

**ORDINANCE NO. 1173**

**AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING TABLE 1: PERMITTED USES BY ZONING DISTRICT OF THE CITY'S UNIFIED DEVELOPMENT CODE FOR THE PURPOSE OF ALLOWING PROFESSIONAL OFFICES AS A PERMITTED USE IN THE CORRIDOR MIXED-USE ZONING DISTRICT; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO PROFESSIONAL OFFICES 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**, following a public hearing held on March 2, 2021, the City of Cambridge Planning Commission (the "Planning Commission") recommended that the Commissioners of Cambridge approve a text amendment amending Table 1: Permitted Uses by Zoning District of the UDC for the purpose of allowing professional offices as a Permitted Use in the Corridor Mixed-Use Zoning District; and

**WHEREAS**, on \_\_\_\_\_, 2021, the Commissioners of Cambridge held a public hearing regarding the foregoing text amendment recommended by the Planning Commission, notice of which was published on \_\_\_\_\_, 2021 and \_\_\_\_\_, 2021 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**, having considered the recommendations of the Planning Commission and the Department of Planning and Zoning Staff, as well as the comments made during the \_\_\_\_\_, 2021 public hearing, the Commissioners of Cambridge find that it is in the best interest of the City to amend Table 1: Permitted Uses by Zoning District of the UDC for the

purpose of allowing professional offices as a Permitted Use in the Corridor Mixed-Use Zoning District; 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.** Table 1: Permitted Uses by Zoning District is amended to allow professional offices as a Permitted Use in the Corridor Mixed-Use Zoning District as shown on Exhibit 1 hereto, which is incorporated by reference as if fully set forth herein.

**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 (10<sup>th</sup>) day following the date of passage.

ATTEST: THE COMMISSIONERS OF CAMBRIDGE

\_\_\_\_\_  
Patrick C. Comiskey, City Manager

By: \_\_\_\_\_  
Andrew Bradshaw, Mayor

Introduced the \_\_\_ day of \_\_\_\_\_, 2021  
Passed the \_\_\_ day of \_\_\_\_\_, 2021  
Effective the \_\_\_ day of \_\_\_\_\_, 2021

Exhibit 1

TABLE I: PERMITTED USES BY ZONING DISTRICT		P: Permitted C: Permitted, subject to conditions SE: Special Exception SC: Special Exception, subject to conditions									
Land Use	Zoning Districts										Use Regs.
	NC 1,2,3,4	R	I	CMU	GC	IND	MR	RC	OS		
Medical Cannabis Grow/Processing Facility						C					§ 4.2.3 (D) 8.
Medical Cannabis Independent Laboratory Facility				C							§ 4.2.3 (D) 9.
Medical Cannabis Processing Facility						C					§ 4.2.3 (D) 6.
Microbrewery				C	C						§ 4.2.3 (B) 9.
Mixed-Use: Dwellings Above, Nonresidential				P	P						
Mobile Food Establishments	C	C	C	C	C	C	C	C	C	C	§ 4.2.3 (B) 12.
Motor vehicle sales or rental					P						
Nursery for plants, greenhouses				P	P			P	P		
Office buildings, generally				P	P						
<b>Offices and shops for professional and business services such as real estate, tax and accounting, travel agency, copy centers, physician, law, urban planning, architecture, and similar uses</b>	SC			P	P						§ 4.2.3(B)1
Personal services such as salons and barbershops, shoe repair	SC			P	P						§ 4.2.3(B)1
Pubs, bars, dance halls, nightclubs				P	P						
Research and Development (office)				P	P						
Research, experimental, testing laboratories (excluding explosives and toxic materials)						P					
Resorts				P			P	P	P		
Restaurants, fast food, drive-in, drive-thru				P	P						
Restaurants, standard				P	P						
Salvage, recycling processing						P					

## Council Agenda Report

**Date:** March 8, 2021  
**Prepared by:** Pat Escher, A.I.C.P., Division Manager

**SUBJECT:** An Ordinance of the Commissioners of Cambridge, Maryland amending Table 1: Permitted Uses by Zoning District of the City's Unified Development Code for the purpose of allowing professional offices as a permitted use in the Corridor Mixed-Use Zoning District; providing that the title of this Ordinance shall be deemed a fair summary and generally relating to professional offices in the City of Cambridge.

**Recommendation:** That Council

- A. Introduce Ordinance No. 1173 by reading of title only; and
- B. Schedule March 22, 2020 for second reading, public hearing and adoption of Ordinance No. 1173.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission unanimously recommended to Council that Table #1 of the Permitted Uses in the UDC be amended to combine "Offices and Shops" with "Professional Offices".

There are two categories for offices in the Land Use Table # 1 that are similar and should be combined. In doing so, this will also allow professional offices such as a physician, law, urban planning and architecture in the CMU zone, where presently they are prohibited.

Please see attached Ordinance and documentation.

**Fiscal Impact:** NA

**Approved by:** *Patrick C. Comiskey, City Manager*