

## Council Agenda Report

**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. 1088 An Ordinance of the Commissioners of Cambridge, Maryland, to Amend the Permitted Land Use Table #2 of the Unified Development Code to Permit Marine Repair Shops (Excluding Salvage) in the DWDD, "General" Sub-Zone as a Special Exception on Non-Waterfront Lots.

**Recommendation:** That Council

- A. Introduce Ordinance No. 1088 by reading of title only; and
- B. Schedule November 28, 2016 for second reading, public hearing and adoption of Ordinance No. 1088.

**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 a marine repair use is permitted only on waterfront lots. While the intent of this restriction seems to be self-explanatory, it also excludes lots that are either in operation or in close proximity to the water.

Planning Commission and staff looked at the DWDD General sub zone and determined that this use would be appropriate in locations that are not directly on the water and given Cambridge's maritime environs, it would make sense to not be so restrictive. Having said that, these uses may produce some aesthetic challenges due to the more "trade" nature of these businesses. It is therefore Planning Commission's recommendation that these uses be subject to the Special Exception process whereby the Planning Commission and the Board of Appeals may impose certain conditions that they deem necessary to ensure the health, public safety, and compatibility of the use with the neighboring properties.

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

**Fiscal Impact:** This amendment will help to promote small maritime businesses in the City.

**Approved by:** 

# PROPOSED ORDINANCE

ORDINANCE NO. 1088

**AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND, TO AMEND THE PERMITTED LAND USE TABLE #2 OF THE UNIFIED DEVELOPMENT CODE TO PERMIT MARINE REPAIR SHOPS (EXCLUDING SALVAGE) IN THE DWDD, "GENERAL" SUB-ZONE AS A SPECIAL EXCEPTION ON NON-WATERFRONT LOTS.**

**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 marine repair shops (excluding salvage) in the Downtown Waterfront Development District ("DWDD"), "General" sub-zone as a Special Exception on non-waterfront lots; and

**WHEREAS**, the Commissioners of Cambridge held a public hearing on the property 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 permit marine repair shops (excluding salvage) in the DWDD, "General" sub-zone as a Special Exception on non-waterfront lots.

**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 Special Exception, marine repair shops (excluding salvage) on non-waterfront lots in the DWDD, "General" sub-zone.

**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: \_\_\_\_\_  
Victoria Jackson-Stanley, Mayor

**Introduced the 14<sup>TH</sup> day of November, 2016**  
**Adopted the \_\_\_\_\_ day of November, 2016**  
**Effective the \_\_\_\_\_ day of December, 2016**