

ORDINANCE NO. 3012

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING SECTIONS 17.36.020, 17.36.045, 17.76.050, AND 17.80.040 OF THE SALISBURY CITY CODE TO REVISE CANNABIS GROWER AND PROCESSOR DISTANCES.

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, current regulations governing the location of cannabis growers and/or processors are restrictive in that they prohibit entities from conducting business near each other, as well as near sensitive uses.

WHEREAS, allowing cannabis growers and/or processors to operate within close proximity of each other will support new businesses and foster industry synergy within industrial districts.

WHEREAS, permitting cannabis growers and/or processors to operate in closer proximity to sensitive uses, after obtaining a special exception, will provide added flexibility to the location requirements of such entities.

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 Sections 17.36.020, 17.36.045, 17.76.025, 17.76.050, 17.80.040.

WHEREAS, at the conclusion of its April 9, 2026 meeting, the Planning Commission recommended that the amendments to Sections 17.36.020, 17.36.045, 17.76.050 and 17.80.040 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 Sections 17.36.020, 17.36.045, 17.76.050 and 17.80.040 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 17.36.020 of the Salisbury City Code, entitled “Permitted uses” shall be amended as follows:

Chapter 17.36 GENERAL COMMERCIAL DISTRICT

17.36.020 Permitted uses.

A. Permitted uses shall be as follows:

1. Apartment units, in accordance with chapter 17.168;
2. Bank;

3. Bakery;
4. Boardinghouse/rooming house;
5. Business center in accordance with the requirements of chapter 17.172, provided that each individual lot shall have a minimum of six thousand (6,000) square feet of land area;
6. Carpenter, sheet metal, sign, blacksmith and welding shop, provided that all activities are confined within a building;
7. Church and other place of worship;
8. Club, lodge and fraternal organization;
9. Cultivation of land;
10. Cultural uses, such as museum, library or art gallery;
11. Dry-cleaning plant;
12. Eating and drinking establishments, including tavern, dance hall, nightclub and restaurants, all types;
13. Firehouse;
14. Equipment sales, rental, service, repair or maintenance facility for industrial, automotive, marine, office, construction, household, business or farm equipment;
15. Greenhouse, florist and nursery;
16. Hotel, motel or motor hotel;
17. Laboratory and establishment for production, sale, fitting or repair of eyeglasses, hearing aids and prosthetic appliances;
18. Light industrial uses, as listed in the light industrial district, **except those uses explicitly prohibited under Section 17.36.045**, completely confined within a building with no outside storage of raw materials or finished products;
19. Lumber and building supplies;
20. Marina;
21. Medical-care facility;
22. Medical and dental office and clinic;
23. Police station or substation;
24. Parking garage, public or private;
25. Mixed use building as defined in Section 17.04.120 in this chapter in accordance with a comprehensive site plan, as approved by the planning commission, with a mandatory five-foot-wide landscaping area abutting all property lines and parking lots. Signage shall be the same as required for a shopping center;
26. Neighborhood shopping center not exceeding thirty thousand (30,000) gross square feet of building area in accordance with the requirements of chapter 17.212;
27. Office or office building for more than one office;
28. Radio or television broadcasting station or studio;
29. Retail sales;

30. School of special instruction;
31. Service, rental or repair establishment, such as laundry or laundromat, automobile rental, gasoline and service station, car wash, appliance repair, equipment or instrument repair or rental, dry-cleaning pickup station, hairdresser shop, pet-grooming shop, excluding outdoor runs, upholstery shop, funeral home, tailor and other uses of similar nature;
32. Taxi and limousine service;
33. Theater, excluding drive-in theater;
34. Wholesale business, warehouse, moving, storage and distribution establishment, including wholesale sales;
35. Group domiciliary care facility;
36. Townhouse development, in accordance with chapter 17.224.

Section 2. Section 17.36.045 of the Salisbury City Code, entitled “Prohibited uses” shall be amended as follows:

Chapter 17.36 GENERAL COMMERCIAL DISTRICT

17.36.045 Prohibited uses.

- A. Adult entertainment businesses, as defined in this title, shall be prohibited.
- B. A Cannabis On-Site Consumption Establishment, as defined in this title, shall be prohibited.
- C. Cannabis Grower and Processor Facilities, as defined in this title, shall be prohibited.**

Section 3. Section 17.76.050 of the Salisbury City Code, entitled “Development standards” shall be amended as follows:

Chapter 17.76 LIGHT INDUSTRIAL DISTRICT

17.76.050 Development standards.

Development standards for the light industrial district shall be as follows:

- A. All uses shall be conducted within a completely enclosed building. Raw materials, in-process materials, supplies or waste material from manufacturing may be stored outside in open sheds if completely screened from view by landscaping or fencing in accordance with chapter 17.220. Finished or semifinished products manufactured or assembled on the premises may be stored outside in the side or rear yard if completely screened from view by landscaping or fencing in accordance with chapter 17.220.
- B. Minimum Lot Requirements. All lots hereafter established shall meet the following minimum requirements:
 1. Lot area: twenty thousand (20,000) square feet;
 2. Interior lot width: one hundred (100) feet;
 3. Corner lot width: one hundred twenty (120) feet.
- C. Minimum yard requirements shall be as follows:
 1. Front: fifty (50) feet;
 2. Rear: thirty (30) feet; fifty (50) feet where adjoining a residential district;
 3. Side: twenty-five (25) feet; fifty (50) feet where adjoining a residential district;

4. Corner, side: same as front yard.
- D. Parking. Parking, loading and unloading areas shall be provided in accordance with chapter 17.196.
- E. The height limitation shall be fifty (50) feet.
- F. Access. Direct access onto a public street may be reduced or eliminated wherever the city department of infrastructure and development determines that alternate or unified points of access are available to a site resulting in better traffic flow and less traffic congestion. Service drives and loading and unloading areas shall be located so that in the process of loading or unloading no truck will block the passage of other vehicles on the service drive or extend into any public street or private drive used for traffic circulation.
- G. Signs shall be in accordance with chapter 17.216.
- H. Landscaping and Screening. In addition to the requirements of chapter 17.220, all areas not devoted to buildings and required parking shall be landscaped and maintained in accordance with section 17.220.080.
- I. Cannabis grower and/or processor;
 1. May not be located within 500 feet of:
 - a. A pre-existing primary or secondary school in the State or a licensed child care center or registered family child care home; or
 - b. A playground, recreation center, library, church or public park; ~~or~~
 - c. 1,000 feet of another cannabis business.**
 2. May not be located adjacent to a residential use.

J. Upon request of an applicant and consideration of the criteria set forth in 17.232.020, as applicable, the Board of Appeals may grant a special exception reducing the 500-foot buffer provided for in 17.76.050(I)(1) to not less than 250 feet.

Section 4. Section 17.80.040 of the Salisbury City Code, entitled “General standards and requirements” shall be amended as follows:

Chapter 17.80 INDUSTRIAL PARK DISTRICT

17.80.040 General standards and requirements.

In preparing the overall plan for development of the industrial park, the developer shall take into consideration the following, which shall be taken into consideration by the approving agencies:

- A. The layout of the site should be that overall systems for sewer, water and drainage may be provided to adequately serve the proposed industrial uses.
- B. Natural Growth and Screening.
 1. Natural growth should be maintained in such a manner as to screen residential areas adjacent to or development near the boundaries of the park.
 2. Existing foliage should be used for the screening of open storage yards and unsightly areas within the industrial park.
 3. Other methods of screening should also be used as recommended for screening in chapter 17.220 where there is no natural growth or to supplement existing natural growth to provide adequate screening.
 4. Perimeter screening areas shall be shown on the overall development plan.

- C. Provisions should be made for docking facilities if adjacent to navigable waters and for the extension of rails to those facilities and sites within the park where possible.
- D. The layout of the site should provide a maximum flexibility for sites of various sizes, shapes and locations for industries that may desire to locate there.
- E. The layout should lend itself to an orderly series of stages of development to ensure that access and utilities can be provided to each site at a minimum of expense and effort.
- F. All setbacks and side and rear yard and height requirements shall be established in a manner which will provide maximum flexibility within the park and, at the same time, adequately protect surrounding development and development within the park.
- G. Outdoor storage of finished or semifinished products manufactured or assembled on the premises shall not be located within the front yard and shall be screened in a manner which will be compatible with the architecture of the main building and adequately contain the material stored.
- H. The approved development plan shall contain whatever additional use restrictions are deemed necessary to promote the health, safety and general welfare of surrounding residents and properties.
- I. Cannabis grower and/or processor;
 - 1. May not be located within 500 feet of:
 - a. A pre-existing primary or secondary school in the State or a licensed child care center or registered family child care home; or
 - b. A playground, recreation center, library, church or public park; or
 - ~~c. 1,000 feet of another cannabis business.~~**
 - 2. May not be located adjacent to a residential use;
 - 3. A Cannabis On-Site Consumption Establishment is prohibited.

J. Upon request of an applicant and consideration of the criteria set forth in 17.232.020, as applicable, the Board of Appeals may grant a special exception reducing the 500-foot buffer provided for in 17.80.040(I)(1) to not less than 250 feet.

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

Section 5. 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 6. 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 7. 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 7.

Section 8. 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 27 day of July, 2026 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 10 day of August, 2026.

ATTEST:


Julie A. English, City Clerk


April R. Jackson, City Council President

Approved by me, this 12 day of August, 2026.


Randolph J. Taylor, Mayor