

ORDINANCE NO. 2031

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 17.156, RELATIVE TO TWO FAMILY DWELLINGS.

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, a Public Hearing on said text amendments to the Development Standards, Section 17.156.060.A.2, Title 17, Zoning, of the Salisbury Municipal Code 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 February 15, 2007; and,

WHEREAS, the Planning Commission did recommend approval of the proposed text changes at a Public Hearing on February 15, 2007;

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 by adding the wording in bold print as follows:

AMEND SECTION 17.156.010, PURPOSE, BY AMENDING THE LANGUAGE AS FOLLOWS:

- A. The purpose of the R-5, R-8 and R-10 Residential Districts is to preserve the character of both newly planned and established single-family residential areas in order to promote and to enhance the quality of life and environmental attributes which are an essential part of the city. The uses permitted in these districts are limited primarily to single-family residential. ~~with two-family dwellings and~~ Selected nonresidential uses which provide a service to the residents of an area or which, by their nature, require a residential environment **ARE PERMITTED**. Apartment developments, therefore, are incompatible because they generate an undue concentration of population and increased traffic which alter the predominantly single-family residential character of these areas.

AMEND SECTION 17.156.060.A.2, DEVELOPMENT STANDARDS, BY DELETING THE FOLLOWING LANGUAGE:

17.156.060 Development standards.

Development standards for the R-5, R-8 and R-10 Residential Districts shall be as follows:

A. Minimum Lot Requirements. All lots hereafter established shall meet the following minimum requirements:

1. All lots ~~except for two family dwellings:~~

District	Lot Area (square feet)	Interior Lot Width (feet)	Corner Lot Width (feet)
R-5	5,000	50	65
R-8	8,000	60	75
R-10	10,000	70	85

~~2. Lots for two family dwellings:~~

District	Lot Area (square feet)	Interior Lot Width (feet)	Corner Lot Width (feet)
R 5	9,000	60	75
R 8	11,700	70	85
R 10	15,000	80	95

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 26th day of March, 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