



Planning Commission

Agenda

Regular Meeting

May 14, 2026

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

4:00 P.M. - Call to Order – **Dave Chiddenton, Chair**

1. Welcome and roll call
2. Minutes
3. New Business

PUBLIC HEARING – TEXT AMENDMENT – Amending section 17.28.020 of the Salisbury Municipal Code to add multi-use facility as a permitted use in the Light Business and Industrial zoning district. (Z. White)

SIGN PLAN – ZIGGI'S COFFEE – Coffee Lotus of Ocean City LLC rep. by Phillips Signs – Parcel 3, Moore View Business Park, Summer Drive – PDD No. 3 – M-0039, G-0011, P- 0745 – #24-10 (Z. White)

FINAL COMPREHENSIVE DEVELOPMENT PLAN – VILLAGE AT CANAL PARK PHASE 2 – Canal Park LLC, rep. by PLITKO Engineering – Canal Park Drive, R5-A Residential – M-0117, G- 0014, P-0181, Lots 2B, 2C, & 3A - #23-030 (Z. White)

REVISED FINAL COMPREHENSIVE DEVELOPMENT PLAN – NORTH POINTE COMMONS – Parker & Associates, Inc for K Hovnanian Delaware Division – East North Pointe Drive, General Commercial– M-0029, G- 0006, P-0078 - #22-019 (S. Liberto)

WORK SESSION – Text amendment to alter location requirements for cannabis growers and processors (S. Liberto)

WORK SESSION – Text amendment to replace specific fines and penalties from the Zoning Code (Title 17) with references to a Fine and Penalty Schedule (B.Jackson)

DISCUSSION – Rezoning- 1522 S. Salisbury Blvd – Request to rezone from residential to commercial (Z.White)

DISCUSSION – Rezoning – Fitzwater St – Request to rezone a portion of land fronting Fitzwater St from residential to a zone allowing a mix of commercial and residential uses (H.Pearson)

4. Other Business
Discussion- Downtown Parking (Mayor Taylor)
5. Adjournment



Infrastructure and Development Staff Report

May 14, 2026

I. PROPERTY INFORMATION

Owner: Ben Nguyen
Address: 1522 S. Salisbury Blvd
Tax Map: 0117 Grid: 0007 Parcels: 2595
Zoning: R-5A, Residential

II. REQUEST:

The property owner is requesting to rezone the property located at 1522 S. Salisbury Blvd to General Commercial. **(Attachment 1)**

III. INTRODUCTION

The property located at 1522 S. Salisbury Blvd current sits on a peninsula that extends into Tony Tank pond and is improved with a single-family residence. The property is zoned R-5A and shares this designation with the Canal Woods condominium development directly across Route 13. The property is surrounded by Wicomico County jurisdiction on the remaining three sides; with a majority of it, beyond the pond, being Wicomico County R-20 Residential. The property also sits adjacent to Wicomico County General Commercial Zoning, with that designation being on the left and right sides of the property along Rt 13. **(Attachment 2 - 4)**

The property owner suggests that the character of the surrounding area has transitioned toward commercial development and is seeking to rezone the property in the event that he or his heirs may wish to pursue commercial development in the future.

IV. CRITERIA:

Per Section 17.228.030 – Basis for rezoning approval, 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.

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.



V. FINDINGS OF FACT:

Staff makes the following findings in relation to the criteria:

- a. **Population Change** – According to data from American Community Survey (ACS), the population of this tract of land (104) in 2010 was 6,728. By the 2020 Census the population increased to 7,600 (12%) ACS data as of 2024 estimates that the population of this tract has increased to 8,239 (8.4%).
- b. **Availability of public facilities** – The property is currently not served by public water and sewer. The owner would have to complete the groundwork, as well as pay the comprehensive connection fee to the City, in order to be served utilities. While a City sewer line is located in front of the property, there is no adjacent water line. A connection point exists at Canal Woods across the highway; however, extending service from that location would require disrupting Route 13, which is impractical. The nearest feasible connection on the same side of the highway is at Court Plaza. Staff anticipates that these improvements would need to be completed prior to any commercial development.
- c. **Present and future transportation patterns** – Additional commercial uses at this site would likely not have a significant impact on the existing level of service of Route 13, however the State Highway Association would need to be notified of proposed development and traffic impact studies are required for developments with more than 50 peak hour trips.
- d. **Compatibility with existing and proposed development for the area** – With regards to this property’s frontage, the properties along Route 13, including those adjacent, are in-fact commercial developments.
- e. **Recommendation of the Planning Commission** – This will be incorporated following a public hearing and decision by the Planning Commission.
- f. **The relationship of such proposed amendment to the jurisdiction’s plan** – The City’s Future Land Use Map in the 2010 Comprehensive Plan designates this property as “High Density Residential.” The current draft of the updated Comprehensive Plan does not propose any changes to that designation, however staff has considered that a commercial district with limited uses may be more appropriate and seeks feedback of the Planning Commission.

VI. DISCUSSION:

Upon preliminary research, it is staff found that the site was annexed in 1972 as part of 220.36 acres (**Attachment 5**) and, per the agreement, zoning was assigned based on what was nearest to the existing County zoning designation. It is currently zoned R-5A. However, staff thinks it could be appropriately utilized for a community or commercial use.

Although the site is not within the Critical Area, is not designated as a waterway of special state concern, and does not appear to be affected by floodplain constraints, staff does still have some concerns about the impacts of commercial use of the site. The rear of the property is visible



from the nearby residential neighborhood and because of this visibility and context, staff is sensitive to the type and quality of development that may occur.

While the surrounding properties along Business 13 are under Wicomico County's General Commercial zone, it should also be noted that the City's "General Commercial" designation may be too broad in terms of "by-right" uses (**Attachment 6**). Staff has considered the "Select Commercial" zone as a possibility since the Select Commercial zone has a more succinct list of uses and would require Comprehensive Site Plan approval for any proposed development (**Attachment 7**). This requirement would give the Planning Commission some control over how projects are developed on the site.

Additionally, the City Council may place conditions, or limitations to preserve the character and design of the area when rezoning the property. These conditions or limitations cannot be used to limit uses otherwise permitted in the zoning district. The Council may also approve or deny elements such as building design, construction, landscaping, and other site improvements to ensure they align with the intent of the Salisbury Zoning Ordinance. Any conditions will be included in the rezoning ordinance. The Director of the Department of Infrastructure and Development (DID) is responsible for enforcing these conditions, and no building permits will be issued until all ordinance requirements have been satisfied. Although conditions to rezoning are beneficial, conditions that are not included in the development standards within the Zoning Code risk being overlooked in the development process.

VII. STAFF RECOMMENDATION:

With the above considerations in mind, The Department of Infrastructure and Development is not prepared to make a formal recommendation to the Planning Commission at this time. Staff would appreciate the opportunity to understand the Planning Commission's perspective on this matter before proceeding further.

March 18, 2026

Betsy Jackson, AICP
City Planner
Infrastructure and Development
City of Salisbury
125 N. Division St., Room 304
Salisbury, Maryland 21801

Dear Ms. Jackson,

I am writing to formally request consideration for rezoning the property located at 1522 S. Salisbury Boulevard, Salisbury, Maryland, identified as Map 117, Parcel 2595, and containing approximately 21.851 acres, to General Commercial.

The basis for this request is a change in the character of the surrounding area. Over time, the corridor along US Route 13 (S. Salisbury Boulevard) has experienced a significant transition toward commercial development. The subject property's only access is from US Route 13, which serves as a primary commercial artery in the region and supports higher-intensity commercial uses.

The immediate surrounding properties further reflect this shift in character. The property is adjacent to established commercial uses, including a bowling alley and the newly constructed Zaxby's Chicken. These neighboring uses, along with continued commercial growth along the corridor, demonstrate that the area has evolved into a predominantly commercial environment.

Given the property's location, access, and surrounding development pattern, the existing zoning is no longer consistent with the character of the area. Rezoning the property to General Commercial would align it with nearby uses and support appropriate, orderly development along this major corridor.

I believe this request is consistent with the City's planning objectives and the continued growth and development of the US Route 13 corridor. Thank you for your time and consideration. Please feel free to contact me should you require any additional information or supporting documentation.

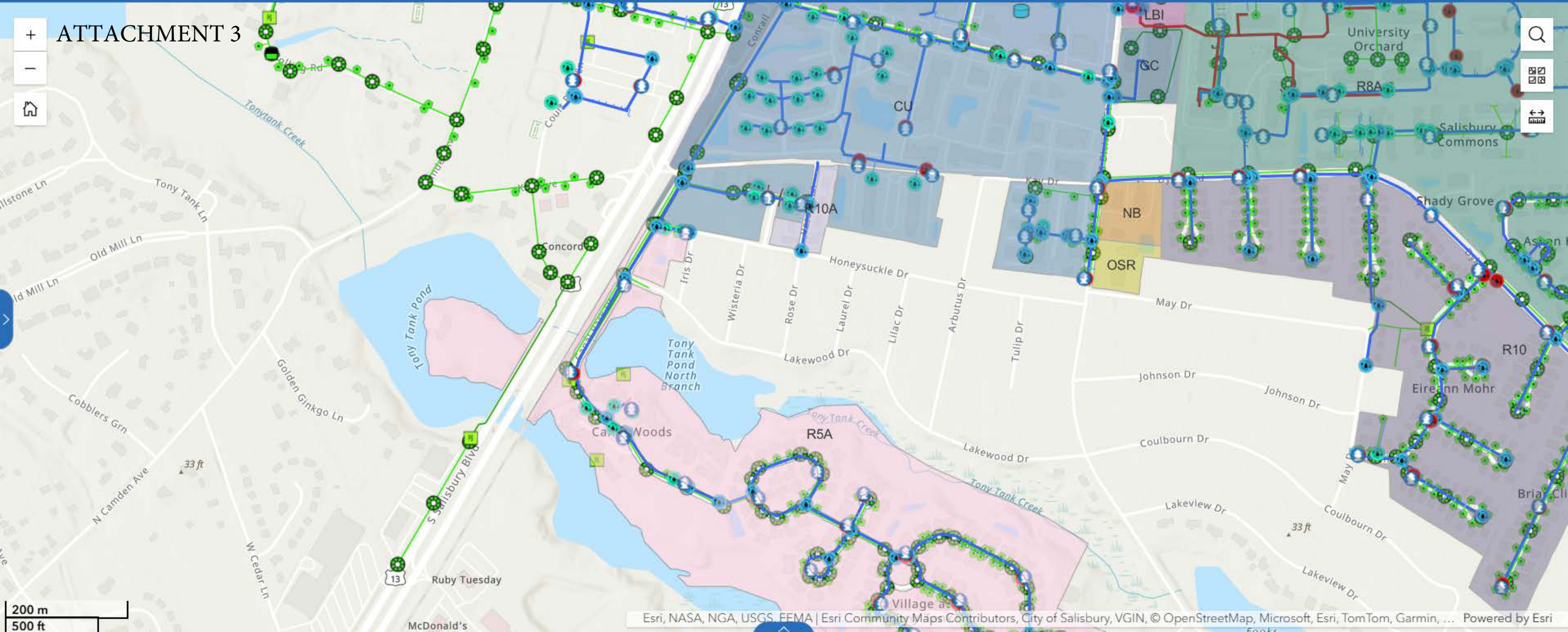
Sincerely,



Ben Nguyen
443-880-8899

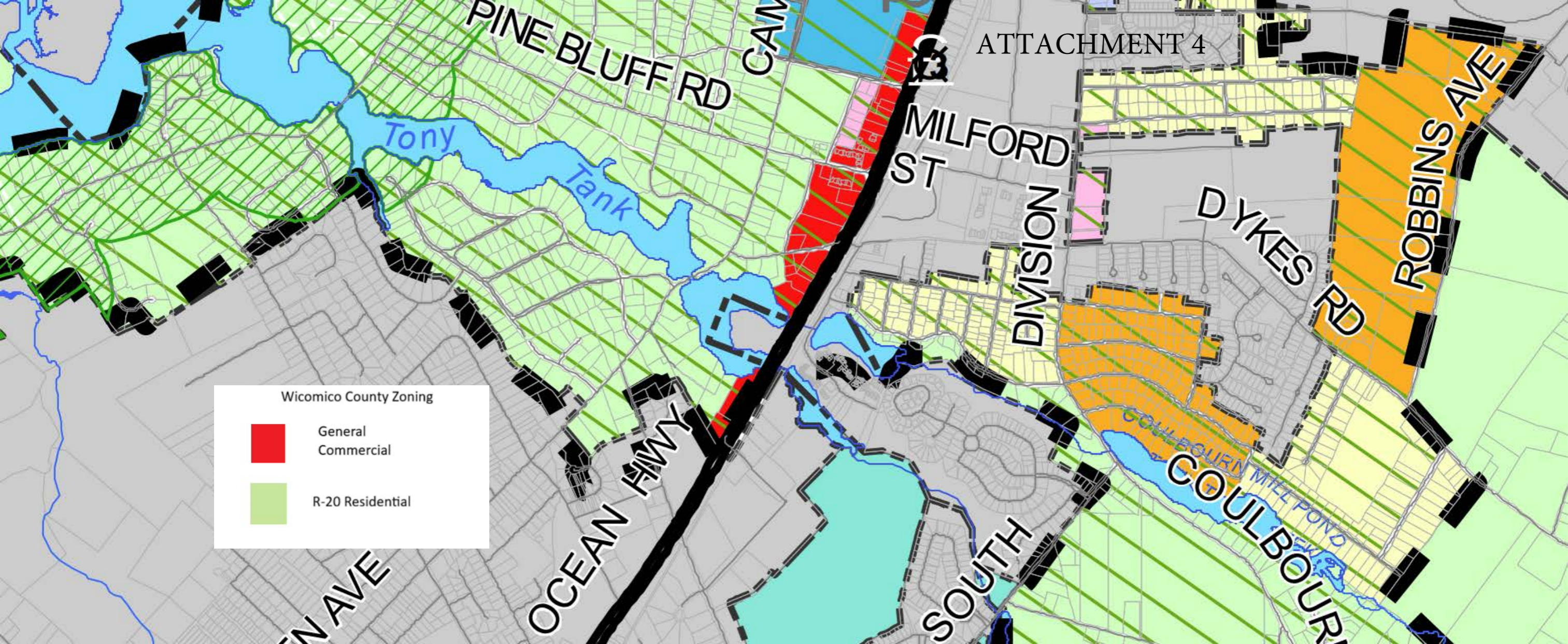


ATTACHMENT 3





200 m
500 ft

ATTACHMENT 4



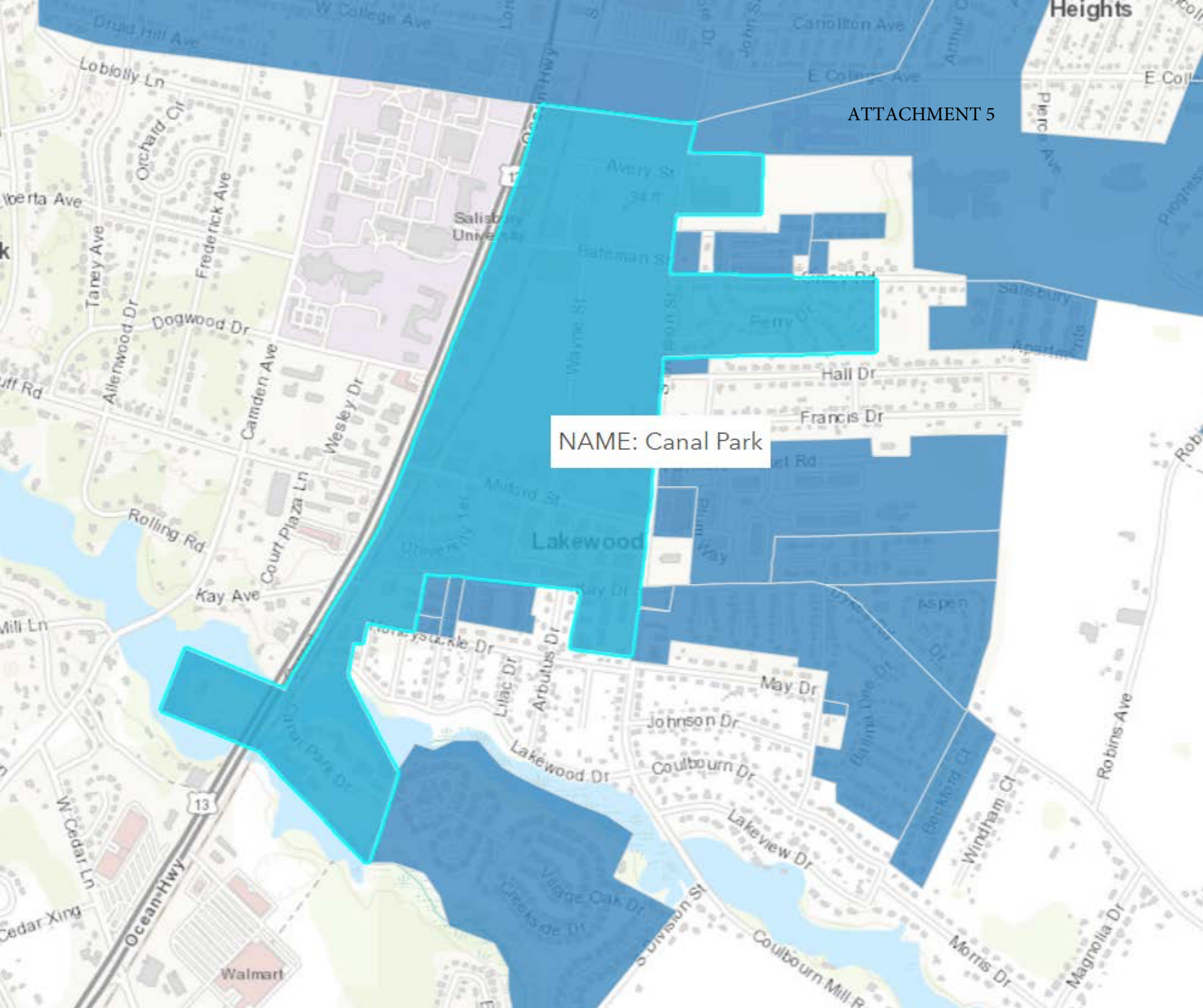
Wicomico County Zoning

	General Commercial
	R-20 Residential

Heights
Pierce Ave
E Coll

ATTACHMENT 5

NAME: Canal Park



GENERAL COMMERCIAL

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, 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;

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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.

(Ord. 1786 § 6, 2000; Ord. 1599 § 1 (part), 1995; prior code § 150-66)

(Ord. No. 2734, 9-12-2022)

17.36.030 Uses permitted by special exception.

Uses permitted by special exception shall be as follows:

- A. Animal hospital or kennel or any other facility for the treatment of animals with outside pens or runs;
- B. Bus terminal;
- C. Shopping centers, neighborhood, over thirty thousand (30,000) gross square feet of floor area, commercial and regional shopping centers in accordance with chapter 17.212;
- D. Trucking and freight stations, terminals, and storage yards, excluding the above ground storage of flammable liquids, except for servicing vehicles owned or used in the conduct of the business;
- E. Recreational establishment, indoor;
- F. Day care facilities for the elderly and handicapped.

(Ord. 1690 § 2, 1998; Ord. 1599 § 1 (part), 1995; prior code § 150-67)

17.36.040 Uses permitted by ordinance permit.

Uses permitted by ordinance permit shall be as follows:

- A. Commercial auction;
- B. Communication tower, over seventy-five (75) feet in height or any other electronic communications facilities with more than one tower or more than one sending or receiving disk in accordance with chapter 17.220;
- C. Liquor stores and dispensaries (off-sale);
- D. Public or private utility building and uses;
- E. Recreational establishment, outdoor;
- F. Utility substation, in accordance with chapter 17.220;
- G. Compact concrete dispenser as an accessory use to a use listed in section 17.36.020, permitted uses, and/or section 17.36.030, uses permitted by special exception.
- H. Cannabis Dispensary, in accordance with the following and section 17.36.060, Development Standards:
 - 1. A Cannabis On-Site Consumption Establishment is prohibited.

(Ord. 1599 § 1 (part), 1995; prior code § 150-68)

(Ord. No. 2840, § 2, 1-12-2024)

17.44.020 Permitted uses.

Permitted uses shall be as follows:

- A. Apartment above the first floor in accordance with the provisions of chapter 17.168, Section 17.168.030(C)(1), for commercial districts;
- B. Bakery not exceeding two thousand (2,000) gross square feet of building area;
- C. Business center on a minimum parcel of two acres, in accordance with the provisions of chapter 17.172;
- D. Business use, including insurance, real estate and financial institutions, computer centers, schools and training centers of general information;
- E. Cultural use, such as museums, libraries, meeting rooms and art galleries;
- F. Day-care center as an independent use; or day-care services for employees or patrons of a permitted use as an accessory use;
- G. Government use, such as federal, state, county and city administrative offices, courts, post offices, fire stations and police stations;
- H. Medical facility or clinic for human care;
- I. Motel with not over fifty (50) rooms;
- J. Neighborhood shopping center with no more than thirty thousand (30,000) gross square feet of floor area, in accordance with the provisions of chapter 17.212;
- K. Office building for administrative, business, financial, legal, medical or governmental use;
- L. Parking lot or structure;
- M. Professional use, including medical, legal, engineering, surveying and architectural offices;
- N. Restaurant, all types, on a minimum lot of one acre;
- O. Retail sales activities, including but not limited to department stores, variety stores, grocery stores, convenience stores, specialty shops, boutiques and florists;
- P. Service establishment, including laundry or laundromat, appliance repair, equipment or instrument repair or rental, dry-cleaning pickup station or plant not over two thousand (2,000) gross square feet of building area, hairdresser shop, pet-grooming shop, upholstery shop, funeral home, tailor and other uses of a similar nature;
- Q. Theater, excluding drive-in;
- R. Group domiciliary care facility.

(Ord. 1786 § 7, 2000; Prior code § 150-70.2)

17.44.030 Uses permitted by special exception.

Uses permitted by special exception shall be as follows:

- A. Community shopping center not exceeding three hundred thousand (300,000) gross square feet of floor area, in accordance with the provisions of chapter 17.212;
- B. Convention center with or without hotel or motel rooms;
- C. Entertainment uses, including nightclubs, bars and dance halls, health clubs and indoor swimming pools;
- D. Gasoline or service stations;
- E. Hospital, provided that a certificate of need has first been issued by the appropriate state agency;
- F. Manufacturing and assembly of a finished product conducted entirely within a building, provided that retail sales of products made on-site are a part of such activity;
- G. Motel or hotel over fifty (50) rooms;
- H. Neighborhood shopping center over thirty thousand (30,000) gross square feet of floor area, in accordance with the provisions of chapter 17.212;
- I. Sports arena or stadium.

(Prior code § 150-70.3)

17.44.040 Uses permitted by ordinance permit.

Uses permitted by ordinance permit by the city council are:

- A. Liquor stores and dispensaries (off-sale);
- B. Public or private utility buildings and uses, including utility substations in accordance with chapter 17.220.

(Prior code § 150-70.4)