



**City of Cambridge**  
**DEPARTMENT OF PUBLIC WORKS**  
1025 WASHINGTON STREET  
CAMBRIDGE, MARYLAND 21613  
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**MEMO TO:** Planning and Zoning Commission  
**FROM:** Pat Escher, A.I.C.P., City Planner  
**DATE:** February 16, 2023  
**Subject:** Agenda

The public and applicants may attend the hearing in person, view the hearing via Town Hall Streams on the web or attend via Webex. Webex information is at the end of the agenda.

## **AGENDA - Revised**

The City of Cambridge **Planning & Zoning Commission** meeting will be held on **Tuesday, March 7, 2023, at 6:00 pm** at **Council Chambers**, 305 Gay St., Cambridge, Maryland. These are the following items scheduled:

### **Approve or amend agenda as presented.**

#### **Approval of Minutes**

February 7 - Tentative

Hearn Building Update - Presentation David Wilk- **Deferred**

#### **Old Business**

#### **New Business**

1. PZ 2023-010 REZ Rezoning and Zoning Map Amendment for Leonards Lane Park – Initial Review

### **PUBLIC HEARING**

1. Mural Guidelines

#### **Discussion Items**

**Section 5.1.3 B. 1 p technical mid point**

**Regulating intermediate care for 8 or less clients**

**\* Please note the agenda is subject to change, the final agenda will be approved by the Commission at the Hearing.**

## **Join information**

Meeting link:

<https://cityofcambridgemd.webex.com/cityofcambridgemd/j.php?MTID=m81eeb82e32b6b644b8b4e2e4f7fc746d>

Meeting number:

2555 005 3628

Password:

D4MxNhgYS24 (34696449 from video systems)

Cohost:

Dale C. Price, III

Join by video system

Dial 25550053628@cityofcambridgemd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-650-479-3208 United States Toll

Access code: 2555 005 3628



# City of Cambridge

DEPARTMENT OF PUBLIC WORKS

PLANNING & ZONING

1025 N. WASHINGTON STREET

CAMBRIDGE, MARYLAND 21613

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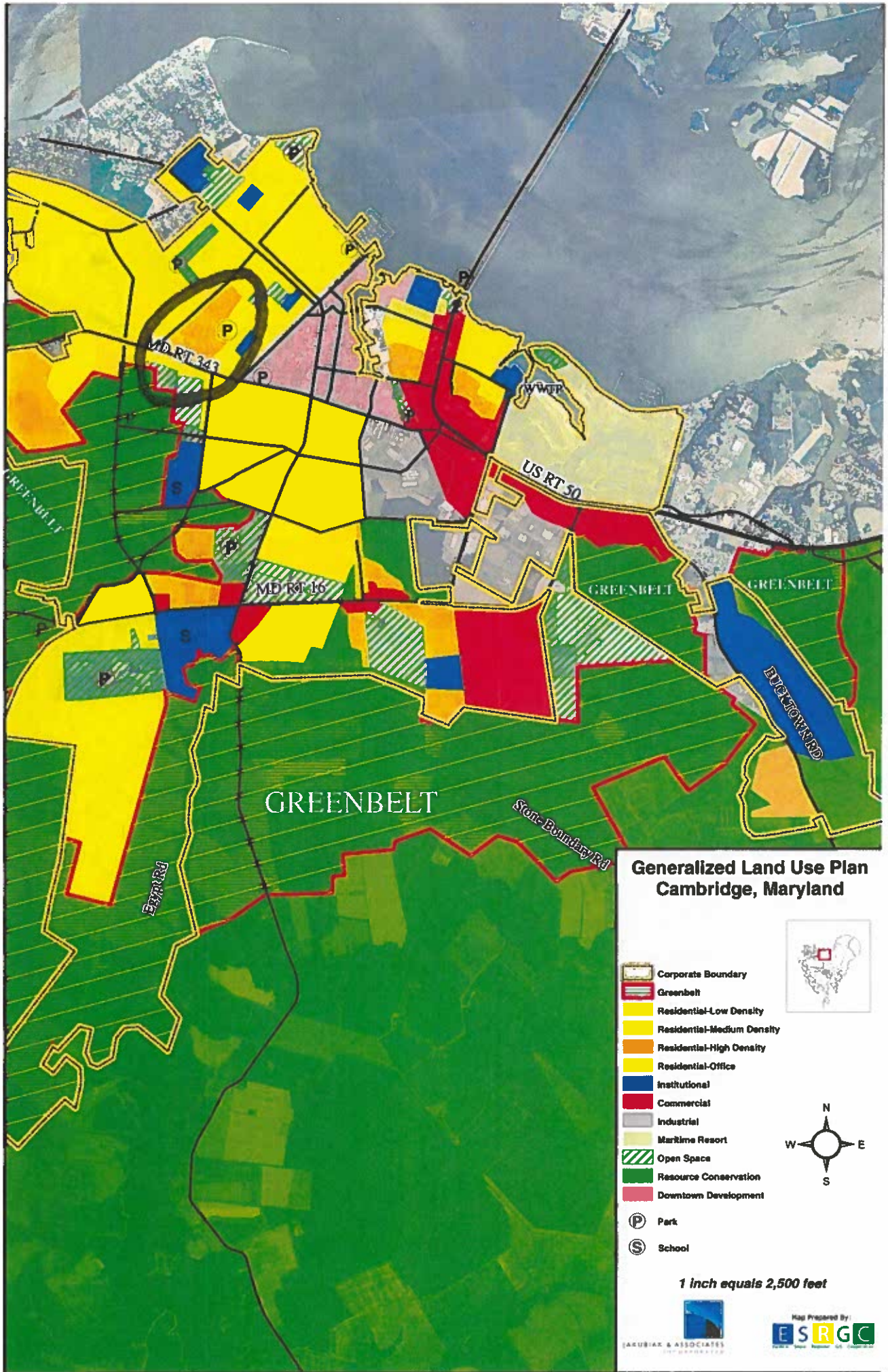
## Memorandum

**Date:** March 3, 2023  
**To:** Planning Commissioners of Cambridge  
**From:** Pat Escher, A.I.C.P., Director of Planning  
**Regarding:** Leonards Lane Rezoning and Map Amendment


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This property has been a split zone property for more than 20 years, with the front property being zoned commercial and the rear of the property zoned residential. In 2014/15 City wide rezoning this property and the City owned property across the street were rezoned to industrial, acknowledging the more industrial nature of Department of Public Works operations. It was also anticipation that the Department of Public works would expand their facility to this location. The expansion of DPW did not occur and the property was temporary used as a recycling center. Given that expansion of DPW did not occur and the current use is vacant land. Furthermore the Comprehensive Plan indicates that this property should be residential with a park facility.

# Comprehensive Plan Land Use Map



**Generalized Land Use Plan  
Cambridge, Maryland**



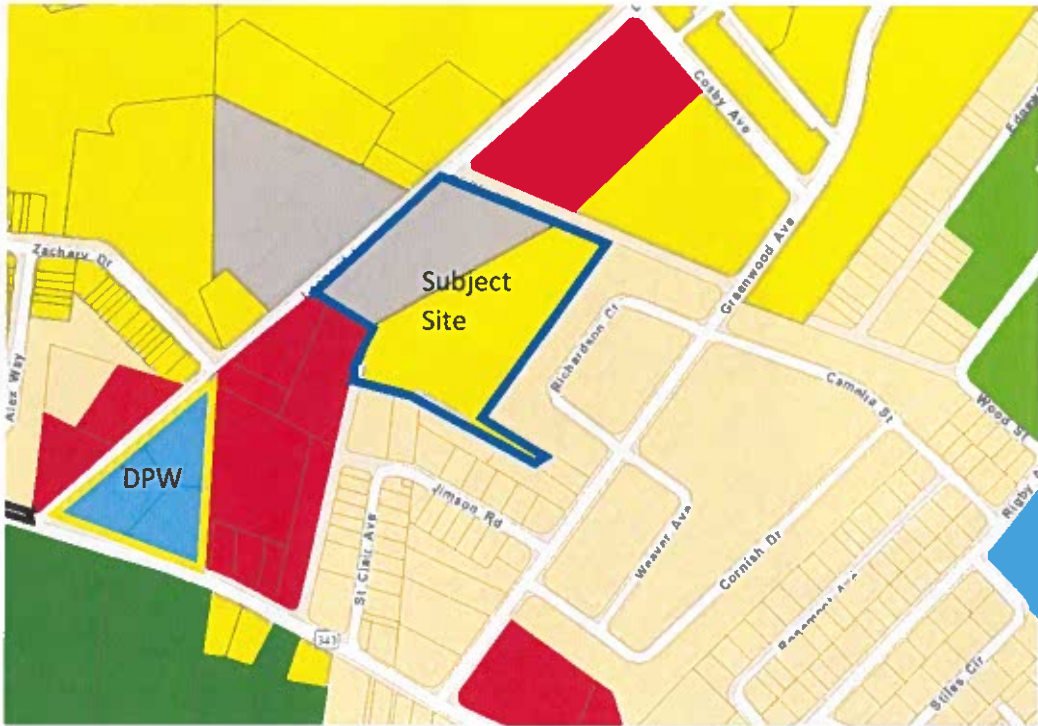
-  Corporate Boundary
-  Greenbelt
-  Residential-Low Density
-  Residential-Medium Density
-  Residential-High Density
-  Residential-Office
-  Institutional
-  Commercial
-  Industrial
-  Maritime Resort
-  Open Space
-  Resource Conservation
-  Downtown Development
-  Park
-  School



1 inch equals 2,500 feet

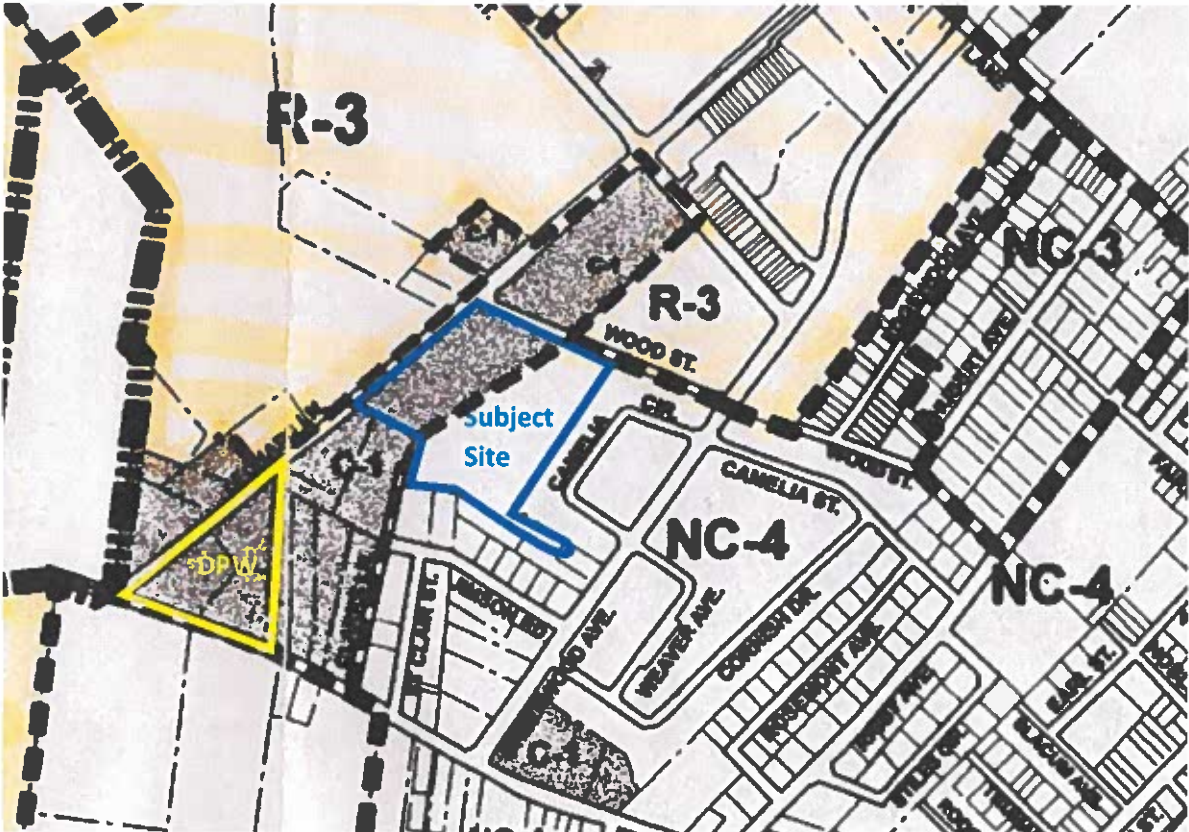


Zoning Maps

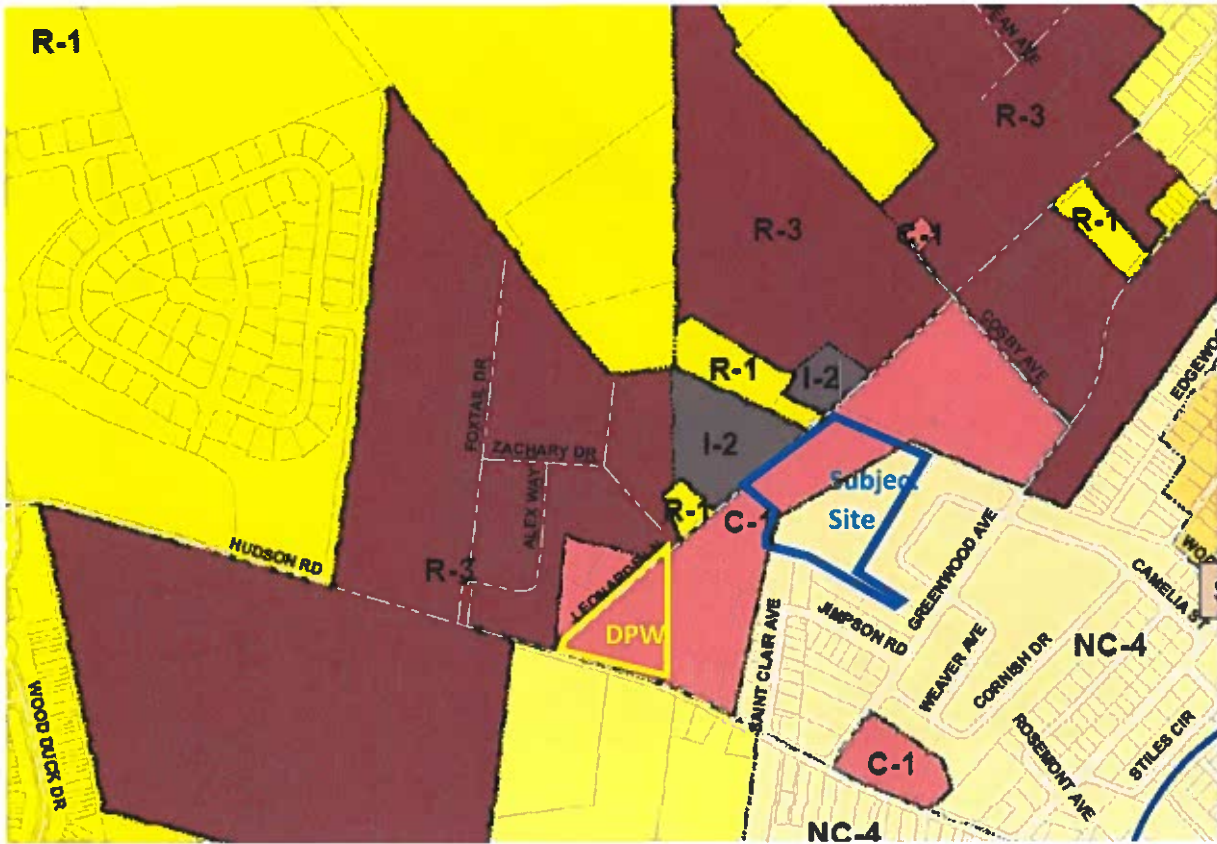


Current Zoning

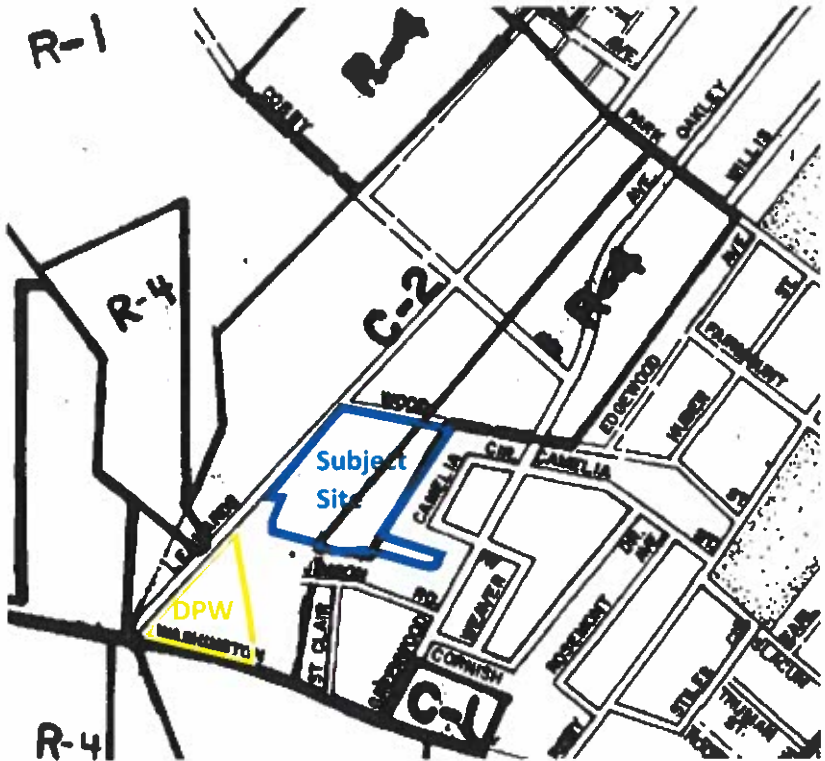
The front half of the property rezoned in 2014/15 to Industrial and back half rezoned to Residential. Department of Public Works property – rezoned to Institutional zoning.



Zoning from 2003 to 2014 Front half of the subject site and DPW site both zoned C-1, back half of property zoned NC-4



**Zoning 2003** Front half of the subject site and DPW site both zoned C-1, back half of property zoned NC-4



**Zoning 1996 to 2001** Front half of the subject site and DPW site both zoned C-2, back half of property zoned NC-4

## ORDINANCE NO. XXXX

**AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CAMBRIDGE BY REZONING A PORTION OF A PARCEL OF REAL PROPERTY LOCATED AT LEONARDS LANE AND WOOD STREET AND IDENTIFIED ON TAX MAP 302 AS PARCEL 2342, TAX ACCOUNT NO. 07-192827, CONTAINING 6.2 ACRES OF LAND, MORE OR LESS, FROM INDUSTRIAL TO RESIDENTIAL; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED TO BE A FAIR SUMMARY, AND GENERALLY RELATING TO THE OFFICIAL ZONING MAP OF THE CITY OF CAMBRIDGE, MARYLAND.**

**WHEREAS**, pursuant to Md. Code Ann., Land Use § 4-204 and § 2.2.3 of the Unified Development Code (the “UDC”), the Commissioners of Cambridge (the “Commissioners”) are authorized and empowered to amend, supplement, change, modify, and repeal the City of Cambridge’s (the “City”) zoning regulations and boundaries and change the City’s zoning classifications; and

**WHEREAS**, on April \_\_, 2023, the City of Cambridge Planning Commission (the “Planning Commission”) held a public hearing and subsequently recommended that the Commissioners amend the Official Zoning Map of the City of Cambridge, Maryland (the “Zoning Map”) by rezoning a portion of a parcel of real property located at Leonards Lane and Wood Street and identified on Tax Map 302 as Parcel No. 2342, Tax Account No. 07-192827, containing 6.2 acres of land, more or less (the “Property”), from Industrial (“I”) to Residential (“R”) on the basis of a substantial change in the character of the neighborhood in which the Property is located since the adoption of the current Comprehensive Plan, as the use of the portion of the Property for Department of Public Works (“DPW”) storage and a recycling center has been abandoned and is no longer compatible with the nature of the recreational space surrounding the adjacent residential area; and

**WHEREAS**, on \_\_\_\_\_, 2023 the Commissioners held a public hearing regarding the Zoning Map amendment recommended by the Planning Commission, notice of which was published on \_\_\_\_\_, 2023 and \_\_\_\_\_, 2023 in the Star Democrat, a newspaper of general circulation in the City, in accordance with Md. Code Ann., Land Use § 4-203(b) and § 2.2.3.C of the UDC; and

**WHEREAS**, having considered the recommendations of the Planning Commission and the Department of Planning and Zoning Staff, as well as the comments made during the \_\_\_\_\_, 2023 public hearing, and having made the findings set forth in Md. Code Ann., Land Use § 4-204(b)(1) and (2) and § 2.2.3(B) of the Unified Development Code as set forth in the Findings of Fact attached hereto as Exhibit A and incorporated by reference as if fully set forth herein, the Commissioners find that it is in the best interest of the City to amend the Zoning Map by rezoning the Property from I to R on the basis of a substantial change in the character of the neighborhood in which the Property is located since the adoption of the current Comprehensive Plan; and



**WHEREAS**, the Commissioners find that the Zoning Map amendment set forth herein is necessary to promote and protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the Commissioners of Cambridge that the Official Zoning Map of the City of Cambridge, Maryland be and it is hereby amended as follows:

**SECTION 1.** The zoning district classification of the parcel of real property located at Leonard's Lane and Wood Street and identified on Tax Map 302 as Parcel No. 2342, Tax Account No. 07-192827, containing 6.2 acres of land, more or less, is hereby changed from Industrial to Residential on the basis of a substantial change in the character of the neighborhood in which the Property is located since the adoption of the current Comprehensive Plan. The Official Zoning Map of the City of Cambridge, Maryland shall be revised accordingly to reflect the foregoing amendment.

**SECTION 2.** The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

**SECTION 3.** In this Ordinance, unless a section of the City Code of Laws is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. Language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

**SECTION 5.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6.** The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**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 passage.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

\_\_\_\_\_  
Thomas M. Carroll, City Manager

By: \_\_\_\_\_  
Stephen W. Rideout, Mayor

**Introduced the \_\_\_\_\_, 2023**

**Passed the \_\_\_\_\_, 2023**

**Effective the \_\_\_\_\_, 2023**

**ORDINANCE NO. 1214**

**AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND ENACTING A NEW § 6.5.12 OF THE CITY'S UNIFIED DEVELOPMENT CODE TO ADOPT MURAL DESIGN GUIDELINES FOR THE CITY OF CAMBRIDGE AND AMENDING § 9.2 OF THE UDC TO DEFINE "MURAL"; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO MURALS IN THE CITY OF CAMBRIDGE.**

**WHEREAS**, pursuant to Md. Code Ann., Land Use § 4-204 and § 2.2.3 of the Unified Development Code (the "UDC"), the Commissioners of Cambridge are authorized and empowered to amend, supplement, change, modify, and repeal the City of Cambridge's (the "City") zoning regulations and boundaries and change the City's zoning classifications; and

**WHEREAS**, murals are considered artistic expressions representing a community's history, values and regional context while revitalizing neighborhoods and promoting a community's sense of pride; and

**WHEREAS**, the Commissioners of Cambridge recognize the benefits that well-designed and well-crafted murals provide to the City of Cambridge (the "City") and its residents and visitors and are desirous of regulating the same to clarify the difference between such art and signage generally and to promote appropriate murals in the City; and

**WHEREAS**, following a public hearing held on March 7, 2023, the City of Cambridge Planning Commission (the "Planning Commission") recommended that the Commissioners of Cambridge enact a new § 6.5.12 of the UDC to adopt the "City of Cambridge Mural Design Guidelines" attached hereto and incorporated herein by reference as Exhibit A and amend § 9.2 of the UDC to define "mural;" and

**WHEREAS**, on \_\_\_\_\_, 2023, the Commissioners of Cambridge held a public hearing regarding the foregoing text amendment, notice of which was published on \_\_\_\_\_, 2023 and \_\_\_\_\_, 2023 in the Star Democrat, a newspaper of general circulation in the City, in accordance with Md. Code Ann., Land Use § 4-203(b) and § 2.2.3.C of the UDC; and

**WHEREAS**, having considered the recommendations of the Planning Commission, as well as the comments made during the \_\_\_\_\_, 2023 public hearing, the Commissioners of Cambridge find that it is in the best interest of the City to enact a new § 6.5.12 of the UDC to adopt the "City of Cambridge Mural Design Guidelines" attached hereto and incorporated herein by reference as Exhibit A and amend § 9.2 of the UDC to define "mural;" and

**WHEREAS**, the Commissioners of Cambridge find that the amendments set forth herein are necessary to protect and promote the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ENACTED AND ORDANIEDBY THE COMMISSIONERS OF CAMBRIDGE** that:

**SECTION 1.** A new § 6.5.12 of the UDC entitled “Murals” is hereby enacted as follows:

**§ 6.5.12 Murals**

**Murals are separate and distinct from signs and, as such, are not subject to the sign requirements set forth in § 6.5 of this Ordinance. Murals are subject to the “City of Cambridge Mural Design Guidelines,” which are attached as an appendix to this Ordinance and made a part hereof.**

**SECTION 2.** Section 9.2 of the UDC is hereby amended as follows:

**Mural – is solely artistic in nature, with no promotional graphics or text. It is a design or representation that is painted or drawn or applied on the exterior surface of a structure and that does not advertise a business, product, service, or activity and that has received City approval as a mural.**

**SECTION 3.** The recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

**SECTION 4.** In this Ordinance, unless a section of the UDC is expressly repealed in its entirety and reenacted, new or added language is underlined and in boldface type, and deleted text is crossed out with a single strikethrough. With respect to the substantive provisions of this Ordinance set forth in Sections 1 and 2, language added after the date of introduction is in bold, italicized font and language deleted after the date of introduction is crossed out with a double strikethrough.

**SECTION 5.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the Commissioners of Cambridge that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

**SECTION 6.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 7.** The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**AND BE IT FURTHER** enacted and ordained that this Ordinance shall become effective immediately upon passage.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

\_\_\_\_\_  
Thomas M. Carroll, City Manager

By: \_\_\_\_\_  
Stephen W. Rideout, Mayor

**Introduced the \_\_\_\_ day of \_\_\_\_\_, 2023**  
**Passed the \_\_\_\_ day of \_\_\_\_\_, 2023**  
**Effective the \_\_\_\_ day of \_\_\_\_\_, 2023**

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**EXHIBIT A**  
**CITY OF CAMBRIDGE MURAL DESIGN GUIDELINES**





## **Introduction**

Recently, there has been a resurgence in the artistic expression of wall art, or murals, throughout the City. Murals are an artistic expression representing a community's history, values and regional context and establishes the community's desire for superior aesthetics. Murals are a method of revitalizing neighborhoods, mitigating blight, promoting a community's sense of pride, recalling historic context and creating a sense of place and individuality.

The main difference between a mural and a sign is content. While a sign is an "expression related solely to economic interests of the speaker and its audience"<sup>1</sup>, a mural is a work of art that is promoting a community and its values. Thus, the City has adopted these Design Guidelines to clarify the difference between signs and artwork, thereby promoting public art within the City.

## **Purpose**

The purpose of these Design Guidelines is to ensure the aesthetic integrity of a mural's design, the compatibility of a mural's location with the surrounding context and to avoid visual clutter. The review process hereunder is intended to provide clarity for the artist and property owner.

These Design Guidelines are intended to ensure high quality, visually compatible artwork that represents the community's values. By establishing a process for review of murals with regards to location, theme and design, the City will be assured that murals will be an enhancement to the community. While these considerations will have weight in the review process, there must be respect of the art to ensure minimal imposition into the artist's creative expression. Murals shall be reviewed as stand-alone projects and reviewed on a case by case basis with area context considered.

## **Theme**

1. The theme of the design should be respectful of the greater community, including historic, regional and socio-economic factors. Appropriate themes may include, but are not limited to, natural beauty, history, aquaculture and agriculture.

2. The content of a mural is generally protected under the First Amendment of the Constitution as an expression of freedom of speech; provided, however, that the City shall not approve any proposed mural that would violate Title 11 (Indecency and Obscenity) of the Criminal Law Article of the Annotated Code of Maryland.

## **Location**

1. Murals shall only be permitted on property that is primarily for commercial use either by zoning or special exception. Notwithstanding the foregoing, mural applications for commercial properties may be disapproved or subject to additional restriction to those contained in these guidelines when the mural would directly abut existing residential properties.
2. The location of the mural shall complement and enhance the building and be architecturally integrated into the building design.
3. The mural shall be located on a site where it will enhance or encourage pedestrian traffic and the streetscape experience.
4. The mural shall not create a blind spot or overwhelm adjacent architecture.
5. The mural shall be located so as to not cause undue distraction to drivers.
6. Murals shall be reviewed within the context of the area and not be located in such a way that causes visual clutter. When making this evaluation, City staff shall consider the size and proximity to other murals.

## **Process**

1. Following a preliminary visit by City staff to determine the location is appropriate, the property owner and the artist shall meet with City staff and discuss the project and receive input prior to finalizing the drawings.
2. After the initial meeting, the applicant shall submit a Mural Permit application with the Office of Planning and Zoning. The application shall include a miniature, true rendering of the proposed mural, regardless of medium, for the City to retain for its records and a letter from the property owner permitting the mural, if other than the artist.
3. The Mural Permit application shall include a maintenance plan and/or schedule agreed upon by the property owner and artist which will provide for the regular upkeep and long-term care of the mural to the satisfaction of the Office of Planning and Zoning.
4. The Zoning Official shall review the application and, in their discretion, determine if City staff will process the application or whether referral to the Planning Commission is required. Factors that may require referral to the Planning Commission may include, but are not limited to, whether the mural will have significant impact on the City as a whole based on content, or if the subject



property where the mural is located is of significance to the City. All murals located in the Historic District will be referred to the Historic Preservation Commission for approval.

5. If a staff review, the permit shall be issued in a timely manner not to exceed 45 days.
6. If the application is referred to the Planning Commission and/or Historic Preservation Commission, it shall be heard at the next available hearing date.
7. The mural installation shall begin within 60 days of approval and be completed within 6 months of the start date. The approving authority may extend the timeframe for completion upon good cause shown.

## **Enforcement**

1. A mural that has not received City approval shall be considered graffiti and shall be removed by the property owner at the property owner's expense. The City reserves the right to remove the graffiti at the owner's expense, and/or proceed with the enforcement provisions of the UDC.
2. The Zoning Official shall determine whether a proposal is a mural or a sign under the City's Unified Development Code (the "UDC"). An applicant may appeal the Zoning Official's determination and pursue an appeal to the Board of Appeals according to the provisions of § 2.1.3(E) of the UDC regarding appeals of decisions of the Zoning Official.

## **Design, Maintenance, Repair, Conservation**

1. Murals shall be well designed and incorporate high-quality materials that enhance the overall appearance of the site and not adversely affect safe and efficient movement of vehicles and pedestrians. Materials may include paint or other media appropriate for exterior use, such as tile or mosaic. Materials shall be long-lasting and graffiti-resistant to the greatest extent possible.
2. Colors, though vibrant, shall be complimentary and harmonious with the exterior colors of the building structure, as well as consistent with the chosen theme. If the mural is located within the jurisdiction of the Historic Preservation Commission, colors shall be limited to the requirements of that jurisdiction. If City staff determines colors such as, but not limited to, reflective, neon paint or fluorescents, create a safety hazard, those colors and/or materials may be prohibited.
3. The mural shall be designed by an artist/muralist deemed qualified by the Zoning Official after a finding that the artist has sufficient knowledge and experience with the application of mural materials.
4. The scale of the mural shall take into consideration the neighborhood context and be sized appropriately.
5. The design shall be appropriate and compatible with the neighborhood context.

6. The proposed mural, by its design, construction, and location, shall not obscure or detract from the significant architectural features of the building structure; nor should the building's architecture be altered to accommodate the mural.
7. The proposed mural, by its design, construction, and location, shall not have an adverse impact on adjacent properties or permitted uses. If the mural requires special lighting or other related construction, all applicable permits will be required as part of installation.
8. One mural will be permitted per structure unless express authorization is permitted by the Planning Commission and/or Historic Preservation Commission by special exception.
9. The sponsor and artist's name may be incorporated into the design, but not be more than five percent (5%) of the overall mural. The names should be located in a way as not to detract from the mural's design.
10. The design shall not include subject matter that could be construed as advertising, copy, symbols or references directly or overtly promoting any product, business, brand, organization, service, cause or political message or otherwise constitute a "sign" under the City's.
11. Routine maintenance of a mural becomes the responsibility of the property owner where the mural is located.
12. If, for whatever reason, the mural falls into disrepair, the building owner will be notified in writing and required to make necessary repairs within 60 days. If the repairs are not made within the specified time, the City reserves the right to repair or remove the mural at the owner's expense, and/or proceed with the enforcement provisions of the UDC.

## Definitions

**Mural** – is solely artistic in nature, with no promotional graphics or text. It is a design or representation that is painted or drawn or applied on the exterior surface of a structure and that does not advertise a business, product, service, or activity and that has received City approval.

**Noncommercial Sign** - means a sign which contains no message, statement, or expression related to commercial interests. *Noncommercial signs include, but are not limited to, signs expressing political views, religious views, or information about and/or announcements of non-profit organizations, it contains commentary or advocacy on topics of public debate and concern.*

**Sign** – is a structure or device, in whole or in part, which uses symbolic representations to direct attention to, identify or advertise any activity, person, group of people or thing. Signs advertise a business, product, political message or service through graphics or text.

**Graffiti** – is a permanent or semi-permanent drawing, writing or other similar expression that is visible from any public way in the City and has not received City approval.

## Acknowledgments

<sup>1</sup> De “coding” the Visual Landscape: Municipal Sign Ordinances, Mural, and First Amendment. By Shannon T. O’Connor, Esq., *Municipal Lawyer*, January/February 2018, Vol. 59 No. 1

<sup>2</sup> Tybee Island, Georgia Mural Guidelines, Ordinance 2014-34A

<sup>3</sup>Law Insider.com

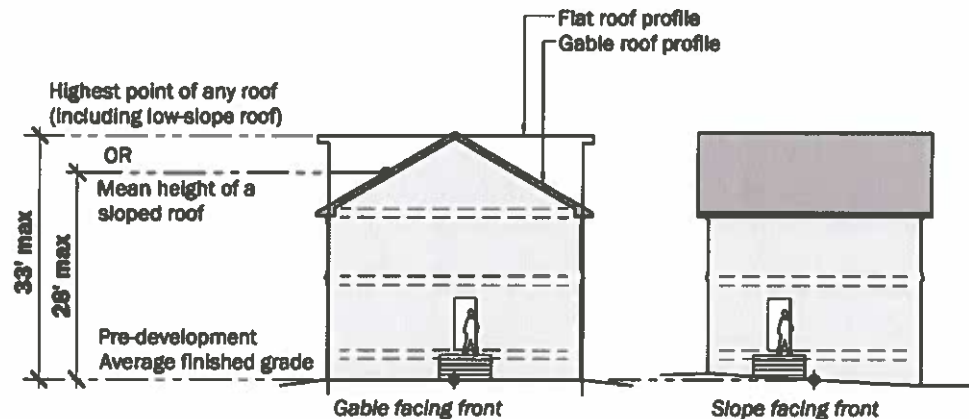
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Discrepancy with building height measurement for an accessory structure.

### § 5.1.2 Exceptions to Lot and Bulk Requirements

1. Building height shall be as defined in Article 9 of this Ordinance. Illustration 2 below shows the application of the height requirement in the R-zone for single-family detached buildings per Table 3.

## Illustration 2



### § 5.1.3 Accessory Building/Structure Requirements

1. Except in the Industrial district, where the **high point** of the roof of any accessory building exceeds twelve (12) feet in height, the accessory building shall be set back from the rear lot line an additional two feet for every foot of height exceeding twelve (12) feet.
2. In all districts except the Industrial district, the maximum height of an accessory building shall be eighteen (18) feet. In the Industrial district the maximum allowed height shall be the maximum height of the principal structure on the lot.

## § 9.2 Terms and Definitions

**Building Height** – the vertical distance measured from the average elevation of the finished grades along the front of the building to either the **highest point of the roof for “flat roofs” or the mean height level between the eaves and ridge of a gable, hip, mansard or gambrel roof.** For the purposes of determining building height, at no point must the finished grade be higher than the pre-development grade and building height shall be measured in this way irrespective of compliance with the floodplain ordinance.

### Proposed Text Amendment

#### B. Height of Accessory Building or Structure

3. Except in the Industrial district, where the **high point** of ~~the~~ a flat roof or the midpoint of pitched roof of any accessory building exceeds twelve (12) feet in height, the accessory building shall be set back from the rear lot line an additional two feet for every foot of height exceeding twelve (12) feet.

4. In all districts except the Industrial district, the maximum height of an accessory building shall be eighteen (18) feet, pursuant to § 5.1.3 B. In the Industrial district the maximum allowed height shall be the maximum height of the principal structure on the lot.



# City of Cambridge

DEPARTMENT OF PUBLIC WORKS

PLANNING & ZONING

1025 N. WASHINGTON STREET

CAMBRIDGE, MARYLAND 21613

TELEPHONE: 410-228-3790 EXT 103

FAX: 410-228-3814

## Memorandum

**Date:** March 3, 2023  
**To:** Planning Commissioners of Cambridge  
**From:** Pat Escher, A.I.C.P., Director of Planning  
**Regarding:** Intermediate Care Facilities

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Within the UDC we define an Intermediate Care Facility as a facility that provides services for eight or more individuals. These facilities are a special exception and have to go through a City review process.

The City does not have a review process for an Intermediate Care Facility that has less than eight residences.

Within the UDC we regulate Temporal Housing which includes B&B, Boarding Housing and Country Inns. These facilities are a special exception and have to go through a City review process.

Our definition of family does not specify the number of related individuals that constitute a family, nor how many unrelated individuals can coexist in the residence.

All of these topics are related to the preservation of keeping a residential character of a neighborhood.

It has come to my attention that there is a subdivision within the City where there are three small Intermediate Care Facilities that clustered and at times pose issues for the local residents. This is a discussion item for the Planning Commission to consider.

### § 4.2.4 Special Regulations on Temporal Housing

All types of temporal housing as defined in Article 9 of this Ordinance may only be permitted by special exception and shall adhere to the following additional standards:

- A. Concentration is discouraged: Because of the transitory nature of temporal housing, the clustering and concentration of temporal housing within 1,000 feet shall be discouraged so as to disallow locating two or more establishments within the same block.
- B. Legal nonconforming temporal housing: As to legal nonconforming temporal housing, which exists as of the effective date of this Ordinance, all such uses shall be exempt from obtaining a special exception for their continued use, unless such use is expanded, but all such establishments shall comply with the annual registration and inspection requirements established by the City and with all other State regulations, permits and licenses.

## § 9.2 Terms and Definitions

**Intermediate Care Institutions** – an institutional facility licensed by Maryland law providing accommodations for more than eight persons needing medical care at a level lower than provided at nursing care institutions.

**Temporal Housing** – residential housing that is limited in time by its occupants. Said use shall include the following categories of housing: Boarding Houses, Bed and Breakfast Houses, and Country Inns. All temporal housing projects shall be special exception uses, subject to the standards for granting a special exception.

**Family** – one or more persons living together in a dwelling unit with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit, as a single housekeeping unit.