



City of Salisbury Planning Commission

Agenda

First Meeting

December 4, 2025

Government Office Building
125 N Division Street
Council Chambers, Room 301, Third Floor

6:00 P.M. - Call to Order - Betsy Jackson, City Planner

1. Welcome and introductions
2. Discussion and election of officers
 - a. Discussion of responsibilities: Chair, Vice-Chair, and Open Meetings Act Representative
 - b. Elections
3. Discussion and adoption of the Rules of Procedure
 - a. Decide on a regular meeting date and time
4. Discussion of upcoming agenda items
 - a. Sign Plans
 - b. Comprehensive Development Plans
 - c. Zoning recommendations for annexations
 - d. Text amendments and rezoning requests
 - e. Comprehensive Plan
5. Confirm next meeting date



To: Salisbury Planning Commissioners
From: Betsy Jackson, City Planner
Date: December 4, 2025
Re: Briefing on agenda items

1. Election of Officers

The election of officers will be started by the City Planner and, once elected, the Chair will take over the meeting.

The Rules of Procedure have not been adopted so the terms and responsibilities may change. The terms of office are for one (1) year. Elections shall take place annually in September. Responsibilities for each of the offices are as follows:

Chair: Presides at all meetings and hearings. Approves agendas for all regular meetings.

Vice-Chair: Acts for the chair in their absence.

Open Meetings Act Representative: The State requires that “at least one employee, officer, or member” receive training on the requirements of the Act. Although we maintain one representative, we ask that all staff and members receive training, so that there is always someone present familiar with the Open Meetings Act requirements. We are required to maintain records showing course completion.

2. Rules of Procedure

Draft Rules of Procedure have been provided. Rules of Procedure can be amended from time to time. The most urgent item to discuss in the Rules is the regular meeting date and time. The draft rules propose 1:30pm on the second Thursday of each month.

Historically, Planning Commission has been held in the afternoons. There are pros and cons to any date and time. Starting in the afternoon reduces staff overtime, allows the consultants for applicants to attend during their normal workday, and allows the Commission to more easily accommodate longer meetings when there are public hearings. The downside to afternoon meetings is that it may be inconvenient for Commissioners and interested members of the public that work traditional office hours.

Our meeting options are somewhat limited by the availability of Room 301. Current availability is as follows:

- **2nd Week:**

- Tuesday (day/night)
 - Thursday (from 1pm)
 - Wednesday (day/night)
- **4th Week:**
 - Tuesday (day/night)

3. Discussion of upcoming agenda items

- a. Sign plans – Sign plans, which are generally amendments to sign plans required by the Comprehensive Development Plan process, are assessed based on what signs are allowed per the Code and what the Planning Commission has previously approved which may include size, color, materials, and type of sign. There are currently three (3) sign plans waiting for approval.
- b. Comprehensive Development Plan (CDP) – Preliminary or Final
A preliminary comprehensive development plan is waiting for review by the Planning Commission.

Per the code a Comprehensive Development Plan is
a comprehensive set of plans, specifications and measures for either private or public development, such as but not limited to townhouse development, apartment project, shopping center or other such development permitted in this code.

A preliminary provides the opportunity for the developer to get early approval of a project and feedback on what the Planning Commission wants to see for the Final CDP.

- c. Zoning recommendations for annexations

When a property owner wants to bring their land into the City, they petition for annexation. Most of this process happens administratively between City staff, legal team and the City Council. However, our code provides an opportunity for the Planning Commission to recommend what zoning district to apply to the land proposed to be annexed. There are currently two (2) annexations waiting for zoning recommendations and we anticipate a 3rd by the end of the year.

- d. Text amendments and rezoning requests

The City has received several text amendment requests and a rezoning request this year that were unable to be processed before the dissolution of the joint planning commission. We receive these regularly, but hope they are reduced once we comprehensively review and amend our zoning code. These requests take at least

4 to 6 months to the public hearing requirement at both the Planning Commission and City Council. The result of the public hearing with the Planning Commission is a recommendation to the City Council for how to proceed with the request. There are currently six (6) text amendment requests and two (2) rezoning requests. These requests do not include any rezoning or text amendments that the staff would like to recommend or are working toward due to State mandates.

Separate staff reports have been prepared for the text amendments and rezoning that we'd like to address first due and they are as follows:

1. Expansion of the definition of specialty shop
2. Building height increase in the Hospital District
3. Rezoning of parcels in General Commercial to Hospital District.

e. Comprehensive Plan

City staff have been working on a draft of the Comprehensive Plan since Spring and would like to workshop it with the Planning Commission as soon as possible, so that it can start the required 60-Day review process with the State. We anticipate having a draft that can be made public for comment and Planning Commission review before the end of the year. An estimated timeline is included below, but it is contingent on meeting availability and any time needed to make edits and address any State comments.

Estimated timeline:

Jan. – Workshop

Feb/March – 60 Day Review

April – Planning Commission Public Hearing

May/June – City Council Public Hearing process and adoption

4. Confirm next meeting date

Regular meetings would begin at the determined date and time in January 2026. We are asking the Planning Commission to consider adding a December Planning Commission date and possibly a second January meeting to help us work through the backlog of projects, requests, and to prevent further delay of the Comprehensive Plan.

SALISBURY PLANNING COMMISSION
RULES OF PROCEDURE

ARTICLE I
Name of Commission

The name of this organization shall be the Salisbury Planning Commission (“the Commission”).

ARTICLE II
Authorization

The authorization for the establishment of the Commission is set forth in the Land Use Article of the Annotated Code of Maryland.

ARTICLE III
Membership

Section 1. The Commission shall consist of seven (7) members. At least three members shall reside in the municipal boundaries of the City of Salisbury. The remaining members shall reside in the greater Salisbury area, which shall be defined as any address containing a 21801 or 21804 zip code. Any member sitting on the Salisbury-Wicomico County Planning and Zoning Commission at the time of its dissolution shall be eligible for membership on the Commission.

Section 2. The term of each member shall be five (5) years, or until his or her successor takes office. All members shall be eligible for reappointment. The terms of the members of the Commission shall be staggered. If a vacancy occurs during the term of an appointed member, the vacancy shall be filled for the unexpired term.

Section 3. After providing a written statement of charges stating the grounds for removal and an opportunity for a public hearing to contest the charges, the Salisbury City Council may remove a member for:

- (i) incompetence;
- (ii) misconduct; or
- (iii) in the same manner as for a member of a State board or commission:
 - 1. Failure to attend meetings under § 8-501 of the State Government Article; or
 - 2. Conviction of a crime in accordance with § 8-502 of the State Government Article.

ARTICLE IV
Officers

Section 1. The Commission shall elect a chair and a vice-chair from the appointed members of the Commission and may create and fill such other offices as it deems appropriate.

Section 2. The term of the chair shall be for one (1) year. A chair or a vice-chair may be reelected.

Section 3. The chair shall preside at all meetings and hearings of the Commission, and the vice-chair shall act for the chair in his or her absence.

ARTICLE V

Election of Officers

Section 1. At the regular meeting in September of each year, the Commission shall elect from its membership a chair and a vice-chair, and these elected persons shall take office at the regular meeting in September.

Section 2. A candidate receiving a majority vote of the entire membership of the Commission shall be declared elected and shall serve for one (1) year, or until his successor shall take office.

Section 3. Vacancies in office shall be filled by the adopted election procedure at the first regular meeting of the Commission following notification of the vacancy.

ARTICLE VI

Standards of conduct

Section 1. No Commission member shall allow bias or prejudice to affect the ability to exercise fairness and reason in any proceeding before the Commission.

Section 2. No Commission member shall represent an applicant, appellant or member of the general public before the Commission.

Section 3. A Commission member shall note on the record, before any proceeding before the Commission commences, or as soon as realized after a proceeding has commenced, that there is a conflict of interest or the appearance of a conflict of interest. If the Commission member believes, as a result, that they cannot make any decision related to the proceeding in a fair and impartial manner, they shall recuse themselves from participating in the proceeding.

Section 4. The absence of any member from 50% of the meetings of the Commission during any consecutive 12-month period shall be considered to have resigned. Any member who has resigned from the Commission is eligible for reappointment, so long as all other eligibility requirements are satisfied.

Section 5. Each member of the Commission shall be entitled to one (1) vote.

Section 6. All members shall serve with such compensation as the local legislative body deems appropriate, if any.

ARTICLE VII

Meetings

Section 1. Regular meetings shall be held on the second Thursday of each month at 1:30 p.m. or at such other time as deemed appropriate by the Commission.

Section 2. A quorum shall consist of four (4) members of the Commission. A motion on any matter before the Commission shall require affirmative votes of a majority of those present and voting. A tie vote by the Commission shall be interpreted as a defeat of the motion upon which the vote was taken. In the event of a lack of quorum, the matter will be continued and reassigned to a future date.

Section 3. Special meetings may be called by the chair with concurrence of the majority of the Commission. It shall be the duty of the chair to call a special meeting when requested to do so by a majority of the Commission. The chair shall notify all members of the Commission three (3) days in advance of such special meeting. Special meetings shall be held at such times and places as determined by a majority of the members.

Section 4. All meetings of the Commission shall be open to the public, except that the Commission may hold closed sessions in accordance with the Maryland Open Meetings Act.

Section 5. The Commission shall record and keep minutes of its proceedings, which show the vote of each member upon each question, or, if a member is absent or fails to vote, the minutes shall indicate such fact. The Commission shall keep recordings of all proceedings, records of its examinations and other official actions, all of which shall be filed immediately in the office of the Commission and shall be a public record open to inspection during the hours of normal operation of the office. Copies of the minutes shall be made available to

interested parties. A party who requests a copy of the recording or its transcript shall pay the cost of the recording or transcript.

ARTICLE VIII

Hearings

Section 1. In addition to those required by law, the Commission may hold public hearings when it finds that they will be in the public interest.

Section 2. Notice of the time and place of such hearings on matters of general public interest shall be published in accordance with applicable law.

Section 3. The matter before the Commission shall be presented in summary by a member of the staff, and parties of interest shall have the right to be heard. Any member of the public who speaks shall provide their name and address, state their interest in the application and identify any person or entity they represent and the basis of their representation and limit their comments to factors relevant to the specific application. The chair may limit the time allotment for public comment.

ARTICLE IX

Order of Business

Section 1. An agenda shall be prepared by the Director of Infrastructure and Development or their designee and shall be sent to the chair for approval for all regular meetings. The agenda along with any supporting documents shall be sent to all Commission members by no later than the Friday preceding the regular monthly meeting. Agendas for special meetings shall be prepared as deemed necessary by the Commission.

Section 2. The order of business, set forth on the agenda, shall be:

- a. Call to order
- b. Roll call
- c. Approval of the minutes of the previous meetings
- d. New business
- e. Other business
- f. Adjournment

Section 3. The Chair shall conduct each meeting in a manner that permits the development of a complete record, provides a reasonable opportunity for the parties to be heard, and ensures an efficient meeting. The Chair may call the meeting to order, rule on preliminary matters, set reasonable time limits on testimony, limit or exclude irrelevant or duplicative evidence or testimony, take

actions to maintain decorum and order, close the meeting or record, and take any other action authorized by these Rules to conduct the meeting, subject to applicable laws and regulations.

ARTICLE X Employees

The Commission may appoint the employees necessary for the performance of its functions. The Commission may also contract with planners, engineers, architects, and other consultants for services that the Commission requires.

ARTICLE XI Amendments

These Rules of Procedure, and any part thereof, may be amended by the Commission.

ARTICLE XII Appeals

Any applicant, appellant or interested person aggrieved by a decision of the Commission shall have the right to appeal that decision to the Circuit Court for Wicomico County. Any appeal shall be noted in the Circuit Court within 30 days of the Commission's decision.



To: Salisbury Planning Commissioners
From: Henry Pearson, Associate Planner I
Date: December 4, 2025
Re: Staff report – text amendment to expand the definition of Specialty Shop

“Specialty shop” is a permitted use in seven different zones: Office and Service Residential, Hospital, Neighborhood Business, Select Commercial, Riverfront Redevelopment Multiuse Nos. 1 and 2, and Central Business District. Thus, the definition of “specialty shop” is fundamentally important in determining the allowable uses in a significant portion of the city. The current definition of “specialty shop” in Chapter 17.04.120 reads:

"Specialty shop" means a shop for the sale of antiques/collectibles or handicraft and supplies, including artwork, leatherwork, pottery, needlework or similar items which may be made on the premises.

It is the opinion of staff that this definition is overly restrictive. There are a multitude of examples of businesses that would seem to be “specialty shops” by the conventional definition that would not be permitted under this definition. For example, this definition would not allow a store that sells boutique clothing, or houseplants, or videogames.

It appears that the intention of the definition is to permit stores that sell specialized items without allowing general retail in the zone. Six of the seven zones that allow specialty shops do not allow general retail sales. Expanding the definition of “specialty shop” would preserve the original intent of the term while loosening its overly restrictive nature and encouraging varied development. The proposed definition of “specialty shop” reads:

"Specialty shop" means a retail store that sells a specialized line of merchandise related to a specific category or brand of products.

This definition retains the original intent of the term while broadening its scope. This will provide opportunity for a more varied and interesting retail sales base which can improve liveliness, encourage exploration and “window-shopping”, and expand economic opportunity, while precluding the incursion of big-box style general retail stores.



To: Salisbury Planning Commissioners
From: Betsy Jackson, City Planner
Date: December 4, 2025
Re: Staff report – text amendment to increase the building height in the Hospital District

Parker and Associates, on behalf of the owner, Peninsula General Hospital Medical Center, has submitted a request to amend Chapter 17.68.040- Hospital District to change the allowable height in the district to seventy-five (75) feet for all buildings.

The request stems from a proposal to construct a 5-story parking garage with a height of sixty-six (66) feet. Chapter 17.68.040, subsection C states that *“The height limitation shall be forty (40) feet, except that hospitals and hospital accessory structures are permitted a maximum height of seventy-five (75) feet.”* Accessory structures in the hospital district are defined as:

- A. Helicopter landing facilities for hospital use;
- B. Other accessory uses and structures clearly incidental, customary to and associated with the permitted use;
- C. Day-care services for employees or patrons of a permitted use

The proposed garage is on a separate lot from the hospital and is therefore not a typical accessory use. Accessory use is defined as below in 17.04.120 of the Zoning Code.

“Accessory use” means a use which is customarily incidental and subordinate to a principal use and which is located on the same lot therewith.

Despite this, it will be used solely by the hospital and is clearly closely associated with the permitted use. The increase of the maximum height will not result in the Hospital District having a greater maximum height allowance than already allowed nearby. The hospital and its accessory uses already have a seventy-five (75) foot height maximum. The Downtown, in the Central Business District, which is directly across the river from the hospital has a height maximum of seventy-five (75) feet. Further, the hospital continues to expand and increasing the height will help maximize the use of the land already in the Hospital District.

For the above reasons, staff has determined that allowing all buildings within the Hospital District to have a maximum height of seventy-five (75) feet would have minimal impact on current and future development while streamlining the development process.



To: Salisbury Planning Commissioners
From: Betsy Jackson, City Planner
Date: December 4, 2025
Re: Staff report – Rezoning for TidalHealth Parking Garage – General Commercial to Hospital District

Parker and Associates, on behalf of the owner, Peninsula General Hospital Medical Center, has submitted a request to rezone parcels along S. Salisbury Blvd (Tax Map: 0111 Grid: 0011 Parcels: 26-29) to Hospital District.

The request stems from a proposal to construct a 5-story parking garage on the site. The lots are required to be combined, so rezoning will make the zone consistent across the site. Additionally, the proposed building garage would exceed the fifty (50) foot maximum building height in the General Commercial zone.

The City Council may grant the change in the zoning classification based on a finding that there has been a substantial change in the character of the neighborhood where the property is located or that there is (was) a mistake in the existing zoning classification.

Per Section 17.228.030, the City Council shall make findings of fact that considers the following matters:

- a. Population Change;
- b. Availability of public facilities;
- c. Present and future transportation patterns;
- d. Compatibility with existing and proposed development for the area;
- e. The recommendation of the Planning Commission;
- f. The relationship of such proposed amendment to the jurisdiction's plan.

Staff finds that there is a change in the neighborhood due to the expansion of the hospital that supports the rezoning. The Department of Infrastructure and Development will provide a staff report considering the findings of fact to aid the Planning Commission in making a recommendation to the City Council.



Existing



Proposed

Tidal Health Parking Garage Proposed Rezoning