

**TOWN OF FREDERICA**  
**ORDINANCE NO. 11-1**

AN ORDINANCE TO AMEND TOWN OF FREDERICA, DELAWARE LAND DEVELOPMENT ORDINANCE TO BRING INTO COMPLIANCE WITH THE TOWN COMPREHENSIVE PLAN.

**WHEREAS**, the General Assembly has, through the Frederica Town Charter, granted the Town Council home rule authority, particularly with regard to planning and zoning decisions; and

**WHEREAS**, Title 22, Chapter 3, Section 304 of the Delaware Code states the “legislative body of the municipality shall provide for the manner in which the regulations and restrictions and the boundaries of the districts shall be determined, established and enforced and from time to time amended, supplemented or changed”;

**WHEREAS**, Article 16 of the Land Development Ordinance approved by the Frederica Town Council in May 2005, as amended and adopted March 19, 2008, states the “Municipal Governing Body may amend, supplement, change, or modify the number, shape, area, or boundaries of the zoning districts or the text of the regulations contained in this Ordinance”;

**WHEREAS**, the Town of Frederica Comprehensive Plan Amendment, adopted on March 2010 and certified by the Office of State Planning Coordination, identifies specific goals, objectives and implementation items; and

**WHEREAS**, notice of a public hearing concerning the proposed amendments to the Land Development Ordinance was sent, by certified mail, to owners of affected properties and those who own property within 200 feet of an affected property; and

**WHEREAS**, a public hearing following fifteen (15) days notice by publication in an official paper of general circulation within the municipality was held on October 5, 2011.

**NOW THEREFORE BE IT ENACTED AND ORDAINED**, by the Town Council of the Town of Frederica, in session met, a quorum pertaining at all times thereto, that the Frederica, Delaware Land Development Ordinance be and is hereby amended by striking it in its entirety and inserting in lieu thereof the attached Land Development Ordinance, to bring the municipal land use regulations into compliance with the Town Comprehensive Plan.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect immediately upon its adoption by a majority vote of the Town Council;

**REPEALER:** All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

**ORDAINED AND ENACTED INTO THE LAW** by a majority vote of the Council Members present at a regular session of Frederica Town Council, Delaware on the 5<sup>th</sup> day of October, A.D. 2011.

First Reading: September 7, 2011

Public Hearing and Second Reading: 10/5/2011

Published: 10/5/2011

William C. Glanden

William C. Glanden  
Mayor

I do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by the Town Council at its meeting on [DATE], at which meeting a quorum was present and voting throughout that the same is still in full force and effect.

Janet M. White

Clerk