

ORDINANCE NO. 2506

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND, PURSUANT TO CHAPTER 17.228 OF TITLE 17, ZONING OF THE SALISBURY MUNICIPAL CODE AND SECTION 4-203 OF THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO AMEND CHAPTER 17.196 OFF-STREET PARKING AND LOADING STANDARDS, SECTIONS .020 E AND H, .030 AND .060, TO REDUCE THE NUMBER OF VEHICLE PARKING SPACES REQUIRED AND ADD REQUIREMENTS FOR BICYCLE PARKING.

WHEREAS, the ongoing application, administration and enforcement of Title 17, Zoning of the Salisbury Municipal Code, demonstrates a need for periodic review, evaluation and amendments that will keep Title 17 current; and

WHEREAS, the Mayor and City Council may amend Title 17, Zoning, of the Salisbury Municipal Code, pursuant to the authority granted by MD Code, Land Use, § 4-101, et seq. and in accordance with specific provisions of Chapter 17.228, Amendments and Rezoning of Title 17, Zoning; and

WHEREAS, the Mayor and City Council request that the Salisbury Planning and Zoning Commission periodically review Title 17 in light of existing procedural practices and input from the City Council and members of the public; and

WHEREAS, a Public Hearing on the proposed amendment was held by the Salisbury Planning and Zoning Commission in accordance with the provisions of Chapter 17.228, of Title 17, Zoning, of the Salisbury Municipal Code on August 23, 2018; and

WHEREAS, the Mayor and Council of the City of Salisbury desire to establish updated parking standards; and

WHEREAS, the Department of Infrastructure and Development researched parking standards and evaluated the existing standards; and

WHEREAS, parking standards should address lifestyle trends that encourage other types of transportation; and

WHEREAS, the Department of Infrastructure and Development recommends modifying the existing code to update the parking standards including the addition of requirements for bicycle parking.

WHEREAS, the Salisbury Planning and Zoning Commission did recommend approval of the proposed text amendment to Section 17.196.

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter 17.196 of the City of Salisbury City Code be amended as follows:

17.196 - OFF-STREET PARKING AND LOADING STANDARDS

17.196.020 – General Standards

E. Existing Facilities. Parking spaces and lots serving structures and uses in existence ~~[at]~~ on the initial date of adoption of this chapter and any amendments thereto shall not be subject to the changed requirements of this chapter ~~[as]~~ so long as the kind or extent of use was legal when the structure or use began and has ~~[is]~~ not changed; ~~[-, provided that]~~ any requirement for parking spaces, lots, or facility now serving such structures or uses shall not in the future be ~~[reduced]~~ increased or otherwise changed in kind or extent ~~[further]~~.

H. Required Off-Street Parking Spaces.

1. All uses and structures shall provide off-street parking spaces in an amount equal to, ~~[or greater than]~~ and not to exceed the number required in Section 17.196.030, parking space requirements, except by an approved request made to the Planning Commission, as described herein. ~~[The total number of parking spaces necessary for two or more uses on the same lot shall be the sum of that required for each use.]~~

Property Owners may request up to twenty percent (20%) more parking spaces than allowed by Section 17.196.30. The request may be granted upon a finding that the use of the property will require more spaces than are available within Nine Hundred (900) feet of the property, either on area streets or in public parking facilities, or that the use requires that additional parking be located on-site.

The Planning Commission may grant a request to allow additional parking spaces and impose additional requirements to address the impact of the additional spaces. Additional requirements may include:

- a. The use of pervious pavers;
- b. The installation of vegetative planting or structural screening beyond that otherwise required in this chapter and in chapter 17.220; and
- c. The installation of sidewalks, walkways, pedestrian lighting, landscaping, and other site improvements beyond that required in this chapter and chapter 17.220.

2. ~~[a.]~~ Dimensions.

~~a~~ ~~[i]~~. Parking spaces other than those parallel to a curb, aisle or accessway required for off-street parking space shall be at least nine feet wide and twenty (20) feet long. For parallel parking spaces abutting a curb, aisle or accessway, each space shall be eight feet wide and twenty-four (24) feet long.

~~b~~ ~~[ii]~~. The Director of the Department of Infrastructure and Development ~~[director of department of building, permitting and inspections]~~, at the request of an applicant, may approve alternative parking space dimensions of not less than nine feet wide and eighteen (18) feet in length, provided that:

- ~~i~~ ~~[(A)]~~ A comprehensive site plan is submitted to the ~~[planning]~~ director showing alternative parking space dimensions;

~~ii. (B)~~ No compact vehicle spaces shall be approved to meet the minimum parking requirements of this chapter, but said spaces may be used to provide parking above the required minimum.

~~iii. (C)~~ These provisions shall not apply to parallel parking.

~~c. (iii)~~. When approving a comprehensive development plan for a shopping center, the planning commission, at the request of the applicant, may approve a parking space dimension of not less than nine feet in width and eighteen (18) feet in length, provided that no compact vehicle spaces shall be approved to meet the minimum parking requirements of this chapter. Compact spaces may be used to provide parking above the required minimum parking.

~~d. (iv)~~. Compact Vehicle Spaces Required. No more than fifty (50) percent of parking lots for ten or more vehicles shall be reserved for compact vehicles. Parking spaces for compact vehicles shall be at least eight feet in width by seventeen (17) feet in length. Such spaces shall be designated by signs measuring at least ten (10) by sixteen (16) inches, with letters at least three inches high stating "COMPACT VEHICLES ONLY." Where spaces are grouped together, signs may be placed at each end of the group; otherwise, spaces shall be individually signed.

~~e. (b)~~. Number and Computation. In computing the required number of spaces, all fractional numbers shall be increased to the next highest integer. When computation is based on the number of employees, the number employed during the largest work shift shall be used.

~~2~~3. Parking and loading requirements shall be determined on the basis of the total amount of gross square feet of building area.

17.196.030-Parking Space Requirements

Parking space requirements shall be as follows:

Type of Use	Parking Spaces Required
Residential:	
All residential uses except those specified below	2 for each dwelling unit
Apartment development	[1 ½ for each dwelling unit constructed prior to November 2002, plus 20% of total for guest parking] <i>1 ½ for each dwelling unit</i>
{Apartment developments	{2 spaces for each efficiency, one bedroom and two bedroom

constructed after November __, 2002}	dwelling unit and 3 spaces for each dwelling unit containing three bedrooms or more plus 20% of total for guest parking}
Bed and breakfast inn	Two spaces for the principle use, plus one additional space for each guest room and each employee. Required spaces to be provided on site or proximate to the site as allowed by special exception. In residential zones, the minimum parking setback shall be five feet and, when more than four guest or employee spaces are required, the parking area shall be screened from direct view of any nearby residential use by a suitable visual barrier. Parking shall not be located in the front yard area of the residence.
Boardinghouse/rooming house, fraternity, sorority and dormitory	1 per sleeping room between front building line and rear lot line
Cloister housing	1 for each dwelling unit
Housing for the elderly and handicapped	A minimum of 1 ½ spaces for each dwelling unit, subject to additional requirements of a Comprehensive Development Plan approval
Commercial:	
Animal hospital	[1 per 200 square feet of gross floor area] <i>1 ½ for each exam room</i>
Auction	1 per each 2 persons' maximum capacity
[Automobile] <i>Filling station, service station, automotive repair, full service garage</i>	[2 per pump] <i>1 per pump, plus 1 per service bay, plus 1 per staff</i>
[Automobile repair garage]	[1 per 100 square feet of gross floor area, plus 2 per fuel pump if a filling station]
Automobile sales, <i>Rental, Services</i>	1 per [200] 350 square feet of gross floor space
Banks and financial institutions	[1 per 200 square feet of gross floor area, plus reservoir of 5

	<p style="text-align: center;">per each drive-in stall]</p> <p style="text-align: center;"><i>1 per 300 square feet of gross floor space</i></p>
Bus terminal	1 per 100 square feet of gross floor area, plus 1 for each bus regularly scheduled or stored on the premises
Car wash	[4] 2 per stall
Funeral home	<p style="text-align: center;">[1 per each 3 capacity of viewing area, plus 1 per vehicle maintained on the premises]</p> <p style="text-align: center;"><i>1 per each 4 seats</i></p>
Hairdresser's shop	2 per chair
Home improvement store	1 per 200 350 square feet of gross floor area, or as approved by the planning commission on a comprehensive development plan based on the institute of traffic engineers parking standards
Home occupation/ <u>Home office</u>	1 in addition to spaces required for the dwelling
[Home office]	[2, provided between the front building line and rear lot line, in addition to the spaces required for the dwelling]
Hotel; motel	1 per guest room, plus required parking for accessory uses contained on the premises
Laundromat	1 per 3 washers or dryers, in any combination
Office	1 per 200 400 square feet of gross floor area
Retail sales and service establishment	1 space per 200 500 square feet of gross floor area
Studio	1 per 200 square feet of gross floor area
[Mixed-use building (built prior to July 1, 1994)]	[1 space per 200 gross square feet of building area]
Mixed-use building [(built after July 1, 1994)]	1 space per 200 350 gross square feet of building area plus any additional parking as may be required for any restaurant

Shopping centers:	
Up to 30,000 square feet [(Built prior to July 1, 1994)]	1 space per [200] <u>250</u> gross square feet of building area
[Up to 30,000 square feet (Built after July 1, 1994)]	[1 space per 200 gross square feet of building area plus any additional parking as may be required for any restaurant]
[30,001 to 100,000 square feet]	[1 per 200 square feet of gross floor area]
[100,001 to 300,000 square feet]	[1 per 225 square feet of gross floor area]
[300,001 to 600,000 square feet]	[1 per 250 square feet of gross floor area]
<u>30,000 TO 600,000 square feet</u>	<u>1 per 300 square feet of gross floor area</u>
over 600,000 square feet	1 per [275] <u>350</u> square feet of gross floor area
Recreational or entertainment:	
Arena; auditorium; stadium; theater	1 per each [3] <u>4</u> seats of maximum seating capacity
Bowling alleys	5 per bowling lane
Private clubs, lodges and fraternal organizations	1 per [100] <u>300</u> square feet
Restaurant; tavern; nightclub; dance hall	[1 per 25 square feet of floor area set aside for patrons, plus 1 for each 2 employees] <u>1 per 250 square feet of gross floor area</u>
Skating rink	1 per each 3 persons' capacity
Swimming pool	1 per each 3 persons' capacity
Tennis, racquetball and handball establishment	[4 for each court, plus 1 for each 300 square feet of gross floor area used for patron service] <u>1 per 400 square feet of gross floor area</u>
Billiard parlor; automatic amusement	1 per 2 amusement devices

device establishment	
Institutional:	
Church or other place of worship	1 per [3] <u>4</u> seats of maximum seating capacity, including accessory rooms used for Sunday school or other activities in addition to the main hall used for services]
Fire station	1 for each Fire Marshal and Fire Chief, plus 1 per each member of the largest shift of regularly employed fire fighters, plus 1 for each regular employee
Police station	1 for police chief, plus 1 for captain, plus 1 for each member of the largest shift of regularly employed policemen, plus 1 for each regular employee and 2 for members of the public
Hospital	1½ per each bed and 1 for each 2 employees on the largest shift, including staff doctors
Libraries, museums, art galleries	1 space per each 200 square feet of gross floor area
Care home	1 per 5 patient beds and 1 off-street loading and unloading area
Medical and dental clinic and office	1 per [each 200] <u>250</u> square feet of gross floor area
Group domiciliary care facility and group home	[1 per sleeping room, plus 1 additional parking space for each 2 resident care persons, except that where owners and/or operators of such facilities prohibit operation and/or use of automobiles by residents in such facilities, the parking space for each bedroom shall not be required] <i>1 per each employee, plus 1 per each 2 residents</i>
Schools (public, parochial or private):	
Day-care facilities for children, elderly and/or handicapped; nursery school	[1 per 10 occupants, plus 1 per each 2 employees and 1 off-street loading and unloading area] <i>1 per each employee, plus 1 per each 5 occupants</i>
[School of general instruction:]	

[Elementary school]	[1 for each teacher and each employee; or 1 for every 6 seats of fixed seating and/or 1 space for every 90 square feet of area used as a main meeting hall or auditorium, whichever is greater, and 1 off-street loading and unloading area]
[Junior-senior high school]	[1 for each teacher and each employee, plus 1 for each 5 students of design capacity in grades 10 through 12; or 1 per 3 seats in any area used as a main meeting hall or auditorium, whichever is greater, and 1 off-street loading and unloading area]
<i>Elementary, middle and senior high school</i>	<i>1 per each 5 seats of classrooms</i>
Colleges and universities	1 for each 4 students
School of special instruction	1 for each 2 students
Industrial:	
All industrial and manufacturing uses, except those specified below	1 per each 2 employees on the largest shift for which the building is designed plus 1 for each motor vehicle used in the business
Auto wrecking; junk and scrap establishments storage area	1 per employee, plus 1 per 10,000 square feet
Freight and trucking terminals; moving and storage; parcel delivery and express transfer stations; wholesale distribution and warehouses	1 per employee, plus 1 per vehicle maintained on the premises
In the CBD and RRMU district No. 1 and RRMU district No. 2[=]	<p>[1 space for each efficiency or 1.5 spaces for each one-bedroom unit, 1.75 spaces for each two-bedroom unit, 2 spaces for each three-bedroom unit, .25 additional spaces for each bedroom above three plus 10% of total for guest parking]</p> <p><i>Parking for proposed developments within these districts will be evaluated on a project by project basis with a recommendation from the Planning and Zoning Commission to the Mayor and City Council.</i></p>

17.196.060 Minimum Bicycle Parking By Land Use

A. Schedule of Required Parking

In all districts, space for parking and/or storage of bicycles shall be provided, or the applicant shall demonstrate that adequate bicycle parking is available. Bicycle parking shall be provided in accordance with the following schedule:

<u>Bed and breakfast inn, hotel, motel</u>	<u>A minimum of 1, plus 1 per 25 employees</u>
<u>Retail sales, service establishment</u>	<u>A minimum of 1, plus 1 per 5,000 square feet of gross floor area</u>
<u>Office buildings</u>	<u>A minimum of 3, plus 1 per 5,000 square feet of gross floor area</u>
<u>Museums, libraries, art galleries</u>	<u>A minimum of 3, plus 1 per 2,000 square feet of gross floor area</u>
<u>Church or other place of Worship</u>	<u>1 per 50 seats</u>
<u>Community center</u>	<u>1 per 250 square feet of gross floor area</u>
<u>Elementary school</u>	<u>1 per 10 students</u>
<u>Middle and high school</u>	<u>1 per 6 students</u>
<u>Amusement, recreational, entertainment</u>	<u>A minimum of 3, plus 1 per 50 seats</u>
<u>Restaurant, tavern, night club</u>	<u>A minimum of 3, plus 1 per 50 seats</u>
<u>Other commercial, industrial</u>	<u>A minimum of 1, plus 1 per 50 employees</u>

B. Waiver or Modification

The planning commission may waive or modify the bicycle parking requirement in the CBD, RRMU District no. 1 and RRMU District no. 2 upon finding that there is an adequate supply of publicly accessible bike parking already provided within 300 feet.

C. Design of Bicycle Parking Spaces

1. Each bicycle parking space shall be sufficient to accommodate a bicycle at least six (6) feet in length and two feet wide.
2. Each bicycle parking space shall be provided with a stable frame, permanently anchored to a foundation, to which a bicycle frame and both wheels may be conveniently secured using a chain or lock, or in the alternative, a locker or other storage facility which are convenient for storage and are reasonably secure from theft and vandalism.
3. The separation of the bicycle parking spaces and the amount of corridor space shall be adequate for convenient access to every space when the parking facility is full.
4. When automobile parking spaces are provided in a structure, at least 70 percent of required bicycle spaces shall be located inside that structure or shall be located in areas protected from the elements.
5. Bicycle parking spaces in parking structures shall be clearly marked as such and shall be separated from auto parking by some form of barrier to minimize the possibility of a parked bicycle being hit by a car.
6. Bicycle parking spaces shall be located near the entrance of use being served and within view of pedestrian traffic, if possible, and shall be sufficiently secure to reasonably reduce the likelihood of bicycle theft.
7. Bicycle parking facilities shall not impede pedestrian or vehicular circulation.
8. Bicycle parking frames shall be placed in a manner that will allow ease of use and access to the parking frame and to the bicycles in the parking frame. There must be sufficient space (at least 24 inches) beside each parked bike that allows access. This access may be shared by adjacent bicycles. There must be sufficient space (at least 12 inches) in front and behind each space that allows access.
9. An aisle or other space shall be provided to bicycles to enter and leave the facility. This aisle shall have a width of at least six feet.
10. The outside ground surface of bicycle parking areas shall be paved with an all-weather material such as asphalt, concrete or similar hard surface material.

EXPLANATION:

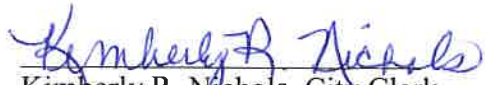
* *ITALICIZED PRINT INDICATED MATERIAL ADDED TO EXISTING LAW.*
Deleted material from the existing Code is indicated by bold double bracketed [[]] language.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 8th day of October, 2018 and thereafter, a statement of the substance of the

ordinance having been published as required by law, in the meantime, was finally passed by the Council on the 13th day of November, 2018.

ATTEST:

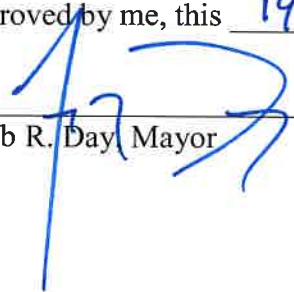


Kimberly R. Nichols, City Clerk



John R. Heath, City Council President


Approved by me, this 14th day of NOVEMBER, 2018.



Jacob R. Day Mayor



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz
From: Anne Roane, City Planner Infrastructure and Development 
Date: September 18, 2018
Re: Ordinance to Amend the Parking Requirements of Chapter 17 of the Municipal Code of Salisbury

Chapter 17.196-Off-Street Parking and Loading Standards regulates the required parking for different land uses within the municipal boundaries of the City of Salisbury. These standards were originally established in the early 1980's with minor amendments throughout the following years. National standards regarding parking have changed to address the evolving needs of different land uses, as well as, lifestyle trends that encourage other types of transportation.

Attached is an ordinance with changes to Chapter 17.196 of the Code. These recommendations are based on a comprehensive review of parking regulations in other jurisdictions within Maryland and across the country, as well as, research into articles relating to smart growth parking policies. The proposed alterations seek to reduce the number of spaces required for certain uses, institute maximums, as opposed to minimums and to include required bicycle parking.

The following are links to some of the research publications that support these recommendations:

http://www.mass.gov/envir/smart_growth_toolkit/bylaws/SP-Bylaw.pdf

<https://www.strongtowns.org/journal/2017/11/21/parking-with-limits>

<https://www.naiop.org/en/Magazine/2016/summer-2016/Development-Ownership/Smaller-Cities-lighten-Up-on-Minimum-Parking-Requirements.aspx>

<https://www.epa.gov/sites/production/files/2014-06/documents/epaparkingspaces06.pdf>

The Planning Commission unanimously approved the proposed amendment at a Public Hearing on August 23, 2018. Included with this attachments is an analysis of what the impact would have been on three different projects for illustrative purposes only. The draft minutes from the August 23, 2018 Planning Commission meeting are attached for reference.

Unless you or the Mayor have further questions, please forward a copy of this memo and the Ordinance to the City Council.

Parking Code Modifications
Sample Project Impacts

Project	Zoning	Use	Parking		
			Required	Provided	Proposed
Starbucks 1111 S. Salisbury Blvd (2,400 sf)	General Commercial	New commercial	1 per 25 sf of floor area aside for patrons, plus 1 for each 2 employees	1 per 25 square feet patron area 1 per 2 employees 40 spaces total	1 per 250 sf of gross floor area (10 spaces)
Merritt Mill Family Stacked Apartments (75 units)		Rental apartments	2 spaces for each efficiency, one bedroom and two bedroom dwelling unit and 3 spaces for each dwelling containing three bedrooms or more plus 20% of total for guest parking	150 spaces required 138 spaces provided	1 1/2 per unit (113 spaces)
600 Glen Avenue (144,525 sf)	Mixed Use	Redevelopment	1 per each 2 employees on the largest shift for which the building is designed plus 1 for each motor vehicle used in the business	495 spaces existing 175 spaces proposed 670 total parking	1 per 350 sf gross floor area (413 spaces)



City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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JACOB R. DAY
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 August 23, 2018 in Room 301, Council Chambers, Government Office Building, with the following persons in attendance:

COMMISSION MEMBERS:

Charles "Chip" Dashiell, Chairman
Scott Rogers
Marc Kilmer
Mandel Copeland
James McNaughton
James Thomas
Jack Heath

CITY/COUNTY OFFICIALS:

Anne Roane
Henry Eure

PLANNING STAFF:

Jack Lenox, Director
Amanda Rodriguez, Recording Secretary

The meeting was called to order at 1:33 p.m. by Mr. Dashiell, Chairman.

The minutes from the July 19, 2018 meeting were submitted to the Commission Members. Mr. Scott Rogers noted that there is a correction to be made to the following segment:

"PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN – Westwood Self Storage – West Road – Westwood Commerce Park PDD #2 - #18-011 – M-29, G-13, P-375, L-3 (A. Roane)

Ms. Roane, Mr. Chris Davis, of Miller Commercial Real Estate, and Mr. Steve Fuller, of Solutions Integrative Planning, came forward."

The segment should read:

PRELIMINARY COMPREHENSIVE DEVELOPMENT PLAN – Westwood Self Storage – West Road – Westwood Commerce Park PDD #2 - #18-011 – M-29, G-13, P-375, L-3 (A. Roane)

Ms. Roane, Mr. Chris Davis, of Miller Commercial Real Estate, and Mr. Steve Fuller, of Solutions Integrative Planning, Engineering, and Management, LLC came forward.

Upon a motion by Mr. Rogers, seconded by Mr. Heath, and duly carried, the Commission **APPROVED** the minutes of the July 19, 2018 meeting with the noted correction.

PUBLIC HEARING – TEXT AMENDMENT SALISBURY MUNICIPAL CODE – To Amend the Parking Requirements – (A. Roane)

Ms. Anne Roane came forward.

Mr. Jack Lenox read the Public Hearing advertisement and administered the oath.

Ms. Roane presented the draft ordinance to the Commission. She explained that the purpose of the proposed parking requirements are to encourage pedestrian methods of transportation as well as reduce the amount of impervious surfaces being created by new development. She explained that a case study and literature review had been conducted to explore all of the available solutions that are used to address these issues locally as well as nationwide.

Mr. James Thomas asked about the materials that were consulted, and if any of the sources included relevant information from agencies such as the Urban Land Institute.

Ms. Roane mentioned researching documents from the Urban Land Institute, as well as Smart Growth America.

Chairman Dashiell noted the national trends involving parking standards and limiting of impervious surfaces.

Ms. Roane asked to the Commission to note the flexibility provided by this ordinance, specifically in reference to the usage of landscaping and pervious pavement. She also noted that the language requiring those parties seeking additional parking come before the Board of Zoning Appeals because the Staff and the

Commission members are capable of making those approvals. Removing the extra step would prevent projects from stalling longer than necessary.

Mr. Kilmer commended the removal of parking minimums, stating that it was beneficial to businesses that would not have a large need for unused impervious surface.

There were no further comments or questions from the Commission or any Interested Parties.

Upon a motion by Mr. Rogers, seconded by Mr. Thomas, and unanimously carried, the Commission forwarded a Favorable recommendation to the Mayor and City Council for approval of the proposed Ordinance to amend the parking requirements of Chapter 17 of the Municipal Code of Salisbury.

FINAL COMPREHENSIVE DEVELOPMENT PLAN – Transteck, Inc. (Penn Freightliner) – West Road – Westwood Commerce Park PDD #2 - #17-008 – M-29, G13, P-375 (A. Roane)

Ms. Anne Roane, Mr. Daniel Stein of Transteck, Inc., and James Smith, or AWB Engineers, came forward.

Ms. Roane presented the Staff Report and entered all accompanying documents into the record. She reminded the Commission that preliminary approval for this Comprehensive Development Plan was granted on October 19, 2017.

Ms. Roane asked the applicants to please indicate the impervious surface amount on the Final Comprehensive Development Plan.

Mr. Smith agreed to include this on the plat to be recorded and subsequently noted that the incorrect owner is listed on the current plat.

Ms. Roane stated that the applicants can resubmit the corrected plat to the City Planning Office before final approval is granted.

Mr. Thomas asked about the Stormwater retention features included in the plan. Mr. Smith explained the grass swales as the key retention feature.

Chairman Dashiell noted that the specifics of the plan are still under review by the City Infrastructure and Development Office.

There were no further questions or comments from any interested parties of the members of the Commission.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and duly carried, the Commission approved the Final Comprehensive Development Plan with the correction to the ownership, the inclusion of the impervious surface calculations, and to include further detailed review by the Salisbury Department of Infrastructure and Development for compliance with all state and local regulations.

FINAL CERTIFICATE OF DESIGN AND SITE PLAN – 500 Riverside Drive – Riverside Drive - Central Business District - #17-009 – M-111, G-4, P-1500 (A. Roane)

Ms. Roane, and Mr. Brock Parker of Parker and Associates came forward.

Ms. Roane presented and entered the Staff Report into the record and explained that the Staff recommends the approval of the Preliminary Comprehensive Development Plan subject to the following items being provided prior to final approval:

1. Demonstrate compliance with the MDE Stormwater Design Manual, and all local, state, and Federal requirements regarding construction in the floodplain.
2. Comply with all requirements of the Chesapeake Bay Critical Area Program, including submission of a Buffer Management Plan. A Certificate of Compliance must be obtained from the Planning Office prior to the disturbance of any land.
3. Prior to the issuance of a building permit, detailed information shall be submitted for the Commission's files regarding all exterior colors, textures, and materials for all four sides of the buildings.
4. Coordinate with the Salisbury Fire Department to assure that site design provides for necessary emergency access.
5. Construction details for the proposed Riverwalk segment should comply with all City standards.
6. All site appurtenances (i.e. lighting, benches, and signage) shall be consistent with the adopted City specifications for the Downtown area.

Ms. Roane noted that this property was located in Flood Zone AE, and this site had received a COMR from MDE as of August 2018. Ms. Roane also asked that conditions number 2 and 4 be removed from the approval as they had already been completed.

Mr. Parker stated that neither his firm nor his clients had any issues with the Conditions being asked of them.

Mr. Parker explained that 11,000 square feet of this project is all that is included in Phase One, and is more than willing to appear before the Commission again during the additional Phases.

Mr. Thomas asked how the applicants intended to overcome the elevation issues for this project, as they are located in flood zone AE.

Mr. Parker said the project was still waiting on bulkhead approval, but they intended to raise the bulkhead 1 ½ to 2 feet above the current level.

Dr. McNaughton inquired about the impacts this development would have on both the floodplain and the neighboring properties.

Mr. Thomas stated his concerns about the obstruction of the view of the River by the construction of such a large building.

Ms. Roane replied that the Riverwalk is open to the public, so the views of the River can still be observed.

Chairman Dashiell voiced his concerns over the lack of railings along the Riverwalk. He explained that certain at-risk populations, such as children and patrons of the restaurants that may have over imbibed, could benefit from the added security of railings.

Mr. Parker stated that Salisbury standards actually prohibit railings along the Riverwalk.

Dr. McNaughton stated that the City standards may need to be changed as this is a major concern.

Ms. Roane stated that railings are not required by Federal or State laws, and that the Riverwalk is equipped with life preserver stations.

Chairman Dashiell noted that the Brew River Tiki Bar is railed, and considering the similar use of this property, such as retail spaces and other restaurants that serve alcohol, it would be reasonable to consider railings.

Dr. McNaughton asked if the applicants' insurance company has any control over the requirements for safety railings.

Mr. Heath stated that he too had similar concerns at the beginning of this review process, but was reassured by the studies of similar riverwalks located in San Antonio, TX and Providence, RI. He noted that neither of those riverwalks used guardrails to protect patrons, as their riverwalks are wide and allow for ample pedestrian traffic as well as providing the open views.

Chairman Dashiell reiterated the need for a serious conversation for the prevention of an avoidable tragedy.

Chairman Dashiell inquired about the availability of ample parking for the proposed building, as it currently seems limited.

Mr. Parker stated that he and his clients were comfortable with the available parking proposed for phase one and will address alternative options for limiting their impervious surface in future phases.

Mr. Thomas asked if the current plan conforms to the City's new proposed parking requirement ordinance.

Mr. Parker stated that this plan was exempt as it was proposed before the ordinance, and was not required to comply.

There were no further comments from the Commission or Interested Parties.

Upon a motion by Mr. Rogers seconded by Mr. Heath, and duly carried*, the Commission granted an approval of the final certificate of design and site plan with conditions 1, 3,5, and 6 as cited above.

*Chairman Dashiell asked it be noted that he was voting "Aye" but was still very concerned about the amount of parking and the safety issue presented by the lack of railings along the Riverwalk.

REVISED SIGN PLAN – Beaglin Station – 810 Beaglin Park Drive - #201800628 – M-116, G-19, P-301, (H. Eure)

Mr. Henry Eure and Mr. Randall Bendler, of Bendler Realty Corporation, came forward.

Mr. Eure presented the staff report and entered all accompanying documents into the record. He explained that the new signage would be uniform in color, lighted, and would replace the red wood and teal colors that exist currently.

Dr. McNaughton asked if there had been any objections from tenants that were asked to remove their flag signage. Mr. Bendler answered there had not.

Mr. Rogers inquired about the attachment process. Mr. Bendler explained that it was in fascia.

There was a need for clarification over whether attachment #1 or #2 was the correct version of the proposed design. Mr. Eure confirmed attachment #2 was correct.

There were no further comments from the Commission or Interested parties.

Upon a motion by Mr. Rogers, seconded by Dr. McNaughton, and duly carried, the Commission approved the proposed Sign Plan as submitted, with the

condition that all other freestanding signs and flags advertising by tenants shall be prohibited and removed from the premises.

REVISED SIGN PLAN – College Avenue Shoppes – 720 East College Avenue - #201800627 – M-116, G-10, P-3274, (H. Eure)

Mr. Henry Eure and Mr. Andy Ball came forward.

Mr. Eure presented the staff report and entered all accompanying documents into the record. He stated that the current color scheme does not allow the tenants to select their logo colors for signage. The tenants have requested the use of color signs. A condition for allowing this is the removal of all flag and banner signs that have been erected on the property.

Mr. Ball explained that one tenant installed color signage without the consent of the property owner, and upon viewing it, the other tenants were interested in installing their own color signs.

Mr. Eure specifically inquired about adding the color purple to the list of requested approved colors. A request for purple signage had just been received by the City office.

Mr. Kilmer made a motion to include the color purple on the list of proposed approved colors. This motion was seconded by Mr. Rogers.

There were no further comments from the Commission or Interested Parties.

Upon a motion by Mr. Rogers, seconded by Mr. Kilmer, and unanimously carried, the Commission approved the Revised Sign Plan as submitted, which will change the approved colors (including the monument sign) to white, green, red, yellow, blue, brown and black, and additionally purple, with the condition that flags advertising tenants shall be prohibited.

REVISED SIGN PLAN – State Farm Insurance – 106 W. Ruark Drive - #201800626 – M-29, G-11, P-438, (H. Eure)

Mr. Henry Eure and Mr. Brian Davis came forward.

Mr. Eure presented the staff report and entered all accompanying documents into the record. He made note of the colors that were acceptable for signage at this location in the past. The applicant is requesting that the color red be added to the list of acceptable colors.

Mr. Thomas asked if the signage would be backlit. Mr. Eure answered that it was internally illuminated.

Upon a motion by Mr. Rogers, and seconded by Mr. Heath, and unanimously carried, the Commission approved the Revised Sign Plan as submitted, incorporating the color red.

There being no further business, the Commission meeting was adjourned at 2:35 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

Recording Secretary