

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. 1089 An Ordinance of the Commissioners of Cambridge, Maryland, to Amend the Permitted Land Use Table #2 of the Unified Development Code to Permit an Auto Repair Shop in the Downtown Waterfront Development District, "General" Sub-Zone as a Special Exception on Non-Waterfront Lots.

Recommendation: That Council

- A. Introduce Ordinance No. 1089 by reading of title only; and
- B. Schedule November 28, 2016 for second reading, public hearing and adoption of Ordinance No. 1089.

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 auto repair use was not permitted in the DWDD, General sub zone.

Planning Commission and staff looked at the General sub zone and determined this use would be appropriate in certain locations within this subzone and provide a needed service to the community.

However, these uses do create some aesthetic challenges due to the more "trade" nature. It is therefore staff'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. Additionally, staff believes that these uses should not be permitted along the City's primary visual travel ways, such as Maryland Avenue, Market, Muse, Race, High, Washington and Cedar Streets.

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: None

Approved by: *Pat Escher*

PROPOSED ORDINANCE

ORDINANCE NO. 1089

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND, TO AMEND THE PERMITTED LAND USE TABLE #2 OF THE UNIFIED DEVELOPMENT CODE TO PERMIT AN AUTO REPAIR SHOP IN THE DOWNTOWN WATERFRONT DEVELOPMENT DISTRICT, "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 auto repair shops 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 auto repair shops in the DWDD, General sub-zone as a Special Exception on non-waterfront lots, but prohibiting such use on properties binding upon Maryland Avenue, Market Street, Muse Street, Cedar Street, Race Street, High Street or Washington Street.

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, auto repair shops in the DWDD, "General" sub-zone, but prohibiting such use on properties binding upon Maryland Avenue, Market Street, Muse Street, Cedar Street, Race Street, High Street or Washington Street.

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