



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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MAYOR

JULIA GLANZ
CITY ADMINISTRATOR

BOB CULVER
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG
DIRECTOR OF ADMINISTRATION

MINUTES

The Salisbury-Wicomico Planning and Zoning Commission met in regular session on April 20, 2017 in Room 301, Council Chambers, Government Office Building, with the following persons in attendance:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Scott Rogers
Marc Kilmer
Newell Quinton
James McNaughton
Jack Heath (Absent)
Jim Thomas

CITY/COUNTY OFFICIALS:

Henry Eure, Building, Permits and Inspections Department

PLANNING STAFF:

Jack Lenox, Director
Gloria Smith, Planner
Keith Hall, Planner
Beverly Tull, Recording Secretary



The meeting was called to order at **1:30** p.m. by Mr. Dashiell, Chairman.



MINUTES:

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission **APPROVED** the minutes of the March 16, 2017 meetings as submitted.



#SP-1704 PUBLIC HEARING – TEXT AMENDMENT – To Amend materials used for Fencing in Residential Districts – Salisbury Zoning Code – Section 17.04.190.

Mr. Lenox read the ad and administered the oath to anyone wishing to testify on this matter. Mr. Dashiell explained the public hearing procedure.

Mrs. Smith presented and entered the Staff Report and all accompanying documentation into the record. She summarized the report explaining that Mayor Jake Day directed the City Staff to review fencing materials used in residential districts, and then proposed amendments to enhance neighborhood aesthetics by modifying the fencing materials that may be used in residential districts. Amendments have been proposed to define the districts in which chain link fencing is prohibited, and also define fencing materials that are prohibited in residential districts.

Mr. Kilmer questioned if people have existing fencing if they would be forced to take it out. Mrs. Smith responded in the negative. Mr. Kilmer questioned if a house was sold with a chain link fence if it would have to be removed. Mr. Eure responded that if the house is sold the chain link can remain, however, if the fence was to be replaced then it would have to adhere to the new standards or go to the Board of Zoning Appeals for a variance.

Mr. Dashiell noted that a chain link fence would seem useful for people who had dogs. He questioned if there were better fencing options available. He added that he would like to have Mr. Heath's thoughts as the City Council representative. Dr. McNaughton agreed with Mr. Dashiell.

Mr. Kilmer questioned if the appearance was the City's objection. Mr. Eure stated that he believes that a chain link fence gives the appearance of an institutional look to the City.

Mr. Rogers noted that chain link fences are basically maintenance free. He questioned if the objection was because more chain link fences are appearing in front yards. Mr. Eure responded that there have been other instances where the Commission and Staff have been asked to encourage something other than chain link.

Mr. Dashiell questioned Mr. Eure if there were other types of fences that work. Mr. Eure responded in the affirmative, explaining that wrought iron and vinyl fences are more attractive. Mr. Dashiell questioned if the City was looking for other alternatives. Mr. Eure responded in the affirmative, adding that the other options come at a greater expense.

Dr. McNaughton stated that he wasn't sure that it was the government's place to say what they like and don't like for fencing.

Mr. Rogers stated that he would prefer not to see chain link fencing in front yards but has no objections to it in the rear yards.

Mr. Quinton stated that he agreed with Mr. Rogers about the rear yards.

Mr. Thomas stated that chain link fencing used to be called security fence. He added that he agrees with Mr. Rogers and is fine with chain link fencing in the rear yard.

Mr. Lenox stated that he was hearing comments from the Commission that they would like more information, so a Continuance is an option to allow Mr. Heath to be present at the meeting. The Commission also has the option of supporting the request, amending the request or not supporting the request. Mr. Dashiell stated that it would be helpful to have Mr. Heath's input. Dr. McNaughton added that he believed that Mayor Day should be at the meeting to discuss it since he has requested the text amendment.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and duly carried, the Commission **CONTINUED** the request until the May meeting to allow for further testimony and discussion.



#SP-0107-17F SIGN PLAN APPROVAL – OC Brewing Co. – Salisbury Promenade (Barnes & Noble) Shopping Center – North Salisbury Blvd. – General Commercial District – M-101; G-4; P-5490.

Mr. Gary Spence came forward. Mrs. Gloria Smith presented the Staff Report. She summarized the report explaining that Phillips Signs has submitted a Sign Plan Amendment request for a unit to be occupied by OC Brewing Co. at Salisbury Promenade (Barnes & Noble) shopping center.

Mr. Spence stated that they were agreeable to the black returns but would like to keep the blue logo as it is the corporate logo on all their buildings.

Dr. McNaughton noted that the blues and red are getting more popular and questioned that the light blue would fade quickly. Mr. Spence responded that the new vinyls are stronger so the sign should last longer.

Mr. Kilmer stated that he believed that the black returns with the blue letters would be a good compromise. Mr. Thomas agreed. Mr. Spence noted that the black would outline the letters on the building.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission **APPROVED** a Sign Plan Amendment for OC Brewing Co. to permit signage containing black trim and black returns and also permitting the color blue in the logo portion of the sign.



Discussion – County Comprehensive Plan.

Mr. Hall and Mr. Lenox came forward. Mr. Hall explained the Department is moving forward with the Comprehensive Plan implementation. The discussion about the Growth Tier Map began in 2012. Each jurisdiction with Planning and Zoning authority may or may not have a Growth Tier Map, which the Growth Tier Map is similar to an overlay zone. Therefore, it doesn't negate the current zoning and applicable Health Department requirements. Mr. Hall stated the Tier Map was voluntary and would help open up development. He provided an overview of the various Tiers, and noted how they were consistent with the Zoning Code, the Land Use Plan, and the Water and Sewer Plan. The Tier Map has been submitted to the Maryland Department of Planning for review. If comments are received by the County, State law requires the jurisdiction to have a public hearing. The public hearing, if necessary, will be held by the County Council. The County Council has the option to leave the Tier Map as adopted or revise the Tier Map based on the State's comments. Prior to adoption of the Comprehensive Plan, the Department reached out to the municipalities to discuss the proposed Growth Tier map.

Mr. Lenox noted if the County had not adopted the Tier Map, the restrictive seven (7) lot subdivision rule would have applied to the unincorporated portion of the County. He questioned when the comments from the Maryland Department of Planning should be received. Mr. Hall responded, if the State were to provide comments, it is anticipated the County will receive them prior to the next meeting. He continued the overview with background about the procedural steps if comments were received and the County Council elected to modify the adopted Growth Tier Map. Since the Growth Tier Map was adopted as part of the Comprehensive Plan, any amendments would come back to the Commission for a recommendation to the County Council prior to their review and action to amend the plan. Mr. Dashiell questioned if an amendment process could go through the summer in order to get the Council's adoption. Mr. Hall responded he is hopeful to have more certainty about the timeframe by the May meeting.



CITY REORGANIZATION UPDATE:

Mr. Lenox explained that he had met with Mr. Dashiell on Wednesday, April 19, 2017 about surprises from the City budget. When Mr. Strausburg presented the County budget to the Council at the meeting this week, a paragraph was added that the County had become aware on Monday evening that the City was reorganizing and a City Planning Department had been alluded to. Mr. Lenox explained that it is his understanding that there is no proposal for changes to the joint Planning Commission, however, there is allusion to ending the 74 year joint Planning and Zoning Department. Due to the lack of information available, we will have to see how this all plays out.

Mr. Lenox explained that Mr. Strausburg and Mr. Culver are extremely supportive of the joint effort. The new City Department Heads have been named. A formal request from the County Executive has been made to the Mayor for clarification on the reorganization. At this time, we don't know how the budget will be affected or how Staff will be affected.

Mr. Dashiell questioned the logic behind the reorganization as he felt that the joint Planning Department was a great asset to the community.

Dr. McNaughton questioned if the Commission would fail to exist if the City starts its own Planning Department. Mr. Lenox responded that the Commission would exist by Code.

Mr. Lenox advised the Commission members to expect phone calls or emails from prominent community members regarding this issue.

Mr. Thomas requested that Mr. Lenox email the Commission any updates that he receives.



There being no further business, the Commission meeting was adjourned at 2:37 p.m. by Mr. Dashiell.



This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Salisbury-Wicomico County Department of Planning, Zoning, and Community Development Office.


Charles "Chip" Dashiell, Chairman


John F. Lenox, Director


Beverly R. Tull, Recording Secretary