



*City of Cambridge*  
*Cambridge, Maryland*

ORDINANCE NO. 1041

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND (“THE COMMISSIONERS”), TO ADOPT THE UNIFIED DEVELOPMENT CODE DATED NOVEMBER 3, 2014, AS AMENDED, AND ZONING DISTRICT MAP DATED JUNE 2, 2014, AS AMENDED, AS THE CITY’S ZONING ORINANCE AND ZONING DISTRICT MAP TO BE CODIFIED AS CHAPTER 20 “ZONING” OF THE CODE OF LAWS OF THE CITY OF CAMBRIDGE, THEREBY REPLACING THE CURRENT ZONING ORDINANCE AND ZONING DISTICT MAP DATED MAY 2003.

WHEREAS, the City of Cambridge, a Maryland Municipal Corporation, is authorized and required by the provisions of Section 4-202 of the Land Use Article, Annotated Code of Maryland, to adopt zoning regulations for the purposes of assuring the orderly development of the City, and for the purposes as set forth in Section 4-202(b) of the Land Use Article, Annotated Code of Maryland; and

WHEREAS, the Planning & Zoning Commission for the City of Cambridge, at its public meeting held on April 15, 2014, unanimously approved the proposed Unified Development Code and related Zoning District Map as the zoning ordinance for the City of Cambridge, and unanimously recommended adoption of the Unified Development Code and related Zoning District Maps by the Commissioners of Cambridge; and

WHEREAS, both the Cambridge Planning and Zoning Commission and the Cambridge City Council have conducted numerous public hearings on the Unified Development Code and Zoning District Map, including public hearings before the City Council held on October 20, 2014 and December 8, 2014, and it appears to the members of the City Council that adoption of the Unified Development Code dated November 3, 2014, as amended, and Zoning District Map dated June 2, 2014, as amended, will be consistent with the City’s Comprehensive Plan adopted March 28, 2011 by Ordinance No. 1088, and will promote the health, public safety and general welfare of the City and its residents, and are designed to achieve all of purposes set forth in Section 4-202(b) of the Land Use Article; and

WHEREAS, pursuant to the powers and authority as set forth in Sections 4-201 et seq. of the Land Use Article of the Annotated Code of Maryland, this Ordinance is approved.

IT IS HEREBY ENACTED AND ORDAINED by the Commissioners of Cambridge that Chapter 20 entitled “Zoning” of the City Code, known as the Zoning Ordinance, City of Cambridge, Maryland, May, 2003, is hereby comprehensively deleted in its entirety and the “November 3, 2014 Unified Development Code” as amended and as attached hereto as Exhibit A and incorporated herein by reference is hereby adopted and approved as the zoning ordinance of the City of Cambridge to be codified as Chapter 20 of the Code of Laws; and

BE IT FURTHER ENACTED AND ORDAINED by the Commissioners of Cambridge that the Zoning District Map identified as “City of Cambridge Preliminary Zoning Map dated June 2, 2014” as amended and as attached hereto as Exhibit B, and incorporated herein by reference, is hereby adopted and approved as the Zoning District Map for the City of Cambridge; and



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**BE IT FURTHER ENACTED AND ORDAINED** that pursuant to Section 4-203(b)(3) of the Land Use Article, Annotated Code of Maryland, this Ordinance shall become effective the **FIRST (1<sup>ST</sup>)** day of **JANUARY, 2015**.

ATTEST:

  
Edwin C. Kinnamon, Clerk

THE COMMISSIONERS OF CAMBRIDGE

BY:   
Victoria Jackson-Stanley, Mayor

Introduction and First Reading held on the 24<sup>th</sup> day of November, 2014

Second Reading and Adoption this 8<sup>th</sup> day of December, 2014

(See Amendments Attached hereto and Incorporated herein by Reference)

## **APPROVED AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE AND ZONING MAPS**

**FIRST:** Section 4.3 Mixed Use Overlay District, Subsections 4.3.1.C, 4.3.4.B and 4.3.7.A are approved as amended to read as follows:

### **4.3.1 Purpose**

The Mixed-use Waterfront Overlay district is established to:

- A. Allow the development and improvement of waterfront parcels within the City that are of substantial citywide significance.
- B. Encourage flexibility in the land uses permitted in the underlying district, and to require that where residential development is proposed that a substantial mix of non-residential uses also and concurrently be provided as the principal element of the development plan
- C. To minimize the impact to the views to the Choptank River and Cambridge Creek and protect them from encroachment and obstruction by buildings and other structures. Continuous site lines, significant views from the site to the historic district and downtown shall be enhanced, protected and preserved.
- D. Protect and enhance the underlying natural and recreational resource value of the land and open spaces and to create and guarantee the improvement of public spaces of citywide significance.
- E. Assure effective control over the phasing, location, type, and arrangement of uses appropriate to the mixed-use overlay district such that development and improvement of public open space(s) is part of the first phase of development.
- F. Cultivate a clear and consistent image for new development within the district.
- G. Bring about a general physical improvement of lands in the district through coordinated and comprehensive development.
- H. Promote the integration of new streets, circulation patterns, and recreational spaces into the City's existing settlement pattern.
- I. Ensure that any proposed waterfront development provides public access along the waterfront that is scaled to and appropriately sized in relation to the proposed structure(s) that may lie adjacent to such public access ways.
- J. Promote the public welfare and otherwise achieve the intent of this Ordinance.

### **4.3.4 Development Plan**

The application for mixed-use project shall include an overall Development Plan, drawn to an acceptable scale, which shall show:

- A. Existing topography and existing significant natural features.
- B. Before any subdivision or development approval within the Mixed-Use Waterfront Overlay District can occur, there must have been a cultural

and historic view shed analysis. This analysis shall be provided to the Planning Commission for consideration and shall be prepared as part of the Development Plan submittal by a licensed planning professional.

- C. Proposed street, sidewalk, and overall circulation system and parking facilities including approximate location of points of ingress and egress to existing public streets and highways.
- D. All existing easements of any kind. If easements are to be granted, a separate and preliminary easement plat shall be provided.
- E. The number of construction phases proposed, if any, with the plan showing the approximate boundaries of each phase, and the proposed completion date of each phase.
- E. A tabulation of total number of acres in the project and the percentage thereof proposed to be devoted to the various dwelling types, commercial uses, other nonresidential uses, off-street parking, streets, parks, and other reservations.
- F. Proposed buildings and structures with dimensions, setbacks and heights designated including floor areas of all non-residential buildings and the proposed use of each.
- F. Approximate location and size of recreational areas and other open spaces and proposed reservations for parks, recreational facilities and/or open spaces.
- G. Existing vegetation, proposed removal of vegetation, proposed replacement of vegetation and monuments.
- H. Proposed lot layout
- I. Architectural elevations in color including at least one presentation board of no smaller than 24 inches by 36 inches.
- J. Residential densities and use types for each residential area and overall tract density.
- K. A statement describing the proposed stormwater management, water supply and sewerage disposal facilities and systems.
- L. A statement of the method intended to be used to assure that a consistent and compatible image for new development will be developed within the district, including architectural design, signage, and typical sections for streets and sidewalks.
- M. A statement of the method intended to be used to assure perpetual maintenance to be applied to those areas to be used for recreational or other common or quasi-public purposes.
- N. A statement demonstrating the market demand for the project and projected time frame for build-out including a phasing plan if applicable.

#### **4.3.7 Procedures for Approval of Development Plan.**

- A. In reviewing the application, the Planning Commission shall consider the purposes of the Mixed Use Overlay District with a view toward achieving the maximum public benefit of development particularly as it relates to physical and visual access of the public to and along the waterfront. To this end the Commission shall consider the mix of land use activities, the location of buildings, parking areas, and other features with respect to the topography, view of and to the water, the efficiency, adequacy, and safety of the proposed layout of internal streets, sidewalks, bikeways, the adequacy and location of the publicly accessible open areas provided, the location and screening of parking lots, the consistency in building patterns, architectural styles, and signage; the compatibility of the project with the City as a whole, the relationships between and compatibility among the different uses proposed and the means shown for buffering any incompatible uses from each other; the adequacy of documents concerning the ownership and maintenance of the common areas and open space lands; and such other matters as the Planning Commission may find have a material bearing upon the stated purposes of the Mixed Use Overlay District. Additionally, to this end, the Planning Commission shall consider and make formal findings that the application and the Development Plan comply with: (i) any and all declarations of covenants or development covenants imposed upon the subject property by a governmental entity, including but not limited to the State of Maryland or any of its agencies or departments, the City of Cambridge, or Dorchester County; and (ii) any and all requirements related to the development or use of the subject property imposed upon the City of Cambridge, Dorchester County, the State of Maryland or any developer, either by contract, written agreement, order, decree, or regulation made known to the Planning Commission.

**SECOND:** The Zoning District Map dated June 2, 2014, is approved with the following amendment:

Parcel Nos. 4839 and 4840, as shown on Tax Map 302, are amended from a Sub-category of "Neighborhood" to the Sub-category "General" as defined in the Downtown Waterfront Development District.