

TOWN OF FREDERICA
ORDINANCE NO. 11-02

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF FREDERICA, KENT COUNTY, DELAWARE, DATED JUNE 2008, TO INCLUDE CERTAIN PARCELS NUMBERS IN THE TC – TOWN CENTER DISTRICT AND TAX PARCELS NUMBERS SM-08-141.07-01-28.00 AND SM-08-141.07-01-49.00 AS C-1 COMMERCIAL.

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 301 of the Delaware Code grants legislative bodies of incorporated towns the power to regulate the location and use of buildings, structures and land for trade, industry, residences or other purposes for the purpose of promoting health, safety, morals or the general welfare of the community;

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 thereafter certified by the Office of State Planning Coordination, recommends the future land use of certain parcels as Town Center, and Tax Parcels Numbers SM-08-141.07-01-28.00 and SM-08-141.07-01-49.00 as Mixed Use; 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

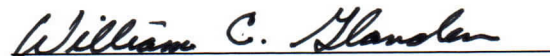
WHEREAS, a public hearing following fifteen (15) days notice by publication in an official paper of general circulation within the municipality was held on October 5, 2011,

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Frederica, in session met, a quorum pertaining at all times thereto, that the Zoning Map of the Town of Frederica, dated June 2008, be and is hereby amended by changing the zoning districts of the described properties in the attached exhibits:

“EXHIBIT A- Parcel List”
“EXHIBIT B- Town of Frederica Zoning Map”

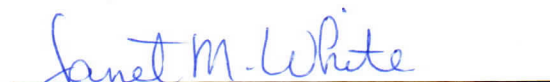
BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its adoption by a majority vote of the Town Council;

ORDAINED AND ENACTED INTO THE LAW by a majority vote of the Town Council of Frederica, Delaware on the 5th day of October, A.D., 2011.



William C. Glanden, Mayor

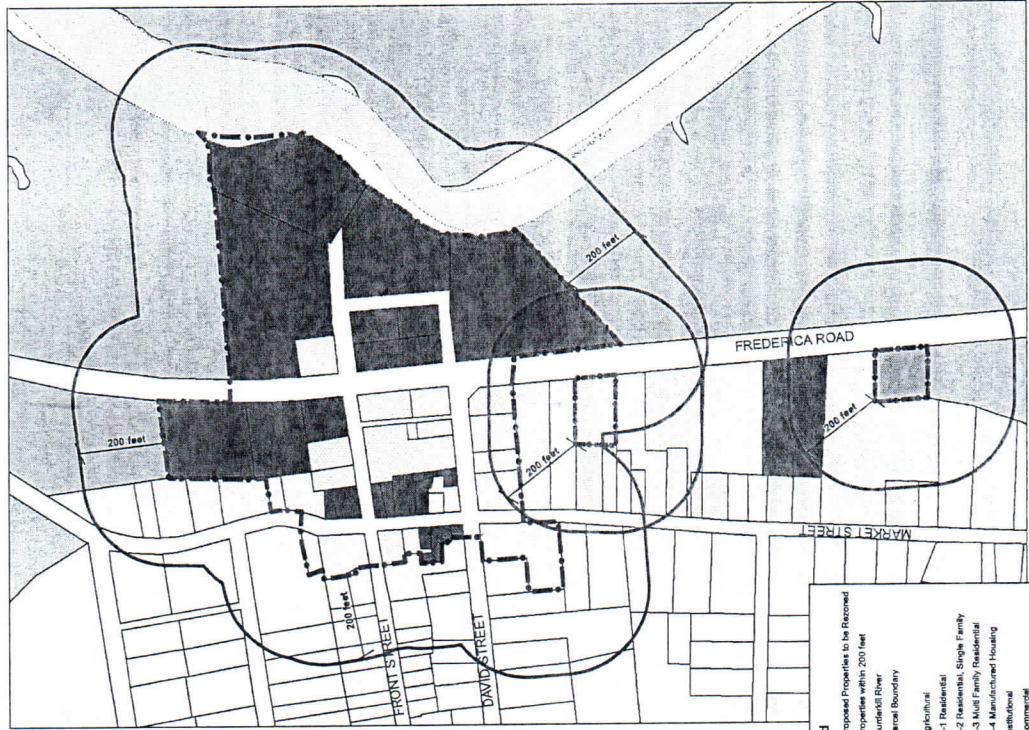
I do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by the Town Council at its meeting on October 5, 2011, at which meeting a quorum was present and voting throughout that the same is still in full force and effect.



Clerk

PARCELS PROPOSED FOR REZONING

TAX PARCEL No.	PROPOSED ZONING
141.07-01-04.00	TC Town Center District
141.07-01-07.02	TC Town Center District
141.07-01-23.00	TC Town Center District
141.07-01-01.01	TC Town Center District
141.06-03-17.00	TC Town Center District
141.07-01-07.03	TC Town Center District
141.07-01-07.01	TC Town Center District
141.07-01-20.00	TC Town Center District
141.07-01-08.01	TC Town Center District
141.07-01-03.00	TC Town Center District
141.07-01-02.00	TC Town Center District
141.07-01-10.00	TC Town Center District
141.07-01-09.00	TC Town Center District
141.07-01-11.00	TC Town Center District
141.06-03-52.00	TC Town Center District
141.07-01-22.00	TC Town Center District
141.07-01-08.00	TC Town Center District
141.06-02-51.00	TC Town Center District
141.06-03-18.00	TC Town Center District
141.07-01-14.00	TC Town Center District
141.07-01-13.00	TC Town Center District
141.07-01-12.00	TC Town Center District
141.06-03-16.00	TC Town Center District
141.06-02-50.00	TC Town Center District
141.07-01-19.00	TC Town Center District
141.07-01-16.00	TC Town Center District
141.07-01-06.00	TC Town Center District
141.06-03-15.00	TC Town Center District
131.19-01-04.00	TC Town Center District
131.19-01-03.00	TC Town Center District
141.07-01-01.00	TC Town Center District
141.07-01-15.00	TC Town Center District
141.07-01-02.01	TC Town Center District
141.07-01-05.00	TC Town Center District
141.07-01-05.00	TC Town Center District
141.07-01-21.00	TC Town Center District
141.06-02-23.00	TC Town Center District
141.07-01-04.01	TC Town Center District
141.06-03-18.01	TC Town Center District
141.07-01-18.00	TC Town Center District
141.07-01-17.00	TC Town Center District
141.07-01-28.00	C-1 Commercial
141.07-01-49.00	C-1 Commercial



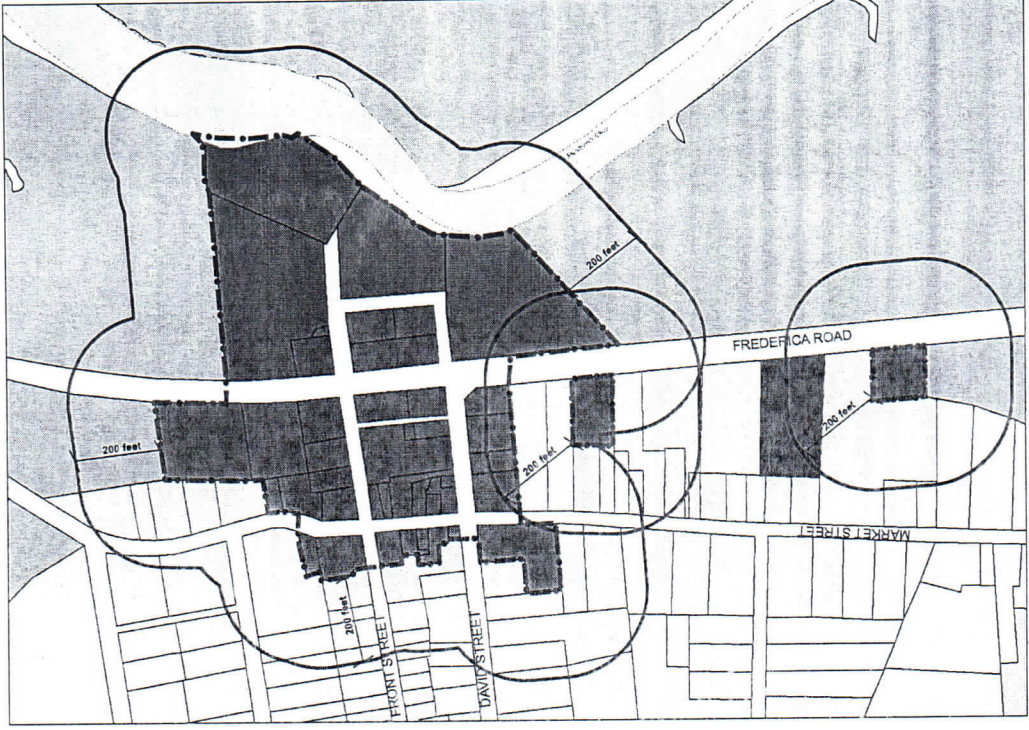
CURRENT ZONING

Legend

- Proposed Properties to be Re-zoned
- Properties within 200 feet
- Municipal River
- Parcel Boundary
- Zoning
- Agricultural
- R-1 Residential
- R-2 Residential, Single Family
- R-3 Multi-Family Residential
- R-4 Manufactured Housing
- Institutional
- Commercial
- Proposed TC Town Center



June 2011
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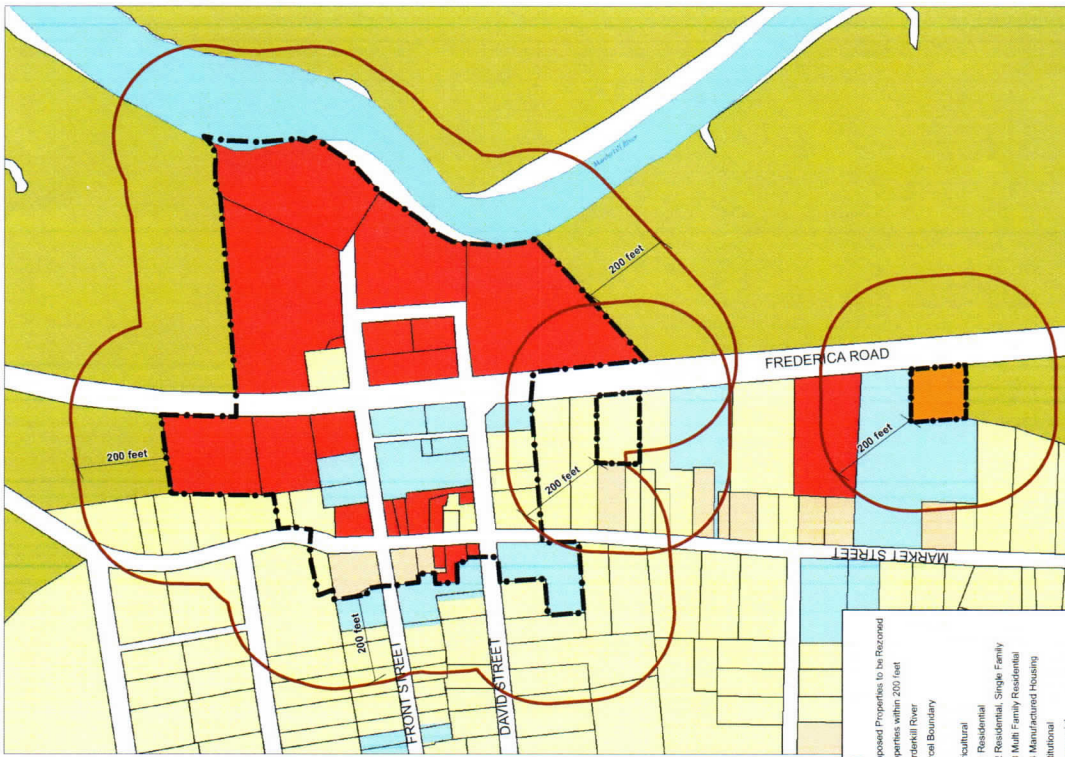
PROPOSED ZONING

DRAFT
 JUNE 2011

Town of Frederica
Proposed Zoning - Town Center District

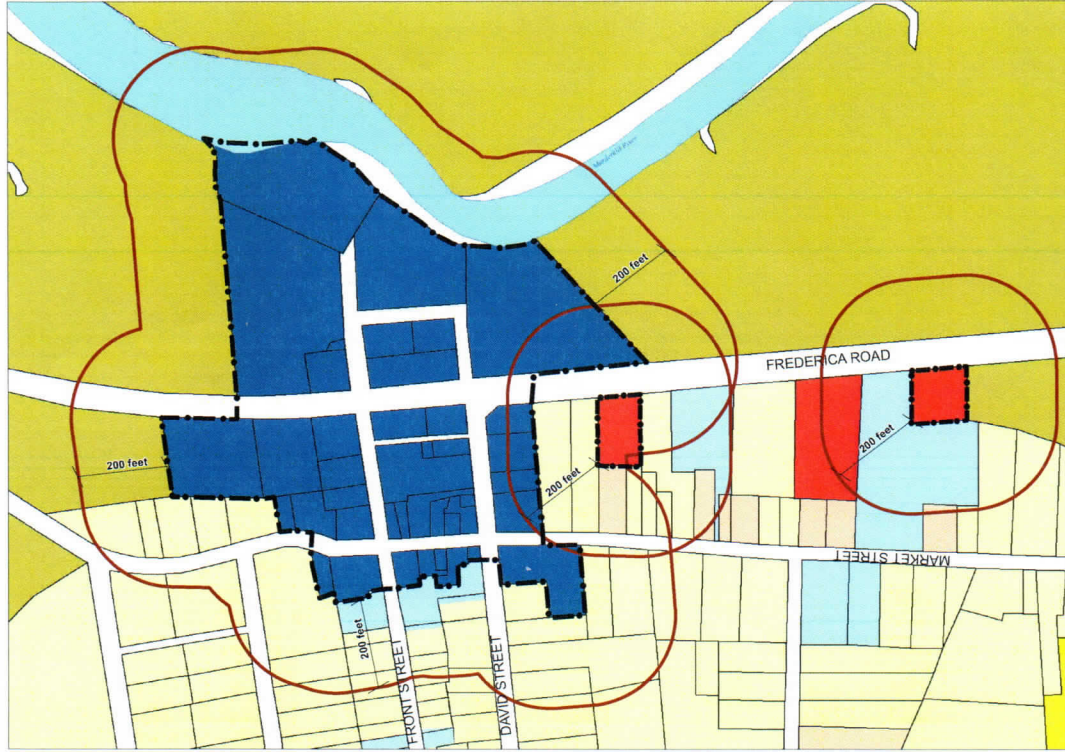
MADE DESIGN ARCHITECTURE
 1000 W. 10TH ST. SUITE 100
 TALLahas, MS 38680
 TEL: 662.833.0200
 FAX: 662.833.0200

Map by MADE Design Architecture, Inc. and MADE Design Architecture, Inc.
 Planning by MADE Design Architecture, Inc. and MADE Design Architecture, Inc.
 Date: 06/01/11 11:53:00 AM
 Project: 20110601 - 20110601.dwg, 4 of 10



CURRENT ZONING

2011 Zoning Ordinance
 Adopted by the Board of Commissioners on 11/15/11
 Ordinance No. 2011-01
 Effective Date: 1/1/12



PROPOSED ZONING

DRAFT
 JUNE 2011

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Town of Frederica
Proposed Zoning - Town Center District

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LAND DEVELOPMENT ORDINANCE (LDO) AMENDMENTS
TC - TOWN CENTER DISTRICT

Draft, Last Revised January 2011

Summary of Amendments	Art. & Sec. #	Page #
• Definitions. Define applicable terms specific to the Town Center (TC) zoning district.	Art. 2	1
• Nonconforming Situations. Add new section for nonconforming residential uses in the TC District. Allow use to continue as well as expansions if comply with the LDO.	§ 5-1 B, § 5-6	2-4
• Establish Zone. Add the TC District, which promotes a compact, pedestrian-oriented town center, and a mix of residential, business, commercial, office, institutional uses.	§ 6-1 A	5
• Specific Requirements. Add conditional use standards and waiver provision that aim to meet the purposes of the District.	§ 6-2 K	6
• Permitted and Conditional Uses. Add the use regulations to allow for neighborhood commercial, office apartments over commercial or offices, institutional and recreational uses.	§ 7-1 C, Table 7-1	7-9
• Dimensional Standards. Create lot area, dimension, setback, and height standards.	§ 8-1 F	10
• Signage. Add specific requirements for signs in the District.	§ 13-3, Tables 13-1, 13-2	11-12
• Parking. Add required number of spaces and design standards for parking.	Tables 14-1, 14-2, § 14-2 H	13-15
• Architectural Design Standards. Add specific design standards for new buildings. Also, require conceptual building elevations as part of site plan review.	§ 15-4, Table 4-4	16-21
• Zoning Map. Rezone selected parcels to Town Center District in compliance with Town Comprehensive Plan Amendment 2009.	See attached zoning map (current and proposed)	