

Council Agenda Report

Agenda Item No. 13

Date 11-14-2016

Date: November 14, 2016
Submitted by: Odie Wheeler, Director of Public Works
Prepared by: Pat Escher, City Planner, A.I.C.P.

SUBJECT: Ordinance No. 1090 An Ordinance of the Commissioners of Cambridge, Maryland, to Amend the Permitted Land Use Table #2 of the Unified Development Code to Permit Residential and Commercial Mixed Use Development in a "Side by Side" Configuration in the Downtown Waterfront Development District, "Maryland Avenue Gateway" Sub-District

Recommendation: That Council

- A. Introduce Ordinance No. 1090 by reading of title only; and
- B. Schedule November 28, 2016 for second reading, public hearing and adoption of Ordinance No. 1090.

Discussion: The DWDD consist of six sub-districts that apply to the downtown portion of the City. The sub-districts are Core, General, Civic, Center, Neighborhood and the Maryland Avenue Gateway. It came to staff's attention that there is a very limited number of properties in the Maryland Avenue Gateway subzone of the DWDD that may have a "side by side" configuration of residential and commercial uses housed in one building. The "side by side" configuration is when the commercial use occupies one half of the building and residential use occupies the other half of the building. The current definition for mixed use allows for commercial on the ground level and residential above. This above / below configuration of mixed use development is the more common and is applied in all the other parts of the Downtown-Waterfront Development District (DWDD) with commercial designations.

The Maryland Avenue Gateway district is a unique neighborhood with a more residential character. The UDC states; "*The regulations are intended to protect the integrity of the historic built environment while allowing a mix of compatible land use activities.*" Staff believes by providing some flexibility for the mixed use configuration will help further this goal.

This text amendment will modify the Permitted Land Use Table #2 by allowing this configuration on non-waterfront properties with a Special Exception.

Fiscal Impact: None

Approved by: 

PROPOSED ORDINANCE

ORDINANCE NO. 1090

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND, TO AMEND THE PERMITTED LAND USE TABLE #2 OF THE UNIFIED DEVELOPMENT CODE TO PERMIT RESIDENTIAL AND COMMERCIAL MIXED USE DEVELOPMENT IN A “SIDE BY SIDE” CONFIGURATION IN THE DOWNTOWN WATERFRONT DEVELOPMENT DISTRICT, “MARYLAND AVENUE GATEWAY” SUB-DISTRICT.

WHEREAS, on August 2, 2016 the Planning Commission held a public hearing and recommended the following zoning text amendment: Amend Permitted Land Use Table #2 of the Unified Development Code Text (UDC) to permit residential and commercial mixed use development to include a “side by side” configuration in the Downtown Waterfront Development District, “Maryland Avenue Gateway” sub-district; and

WHEREAS, the Commissioners of Cambridge held a public hearing on the proposed zoning text amendment on November 28, 2016, as required by Section 4-203(b) of the Land Use Article, Annotated Code of Maryland; and

WHEREAS, upon the consideration of the recommendation of the Planning & Zoning Commission, and the recommendation of staff of the Department of Planning and Zoning, and the comments made at the public hearing before Planning Commission, held on August 2, 2016, and the public hearing before the City Council on November 28, 2016, the Commissioners of Cambridge find that the proposed amendment is an appropriate text amendment consistent with the City’s Comprehensive Plan; and

WHEREAS, the Commissioners of Cambridge find that it is in the best interest of the City to amend Permitted Land Use Table #2 of the Unified Development Code to include as a permitted use residential and commercial mixed use development in a “side by side” configuration in the Downtown Waterfront Development District, “Maryland Avenue Gateway” sub-district.

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

That Permitted Land Use Table #2 of the Unified Development Code is hereby amended as set forth on "EXHIBIT A" attached hereto and incorporated herein by reference, to permit, as a matter of right, residential and commercial mixed use development in a "side by side" configuration in the DWDD, "Maryland Avenue Gateway" sub-district

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

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Sandra Tripp-Jones, City Manager

By: _____
Victoria Jackson-Stanley, Mayor

Introduced the 14TH day of November, 2016
Adopted the _____ day of November, 2016
Effective the _____ day of December, 2016