

## Council Agenda Report

**Date:** June 13, 2016

**Submitted by:** Odie Wheeler, Director of Public Works *OW*

**Prepared by:** Pat Escher, City Planner, A.I.C.P.

**SUBJECT:** Ordinance No. 1075 to revise Section 4.2.3 to remove a Studio for Art, Music, Dance and Similar within the NC-1, NC-2, NC-3, and NC-4 Zone Districts as a Special Exception as indicated in the Permitted Land Use Table #1

Recommendation that Council:

Introduce Ordinance No. 1075 by reading of title only and  
Schedule June 20, 2016 for second reading, public hearing and adoption.

**Discussion:** The Land Use Table #1 indicates that Studios for Art, Music, Dance and Similar are a Special Exception with Conditions; however, this land use was omitted from Section 4.2.3. This is a technical correction to remove this land use in the Land Use Table portion of the document. The Planning Commission believes that this was an error and that small commercial use should not be allowed in the NC Zone Districts.

**Fiscal Impact:** None

**Approved by:** *SEP*



**PROPOSED ORDINANCE**

**ORDINANCE NO. 1075**

**AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND, TO REVISE SECTION 4.2.3 TO REMOVE A STUDIO FOR ART, MUSIC, DANCE AND SIMILAR WITHIN THE NC-1, NC-2, NC-3, AND NC-4 ZONE DISTRICTS AS A SPECIAL EXCEPTION AS INDICATED IN THE PERMITTED LAND USE TABLE #1**

**WHEREAS**, upon consideration of the recommendation of the Planning and Zoning Commission, and upon consideration of the staff of the Department of Planning and Zoning, the comments made at a public hearing before City Council, held on June 20, 2016 the City Council finds that the proposed amendments are needed to protect the public health, safety and welfare; and

**WHEREAS**, on April 5, 2016 the Planning Commission held a public hearing and issued recommendation regarding the proposed text amendment. The Planning Commission unanimously recommended that the Commissioners of Cambridge approve the text to revise Section 4.2.3 to remove a Studio for Art, Music, Dance and Similar within the NC-1, NC-2, NC-3, and NC-4 Zone Districts as a Special Exception as indicated in the Permitted Land Use Table #1; and

**WHEREAS**, the Commissioners of Cambridge find that it is in the best interest of the City to amend Section 4.2.3 to remove a Studio for Art, Music, Dance and Similar within the NC-1, NC-2, NC-3, and NC-4 Zone Districts as a Special Exception as indicated in the Permitted Land Use Table #1; and

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

See Attached Table #1.

**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 adoption.

**ATTEST:**

**THE COMMISSIONERS OF CAMBRIDGE**

\_\_\_\_\_  
Sandra Tripp-Jones, City Manager

By: \_\_\_\_\_  
Donald Sydnor, Acting Mayor

**Introduced the 13th day of June, 2016**  
**Adopted the 20th day of June, 2016**  
**Effective the 30th day of June, 2016**

**TABLE 1: 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			
<b>Residential</b>												
Day Care, Home (no more than 8 clients)	C	C		C			C	C				§ 4.2.3(A)4
Group Home (no more than 8 clients)	C	C		C					C			§ 4.2.3(A)5
Home Occupations	C	C		C			C	C				§ 4.2.3(A)9
Homeless Shelter				C								
Multi-Family Residences												§ 4.2.3(A)3
Attached (townhouses located on a single lot)		SC		P			P					§ 4.2.3(A)1
Commercial Apartments				P			P					
Single-Family Residences												
Accessory Dwelling Unit (ADU) to a primary residence	SC	SC		SC			SC	P				§ 4.2.3(A)2
Attached (townhouses located on individual lots)		SC		P			P					§ 4.2.3(A)1
Detached	P	P		P			P	P				
Duplex	SE	SE		P								
Temporal Housing												
Bed and Breakfast	SC	SC		SC			SC	SC	SC			§ 4.2.3(A)6
Boarding House									SC			§ 4.2.3(A)8
Country Inn	SC	SC		SC			SC	SC				§ 4.2.3(A)7

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		Zoning Districts										
Land Use	NC 1,2,3,4	R	I	CMU	GC	IND	MR	RC	OS			
												<b>Commercial</b>
Adult Bookstore/Entertainment						SE						
Animal hospital, veterinarian clinic				C	C	C					§ 4.2.3(B)2	
Artisan Shop	SC			P	P						§ 4.2.3(B)1	
Automotive Repair and Service: body shop, repair garage (excluding salvage), car wash											§ 4.2.3(B)5	
Building material and supply, boat sales, farm implements storage and sales, feed and grain storage and sales, heavy equipment sales and service												
Café/Coffee Shop	SC			P	P						§ 4.2.3(B)1	
Commercial sales, service, and repair	SC			P	P						§ 4.2.3(B)1	
Contractor shops, plumbing, construction, etc. and service and repair												
Convenience Store				P	P							
Filling stations, service stations				SC	C	P					§ 4.2.3(B)4	
Funeral Parlor				P	P						P	
Hotels, motels, convention centers, and similar businesses or institutions providing overnight accommodations												
Kennel or cattery				P	P						P	
Large-scale Manufacturing				C	C	C					§ 4.2.3(B)3	



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		Zoning Districts										
Land Use	NC 1,2,3,4	R	I	CMU	GC	IND	MR	RC	OS			
Pubs, bars, dance halls, nightclubs				P	P							
Research and Development (office)				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						
Seasonal/temporary sales	SE	SE	SE	SE	SE	SE	SE	SE	SE	§ 4.4.4 (B) 7		
Small-scale manufacturing and assembly such as cabinet making, furniture upholstery, printing, publishing												
Studios for art, music, dance, similar	SE		P	P	P					§ 4.2.3(B)6 § 4.2.3(B)1		
Tattooing, body art, body piercing					P							
Trucking and freight stations, storage yards						P						
Warehousing, (Large) storage, distribution facilities					P							
Warehousing, (Medium) storage, distribution facilities				C	P	P						
<b>Institutional</b>												
Airport			P									





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Land Use	NC 1,2,3,4	R	I	CMU	GC	IND	MR	RC	OS	Use Regs.	
		Nursing care institutions, intermediate care institutions, handicapped or infirm institutions, child care institutions	SE	SE	SE	P	P		P		
Schools											
Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)		P	P	P	P	P			P		
Elementary and secondary (including preschool, kindergarten, associated grounds and athletic and other facilities)		P	P	P					P		
Trade and Vocational Schools				P	P	P					
Libraries	SE	P	P	P	P		P		P		
Museums, art galleries, art and cultural centers and similar uses	SE	SE	P	P	P		P	P	P		
Social and fraternal clubs and lodges, philanthropic institutions				P	P						
<b>Recreational, Amusements, Entertainment</b>											

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		Zoning Districts									
Land Use	NC 1,2,3,4	R	I	CMU	GC	IND	MR	RC	OS	Use Regs.	
		Activity conducted primarily entirely within a building or substantial structure buildings or structures									
Bowling alleys, skating rinks, indoor tennis and squash courts, yoga, indoor athletic and exercise facilities and similar uses				P	P		P			P	
Theaters, cinemas				P	P		P				
Activity conducted primarily outside enclosed buildings or structures											
Golf Driving Range							P	P		P	
Privately owned and operated outdoor recreational facilities such as yacht clubs, golf courses, and country clubs, swimming or tennis clubs, (excluding rifle and pistol ranges), etc. not constructed pursuant to a permit authorizing the construction of some residential development	SE	SE	P	P			P	P		P	
Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc. not constructed pursuant to a permit authorizing the construction of another use such as a school.	P	P	P	P			P	P		P	

