

# ENROLLED

## COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2024 Legislative Session

Legislative Day No. 28

### Emergency Legislative Bill 2024- 13

Introduced: December 17, 2024

Introduced by: The Council President at the request of the Planning Commission

AN EMERGENCY ACT TO AMEND CHAPTER 225 OF THE WICOMICO COUNTY CODE, TITLED "ZONING" PART 6, TITLED "ACCESSORY AND PRINCIPAL USES," ARTICLE XVIII, TITLED "PRINCIPAL USES," SECTION 225-67, TITLED "TABLE OF PERMITTED USES-DESIGNATIONS" AND PART 7, TITLED "DENSITY AND DIMENSIONAL REGULATIONS," ARTICLE XIX, TITLED "DENSITY AND DIMENSIONAL REGULATIONS ENUMERATED," SECTION 225-70, TITLED "SETBACK REQUIREMENTS" AND PART 8, TITLED "SPECIAL STANDARDS FOR PARTICULAR USES," ARTICLE XX, TITLED "USES AND STANDARDS FOR PARTICULAR USES" TO ESTABLISH SECTION §225-103.1 TITLED "MEDICAL CLINIC" TO REGULATE OUTPATIENT MEDICAL AND DENTAL CARE FACILITIES WITH THREE OR MORE PHYSICIANS IN WICOMICO COUNTY.

WHEREAS, Wicomico County has a severe shortage of family medicine physicians; and

WHEREAS, TidalHealth Peninsula Regional, Inc. (herein TidalHealth) is a Maryland not for profit regional hospital headquartered in Wicomico County; and

WHEREAS, TidalHealth is seeking to alleviate the severe shortage of family medicine physicians through establishing a residency clinic which will provide outpatient family medical clinical services to include, but not limited to, primary and specialty care, behavioral health, vital preventive screening, chronic disease management, telehealth services and educational services related to diabetes and other chronic diseases as well as, nutritional and financial counselling; and

WHEREAS, enumerated uses and standard for a medical facility are necessary to ensure the unique nature of the facility is compatible with the zoning district; and

WHEREAS, the Wicomico County Planning Commission, has reviewed the request and recommends the incorporation of uses and standards for an outpatient medical or dental care facility with three or more physicians into Chapter 225 of the Wicomico County Code.

Section I. BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 225 of the Wicomico County Code, titled "Zoning" Part 6, Titled "Accessory and Principal Uses," Article XVIII, Titled "Principal Uses," Section 225-67, Titled "Table of Permitted Uses-Designations" And Part 7, Titled "Density and Dimensional Regulations," Article XIX, Titled "Density and Dimensional

Regulations Enumerated,” Section 225-70, Titled “Setback Requirements” And Part 8, Titled “Special Standards for Particular Uses,” Article XX, Titled “Uses and Standards for Particular Uses” to establish Section §225-103.1 Titled “Medical Clinic” are hereby amended, to read as follows:

Chapter 225

Zoning

Part 6

Accessory and Principal Uses

Article XVIII

Principal Uses

\*\*\*

§225-67 Table of Permitted Uses-designations

The Table of Permitted Uses, Attachment 1, Part I, Resource Conservation and Residential Districts, shall be amended to reflect the changes created by this legislation.

	A-1	V-C	R-8	R-15	R-20	REC	R-30	TT
Institutional								
MEDICAL CLINIC (SEE SECTION 225-103.1)			SPC					

The Table of Permitted Uses, Attachment 2, Part II, Commercial, Institutional, Business and Industrial Districts, shall be amended to reflect the changes created by this legislation.

	C-1	C-2	C-3	LB-1	LB-2	I-1	I-2
Institutional:							
Medical facility or clinic for human care (SEE SECTION 225-103.1)	p	p	p	p			

\*\*\*

## Part 7

### Density and Dimensional Regulations

#### Article XIX

#### Density and Dimensional Regulations Enumerated

\*\*\*

#### §225-70 Setback Requirements

G. The following uses have special setback requirements. Please see the corresponding section for the applicable regulations. (Note: 1 through 21 remain unchanged)

(22) Planned unit developments: Part 4, Article XV; ~~and~~

(23) Planned industrial parks: § 225-57;

(24) MEDICAL CLINIC: § 225-103.1

\*\*\*

## Part 8

### Special Standards for Particular Uses

#### Article XX

#### Uses and Standards Enumerated

\*\*\*

#### §225-103.1 MEDICAL CLINIC

A. IN THE R-8 RESIDENTIAL DISTRICT, A MEDICAL CLINIC IS PERMITTED,  
PROVIDED:


- (1) A DEVELOPMENT PLAN SHALL BE REQUIRED AND APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT OR ZONING AUTHORIZATION FOR A MEDICAL CLINIC.
- (2) THE REQUIRED MINIMUM LOT SIZE SHALL BE 10 ACRES.
- (3) THE TOTAL FLOOR AREA OF ALL STRUCTURES SHALL NOT EXCEED 20,000 SQUARE FEET.
- (4) ALL BUILDINGS AND STRUCTURES SHALL BE SET BACK AT LEAST 100 FEET FROM ALL PROPERTY LINES.
- (5) A LANDSCAPED BUFFER OF AT LEAST 25 FEET IN WIDTH SHALL BE PROVIDED ALONG ALL PROPERTY LINES. ALL LANDSCAPING ELEMENTS SHALL BE DEMONSTRATED ON THE DEVELOPMENT PLAN.
- (6) THE LOCATION OF EXTERIOR LIGHTING FIXTURES WITH RELATED STANDARDS SHALL BE DEMONSTRATED ON THE DEVELOPMENT PLAN.
- (7) ALL SIGN ELEVATIONS AND LOCATIONS SHALL BE DEMONSTRATED ON THE DEVELOPMENT PLAN.
- (8) COMPLY WITH THE PARKING STANDARDS AND REQUIREMENTS AS SET FORTH IN THIS CHAPTER.

SECTION II: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION THAT an emergency exists, to wit: a severe shortage of family medicine physicians, wherefore this Legislative Bill is passed as an emergency measure necessary for the immediate preservation of public health, safety and welfare which requires immediate action in the public interest, and subject to the laws of Maryland, the Wicomico County Charter, and the Wicomico County Code.

SECTION III: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION THAT this bill shall be known as Emergency Legislative Bill No. 2024-13 and shall take effect immediately after its final passage.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 9<sup>th</sup> day of January, 2025.

WICOMICO COUNTY, MARYLAND

 (SEAL)

By: John Cannon, President

 (SEAL)

By: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

 (SEAL)

By: Laura Hurley, Secretary

Explanation:

~~Strike-Out~~ indicates matters deleted from existing law.

CAPITALS INDICATE MATTERS ADDED TO EXISTING LAW.

~~CAPITAL STRIKE-OUT~~ indicates matter stricken from Bill by Amendment.

CAPITAL UNDERLINING indicates Amendments to Bill

COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

2024 Legislative Session

Legislative Day No. 28

**LEGISLATIVE BILL NO. 2024-13**

**INTRODUCED BY:** The Council President at the request of the Planning Commission

AN EMERGENCY ACT TO AMEND CHAPTER 225 OF THE WICOMICO COUNTY CODE, TITLED "ZONING" PART 6, TITLED "ACCESSORY AND PRINCIPAL USES," ARTICLE XVIII, TITLED "PRINCIPAL USES," SECTION 225-67, TITLED "TABLE OF PERMITTED USES-DESIGNATIONS" AND PART 7, TITLED "DENSITY AND DIMENSIONAL REGULATIONS," ARTICLE XIX, TITLED "DENSITY AND DIMENSIONAL REGULATIONS ENUMERATED," SECTION 225-70, TITLED "SETBACK REQUIREMENTS" AND PART 8, TITLED "SPECIAL STANDARDS FOR PARTICULAR USES," ARTICLE XX, TITLED "USES AND STANDARDS FOR PARTICULAR USES" TO ESTABLISH SECTION §225-103.1 TITLED "MEDICAL CLINIC" TO REGULATE OUTPATIENT MEDICAL AND DENTAL CARE FACILITIES WITH THREE OR MORE PHYSICIANS IN WICOMICO COUNTY.

Introduced and read first time on December 17, 2024. Ordered posted and public hearing scheduled for January 9, 2025 at 6:00 p.m.

  
Laura Hurley, Council Administrator

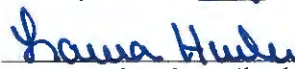
**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing held on January 9, 2025.

  
Laura Hurley, Council Administrator

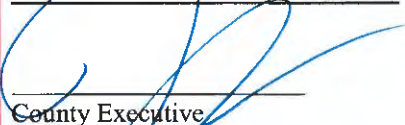
**CERTIFICATION:** The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 9<sup>th</sup> day of January, 2025.

  
Laura Hurley, Council Administrator

Presented to the County Executive for approval this 10<sup>th</sup> day of January, 2025, at 3:00 a.m./p.m. (5 days §411)

  
Laura Hurley, Council Administrator

**BY THE COUNTY EXECUTIVE:**

  
County Executive

APPROVED  
Date: 1/13/25  
(21 days §411)

VETOED  
Date: \_\_\_\_\_


**BY THE COUNCIL:**

Option One: This Bill, having been approved by the County Executive and returned to the Council, becomes law on January 13, 2025 and effective on: January 13, 2025.  
(60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the County Executive with 21 days of its presentation, stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_.  
(60 days §311)

Option Three: This Bill, being exempt from the Executive Veto stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_. (Charter Section 305)

**ENROLLMENT:** Legislative Bill No. 2024-13 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

  
\_\_\_\_\_  
Laura Hurley, Council Administrator