

Council Agenda Report

Date: June 14, 2021
Prepared by: Pat Escher, A.I.C.P., Division Manager

SUBJECT: An Ordinance of the Commissioners of Cambridge, Maryland amending § 5.1.1(c), Table 3 (dimensional and density requirements) of the City's Unified Development Code for the purpose of limiting the number of units per square feet for certain uses in the Downtown Waterfront Development District – Core Subdistrict; providing that the title of this Ordinance shall be deemed a fair summary and generally relating to zoning in the City of Cambridge.

Recommendation: That Council

- A. Introduce Ordinance No. 1184 by reading of title only; and
- B. Schedule July 12, 2021 for second reading, public hearing and adoption of Ordinance No. 1184.

Discussion:

- I. **THE COMMISSIONERS OF CAMBRIDGE:** The Commissioners of Cambridge request an amendment to the City Unified Development Code to amendment Section 5.1.1 3. Table 3 to set density requirements for the 500 block of Race Street within the Core-Subdistrict of the DWDD.
- II. **DISCUSSION:** The 400 block of Race Street consists primarily of two and three story buildings on compact lots which allows for higher residential densities. In contrast, the 500 block of Race Street transitions to primarily of one and two-story structures with the exception of two - 3 story buildings. The overall building heights and densities on Race Street continue to decrease within the 600 block as you continue south away from the historic core. The intent of this amendment is to acknowledge this transitional nature and protect the historic fiber. Currently there is no density cap within the Core-Subdistrict and with unrestricted density there could be a proposed development that would not be consistent with the transitional nature of this City block as Race Street continues away from the historic core.

Additionally, any new construction or rehabilitation of any structure on the 500 block of Race Street shall be restricted to the historic building footprint to preserve the historic integrity of the neighborhood.

As this is a request from the Commissioners of Cambridge, this request, if approved, will be sent to the Planning Commission in Ordinance form for a public hearing. Pending that review, the Ordinance may be sent back to Council for a public hearing on July 12th.

See Ordinance and Documentation

Fiscal Impact: NA

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

ORDINANCE NO. 1184

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING § 5.1.1(C), TABLE 3 (DIMENSIONAL AND DENSITY REQUIREMENTS) OF THE CITY'S UNIFIED DEVELOPMENT CODE FOR THE PURPOSES OF LIMITING THE NUMBER OF UNITS PER SQUARE FEET FOR CERTAIN USES AND ESTABLISHING DIMENSIONAL REQUIREMENTS IN THE DOWNTOWN WATERFRONT DEVELOPMENT DISTRICT – CORE SUBDISTRICT; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO ZONING 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, on June 14, 2021, the Commissioners of Cambridge introduced a text amendment proposing to amend § 5.1.1(C), Table 3 (Dimensional and Density Requirements) of the UDC for the purposes of limiting the number of units per square feet for certain uses and establishing dimensional requirements in the Downtown Waterfront Development District (“DWDD”) – Core Subdistrict; and

WHEREAS, following a public hearing held on July 6, 2021, the City of Cambridge Planning Commission (the “Planning Commission”) recommended that the Commissioners of Cambridge approve the foregoing text amendment as introduced on June 14, 2021; and

WHEREAS, on July 12, 2021, the Commissioners of Cambridge held a public hearing regarding the foregoing text amendment, notice of which was published on June 18, 2021 and June 25, 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 July 12, 2021 public hearing, the Commissioners of Cambridge find that it is in the best interest of the City to amend § 5.1.1(C), Table 3 (Dimensional and Density Requirements) of the UDC for the purposes of limiting the number of units per square feet for certain uses and establishing dimensional requirements in the DWDD – Core Subdistrict; 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 5.1.1(C), Table 3 (Dimensional and Density Requirements) of the Unified Development Code is hereby amended as shown on Exhibit 1 hereto, which is incorporated by reference as if fully set forth herein, to include the following language in the "Notes" section regarding dwelling units per acre in the DWDD – Core Subdistrict:

**** Mixed use development, commercial apartments, condominiums, and live-work units within the 500 block of Race Street and within the Core Subdistrict shall be limited to a maximum of 12 units per 10,000 square feet of usable building floor area, excluding stairwells, mechanical spaces, basements, or similar. Additionally, all buildings on this block are in the Historic Overlay District and shall be limited to the historic footprint on site.**

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: _____
Andrew Bradshaw, Mayor

Introduced the 14th day of June, 2021

Passed the 12th day of July, 2021

Effective the 22nd day of July, 2021

Table 3 Dimensional and Density Requirements

Zoning District	Lot Area		Lot Area Per Unit		Lot Width		Lot Depth		Maximum Residential Density Dwelling Units (Per Acre)
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	
Residential (R) District Lots *									
Residential Single-Family detached	7,500	10,000	7,500	10,000	50	80	125	190	5.8
Residential, single-family attached	2,000	--	2,500	--	20	--	90	115	8
Residential, duplex	12,500	14,500	6,250	7,250	50	80	125	190	7
Residential, multi-family	2 acres	5 acres	5,400	5,400	100	--	125	--	10
Zoning District	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Dwelling Units (Per Acre)
Civic, educational, cultural, religious	20,000	n/a	n/a	n/a	100	--	125	--	--
Institutions for care/treatment of persons	2 acres	n/a	n/a	n/a	200	--	125	--	n/a
Recreational (excluding parking lots)	2 acres	n/a	n/a	n/a	200	--	125	--	n/a
Institutional (I) Lots									
Civic, educational, cultural, religious	20,000	--	--	--	100	--	125	--	n/a
Institutions for care/treatment of persons	20,000	--	--	--	100	--	125	--	n/a
Recreational (excluding parking lots)	20,000	--	--	--	100	--	125	--	n/a
Other	20,000	--	--	--	100	--	125	--	n/a
Corridor Mixed Use (CMU) Lots									
Residential Single-Family detached	5,400	7,500	5,400	7,250	50	65	100	125	12

Residential, single-family attached	1,200	--	3,000	--	18	--	60	65	14
Residential, multi-family	20,000	5 acres	1,200	3,500	80	--	125	--	63
Civic, educational, cultural, religious	20,000	--	n/a	n/a	100	--	125	--	--
Institutions for care/treatment of persons	20,000	--	n/a	n/a	100	--	125	--	n/a
Recreational (excluding parking lots)	20,000	--	n/a	n/a	100	--	125	--	n/a
Commercial, other	5,000	--	n/a	n/a	n/a	n/a	n/a	n/a	--
Commercial (C) Lot									
Civic, educational, cultural, religious	20,000	--	n/a	--	--	--	125	--	n/a
Institutions for care/treatment of persons	20,000	--	n/a	--	100	--	125	--	n/a
Recreational (excluding parking lots)	20,000	--	n/a	--	100	--	125	--	n/a
Commercial, other	20,000	--	n/a	--	50	--	100	--	n/a
Downtown/Waterfront Development District									
Core	1,500	12,500	n/a	n/a	n/a	n/a	n/a	n/a	n/a**
General	2,500	52,500	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Center	2,500	7,500	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Neighborhood (S.F.)	1,750	n/a	n/a	n/a	25	n/a	70	n/a	n/a
Zoning District	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Dwelling Units (Per Acre)
Neighborhood (Duplex)	3,500	n/a	n/a	n/a	50	n/a	70	n/a	n/a
Gateway	3,500	10,500	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Civic	43,560	240,000	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Industrial (I) Lots									
Contractor yards, small-scale	5,000	--	n/a	n/a	50	--	100	--	n/a
Warehousing, salvage, manufacturing	40,000	--	n/a	n/a	100	--	100	--	n/a

Open Space (OS) Lots									
Agricultural, forestry, other	3 acres	--	n/a	n/a	--	--	--	--	n/a
Other	2 acres	--	n/a	n/a	200	--	--	--	n/a
Resource Conservation (RC) Lots									
Single-family detached	10 acres	--	10 acres	--	--	--	--	--	0.1
Other	5 acres	--	n/a	--	--	--	--	--	n/a
<p>* No lot in the Residential and DWDD Neighborhood Districts shall be created through the resubdivision of an existing lot that has a lot width and area less than 12 percent of the average of the existing lots on the same blockface.</p> <p><u>** Mixed use development, commercial apartments, condominiums, and live-work units within the 500 block of Race Street and within the Core Subdistrict shall be limited to a maximum of 12 units per 10,000 square feet of usable building floor area, excluding stairwells, mechanical spaces, basements, or similar. Additionally, all buildings on this block are in the Historic Overlay District and shall be limited to the historic footprint on site.</u></p>									