

ORDINANCE 19-05

An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Town of Frederica, Delaware

WHEREAS, on the 9th day of September A.D. 2019 an application was filed by JMER Properties, LLC for rezoning of Tax Parcels MD-00-141.00-01-08.00, MD-00-141.00-01-27.00, MD-00-141.00-01-28.00, MD-00-141.00-01-29.00, MD-08-141.00-01-02.00, MD-08-141.00-01-03.00, MD-08-141.00-01-03.01, MD-08-141.00-01-03.02, MD-08-141.00-01-03.03, MD-08-141.00-01-04.00 and,

WHEREAS, the Planning Commission held a Public Hearing and the application and recommended that the application be granted, and

WHEREAS, the Town Council held a public hearing to allow public comment on the rezoning application.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF FREDERICA IN COUNCIL MET:

Section 1. The Comprehensive Plan Map for Town of Frederica, Delaware is hereby amended by revising the land use designation for a portion of Tax Parcel MD-00-141.00-01-08.00, MD-00-141.00-01-27.00, MD-00-141.00-01-28.00, MD-00-141.00-01-29.00, MD-08-141.00-01-02.00, MD-08-141.00-01-03.00, MD-08-141.00-01-03.01, MD-08-141.00-01-03.02, MD-08-141.00-01-03.03, MD-08-141.00-01-04.00 from C-1 Commercial to PCD Planned Commercial District.

Section 2. That the Official Zoning Map of Town of Frederica, Delaware is hereby amended by rezoning a portion of Tax Parcels MD-00-141.00-01-08.00, MD-00-141.00-01-27.00, MD-00-141.00-01-28.00, MD-00-141.00-01-29.00, MD-08-141.00-01-02.00, MD-08-141.00-01-03.00, MD-08-141.00-01-03.01, MD-08-141.00-01-03.02, MD-08-141.00-01-03.03, MD-08-141.00-01-04.00 from C-1 Commercial to PCD Planned Commercial District.

Section 3. The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Section 4. Effective Date. This ordinance shall become effective thirty days after adoption.

SYNOPSIS

This ordinance revises the Comprehensive Plan Map land use designation, and the Official Zoning Map for Tax Parcels MD-00-141.00-01-08.00, MD-00-141.00-01-27.00, MD-00-141.00-01-28.00, MD-00-141.00-01-29.00, MD-08-141.00-01-02.00, MD-08-141.00-01-03.00, MD-08-141.00-01-03.01, MD-08-141.00-01-03.02, MD-08-141.00-01-03.03, and MD-08-141.00-01-04.00 from C-1 Commercial to PCD Planned Commercial District

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

Date of Effect: The Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force thirty days from and after its approval by Council.

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 2nd day of October, A.D. 2019.

First Reading: September 18, 2019

Public Hearing and Second Reading: October 2, 2019

Published: OCTOBER 11, 2019



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 2, 2019, at which meeting a quorum was present and voting throughout that the same is still in full force and effect.


Town Clerk