

The Mayor and Council of the Town of Townsend

141 Main Street, P.O. Box 223, Townsend, DE 19734
Phone (302) 378-8082 Fax (302) 378-7099

Introduced by: CM Jermaine Hatton
Introduction on: July 20, 2016



Mayor
Rudy Sutton

Councilman
John Ness

Councilwoman
Lorraine Gorman

Councilman
Jermaine Hatton

Councilwoman
Cindy Cook

Town Manager
Dawson Green

ORDINANCE 16-07

AMENDMENT TO THE 2010 COMPREHENSIVE PLAN

WHEREAS, Title 22 of the *Delaware Code* empowers municipalities to develop comprehensive plans to guide their futures; and,

WHEREAS, pursuant to Title 22, Section 702 of the *Delaware Code*, the Town of Townsend adopted the *2010 Update to the 2003 Town of Townsend Comprehensive Plan* (herein after referred to as the 2010 Plan Update) on July 7, 2010 (Ordinance 10-05) that was certified by the governor on August 5, 2010; and,

WHEREAS, on April 6, 2011, the Town Council adopted the following amendments to the 2010 Plan Update:

1. Ordinance 11-02 on April 6, 2011, and
2. Ordinance 12-03 on May 5, 2012, and
3. Ordinance 13-02 on September 4, 2013; and,

WHEREAS, the Town Council desires to amend the land use designations, depicted in the 2010 Plan Update, as amended, on Maps 7a and 7b; and,

WHEREAS, on March 23, 2016, pursuant to Section 702(a) of the *Delaware Code* and Section 66-129 (UDO 2002, § 907) of the *Zoning and Unified Development Code*, the Zoning Committee reviewed the proposed land use change and made a recommendation on it to the Town Council; and,

WHEREAS, at the mid-month meeting of March 23, 2016, the town council approved submitting the proposed rezoning for PLUS (Preliminary Land Use Service) review as recommended by the Zoning Committee

WHEREAS, pursuant to Title 29, Section 9103 of the *Delaware Code*, the proposed land use changes were submitted for PLUS review; and,

WHEREAS, following the PLUS (Application 2016-06-01) meeting of June 22, 2016, the Office of State Planning Coordination registered no objection to the proposed plan amendments in a letter dated July, 14, 2016; and,

WHEREAS, pursuant to Section 401 of the Town Charter, this Ordinance was introduced in writing on July 20, 2016; and,

WHEREAS, pursuant to Section 401 of the Town Charter and Section 66-98 (UDC 2002, § 904C) of the *Zoning and Unified Development Code*, a fair summary of this Ordinance and notice of a public hearing appeared in the *Middletown Transcript* on August 4, 2016; and,

WHEREAS, on August 24, 2016, the Town Council:

1. Held a public hearing on the plan amendment,
2. Read this Ordinance by title and synopsis, and
3. Gave all interested citizens and parties an opportunity to be heard; and

WHEREAS, on August 24, 2016, the Town Council took action on the plan amendment by majority voice vote pursuant to Section 401 of the Town Charter.

NOW, THEREFORE THE TOWN OF TOWNSEND ORDAINS that, having received and reviewed comments from the Office of State Planning Coordination, considered revisions, and received testimony, hereby adopts the "Town of Townsend 2016 Amendment to the 2010 Comprehensive Plan," a copy of which is attached to and made a part of this Ordinance.

THE TOWN COUNCIL FURTHER ORDAINS that a copy of the "Town of Townsend 2016 Amendment to the 2010 Comprehensive Plan" shall be submitted to the Office of State Planning Coordination.

THE TOWN OF TOWNSEND FURTHER ORDAINS that, pursuant to Title 10, Section 8126 of the *Delaware Code*, notice of the action taken by this Ordinance shall be published in a newspaper of general circulation in the Town.

THE TOWN OF TOWNSEND FURTHER ORDAINS that this Ordinance shall take effect upon adoption.

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| Introduction | July 20, 2016 |
| Publication of Fair Summary | August 4, 2016 |
| Public Hearing | August 24, 2016 |
| Final Reading | August 24, 2016 |
| Adoption | August 24, 2016 |

Signed By



Rudolph Sutton, Jr.
Mayor
Town of Townsend, New Castle County, Delaware

SUMMARY

This ordinance adopts an amendment to the 2010 Comprehensive Plan that changes the future land use for 307 Main Street, Townsend, DE 19734 from Commercial to Residential.