

**ORDINANCE NO. 2027**

**AN ORDINANCE OF THE MAYOR AND THE COUNCIL 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 CHAPTER 17.08.010 A and B, CHAPTER 17.108 PLANNED DISTRICTS, AND CREATING CHAPTER 17.110 PLANNED DEVELOPMENT DISTRICTS.**

**WHEREAS**, the ongoing application, administration, and enforcement of Title 17, Zoning, of the Salisbury Municipal Code, demonstrates a need for its periodic review, evaluation, and amendment 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 have requested that the Salisbury Planning and Zoning Commission periodically review Title 17 in light of existing development trends and practices and current City development policies as well as to review all individual amendment requests from private citizens;

**WHEREAS**, an application for amendments to Chapters 17.08 and Chapter 17.108, was submitted in accordance with Chapter 17.228 of Title 17, Zoning, of the Salisbury Municipal Code; and,

**WHEREAS**, a Public Hearing on the proposed amendments as well as the language of a new chapter, Chapter 17.110 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 December 14, 2006, and,

**WHEREAS**, the Planning Commission did recommend approval of the proposed text amendments to Chapters 17.08 and 17.108 the adoption of Chapter 17.110 after a Public Hearing on December 14, 2006;

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

**AMEND CHAPTER 17.08.010 A, BY ADDING THOSE ITEMS IN ALL CAPS AND BOLD PRINT AS FOLLOWS:**

1. Residence Districts.
  - a. R-5, R-8 and R-10;
  - b. R-5A, R-8A and R-10A.
  - C. R-5S, R-8S, AND R-10S.**
  
3. Business Districts.
  - a. Neighborhood Business;
  - b. Light Business and Institutional;
  - c. General Commercial;
  - d. Regional Commercial.
  - E. SELECT COMMERCIAL.**
  
5. Special Districts.
  - a. College and University;
  - b. Hospital;
  - c. Historic;
  - d. Conservation;

- e. Paleochannel AND WELLHEAD PROTECTION
- f. Central Business;
- g. Riverfront Redevelopment Multiuse **DISTRICT #1;**
- H. RIVERFRONT REDEVELOPMENT MULTI USE  
DISTRICT #2;**

**AMEND CHAPTER 17.08.010 B BY ADDING THOSE ITEMS IN ALL CAPS AND BOLD PRINT AND DELETING THE STRIKETHROUGH ITEMS AS FOLLOWS:**

- B. ~~Planned Development~~ Districts. The following districts are established in the text of this Title and must be approved by the City Council as an amendment to the official zoning map. The location of these districts is determined at the time of approval.
  - 1. RR-5A Residential;
  - ~~2. Mobile Home;~~
  - 2. PLANNED DEVELOPMENT;**
  - 3. PLANNED Residential;**
  - 4. Industrial Park. (Prior code Section 150-18)

**AMEND CHAPTER 17.108 BY ADDING THOSE ITEMS IN ALL CAPS AND BOLD PRINT AND DELETING THE STRIKETHROUGH ITEMS AS FOLLOWS:**

**Chapter 17.108**

**PLANNED ~~DEVELOPMENT~~ DISTRICTS - GENERAL PROVISIONS**

Sections:

- 17.108.010 ~~Intent~~ PURPOSE.**
- 17.108.020 Submission of applications and plans.**
- 17.108.030 Preapplication conference.**
- 17.108.040 Submission of outline development plan.**
- 17.108.050 Content of outline development plan.**
- 17.108.060 Approval of outline development plan.**
- 17.108.070 Submission of preliminary development plan.**
- 17.108.080 Content of preliminary development plan.**
- 17.108.090 Approval of preliminary development plan.**
- 17.108.100 Final development plan.**
- 17.108.110 Control of development during construction, after final plan approval or after completion.**

**17.108.010 Intent PURPOSE.**

- A. It is in the best interest of the city that a wide range of **PLANNED** housing accommodations, **PLANNED COMMERCIAL AND BUSINESS DEVELOPMENTS, MIXED USE DEVELOPMENTS**, and industrial development be encouraged to meet the needs of the City and to accomplish sound physical and economic planning. Planned ~~development~~ districts, (~~hereinafter "PDD"~~), encouraging the best possible design of buildings and site planning under a comprehensive plan of development provide for more efficient use of land and the provision of public services.
- B. Planned developments provide opportunities for alternative densities, lot sizes and other bulk regulations and often necessitate the special design and development of public streets and utilities. It is in the best interest of the City, therefore, that these planned **developments DISTRICTS** be approved by the City Council in accordance with specific plans to assure that the community will benefit from the proposed development with a minimum impact on existing development.
- C. ~~The following~~ Planned ~~development~~ districts are therefore set forth in the text of this Chapter, with specific boundaries to be established on the Official Zoning Map\* after approval by the City Council of a preliminary development plan. These districts are "floating districts" and under Maryland case law are analogous to special exceptions. Criteria for establishment of these districts are set forth in the purpose for each district and shall be the basis for approval or denial by the City Council without the necessity of showing a mistake in the original zoning or a change in the neighborhood. (Prior code Section 150-135)

Editor's Note: The zoning map is on file in the Office of Planning and Zoning.

**17.108.020 Submission of applications and plans.**

Applications for a planned ~~development~~ districtS, including all plans, shall be made to the Planning Director for review and recommendation by the Planning Commission and approval by the City Council. Plans required for each stop in the review process shall be submitted to the same office for distribution to appropriate agencies for review. (Prior code Section 150-135.1)

**17.108.030 Preapplication conference.**

- A. Before submitting an application, the applicant may meet with the Directors of Public Works, Department of Building, ~~Housing and Zoning~~ **PERMITS AND INSPECTIONS**, and Planning for a preapplication conference to provide the developer with information concerning the requirements of this Chapter, City

policies and other related ordinances and to review the general concept of the proposed development, before submission to the Planning Commission.

- B. The Planning Director may furnish the applicant written comments regarding such conference, including appropriate recommendations to inform and assist the applicant prior to preparing detailed components of the application. (Prior code Section 150-135.2)

**17.108.040 Submission of outline development plan.**

- A. An applicant may submit for provisional approval by the Planning Commission an outline development plan as an optional step in the application process for the purpose of obtaining assurance that the project is acceptable in principle before significant expense is incurred by the developer.
- B. If an outline development plan is submitted, a public hearing shall be required before the Planning Commission. (Prior code Section 150-135.3)

**17.108.050 Contents of outline development plan.**

If an outline development plan is prepared, it shall include maps, drawn to approximate scale, and written statements described in this section. The information shall address enough of the area surrounding the proposed development to demonstrate its relationship to both existing and permissible adjoining uses.

- A. The maps, which are part of the outline plan, shall be drawn to scale and shall contain the following information when appropriate for the development proposed by the applicant:
  - 1. A general outline of the property, drawn to approximate scale, showing the boundaries of the area to be included in the planned ~~development~~ district and all existing and proposed easements on the site.
  - 2. A comprehensive site plan or plans showing the proposed development concept in its entirety, including the approximate location and area of the following:
    - a. The existing general topographic character of the land and natural features of the area;
    - b. Existing and proposed land use or development areas and the amount of area devoted to each use;
    - c. The approximate density, type and style of all proposed buildings and proposed building areas or lots;

- d. The approximate location of existing and proposed streets and/or thoroughfares;
  - e. The approximate location and type of public uses, including schools, parks, playgrounds and other public open spaces;
  - f. The approximate location of common open space and developed open space and proposed facilities in the developed open space suitable for the anticipated occupants of the development.
3. A general landscaping concept plan showing areas to be retained in natural growth and areas of supplemental plantings.
- B. The application shall include written statements, which are a part of the outline development plan, which shall contain the following information, as appropriate for the type of development and the planned ~~development~~ district:
- 1. An explanation of the character and types of the planned development and the manner in which it has been planned to take advantage of regulations pertaining to the proposed planned ~~development~~ district;
  - 2. A statement of proposed financing of the project and costs;
  - 3. A statement of ownership of all the land within the proposed development;
  - 4. A general indication of the expected schedule of development;
  - 5. A statement indicating the impact of the proposal on the surrounding area, including existing and future development. (Prior code Section 150-135.4)

**17.108.060 Approval of outline development plan.**

- A. After review and approval by the Planning Commission, the applicant may request provisional approval by the City Council at a public hearing of the development concept shown on the outline development plan to ascertain if the proposal is generally acceptable and if proposed modifications to City development standards or policies are generally acceptable to the Council.
- B. Provisional approval of the outline development plan by either the Planning Commission or the City Council shall constitute only concept approval and shall not indicate prior acceptance of any

future preliminary development plan. (Prior code Section 150-135.5)

**17.108.070 Submission of preliminary development plan.**

An application for a planned ~~development~~ district with all documents required for a preliminary development plan, shall be submitted to the Planning Commission for review and approval and recommendation to the City Council. Once an application has been received by the Planning Director:

- A. A public hearing shall be held by the Planning Commission on all preliminary development plans prior to any recommendation being referred to City Council.
- B. If an outline development plan has been submitted and given provisional approval, the applicant shall file the preliminary development plan within twelve (12) months of approval. The Planning Commission may extend this period for filing for an additional twelve (12) months. (Prior code Section 150-135.6)

**17.108.080 Contents of preliminary development plan.**

A preliminary development plan for the entire district shall be prepared to show all components of the proposed development and shall include the following information, where applicable, for the type of development proposed in addition to the information required by the development standards for the planned ~~development~~ district being requested. The preliminary development plan shall include:

- A. A property survey of the site, prepared by a registered surveyor or engineer, showing the exact boundaries of the area to be included in the planned ~~development~~ district. The survey shall include the location of all existing and proposed easements on the site;
- B. A comprehensive site plan, drawn to scale, on sheets twenty-four (24) by thirty-six (36) inches, showing the proposed development concept for the entire planned ~~development~~ district after completion, including the approximate location of buildings or building areas and other improvements; existing and proposed streets; common and developed open space areas, including areas to be left in a natural state; any improvements proposed in the landscaped or developed open spaces; proposed stormwater management areas; the one hundred-year floodplain line, if applicable; and the Chesapeake Bay Critical Area boundary line, if applicable;
- C. A development standards plan prepared as either a separate plan or plans, which shall:
  - 1. Identify all land uses, bulk and dimensional standards for each type of development including accessory uses and structures proposed, building areas or envelopes,

as may be related to the entire development and to each section or phase of the development,

2. Show the location of the proposed rights-of-way for street systems, sewer and water rights-of-way, stormwater management areas, lot, partition or subdivision lines or other divisions of the site for management use or allocation purposes and any other proposed easements or dedications for public or private access or services,
  3. Show all locations and areas proposed to be conveyed, dedicated or reserved for perimeter setbacks and screening or landscaping; common ownership or use; public use; and, where applicable, shall also include environmental, open space and slope easements; critical area buffers; developed recreation areas; parks; playgrounds; school sites; public service buildings and other public or semipublic uses or facilities;
- D. A preliminary subdivision plat for the entire planned **development** district in accordance with City subdivision regulations and any applicable development standards and other requirements;
- E. Elevation and perspective drawings of each type of proposed structure if required by the Planning Commission or the City Council;
- F. Agreements, provisions or covenants governing the use, maintenance and continued protection of common and developed open space areas and any covenants pertaining to development of individual lots or parcels to be developed at a future date;
- G. A landscaping plan for the entire district generally consistent with the provisions of Chapter 17.220, and the specific landscaping or screening requirements for the ~~PDD~~**DISTRICT** proposed, showing natural areas to be retained, the location and type of plantings, as well as areas to be sown with grass, including the perimeter, common areas and other areas of supplemental plantings.
1. Where individual lots or parcels are to be developed and approved at a later date, landscaping guidelines or covenants shall be approved for such lots or parcels as part of the landscaping plan for the entire district,
  2. Perimeter screening required by the development standards for the district or in sensitive areas as imposed by the Planning Commission or City Council shall be shown on the landscaping plan for the entire district;



- H. A development schedule for the planned ~~development~~ district indicating:
1. The approximate date when construction of the project is expected to begin,
  2. The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin,
  3. The anticipated rate of development,
  4. The approximate dates when each stage in the development will be completed,
  5. The area, location and degree of development of common open space that will be provided at each stage;
- I. A preliminary construction improvements plan approved by the Director of Public Works;
- J. The application for a preliminary development plan shall also contain a written statement generally describing the proposal, including enough information on the area surrounding the proposed development to show the relationship of the planned development to adjacent uses, both existing and permissible. The written statement shall also include:
1. An explanation of the character of the planned development and the manner in which it has been planned to take advantage of the specific regulations pertaining to the type of development proposed,
  2. A statement of proposed financing of the project and the required public improvements necessary to serve the project,
  3. A statement of ownership of all land within the proposed development at the time of submission;
- K. Statement of Responsibility. The applicant shall submit a written statement agreeing to enter into a legal agreement with the city to develop the ~~PDDISTRICT~~ as approved by the City Council. In the event the ~~PDDISTRICT~~ or any portion thereof is not developed solely by the applicant, a new statement outlining the responsibility of each party involved in development of the ~~PDDISTRICT~~ or any portion thereof shall be submitted to the Planning Commission for review and recommendation to the City Council for approval;

- L. If the Planning Commission or City Council finds that the development may create special problems of traffic, parking, or economic feasibility, the following plans may be required:
  - 1. An off-street parking and unloading plan,
  - 2. A circulation diagram indicating proposed movement of vehicles, goods and pedestrians within the development, as well as to and from thoroughfares,
  - 3. A plan showing any special engineering features and traffic regulation devices needed to facilitate or ensure the safety of the circulation pattern,
  - 4. An economic feasibility report or market study. (Prior code Section 150-135.7)

**17.108.090 Approval of preliminary development plan.**

- A. The Planning Director shall refer the recommendations of the Planning Commission to the City Council, and the Council shall schedule a public hearing, give notice and provide an opportunity for all interested parties to be heard.
- B. In approving a change in the zoning classification for a planned ~~development~~ district, the City Council, as a part of its official action, and the Planning Commission, as a part of its review, shall:
  - 1. Determine its compliance with the intent of the planned ~~development~~ districts proposed;
  - 2. Determine if the planned ~~development~~ district meets the stated purposes of the district being proposed;
  - 3. Make findings of fact, which, as a minimum, shall include:
    - 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 City Council shall consider the recommendation of the Planning Commission,
    - f. The relationship of such proposed amendment to the jurisdiction's plan.
- C. After considering all plans and evidence presented, the City Council shall then approve, disapprove or reapprove **AN ORDINANCE ESTABLISHING** ~~the establishment of~~ the planned ~~development~~ district as shown on the preliminary

development plan and may designate the plan or plans to be recorded in the Land Records of Wicomico County.

- D. Once the preliminary development plan has been approved, the district shall be designated on the Official Zoning Map.
- E. The Council may establish additional development controls **WITHIN THE** ~~by separate~~ ordinance or require said controls to be established as a part of the final development plan approval.
- F. An applicant may submit an amendment to an approved preliminary development plan which shall be considered in the same manner as the original application. (Prior code Section 150-135.8)

**17.108.100 Final development plan.**

- A. Once a preliminary development plan has been submitted and approved by the city council, a final development plan may be submitted to the Planning Commission in stages.
- B. Within twelve (12) months following approval of the preliminary development plan by the City Council, the applicant shall file a final development plan with the Planning Director containing, in final format the information required in the preliminary development plan. In its discretion, for good cause, the Planning Commission may extend for twelve (12) months the period for filing of the final development plan.
- C. An application for a final development plan for the entire district or a phase of the district shall include three copies of the following, with all final plans drawn to scale on sheets twenty-four (24) by thirty-six (36) inches in size:
  - 1. A final comprehensive site plan showing the details of the ~~PDD~~**DISTRICT** as approved by the City Council during the establishment of the district, which shall include all information required on the comprehensive site plan as a part of the preliminary development plan approval. Any phases submitted for final approval shall be clearly identified on the site plan;
  - 2. The development standards plan approved by the city council at the time the district was established with any phase submitted for final approval clearly defined thereon;
  - 3. A final subdivision plat for the entire planned development district or phase thereof in accordance with the city's subdivision regulations and all approved development standards and other requirements for the district;

4. A landscaping plan for the entire district or any phase thereof in accordance with the provisions of Chapter 17.220, showing all natural areas to be retained, the location and type of species of plantings, as well as areas to be sown with grass, including perimeter landscaping, common area landscaping and any other area of supplemental plantings;
  5. A final copy of any proposed homeowners' association document or a final copy of any other legal instrument required by the Planning Commission or City Council for the management or control of facilities within the planned development district or any legal agreements thereto;
  6. Any other information which may have been required by the Planning Commission or City Council during the approval of the establishment of the district.
- D. The final development plan shall be conditioned upon approval a revised preliminary subdivision plat for the entire district in accordance with the requirements of the City's subdivision regulations and any requirements established by the Planning Commission or City Council during the approval of the preliminary development plan.
- E. An applicant may submit an application for amendment of the final development plan which shall be considered in the same manner as an original application.
- F. No building permit shall be issued until a final subdivision plat has been approved and recorded with any required covenants where applicable for either the entire district or any section or phase thereof. (Prior code Section 150-135.9)

**17.108.110 Control of development during construction, after final plan approval or after completion.**

The final development plan shall continue to control the planned development **DISTRICT** during construction and after it is completed. The following shall apply:

- A. The Director of Building, ~~Housing and Zoning~~ **PERMITS AND INSPECTIONS**, in issuing a building permit for any use or structures in the planned ~~development~~ **DISTRICT**, shall note the issuance of each permit by each planned ~~residential~~ district as established.
- B. After the building permit has been issued, the use of the land and the construction, modification or alteration of a building or

structure within the planned development, where approved as part of the plan, shall be governed by the approved final development plan.

- C. No change shall be made in the development contrary to the approved final development plan without approval of an amendment to the plan, except that minor modifications of approved buildings or structures or minor lot line adjustments may be authorized by the Planning Commission if they are consistent with the purposes and intent of the final plan and do not increase the number of units or structures or change other specific development standards approved by the City Council as a part of the preliminary development plan. **(Amended 12/11/00 by Ord. No. 1784)**
- D. An amendment to a completed development may be approved if it is required for the continued success of the development, if it is appropriate because of changes in conditions that have occurred since the final development plan was approved or because there have been changes in the development policy of the community as reflected by related land use regulations.
- E. No modification or amendment to a completed development is to be considered as a waiver of the original covenants limiting the use of the land, buildings, structures and improvements within the area of the development, and all rights to enforce these covenants against any change are expressly reserved unless approved by the City Council. (Prior code Section 150-135.10)

**AMEND TITLE 17, ZONING, BY ADDING CHAPTER 17.110 PLANNED DEVELOPMENT DISTRICTS – GENERAL PROVISIONS AS FOLLOWS:**

**Chapter 17.110**

**PLANNED DEVELOPMENT DISTRICTS - GENERAL PROVISIONS**

**SECTIONS :**

- 17.110.010 PURPOSE.**
- 17.110.020 DEVELOPMENT PLAN REQUIRED.**
- 17.110.030 ESTABLISHMENT OF BOUNDARIES.**
- 17.110.040 GENERAL STANDARDS AND REQUIREMENTS FOR APPROVAL.**
- 17.110.050 PERMITTED USES.**
- 17.110.060 PROJECT DENSITY.**

**17.110.070 DIMENSIONAL AND BULK STANDARDS.**  
**17.110.080 PERIMETER STANDARDS.**  
**17.110.090 OPEN SPACE.**  
**17.110.100 LANDSCAPING.**

**17.110.110 TRAFFIC CIRCULATION.**  
**17.110.120 VEHICULAR ACCESS.**  
**17.110.130 PEDESTRIAN CIRCULATION AND ACCESS.**  
**17.110.140 PUBLIC STREET STANDARDS.**  
**17.110.150 MINIMUM STREET STANDARDS.**  
**17.110.160 PARKING.**

**17.110.010 PURPOSE.**

**A. A PLANNED DEVELOPMENT DISTRICT CONSTRUCTED IN ACCORDANCE WITH A UNIFIED PLAN APPROVED UNDER STRINGENT REVIEW PROCEDURES OPERATES IN HARMONY WITH EXISTING AND FUTURE SURROUNDING DEVELOPMENT AND AIDS IN ACHIEVING THE GOALS AND RECOMMENDATIONS OF THE COMPREHENSIVE PLAN FOR THE CITY.**

**B. THE PURPOSE OF A PLANNED DEVELOPMENT DISTRICT IS TO PROVIDE THE MAXIMUM CHOICE IN TYPE AND COMBINATIONS OF POSSIBLE COMMERCIAL, INDUSTRIAL, LIGHT BUSINESS AND INSTITUTIONAL, NEIGHBORHOOD BUSINESS ENVIRONMENTS AND RESIDENTIAL LIVING ACCOMMODATIONS AVAILABLE TO THE RESIDENTS OF THE CITY. THE DISTRICT IS ESTABLISHED TO PRODUCE:**

- 1. AN EFFICIENT USE OF LAND RESULTING IN SMALLER NETWORKS OF UTILITIES AND STREETS, THEREBY ENCOURAGING A DIVERSITY OF COMMERCIAL, INDUSTRIAL, LIGHT BUSINESS AND INSTITUTIONAL, NEIGHBORHOOD BUSINESS ENVIRONMENTS AND RESIDENTIAL LIVING ENVIRONMENTS AND A VARIETY IN THE MIX OF USES AND HOUSING ACCOMMODATIONS;**
- 2. OPEN SPACE AREAS WHICH ARE ESSENTIAL AND MAJOR ELEMENTS OF THE PLANNED DEVELOPMENT AND ARE RELATED TO AND AFFECT THE LONG-TERM VALUE OF PROPERTIES WITHIN THE DEVELOPMENT AND ADJOINING OR NEARBY DEVELOPMENT;**
- 3. A DEVELOPMENT WHICH IS BASED ON DESIGN AND INTENSITY OF USE AND THE RELATIONSHIP**

BETWEEN LAND USES RATHER THAN ON STANDARDIZED DISTRICTS WHICH ARE SEGREGATED FROM EACH OTHER ON THE BASIS OF USES AND HOUSING TYPES AND DEVELOPMENT STANDARDS;

4. A PATTERN OF DEVELOPMENT WHICH PRESERVES THE NATURAL ENVIRONMENT OF THE SITE, INCLUDING TREES, OUTSTANDING NATURAL TOPOGRAPHY AND GEOLOGIC FEATURES;
5. DEVELOPMENT FLEXIBILITY TO RESPOND TO MARKET DEMANDS.

C. THE FOLLOWING REGULATIONS HAVE BEEN DEVELOPED BASED UPON THESE PURPOSES WHICH ARE CONSISTENT WITH THE RECOMMENDATIONS OF THE LAND USE ELEMENT OF THE CITY'S ADOPTED PLAN.

**17.110.020 DEVELOPMENT PLAN REQUIRED.**

A DEVELOPMENT PLAN REVIEWED AND APPROVED IN ACCORDANCE WITH CHAPTER 17.108, SHALL BE REQUIRED FOR ALL PLANNED DEVELOPMENT DISTRICTS.

**17.110.030 ESTABLISHMENT OF BOUNDARIES.**

BOUNDARIES FOR A PLANNED DEVELOPMENT DISTRICT SHALL BE APPROVED BY THE CITY COUNCIL AND SHOWN ON THE OFFICIAL ZONING MAP AFTER APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN.

**17.110.040 GENERAL STANDARDS AND REQUIREMENTS FOR APPROVAL.**

A. SIZE OF THE PLANNED DISTRICT SITE.

1. A PLANNED DEVELOPMENT DISTRICT SHALL BE ON A TRACT OF LAND OF AT LEAST TEN (10) ACRES.
2. A PLANNED DEVELOPMENT DISTRICT MAY BE PERMITTED FOR A TRACT OF LAND OF LESS THAN TEN (10) ACRES IF THE PLANNING COMMISSION FINDS, UPON A SHOWING BY THE APPLICANT THAT THE PLANNED DISTRICT IS IN THE PUBLIC INTEREST BECAUSE ONE OR MORE OF THE FOLLOWING CONDITIONS EXIST:

- A. AN UNUSUAL PHYSICAL OR TOPOGRAPHIC FEATURE OF IMPORTANCE TO THE PEOPLE OF THE AREA OR THE COMMUNITY AS A WHOLE EXISTS ON THE SITE OR IN THE NEIGHBORHOOD WHICH CAN BE CONSIDERED AND STILL PROVIDE AN EQUIVALENT USE OF THE LAND BY THE USE OF A PLANNED DISTRICT;
  - B. THE PROPERTY OR ITS NEIGHBORHOOD HAS AN HISTORICAL CHARACTER OR FEATURE OF IMPORTANCE TO THE COMMUNITY THAT WILL BE PROTECTED BY THE USE OF A PLANNED DEVELOPMENT DISTRICT;
  - C. THE PROPERTY IS ADJACENT TO OR ACROSS A STREET FROM PROPERTY WHICH HAS BEEN EITHER APPROVED FOR OR DEVELOPED OR REDEVELOPED UNDER A CLUSTER OR PLANNED RESIDENTIAL DEVELOPMENT AND A PLANNED DEVELOPMENT DISTRICT WILL CONTRIBUTE TO THE MAINTENANCE OF THE AMENITIES AND VALUES OF THE NEIGHBORHOOD.
- B. FINDINGS FOR PROJECT APPROVAL. THE CITY COUNCIL, UPON CONSIDERATION OF THE RECOMMENDATIONS OF THE PLANNING COMMISSION, SHALL APPROVE A PLANNED DEVELOPMENT DISTRICT WHEN IT FINDS THAT THE PROPOSED DEVELOPMENT SATISFIES THE PURPOSES OF CHAPTER 17.108, AND THE PURPOSES AND STANDARDS OF THIS CHAPTER, INCLUDING THE FOLLOWING:
- 1. THE PLANNED DEVELOPMENT DISTRICT IS AN EFFECTIVE AND UNIFIED TREATMENT OF THE DEVELOPMENT POSSIBILITIES ON THE SITE AND MAKES APPROPRIATE PROVISIONS FOR THE PRESERVATION OF NATURAL FEATURES SUCH AS STREAMS AND SHORELINES, WOODED COVER, MARSH OR WETLANDS;
  - 2. THE PLANNED DEVELOPMENT DISTRICT WILL BE COMPATIBLE WITH THE AREA



**SURROUNDING THE SITE AND WILL NOT REQUIRE SUBSTANTIALLY GREATER DEMAND ON PUBLIC FACILITIES AND SERVICES THAN OTHER AUTHORIZED USES FOR THE LAND;**

- 3. AT ITS OPTION, THE CITY COUNCIL MAY CONSIDER IF FINANCING IS AVAILABLE TO THE APPLICANT SUFFICIENT TO ASSURE COMPLETION OF THE PROPOSED DEVELOPMENT.**

**17.110.050 PERMITTED USES.**

**USES PERMITTED SHALL BE AS FOLLOWS:**

- A. A COMBINATION OF SELECTED USES PERMITTED IN THE REGIONAL COMMERCIAL, LIGHT INDUSTRIAL, INDUSTRIAL, LIGHT BUSINESS AND INSTITUTIONAL, NEIGHBORHOOD BUSINESS, SELECT COMMERCIAL AND R-5A AND R-8A DISTRICTS; PROVIDED, THAT ALL SUCH USES SHALL BE DEVELOPED IN ACCORDANCE WITH THE STANDARDS FOR THESE USES AS DEFINED IN THIS TITLE UNLESS SPECIFICALLY MODIFIED BY THE CITY COUNCIL UPON APPROVAL OF THE DISTRICT.**
- B. IF RESIDENTIAL USES ARE INCLUDED AS A PART OF THE DISTRICT AS PERMITTED THESE USES SHALL BE INTEGRATED INTO THE TOTAL DESIGN OF THE PLANNED DEVELOPMENT DISTRICT IN SUCH A MANNER AS TO COMPLEMENT SURROUNDING DEVELOPMENT EITHER IN DESIGN OR BY LIMITATION AND REGULATION OF ACTIVITIES.**
- C. COMMERCIAL AND INDUSTRIAL USES.**
  - 1. COMMERCIAL AND INDUSTRIAL USES SHALL BE LIMITED TO THOSE USES IN CHAPTERS 17.28, 17.32, 17.40, 17.44, 17.72, 17.76 AND SUBJECT TO DEVELOPMENT STANDARDS OF THE SELECTED DISTRICT(S) UNLESS SPECIFICALLY MODIFIED BY THE CITY COUNCIL UPON APPROVAL OF THE DISTRICT.**
  - 2. INTENSE COMMERCIAL OR INDUSTRIAL USES SHALL NOT BE LOCATED CLOSER THAN ONE HUNDRED FIFTY (150) FEET TO ANY ADJACENT RESIDENTIAL DISTRICTS.**
  - 3. BEFORE APPROVING ANY COMMERCIAL USES, THE PLANNING COMMISSION MAY REQUIRE A MARKET ANALYSIS, PREPARED BY A MARKET**

**ANALYST, DEMONSTRATING THAT THE AMOUNT OF COMMERCIAL SPACE PROVIDED IS NEEDED AND CAN BE REALISTICALLY SUPPORTED. THE MARKET ANALYSIS SHALL AS A MINIMUM CONTAIN THE FOLLOWING DETERMINATIONS:**

- A. THE TRADE AREA OF THE PROPOSED FACILITIES;**
  - B. THE TRADE AREAS AND POPULATION, PRESENT AND PROSPECTIVE;**
  - C. THE EFFECTIVE BUYING POWER IN THE TRADE AREA;**
  - D. THE NET POTENTIAL CUSTOMER BUYING POWER FOR STORES IN THE PROPOSED COMMERCIAL FACILITIES AND THE RECOMMENDED KINDS OF STORES AND FLOOR SPACE; AND**
  - E. THE RESIDUAL AMOUNT OF BUYING POWER IN THE TRADE AREA AND HOW IT MAY BE EXPECTED TO EXPAND BY THE ADDITION OF OTHER KINDS OF STORES SERVING THE TRADE AREA.**
- 5. WHERE RESIDENTIAL USES ARE PROPOSED, AT LEAST THIRTY (30) PERCENT OF THE DWELLING UNITS IN THE PLANNED DEVELOPMENT SHALL HAVE ACCESS TO THE COMMERCIAL OR INDUSTRIAL AREAS BY PAVED PEDESTRIAN WALKWAYS. SUCH ACCESS SHALL NOT INVOLVE THE CROSSING OF ANY COLLECTOR STREET OR MAJOR HIGHWAY.**

**17.110.060 PROJECT DENSITY.**

- A. DENSITY FOR APARTMENT AND TOWNHOUSE DEVELOPMENTS INCLUDED IN COMMERCIAL AND INDUSTRIAL DEVELOPMENTS SHALL NOT EXCEED TWELVE (12) DWELLING UNITS PER ACRE, EXCEPT AS FOLLOWS. DENSITY SHALL BE COMPUTED BASED ON THE ACREAGE OF THE PROJECT SITE TO BE OCCUPIED BY RESIDENTIAL UNITS.**
- B. THE PLANNING COMMISSION MAY RECOMMEND AN INCREASE IN DENSITY FOR APARTMENT**

**DEVELOPMENT, UP TO A MAXIMUM OF THIRTY (30) UNITS PER ACRE, AFTER CONSIDERATION OF:**

- 1. EXISTING AND PROPOSED STREETS AND TRAFFIC PATTERNS RELATIVE TO THE AMOUNT OF TRAFFIC TO BE GENERATED BY THE DENSITY PROPOSED AND WHETHER IT CAN BE EASILY ACCOMMODATED WITHOUT BEING DETRIMENTAL TO EXISTING SURROUNDING DEVELOPMENT;**
- 2. DESIGN AND TOPOGRAPHY OF THE SITE RELATIVE TO USE OF SETBACKS, ARRANGEMENT OF BUILDINGS, LANDSCAPING AND OPEN SPACE TO ACHIEVE MAXIMUM RESULTS IN INTEGRATION OF GREATER DENSITY AND BUILDING HEIGHT WITHOUT HARSH CONTRAST IN RELATION TO SURROUNDING DEVELOPMENT.**
- 3. PROVISIONS OF RECREATIONAL FACILITIES IN RELATION TO MAXIMUM DENSITY OF PEOPLE TO BE SERVED.**

**C. IF THE PLANNING COMMISSION FINDS THAT ANY OF THE FOLLOWING CONDITIONS WOULD BE CREATED BY AN INCREASE IN DENSITY PERMITTED BY THIS CHAPTER, THE COMMISSION SHALL RECOMMEND LIMITS ON ANY INCREASE IN DENSITY BY AN AMOUNT SUFFICIENT TO AVOID CREATION OF ONE OR MORE OF THE FOLLOWING CONDITIONS:**

- 1. INCONVENIENT OR UNSAFE ACCESS TO THE PLANNED DEVELOPMENT;**
- 2. TRAFFIC CONGESTION IN THE STREETS ADJOINING THE PLANNED DEVELOPMENT;**
- 3. AN EXCESSIVE BURDEN ON SEWERAGE, WATER SUPPLY OR OTHER PUBLIC FACILITIES WHICH SERVE OR ARE PROPOSED TO SERVE THE PLANNED DEVELOPMENT.**

**D. THE CITY COUNCIL SHALL CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION AND DETERMINE WHAT INCREASE IN DENSITY SHALL BE PERMITTED, IF ANY.**

**17.110.070 DIMENSIONAL AND BULK STANDARDS.**

- A. NO MINIMUM LOT AREA WIDTH, FRONTAGE AND YARD REQUIREMENTS SHALL BE REQUIRED WITHIN A PLANNED DEVELOPMENT DISTRICT, BUT SHALL BE AS RECOMMENDED BY THE PLANNING COMMISSION AND APPROVED BY THE CITY COUNCIL AND SHOWN IN THE PRELIMINARY DEVELOPMENT PLAN.**
- B. MAIN BUILDINGS SHALL BE DESIGNED SO THAT SPACING BETWEEN BUILDINGS SHALL PROVIDE LIGHT, VENTILATION AND DISTANCE FOR ADEQUATE FIRE OR OTHER EMERGENCY ACCESS AND PROTECTION.**
- C. BUILDINGS, OFF-STREET PARKING AND LOADING FACILITIES, OPEN SPACE, LANDSCAPING AND SCREENING SHALL BE DESIGNED TO PROVIDE SEPARATION OF USE AND PROTECTION FOR ADJOINING DEVELOPMENT AS WOULD OTHERWISE OCCUR IF DEVELOPED UNDER CONVENTIONAL CODE STANDARDS.**
- D. BUILDING HEIGHT SHALL NOT BE GREATER THAN FIFTY (50) FEET EXCEPT THAT A GREATER HEIGHT MAY BE APPROVED BY THE CITY COUNCIL IF SURROUNDING OPEN SPACE WITHIN THE PLANNED DEVELOPMENT, BUILDING SETBACKS AND OTHER DESIGN FEATURES ARE USED TO AVOID ANY ADVERSE IMPACT ON ADJOINING PROPERTY.**

**17.110.080 PERIMETER STANDARDS.**

**IF TOPOGRAPHIC OR OTHER FEATURES ON THE SITE AT THE PERIMETER OF THE PLANNED DEVELOPMENT DO NOT PROVIDE REASONABLE PRIVACY, SEPARATION OR PROTECTION FROM ADVERSE EFFECTS ON EXISTING OR POTENTIAL DEVELOPMENT ON ADJACENT LAND, THE PLANNING COMMISSION MAY RECOMMEND TO THE CITY COUNCIL THAT ANY OF THE FOLLOWING REQUIREMENTS SHALL BE IMPOSED:**

- A. STRUCTURES LOCATED AT THE PERIMETER OF THE DEVELOPMENT SHALL BE SET BACK A MINIMUM OF FORTY (40) FEET.**
- B. STRUCTURES LOCATED AT THE PERIMETER OF THE DEVELOPMENT SHALL BE WELL SCREENED TO PROTECT EXISTING USES OR POTENTIAL DEVELOPMENT ON ADJACENT PROPERTY.**

**17.110.090 OPEN SPACE.**

- A. COMMON OPEN SPACE SHALL BE PROVIDED IN AN AMOUNT EQUAL TO THIRTY (30) PERCENT OF THE TOTAL AREA OF THE PROPOSED DISTRICT. SUCH OPEN SPACE SHALL BE COMBINED WHEREVER POSSIBLE AND PLANNED AS AN INTEGRAL PART OF THE DEVELOPMENT PROVIDING ACCESS TO AND BENEFITS FOR ALL WORKERS, PATRONS, OR RESIDENTS OF THE DEVELOPMENT UNLESS SPECIFICALLY MODIFIED BY THE CITY COUNCIL UPON APPROVAL OF THE DISTRICT.**
- B. ALL PLANNED DISTRICTS SHALL PROVIDE DEVELOPED OPEN SPACE WITHIN THE COMMON OPEN SPACE AREAS. THE AMOUNT OF DEVELOPED OPEN SPACE SHALL BE DETERMINED IN CONSIDERATION OF THE TYPE OF COMMERCIAL OR INDUSTRIAL DEVELOPMENT PROPOSED AND THE DENSITY AND AGE CHARACTERISTICS OF PROPOSED RESIDENTS IF A RESIDENTIAL COMPONENT IS PROPOSED.**
- C. SLOPES AND BODIES OF WATER.**

  - 1. SLOPES EXCEEDING FIFTEEN (15) PERCENT AND ALL OR PART OF BRANCHES, MARSHLANDS AND BODIES OF WATER MAY BE RECOMMENDED BY THE PLANNING COMMISSION TO BE INCLUDED IN THE COMMON OPEN SPACE AFTER CONSIDERATION OF:**

    - A. THE EXTENT OF THESE AREAS IN RELATION TO THE AREA OF THE PLANNED RESIDENTIAL DEVELOPMENT;**
    - B. THE DEGREE TO WHICH THESE AREAS CONTRIBUTE TO THE QUALITY, LIVABILITY AND AMENITY OF THE DEVELOPMENT.**
  - 2. A MAXIMUM OF TWENTY-FIVE (25) PERCENT OF THE COMMON OPEN SPACE MAY BE COVERED BY EITHER WATER OR FLOODPLAINS OR A COMBINATION THEREOF, PROVIDED THAT THE APPLICANT HAS OWNERSHIP OF SUCH WATER BODIES.**
- D. COMMON AND DEVELOPED OPEN SPACE PROPOSED SHALL BE REVIEWED BY THE DEPARTMENT OF PUBLIC**

**WORKS, WITH A RECOMMENDATION FORWARDED TO THE PLANNING COMMISSION AS TO ITS APPROPRIATENESS AND ADEQUACY IN MEETING THE NEEDS OF THE PROPOSED RESIDENTS.**

- E. WHEN A PLANNED DEVELOPMENT DISTRICT IS TO BE CONSTRUCTED IN STAGES OR SECTIONS, DEVELOPED OPEN SPACE SHALL BE PROVIDED PROPORTIONATELY AS EACH STAGE IS COMPLETED. IMPROVEMENTS WITHIN DEVELOPED OPEN SPACE SHALL BE PROVIDED CONCURRENTLY WITH OR PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT FOR ANY BUILDING OR RESIDENCE WITHIN EACH SECTION OR THE ENTIRE DEVELOPMENT IF CONSTRUCTED AS A WHOLE.**
- F. OWNERSHIP AND MAINTENANCE OF COMMON OPEN SPACE AND PARKING AREAS SHALL BE IN ACCORDANCE WITH SECTION 17.04.240.**
- G. INTENSIVELY DEVELOPED OPEN SPACES SHALL NOT BE CLOSER THAN ONE HUNDRED FIFTY (150) FEET TO ANY ADJACENT RESIDENTIAL DISTRICTS.**
- H. ALL FLOODPLAINS SHALL BE PRESERVED AS COMMON OPEN SPACE AND DELINEATED ON THE REQUIRED SUBDIVISION PLAT UNLESS OTHERWISE APPROVED BY THE PLANNING COMMISSION AND THE CITY COUNCIL.**

**17.110.100 LANDSCAPING.**

- A. A LANDSCAPING PLAN IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER L7.220 IS REQUIRED AND SHALL SHOW THE LOCATION OF NATURAL FEATURES AND AMENITIES ON THE SITE SUCH AS EXISTING STREAMBEDS WATERWAYS STORMWATER MANAGEMENT AREAS, SCENIC VIEWS, TOPOGRAPHY, HISTORIC SITES OR BUILDINGS AND OTHER COMMUNITY ASSETS.**
- B. LANDSCAPING SHALL BE PROVIDED IN OPEN SPACE AREAS AND FOUNDATION PLANTINGS WHERE UNITS ARE TO BE CONSTRUCTED AND SOLD BY THE DEVELOPER.**
- C. SCREENING IS REQUIRED AT THE PERIMETERS WHERE EXISTING NATURAL FEATURES DO NOT PROVIDE PRIVACY, SEPARATION OR PROTECTION FOR EXISTING OR FUTURE DEVELOPMENT ON ADJOINING PROPERTIES OR FOR THE PROPOSED DISTRICT IF THE DEVELOPMENTS ARE NOT SIMILAR IN NATURE OR IF**

**THE PROPOSED DISTRICT ADJOINS A NONRESIDENTIAL USE OR DISTRICT.**

- D. SCREENING IS REQUIRED BETWEEN ALL COMMERCIAL, SERVICE-TYPE OR INDUSTRIAL USES PROPOSED WITHIN THE DISTRICT AND ANY ADJOINING USES.**
- E. ON WOODED SITES, EXISTING TREES SHALL BE RETAINED AND UTILIZED IN PERIMETER SETBACK AREAS AS SCREENING IN OPEN SPACE AREAS AND, WHERE POSSIBLE, AS INDIVIDUAL LOT AND STREET TREES.**

**17.110.110 TRAFFIC CIRCULATION.**

- A. PRINCIPAL VEHICULAR ACCESS POINT SHALL BE DESIGNED TO PERMIT SMOOTH TRAFFIC FLOW WITH CONTROLLED TURNING MOVEMENTS AND MINIMUM HAZARDS TO VEHICULAR OR PEDESTRIAN TRAFFIC. MINOR STREETS WITHIN PLANNED DEVELOPMENTS SHALL BE CONNECTED TO STREETS OUTSIDE THE DEVELOPMENT IN SUCH A WAY AS TO DISCOURAGE THEIR USE BY THROUGH TRAFFIC.**
- B. THE PROPOSED PLANNED DEVELOPMENT SHALL BE LOCATED WITH REGARD TO MAJOR THOROUGHFARES AND USES OUTSIDE THE DEVELOPMENT SO THAT TRAFFIC CONGESTION WILL NOT BE CREATED BY THE PROPOSED DEVELOPMENT OR WILL BE OBIATED BY PRESENT PROJECTED OR PROPOSED IMPROVEMENTS AND SO THAT USES ADJACENT TO SUCH THOROUGHFARES WILL NOT BE ADVERSELY AFFECTED.**

**17.110.120 VEHICULAR ACCESS.**

**WHEN THERE IS A RESIDENTIAL COMPONENT IN THE PLANNED DEVELOPMENT, BUILDING SETBACK DISTANCE FROM ACCESSWAYS SHALL BE AS FOLLOWS:**

- A. NO GROUND LEVEL ENTRANCEWAY TO ANY TOWNHOUSE, APARTMENT UNIT OR APARTMENT BUILDING SHALL BE FARTHER THAN EIGHTY (80) FEET FROM A PARKING LOT.**
- B. NO PART OF ANY TOWNHOUSE OR APARTMENT BUILDING SHALL BE FARTHER THAN FIVE HUNDRED (500) FEET FROM A FIRE HYDRANT.**

**17.110.130 PEDESTRIAN CIRCULATION AND ACCESS.**

- A. THE PEDESTRIAN CIRCULATION SYSTEM AND ITS RELATED WALKWAYS SHALL BE SEPARATED AS REASONABLY AS POSSIBLE FROM THE VEHICULAR STREET SYSTEM IN ORDER TO PROVIDE SEPARATION OF PEDESTRIAN AND VEHICULAR MOVEMENT.**
- B. WHEN DEEMED TO BE NECESSARY BY THE PLANNING COMMISSION, A PEDESTRIAN UNDERPASS OR OVERPASS IN THE VICINITY OF SCHOOLS, PLAYGROUNDS, LOCAL SHOPPING AREAS AND OTHER NEIGHBORHOOD USES WHICH GENERATE A CONSIDERABLE AMOUNT OF PEDESTRIAN TRAFFIC MAY BE REQUIRED.**

**17.110.140 PUBLIC STREET STANDARDS.**

**STANDARDS OF DESIGN, INCLUDING RIGHT-OF-WAY WIDTH AND CONSTRUCTION OF PUBLIC ROADWAYS WITHIN PLANNED DEVELOPMENT DISTRICTS, MAY BE MODIFIED AS DEEMED APPROPRIATE BY THE CITY COUNCIL AFTER RECOMMENDATION FROM THE DEPARTMENT OF PUBLIC WORKS.**

**17.110.150 MINIMUM STREET STANDARDS.**

- A. ALL STREETS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH STANDARDS OF THE CITY OF SALISBURY, EXCEPT AS MODIFIED AND APPROVED BY CITY COUNCIL; AND,**
- B. THE MINIMUM STANDARDS FOR STREET RIGHTS-OF-WAY, PAVEMENT WIDTH AND ON-STREET PARKING SHALL BE AS FOLLOWS UNLESS OTHERWISE MODIFIED BY THE CITY COUNCIL:**



**REQUIRED**

<b>TYPE OF STREET</b>	<b>DWELLING UNIT USES SERVED</b>	<b>WIDTH OF ROW &amp; EASEMENTS (FEET)</b>	<b>CURBLINE AND R/W (FEET)</b>	<b>ON-STREET PARKING</b>
<b>LOCAL RESIDENTIAL STREETS, INCLUDING CULS-DE-SACS</b>	<b>1 TO 20</b>	<b>46</b>	<b>26</b>	<b>NONE</b>
<b>MINOR COLLECTOR STREETS, INCLUDING CUL-DE-SACS AND PRINCIPAL STREET SERVING SUBDIVISION</b>	<b>21 TO 50</b>	<b>50</b>	<b>30</b>	<b>1 SIDE</b>
<b>MAJOR COLLECTOR STREETS</b>	<b>51 OR MORE</b>	<b>56</b>	<b>36</b>	<b>2 SIDES</b>

**17.110.160 PARKING.**

- A. REQUIRED PARKING SPACES SHALL BE PROVIDED ON EACH INDIVIDUAL LOT OR IN COMMON PARKING AREAS.**
- B. PARKING AREAS SHALL BE DESIGNED AND ARRANGED TO PREVENT THROUGH TRAFFIC.**
- C. UNLESS SPECIFICALLY MODIFIED BY THE PLANNING COMMISSION OR CITY COUNCIL, PARKING SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 17.196.**

**17.110.170 RETROACTIVE APPLICATION OF CHAPTER 17.110.**

**PLANNED DEVELOPMENT DISTRICT NO. 1 – ROBERTSON FARM WAS APPROVED IN ACCORDANCE WITH THE PROCEDURE AND STANDARDS SET FORTH IN CHAPTER 17.108, WHICH WAS PREVIOUSLY TITLED “PLANNED DEVELOPMENT DISTRICTS – GENERAL PROVISIONS.” CHAPTER 17.119, PLANNED DEVELOPMENT DISTRICT NO. 1 - ROBERTSON FARM, IS HEREBY RATIFIED UNDER CHAPTER 17.110. ALL AMENDMENTS AND REVISIONS TO CHAPTER 17.119 ARE SUBJECT TO THE PROVISIONS OF CHAPTERS 17.108 AND 17.110.**

**AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF 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 on the 22<sup>nd</sup> day of January, 2007, and having been published as required by law, in the meantime, was finally passed at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Michael P. Dunn  
President of the City Council of  
the City of Salisbury

Approved by me this \_\_\_\_\_  
day of \_\_\_\_\_, 2007.

Witness:

\_\_\_\_\_  
Barrie Parsons Tilghman  
Mayor of Salisbury

\_\_\_\_\_  
Brenda J. Colegrove  
City Clerk