

ORDINANCE NO. 3620

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP REFERRED TO IN SECTION 25-1 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION) IN ORDER TO ESTABLISH A REHABILITATION AND REDEVELOPMENT FLOATING ZONE DISTRICT AT 467 COLUMBIA STREET, CUMBERLAND, ALLEGANY COUNTY, MARYLAND."

WHEREAS, the Planning and Zoning Commission of the City of Cumberland, in a Resolution forwarded to the Mayor and City Council of Cumberland, has made a recommendation that the official zoning map of the City of Cumberland be amended; and

WHEREAS, in accordance with provisions of Ordinance #3607 of the Mayor and City Council of Cumberland and in accordance with Article 66B of the Annotated Code of Maryland (1957 Edition), the Mayor and City Council gave fifteen (15) days notice of the time and place of a hearing on the proposed changes in the boundaries of the Official Zoning Map of Cumberland, the said notice providing a summary of the proposed changes. Said notice was published in the *Cumberland Times-News*, a newspaper of general circulation of the City of Cumberland on May 13, 2008 and

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May 20, 2008, required by Section 4.04 of the said Article 66B; and

WHEREAS, the Mayor and City Council did thereafter conduct a Public Hearing on the proposed boundary changes, at which Public Hearing all parties in interest and citizens of Cumberland were permitted to be heard concerning the proposed changes.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the Official Zoning Map referred to in Section 25-1 of the Code of the City of Cumberland (1991 Edition) be and is hereby amended to establish a rehabilitation and redevelopment floating zone district at 467 Columbia Street presently located within the R-U Urban Residential District for a commercial store.

SECTION 2: BE IT FURTHER ORDAINED, that the said change shall be made on the Official Zoning Map immediately by inserting an entry on said Map stating: On July 8, 2008, by official action of the Mayor and City Council of Cumberland, the following changes were made on the Official Zoning Map:

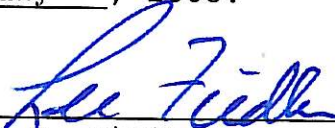
1. That a rehabilitation and redevelopment floating zone district is established at 467 Columbia Street

presently located within the R-U Urban Residential District for a commercial store.

2. That certain terms and conditions on the approval exist as can be found in Attachment A.

SECTION 3: AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on July 19, 2008.

PASSED this 8th day of July, 2008.



Lee N. Fiedler
Mayor

ATTEST:



Marjorie A. Eirich
City Clerk

1st Reading - June 10, 2008
2nd Reading: - July 8, 2008
3rd Reading: - July 8, 2008

Effective Date: July 19, 2008

ATTACHMENT A

1. The following specific uses shall be permitted for the first floor of the building only in accordance with the applicable standards for the B-L (Local Business Zone) in the Development Regulations Table (Section 6.03.01 of the Cumberland Zoning Ordinance):
 - a. Retail Buildings (less than 5,000 square feet)
 - b. Personal Service Establishments
 - c. Professional Services
 - d. Business, Administrative, or Corporate Offices for public agencies, nonprofit organizations, or private corporations
2. The proposed use shall satisfy all applicable off-street parking and loading requirements specified in Section 12 of the Zoning Ordinance and no access for loading and unloading in support of the business will be provided from Columbia Street.
3. The proposed use shall satisfy the applicable buffer requirements in Section 13 of the Zoning Ordinance.
4. The proposed use shall satisfy the signage restrictions of Section 6.14.04 (4) of the Zoning Ordinance, with the addition that no freestanding sign shall be permitted on the property.
5. The proposed use shall not generate more than 25 vehicle trips per day, as determined by the most recently published edition of the Institute of Traffic Engineers Trip Generation Manual.
6. No outdoor storage, display, or sales of materials or products shall be allowed on the property.
7. The business use shall not operate between the hours of 10:00 p.m. and 6:00 a.m.
8. The proposed business use shall not alter the historic character and integrity of the building exterior.
9. The building shall be properly maintained in a sound condition with no visible exterior signs of deterioration (paint/mortar, walls, foundation, windows, and roof in good and neat condition).