

**ORDINANCE NO. 2908**

**AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTION 17.150.050A.7. OF THE SALISBURY CITY CODE TO DELETE THE WORD “TOWNHOUSES” FROM THE CATEGORY OF USES PERMITTED IN PARCEL H OF PLANNED RESIDENTIAL DISTRICT NO. 7 (THE VILLAGES AT AYDELOTTE FARM), AND INCREASE DENSITY TO 6.0 UNITS PER ACRE**

**WHEREAS**, the ongoing application, administration and enforcement of Title 17 (Zoning) of the City of Salisbury Municipal Code (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to keep the provisions of Title 17 current, comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the “**City**”);

**WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202 to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City;

**WHEREAS**, the Mayor and Council may amend Title 17 (Zoning) of the Salisbury City Code pursuant to the authority granted by MD Code, Land Use, § 4-102, subject to the provisions set forth in Section 17.228.020;

**WHEREAS**, the uses permitted in Parcel H of Planned Residential District No. 7 – The Villages at Aydelotte Farm are limited to only townhouses, with a maximum density of 5.5 units per acre. The inclusion of all residential dwellings, as defined in Section 17.04.120, would provide additional, but still substantially similar, use options in the zoning district, with a minor increase of the overall density of the parcel;

**WHEREAS**, the Mayor and Council find that the health, safety and general welfare of the citizens of the City will be furthered by amending Section 17.150.050A.7. of the Salisbury City Code to permit all residential units in the parcel;

**WHEREAS**, pursuant to Section 17.228.020 of the Salisbury City Code, any amendment to the Salisbury Zoning Code requires the recommendation of the Salisbury Planning and Zoning Commission (the “Planning Commission”) prior to the passage of an ordinance amending Chapter 17.150;

**WHEREAS**, a public hearing on the proposed amendment was held by the Planning Commission in accordance with the provisions of Section 17.228.020 of the Salisbury City Code on November 21, 2024;

**WHEREAS**, at the conclusion of its November 21, 2024 meeting, the Planning Commission recommended, by a vote of 7-0, that the amendments to Section 17.150.050A.7. of the Salisbury City Code set forth herein be approved by the Mayor and Council; and

**WHEREAS**, the Mayor and Council have determined that the amendments to Section 17.150.050A.7. of the Salisbury City Code shall be adopted as set forth herein.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND**, that Title 17 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

**Section 1.** Section 17.150.050 of the Salisbury City Code, entitled “Development standards” shall be amended as follows:

**17.150.050 Development standards.**

A. Individual Parcel Standards.

1. Parcel A—Residential Alternative Uses.
  - a. Minimum land area: eight acres.
  - b. Setbacks shall be not less than:
    - i. Street: twenty-five (25) feet;
    - ii. PRD perimeter: thirty (30) feet;
    - iii. 100-year flood plain: ten feet;
    - iv. Adjoining NE metro core collector road: fifty (50) feet.
  - c. Height: thirty-five (35) feet maximum.
  - d. Parking: in accordance with the requirements of chapter 17.220.
  - e. Residential standards alternative: the same as Parcel B.
2. Parcel B—Residential.
  - a. Minimum land area: six acres.
  - b. Density: not to exceed seven units/acre.
  - c. Height: thirty-five (35) feet maximum.
  - d. Setbacks shall be not less than:
    - i. Street: thirty (30) feet;
    - ii. Side: ten feet;
    - iii. Rear: twenty-five (25) feet;
    - iv. PRD perimeter: thirty (30) feet;
    - v. 100-year flood plain: ten feet;
    - vi. Adjoining NE metro core collector road: fifty (50) feet.
  - e. Parking: 1.8 spaces per unit minimum.
3. Parcel C—Residential—Single-family Detached.
  - a. Minimum land area: eighteen (18) acres.
  - b. Density: not to exceed three units/acre.
  - c. Height: thirty-five (35) feet maximum.
  - d. Setbacks shall be not less than:
    - i. Street: thirty (30) feet;
    - ii. Side: ten feet;
    - iii. Rear: twenty-five (25) feet;
    - iv. 100-year floodplain: ten feet.
  - e. Lot area: ten thousand (10,000) square feet minimum.
  - f. Lot width: Interior lots: seventy (70) feet minimum;  
Corner lots: eighty-five (85) feet minimum.
  - g. Parking: two spaces per unit minimum.
4. Parcels D and E—Neighborhood Business.
  - a. Minimum land area: one acre.
  - b. Density: not to exceed:
    - i. Neighborhood business: thirty thousand (30,000) square feet gross floor area.
  - c. Height: forty (40) feet maximum.
  - d. Distance between buildings: thirty (30) feet minimum.
  - e. Setbacks shall be not less than:
    - i. Street: twenty-five (25) feet;
    - ii. Side: twenty-five (25) feet.
  - f. Parking: 17.150.050

- i. Neighborhood business: a minimum of one space per three hundred (300) square feet of floor area used for such uses.
- 5. Parcel F—Residential (Condominium).
  - a. Minimum land area: seven acres.
  - b. Density: not to exceed ten units/acre.
  - c. Height: fifty-five (55) feet maximum.
  - d. Distance between buildings: thirty (30) feet minimum.
  - e. Setbacks shall be not less than:
    - i. Street: thirty (30) feet;
    - ii. Side: ten feet;
    - iii. Rear: twenty-five (25) feet;
    - iv. Adjoining NE metro core collector road: fifty (50) feet.
  - f. Parking: 1.8 spaces per unit minimum.
- 6. Parcel G—Residential (Condominium).
  - a. Minimum land area: seven acres.
  - b. Density: not to exceed ten units/acre.
  - c. Height: fifty-five (55) feet maximum.
  - d. Distance between buildings: thirty (30) feet minimum.
  - e. Setbacks shall be not less than:
    - i. Street: twenty-five (25) feet;
    - ii. Side: ten feet;
    - iii. 100-year floodplain: ten feet;
    - iv. Adjoining NE metro core collector road: fifty (50) feet.
  - f. Parking: 1.8 spaces per unit minimum.
- 7. Parcel H—Residential (~~Townhouses~~).
  - a. Minimum land area: thirty (30) acres.
  - b. Density: not to exceed ~~5.5~~ **6.0** units/acre.
  - c. Height: thirty-five (35) feet maximum.
  - d. Setbacks shall be not less than:
    - i. Street: thirty (30) feet;
    - ii. Side: ten feet;
    - iii. Rear: twenty-five (25) feet;
    - iv. 100-year floodplain: ten feet.
  - e. Parking: 1.8 spaces per unit minimum.
- 8. Parcel I—Residential (Townhouses).
  - a. Minimum land area: thirty (30) acres.
  - b. Density: not to exceed 5.5 units/acre.
  - c. Height: thirty-five (35) feet maximum.
  - d. Setbacks shall be not less than:
    - i. Street: thirty (30) feet;
    - ii. Side: ten feet;
    - iii. Rear: twenty-five (25) feet.
  - e. Parking: 1.8 spaces per unit minimum.
- 9. Parcel J—Residential—Single-family Detached.
  - a. Minimum land area: eight acres.
  - b. Density: not to exceed three units/acre.

- c. Height: thirty-five (35) feet maximum.
  - d. Setbacks shall be not less than:
    - i. Street: thirty (30) feet;
    - ii. Side: ten feet;
    - iii. Rear: twenty-five (25) feet;
    - iv. 100-year floodplain: ten feet.
  - e. Lot area: ten thousand (10,000) square feet minimum.
  - f. Lot width: Interior lots: seventy (70) feet minimum;  
Corner lots: eighty-five (85) feet minimum.
  - g. Parking: two spaces per unit minimum.
10. Parcel L—Residential.
- a. Minimum land area: seven acres.
  - b. Density: not to exceed nine units/acre.
  - c. Height: thirty-five (35) feet maximum.
  - d. Distance between buildings: thirty (30) feet minimum.
  - e. Setbacks shall be not less than:
    - i. Front: twenty-five (25) feet;
    - ii. Side: ten feet;
    - iii. Rear: twenty-five (25) feet.
  - f. Parking: 1.8 spaces per unit minimum.
- B. Building Entrance Location. All entrances to apartment buildings shall be no greater than eighty (80) feet from a parking lot. Fire hydrants shall be installed as required by city policy.
- C. Landscaping. A detailed landscaping plan shall be submitted with each phase of the development. Landscaping shall generally be in accordance with the revised preliminary development plan—as approved by the planning commission dated May 10, 2005.
- D. Open Space. Open space shall be provided as shown on the revised preliminary development plan dated May 10, 2005. Details of open space, use, access, and development areas shall be shown on final development plans for each phase of development.
- E. Architectural Elevations. Architectural elevations for each building shall be submitted with final development plans for each phase of development.
- F. Subdivision Plat, Community Association, and Condominium Documents. A final subdivision plat shall be submitted with final development plans for each parcel. The overall villages at Aydelotte Farm Community Association documents regarding maintenance of open space identified, revised preliminary development plan dated May 10, 2005 shall be approved by the planning commission and recorded with the final subdivision plat for the first parcel of development. Individual condominium and homeowner's association documents shall be approved by the planning commission and recorded for each parcel of development.
- G. Signs. Signs shall be in accordance with Sections 17.216.060, 17.216.070 and 17.216.140 of this title.
- H. Accessory Buildings and Structures.
- 1. No part of any accessory building or structure shall be located closer than five feet to a rear, side, or floodplain line. On a corner lot, no accessory building shall be located closer than twenty-five (25) feet to the curblineline of an abutting street.
  - 2. No accessory building shall occupy more than fifty (50) percent of a required rear or side yard on a single-family residential lot.

3. A swimming pool may be located in the side or rear yard no closer than twenty-five (25) feet to a street right-of-way. The combined total lot coverage of a swimming pool and all accessory buildings and structures shall not exceed seventy-five (75) percent of the required rear yard or side yard area.

**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** as follows:

**Section 2.** It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.


**Section 3.** It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

**Section 4.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

**Section 5.** This Ordinance shall take effect from and after the date of its final passage.

**THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 16 day of December, 2024 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 of the City of Salisbury on the 13 day of January, 2025.

ATTEST:

  
Julie A. English, City Clerk

  
D'Shawn M. Doughty, City Council President

Approved by me, this 14 day of July, 2025.

  
Randolph J. Taylor, Mayor