

ORDINANCE NO. 2501

A ORDINANCE OF THE CITY OF SALISBURY, MARYLAND PURSUANT TO CHAPTER 17.228 OF TITLE 17, ZONING OF THE SALISBURY MUNICIPAL CODE AND SECTION 4.04 OF ARTICLE 66B OF THE ANNOTATED CODE OF MARYLAND FOR THE PURPOSE OF AMENDING SECTIONS 17.04.120, AND 17.76.020A TO DEFINE MULTI-USE FACILITY AND TO ALLOW MULTI-USE FACILITIES AS A PERMITTED USE.

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 Article 66B of the Maryland Annotated Code and in accordance with specific provisions of Chapter 17.228, Amendments and Rezoning, of Title 17, Zoning; and

WHEREAS, the Mayor and City Council requested 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, Devreco Glen, LLC submitted an application to amend the text of the definition of a Multi-Use Facility and to allow Multi- Use Facilities as a permitted use in the Light Industrial zoning districts; and

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

WHEREAS, the Planning Commission did recommend approval of the proposed text amendments to Sections 17.04.120, and 17.76.020A;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that Title 17, Zoning, of the Salisbury Municipal Code is hereby amended as follows:

AMEND SECTION 17.76.020A. Permitted Uses, by adding the following item:

32. Multi-Use Facility


AMEND SECTION 17.04.120 Definitions, by adding the following item:

“Multi-Use Facility” – two or more similar or different uses on a lot or parcel that are conducted in physically separate areas and permitted inherently or otherwise in the district in which located, provided that the lot or parcel and improvements thereon satisfy the total parking, lot area and other requirements of the uses; the facility shall not be deemed to be a shopping center if the total floor area of the uses in which the principal activity is on-site retail sales does not exceed one-third of the gross floor area of the entire facility.”

AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that this Ordinance shall take effect from and after the date of its final passage, but in no event until ten (10) days after the date of the Council’s Public Hearing, and

THE ABOVE ORDINANCE was introduced at a meeting of the Council of the City of Salisbury, Maryland on August 13, 2018, and thereafter, a statement of the substance of the ordinance having been published as required by law, in the meantime, was finally passed at a Public Hearing held on September 10, 2018 and is to become effective on September 20, 2018.

ATTEST:



Kimberly R. Nichols
CITY CLERK



John R. Heath, City Council President

APPROVED BY ME THIS
11th day of SEPTEMBER, 2018



Jacob R. Day MAYOR, City of Salisbury



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Anne Roane, City Planner *AR*
Date: July 27, 2018
Re: Ordinance to modify Chapter 17 to define Multi-Use Facilities and allow by right in the Light Industrial zoning districts

This proposed text amendment to Chapter 17, Section 76.020A-Light Industrial District to allow Multi-Use Facilities by right and to amend Chapter 17, Section 04.120-Definitions, to define Multi-Use Facilities. The amendment was requested by Robert B. Taylor, Esq. on behalf of Devreco Glen, LLC and is supported by Staff and the Planning Commission.

Text amendments require two Public Hearings in order to be adopted. The first required Public Hearing was held by the Planning Commission on May 17, 2018. A second Public Hearing will be set by the City Council.

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