the recommendations of the Planning Commission and the Department of Planning and Zoning Staff, as well as the comments made during the July 13, 2020 ***and August 24, 2020*** public hearings, the Commissioners of Cambridge find that it is in the best interest of the City to amend § 2.4.3 of the UDC to authorize the ***Commissioners of Cambridge*** ~~Planning Commission~~ to approve amendments to development plans for projects in the PWCD and PWRD ~~if it determines that the proposed amendment is a viable alternative and shall enhance the overall project~~, ***subject to certain findings and following review and recommendations of the Planning Commission and a public hearing; and***

WHEREAS, the Commissioners of Cambridge find that the text amendment set forth herein is necessary to promote and protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of Cambridge, that the City’s Unified Development Code is hereby amended as follows:

SECTION 1. Section 2.4.3 (PWCD and PWRD Developments, Approved) is amended as follows:

§ 2.4.3 PWCD and PWRD Developments, Approved

- A. Subject to subsection (B) below, PWCD and PWRD development projects,** ~~Development projects which have vested under the laws of Maryland and which~~ were lawfully approved by the City ~~and have vested under the laws of Maryland,~~ under the provisions of the PWCD and PWRD **Article IX (Zoning Districts), Part II (Special Base District – PWCD – Planned Water Community District) and Part III (Special Base District – PWRD – Planned Water Resort of the City’s Zoning Ordinance** prior to adoption of this Ordinance, shall lawfully continue under the terms, conditions, and limitations of their approved PWCD or PWRD **development** plans and shall be entitled to the rights and privileges contained in those plans, ~~provided, however, that the~~
- B. The Planning Commission Commissioners of Cambridge may approve a proposed amendment to any such an approved PWCD or PWRD development plan if it determines they find that the proposed amendment: is a viable alternative and shall enhance the overall project.**
- 1. *will not have an adverse impact on the use or economic value of any other properties in the development or on surrounding areas;***
 - 2. *is compatible in all respects with the remainder of the development; and***
 - 3. *complies with this Ordinance.***

Prior to approving any such proposed amendment, the Commissioners of Cambridge shall refer the proposed amendment to the Planning Commission for review and recommendations and then hold a public hearing in relation thereto. The City shall post notice of the public hearing in a conspicuous place on the property involved, give written notice of the public hearing by registered mail to the applicant and all owners of property in the development, and publish notice of the public hearing in a newspaper of general circulation in the City at least 15 days prior to the date fixed for the public hearing. Notice of any proposed amendment to an approved PWRD development plan shall also be sent to all State agencies associated with, and the property manager of, the resort located within the development. ~~except for these~~

~~**All areas with a former PWCD or PWRD designation that are zoned Resource Conservation, which areas shall adhere in full to the regulations of this Ordinance.**~~

SECTION 2. The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. In this Ordinance, unless a section of the UDC is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. With respect to the substantive provisions of this

Ordinance set forth in Section 1, language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners of Cambridge that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

AND BE IT FURTHER enacted and ordained that this Ordinance shall become effective on the tenth (10th) day following the date of passage.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Patrick C. Comiskey, City Manager

By: _____
Victoria Jackson-Stanley, Mayor

**Introduced the 8th day of June, 2020
Passed the 24th day of August, 2020
Effective the 3rd day of September, 2020**

PUBLIC NOTICES

FOR ASSISTANCE PLEASE CALL 1-877-659-2190 OR EMAIL LEGALS@CHES PUB.COM

PUBLIC NOTICE
TRED AVON RIVER
DIXON CREEK - EASTERN BRANCH

The Secretary of the Maryland Department of Natural Resources proposes to adopt new Regulation .04 under COMAR 08.18.27.

The proposed action establishes coordinates for the eastern branch waterway of Dixon Creek and establishes a 8-knot speed limit in the newly defined area for Saturdays, Sundays, and State holidays during the boating season.

The proposed action was published in the Maryland Register on July 31, 2020. Comments concerning this regulation will be accepted through August 31, 2020. Please visit the Department's website for more information and ways to provide comment. <https://dnr.maryland.gov/boating/Pages/regulations/home.aspx>

Jeanne Haddaway-Ricco, Secretary
 Maryland Department of Natural Resources

2914619 SD/DS 8/2,8/7/2020

PUBLIC NOTICE

1) Case: 11-SP-1086
 2) Applicant: Bridgetown Development Co., LLC
 950 Smile Way
 York, PA 17404
 Attn: James Gawthrop

3) Notice To Be Published: APG Media of Chesapeake, August 7, 2020
 4) Comments Due: August 25, 2020
 5) Activity: Expansion of an existing sand and gravel mine
 6) Location: 1720 Bridgetown Rd., Henderson, Maryland.
 7) Contact: Molly Michaelson C.P.G. (410) 537-3557 (Mining)

Applications Received

Bridgetown Development Co., LLC, Attn: James Gawthrop, 950 Smile Way, York, PA 17404, has applied to expand their operation by 52.6 acres.

The project is located on the east side of Bridgetown Rd near Ingleside, Maryland. Written comments, requests for a public informational hearing and requests to be included on the interested persons list may be sent by August 25, 2020 to the Maryland Department of the Environment, Mining Program 1600 Washington Boulevard, Suite 655, Baltimore, MD 21230 Attn: Molly Michaelson, C.P.G. Any further notices concerning actions on the applications will be provided only by mail to those persons on the interested persons list. Please refer to Subsection 5-907 of the Annotated Code of Maryland or the Code of Maryland Regulations 26.23.02 for information regarding the application process.

2914681 SD 8/7/2020

"Revised - 08/03/2020"

APPEALS NOTICE OF PUBLIC HEARING
 Appeal No. 20-1712

In accordance with Chapter 20, § 20-10 & § 20-11 of the Talbot County Code, notice is hereby given that a public hearing will be held in the Wye Oak Room, Talbot County Community Center, 16028 Ocean Gateway, Easton, Maryland on August 24, 2020 at 6:30 p.m. by the Talbot County Board of Appeals to hear the following petition:

Applicant, Joseph Ford, is seeking a Special Exception for a 15' x 6'-8" accessory structure prior to the principal residence. The request is made in accordance with Chapter 190, Article IV, § 190-33.24a and Article VII, § 190-56 of the Talbot County Code. The Property is located on 24248 Mt. Pleasant Road, St. Michaels, MD, 21663 in the Countryside Preservation (CP) Zone. The property owners are Elizabeth Chester and others and the property is located on Tax Map 32, Grid 1, Parcel 82. All persons are notified of said hearing and invited to attend. The Board reserves the right to close a portion of this hearing as authorized by Section 10-508 (a) of the Maryland Annotated Code.

A copy of said petition is available for inspection during the regular office hours of the Talbot County Board of Appeals, 215 Bay Street, Suite 2, Easton, Maryland.

Special Note: Continue to check the Board's website at www.talbotcountymd.gov for the weekly meeting agenda, meeting information and how to participate.

Chris Corkell
 Board of Appeals

2914762 SD 8/7,8/14/2020

MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
NOTICE OF APPLICATION RECEIVED

Talbot County
 Application for State Discharge Permit 20DP3390, NPDES Permit MD0071039

The U.S. Department of Commerce, NOAA, National Ocean Service, National Centers for Coastal Ocean Science, Cooperative Oxford Laboratory 904 South Morris Street, Oxford, MD 21654 submitted an application for renewal of a permit to discharge a maximum 30 day flow of 148,000 gallons per day of organism tank water from a marine research facility located at 904 South Morris Street, Oxford, MD 21654 to Tred Avon River (Use Class II)

A copy of the application may be downloaded from the Department's website at <https://mdewwp.page.link/wwwportal>. At that webpage, search for State Number 20-DP-3300, click "More Info," and then select the desired document(s) to download.

If a written request is received by August 14, 2020, an informational meeting can be held to discuss the application and permitting process. Requests should be forwarded to the Maryland Department of the Environment, Water and Science Administration, 1890 Washington Blvd., Baltimore, Maryland 21230-1708, Attn: Mr. Paul Havivka, Chief, Industrial Stormwater Permits Division. Hearing-impaired persons may request an interpreter at the informational meeting by contacting Mr. Havivka at (410) 537-3631 or 1-800-833-6101, or at the above address, at least ten working days prior to the scheduled meeting. Such requests may also be emailed to Paul.Havivka@maryland.gov.

Any person wishing to review the application should contact Mr. Havivka at the above telephone number to schedule an appointment. Copies may be obtained at a cost of \$0.36 per page.

2913150 SD 7/31,8/7/2020

NOTICE OF ADOPTION
THE COMMISSIONERS OF CAMBRIDGE
CHARTER AMENDMENT RESOLUTION NO. CR-2020-01
EMERGENCY CHARTER AMENDMENT
RESOLUTION NO. CR-2020-02

Notice is hereby given that the Commissioners of Cambridge adopted Charter Amendment Resolution No. CR-2020-01 and Emergency Charter Amendment Resolution No. CR-2020-02 during their public meeting held on July 13, 2020.

Charter Amendment Resolution No. CR-2020-01 amends the Charter of the City of Cambridge for the purpose of providing that the Mayor and the Commissioners of Cambridge shall each receive compensation in the form of an annual salary and may receive additional compensation as set forth from time to time by ordinance; provided, however, that no change shall be made in the compensation for the Mayor or the Commissioners of Cambridge during the term for which they were elected, and further provided that any ordinance making any change in the compensation for the Mayor and/or the Commissioners of Cambridge shall be passed prior to the municipal election to elect the next succeeding Mayor and Commissioners of Cambridge and shall only take effect as to the next succeeding Mayor and Commissioners of Cambridge.

Emergency Charter Amendment Resolution No. CR-2020-02 amends the Charter of the City of Cambridge for the purpose of providing that the Supervisor of Elections shall use the voting systems and ballots he or she selects and certifies; providing that applications for absentee ballots and absentee ballots shall be due in the office of the Supervisor of Elections or such other location as he or she may designate; authorizing the use of voting by mail in the event that a state of emergency has been declared for the City and setting forth the procedures therefor; providing that the Supervisor of Elections shall prepare the ballots for each City election; and providing that the Supervisor of Elections shall deliver at each polling place the voter registry and a sufficient number of ballots or voting systems.

The foregoing constitutes a fair summary of Charter Amendment Resolution No. CR-2020-01 and Emergency Charter Amendment Resolution No. CR-2020-02 as introduced by the Commissioners of Cambridge during their public meeting held on May 26, 2020 and July 13, 2020, respectively, and as adopted by the Commissioners of Cambridge on July 13, 2020.

Charter Amendment Resolution No. CR-2020-01 shall become and be considered a part of the Charter in all respects, to be effective and observed as such, on September 1, 2020 unless a petition for referendum meeting the requirements of Md. Code Ann., Local Gov't § 4-304(d) is either hand delivered or mailed via certified mail, return receipt requested and bearing a postmark from the U.S. Postal Service to the City of Cambridge City Hall, 410 Academy Street, Cambridge, Maryland 21613, on or before August 24, 2020.

Emergency Charter Amendment Resolution No. CR-2020-02 became and is considered a part of the Charter in all respects, to be effective and observed as such, immediately upon adoption pursuant to the authority set forth in Executive Order No. 20-03-30-02 of the Governor of Maryland.

Copies of Charter Amendment Resolution No. CR-2020-01 and Emergency Charter Amendment Resolution No. CR-2020-02 shall be available to the public online at www.chocascambridge.com until August 24, 2020.

Patrick C. Comiskey, City Manager

2912754 SD 7/19,7/31,8/7,8/14/2020

NOTICE OF PUBLIC HEARING
THE COMMISSIONERS OF CAMBRIDGE
PROPOSED ORDINANCE NO. 1164

Notice is hereby given that the Commissioners of Cambridge will hold a public hearing on MONDAY, AUGUST 24, 2020 at 6:00 p.m. in the Council Chambers, 305 Gay Street, Cambridge, Maryland to receive public input and comment and then act upon proposed Ordinance No. 1164 which, if passed, would amend § 2.4.3 of the UDC to authorize the Commissioners of Cambridge to approve amendments to development plans for projects in the Planned Water Community District and Planned Water Resort District, subject to certain findings and following review and recommendations of the Planning Commission.

The foregoing constitutes a fair summary of proposed Ordinance No. 1164 as initially introduced by the Commissioners of Cambridge during their public meeting held on June 8, 2020 and reintroduced as amended during their public meeting held on August 10, 2020.

The public hearing will be conducted by conference call, as City offices are closed to the public because of the COVID-19 outbreak. Individuals wishing to observe the public hearing may do so online by going to www.TownHallStreams.com. Individuals wishing to comment during the hearing may do so by calling the Mayor during the public hearing at (410) 228-5808 or joining the public hearing using WebEx. Details on how to join the public hearing using WebEx are available on the City's website, www.chocascambridge.com.

Information regarding proposed Ordinance No. 1164 is also available on the City's website. Written comments shall be considered provided that they are received at City Hall by 4:30 p.m. on MONDAY, AUGUST 24, 2020.

Patrick C. Comiskey, City Manager

2914913 SD 8/7,8/14/2020

Need to place a legal ad? Call 1-877-629-2190

TALBOT COUNTY PUBLIC NOTICE
INVITATION TO BIDDERS

TITLE: REQUEST FOR PROPOSALS - TAXIWAY B PAVEMENT MAINTENANCE - EASTON/NEWMAM FIELD AIRPORT (EBN) - TALBOT COUNTY, MARYLAND

BID NO.: 20-07

Sealed Bids shall be accepted by the Office of the Talbot County Manager, South Wing, Talbot County Courthouse, 11 N. Washington Street, Easton, Maryland 21601 until 11:30 a.m. local time on Friday, August 14, 2020, at which time they shall be opened and read aloud. Due to the COVID-19 pandemic, a drop-box is available at the entrance of the South Wing for receipt of packets.

STAY INFORMED