

PROPOSED ORDINANCE

ORDINANCE NO. 1063

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND, TO AMEND SECTION 2.1.3 A. 1. OF THE CITY'S UNIFIED DEVELOPMENT CODE TO CORRECT AN OMISSION AND PROVIDE FOR THE BOARD OF ADJUSTMENT THE ABILITY TO HEAR APPEALS OF THE HISTORIC PRESERVATION COMMISSION.

WHEREAS, the amendment is correcting an omission within the Unified Development Code that shall permit any decision of the Historic Preservation Commission to be heard by the Board of Appeals; and

WHEREAS, the amendment is providing consistency within the Unified Development Code as both the Zoning Official and Planning Commission appeals are heard by the Board of Appeals; and

WHEREAS, a public hearing on the proposed text amendment was held before the Planning Commission on December 1, 2015, following which the Planning Commission unanimously recommended that the proposed text amendment be approved; and

WHEREAS, upon the consideration of the recommendation of the Planning & Zoning Commission, and upon consideration of the staff of the Department of Planning and Zoning, and the comments made at the public hearing before Planning Commission, held on January 11, 2016, the City Council finds that the proposed amendment is needed to promote and protect the public's health, safety and welfare; and

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

§ 2.1.3

A. Establishment

The Board of Appeals shall have the authority to:

1. Hear and decide appeals from any order, requirement, decision, action, or determination made by the Planning Commission and the Zoning Official. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to

that end shall have powers of the Planning Commission and the Zoning Official from whom the appeal is taken. The Board of Appeals is only authorized to hear and decide on appeals of the Planning Commission, the Zoning Official and **Historic Preservation Commission**.

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

By: _____
Victoria Jackson-Stanley, Mayor

Introduced the 14th day of December, 2015
Adopted the 11th day of January, 2016
Effective the 21st day of January, 2016