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24.04.010 Enactment

The zoning and unified development code which is printed herein shall be applicable within the corporate limits of the town.

24.04.020 Title

This zoning ordinance shall be known and cited as the "Unified Development Code of the Town."

(UDC 2002, § 100)

24.04.030 Enabling Legislation

The enabling legislation is an authorization by the general assembly permitting the town as well as other municipalities to adopt a zoning ordinance. 22 Del. C. § 301, permits the legislative bodies of cities and incorporated towns to regulate such matters as the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other spaces, the density of population, and the location and the use of land for trade, industry, residence or other purposes.

(UDC 2002, § 101)

24.04.040 Purpose

The purpose of the zoning ordinance of the town is to promote, in accordance with the present and future needs of its citizens, the health, safety and morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the town. These interests may be promoted by restricting the heights, number of stories and size of buildings and other structures; the percentage of the lot that may be occupied; the size of yards, courts and open spaces; the density of development; and the location, use and extent of use of buildings, structures and land for resident, trade, industry and other purposes by creating districts for said purposes and by establishing boundaries for such districts; by providing for the establishment of a board of adjustment and by imposing penalties for violation of the zoning ordinance. This chapter is adopted so as to lessen congestion in the streets, to secure safety from fire, panic and other dangers; provide adequate light and air; prevent the overcrowding of land; to avoid the undue concentration of population; to facilitate the adequate provision of transportation, water supply, drainage, sanitation, parks, recreation, education and other public requirements. Such regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the town.

(UDC 2002, § 102)

24.04.050 Interpretation

This chapter shall be interpreted, whenever an administrator or judiciary is called upon to do so, in conformance with the purposes intended to be served by its enactment. The intent of these standards and supporting definitions is to protect both individual property owners and the general public from adverse impacts, which might otherwise be the result of a proposed land use. It is not intended by this chapter to interfere with or abrogate or annul any easements, contracts, or other easements, or other agreements between parties provided, however, that this imposes greater restrictions upon the use of buildings or premises or upon the height of buildings or other purposes for requirements set forth in this chapter, the provisions of this chapter shall govern. If because of error or omission in the zoning district map, any property in the jurisdiction of this chapter is not shown as being in a zoning district, the said property shall be classified as (P), "preservation" until changed by a zoning map amendment.

(UDC 2002, § 103)

24.04.060 Definitions - Zoning And Unified Development Code

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Accessory building" means a building detached from a principal building located on the same lot to the side or rear of the principal structure, and which is incidental and subordinate to the principal use or building.

"Accessory use" means a use of land or building, or portion thereof, incidental and subordinate to the principal use or building.

"Adult bookstore" means an establishment having, as a substantial or significant portion of its stock in trade, books, magazines or other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined in this section (see below), or an establishment with a segment or section devoted to the sale or display of such material.

"Adult entertainment establishment" means an enclosed building used for presenting material and/or conduct distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined in this section, for observation by patron therein. This includes bars, restaurants, movie theaters, theaters, peep shows, strip halls, special cabarets, physical culture establishments, photographic studios, or any other normally permitted use where "specified sexual activities" are displayed, or where "specified anatomical areas" are exposed to customers.

A. For the purpose of this definition, the term "specified sexual activities" is defined as:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

B. For purposes of this definition, the term "specified anatomical areas" is defined as:

1. Less than completely and opaquely covered human genitals, pubic region buttocks and female breast below a point immediately above the top of the areola.

2. Human male genitals in a discernibly turgid state even if completely and opaquely covered.

"Alteration" means a change in the appearance of building, structure, site, or object which is not otherwise covered by the definition of demolition, or any other change for which a permit is required.

"Apartment" means a multifamily dwelling unit contained in a building comprised of two or more dwelling units.

"Basement" means a story partly underground and having more than one-half of its clear ceiling height above the grade.

"Board of adjustment" means the officially established board of adjustment of the town.

"Buffer yards" means a landscaped strip of land at the periphery of a property created to separate one type of land use or zoning district from another when they are incompatible or in conflict.

"Buildable area" means the land area remaining on a tract after the minimum open space, buffer yards and setbacks have been met.

"Building" means a structure built on a lot, having a roof, and intended to shelter people, animals, property, business activity, use or occupancy.

"Building coverage" means the aggregate of the maximum horizontal cross section areas excluding cornices, eaves and gutters, of all buildings on a lot.

"Building height" means the maximum permitted height of a building permitted on a lot. Building heights is determined from the vertical distance measured from the lowest ground elevation to the highest point of the building, excluding chimneys and antenna.

"Building line" See *lot line*.

"Building primary" See *principal building*.

"Business office" See *professional office and personal service office*.

"Campers/trailers" See *recreation vehicle*.

"Cellar" means a story partly underground and having more than one-half of its clear ceiling height below grade.

"Certificate of zone compliance" means a certificate issued by the board of adjustments upon completion of construction, alteration or change in occupancy of a building. Said certificate shall acknowledge compliance with all requirements of this article, such adjustments thereto granted by the board of adjustment, construction in accordance with the plans and specifications filed with the board of adjustment and all applicable town regulations.

"Church" means a building or group of buildings including customary and secondary buildings designed or intended for public worship, organized religious services, and accessory uses associated therewith.

"Demolition" means the razing or destruction, whether entirely or in significant part, of a building or structure, site or object. Demolition includes the removal of a building, structure or object from its site, the removal or destruction of the facade or surface, or alteration to such an extent that repair is not feasible or so costly so as to be prohibitive, rendering the property unfit for use.

"Density, residential gross" means the total number of dwelling units which may be developed or are developed on a tract of land before requirements for streets, infrastructure and open space are provided. Residential gross density is determined by dividing the number of dwelling units by the total tract area.

"Density, residential net" means the resulting number of units which may be developed on a site after the requirements for streets, infrastructure and open space have been provided. Residential net density is determined by dividing the total number of dwelling units by the net buildable area of the tract.

"Developer" means a person, firm or corporation filing an application for development as defined by this section.

"Development" means any new or expanded use of a building, structure, land or waters; any disturbance of land, soil, vegetation, or waterways; any division of land or land development whether for sale or lease.

"Drive-in facility" means buildings or uses providing drive-in or drive-thru service to customers in automobiles including, for example: drive-in and drive-thru restaurants and banking and pharmacies and similar operation within drive-thru windows.

"Dwelling" means a building, or portion of a building, used as a place of residence, containing sleeping, cooking and sanitary facilities, excluding commercial lodging.

"Dwelling, attached" means two or more dwelling units in a single structure or attached structures, each which could have a single lot, which are separated by a dividing wall. This includes two-family dwellings.

"Dwelling, multifamily" means a structure containing more than one dwelling unit with either direct access to the outside, or through a common hallway, with a separate kitchen facility and living quarters in each unit.

"Dwelling, single-family detached" means a dwelling unit, including a manufactured home, designed for and occupied by not more than one family and having no roof, wall or floor in common with any other dwelling and meeting the following criteria:

- A. Minimum floor area of 750 square feet.
- B. It has a minimum width along any exterior front, side or rear elevation of 20 feet, exclusive of garage area.
- C. If applicable, transportable sections shall be no less than ten feet in width, unless the unit is transportable in three or more sections, in which case only one section need be more than ten feet wide.
- D. It is permanently mounted on a solid foundation or pier foundation system and anchored, and in each case in accordance with BOCA.
- E. All wheels, axles, transportation lights and towing apparatus, if any, shall be removed from the dwelling when it is placed on the foundation in accordance with paragraph C of this definition.
- F. All utilities shall be permanently connected in accordance with the town plumbing and mechanical codes.
- G. It has a storage area in a basement located beneath the living area, in an attic area, in a closet area, in an attached or detached garage or enclosed structure constructed on a permanent foundation and having an area of not less than 160 square feet or any combination thereof. The total storage area must not be less than 15 percent of the gross floor area of the dwelling unit. It shall have a weather-resistant exterior covering material comparable in appearance, quality and

durability to materials used on the dwelling, such as brick, stone facing, treated lumber, masonry or masonry veneer, which shall extend to the ground.

H. The siding of all dwellings shall be continuous so as to enclose any joining of two or more sections.

I. It complies with all pertinent sections of the building code and the state fire and safety codes.

"Dwelling unit" means one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy of one family with separate facilities for all of the following: sanitation, living, sleeping, cooking and eating.

"Family" means one or more persons, related by blood or marriage, occupying a dwelling unit and living as a single nonprofit housekeeping unit.

"Farm" means the land, buildings, structures and machinery which are primarily adapted and used for agricultural purposes.

"Farm building" means any building used for storing agricultural equipment or farm produce, housing livestock and poultry and processing dairy products. The term "farm building" shall not include dwellings.

"Flood fringe" means those portions of the floodplain, outside the floodway, subject to inundation by the 100-year flood and generally associated with standing or slowly moving water rather than rapidly flowing water. The extent of the flood fringe is determined by detailed study data and profiles found in the FEMA flood insurance study.

"Floodplain" means a relatively flat or low-lying land area adjoining a river, stream, or watercourse which is subject to periodic partial or complete inundation. Specifically, those areas identified by the Federal Emergency Management Agency's (FEMA) flood insurance rate map as being subject to periodic inundation by a 100-year storm, including the floodway, flood fringe and areas for which no base flood elevations are available as depicted in the most recent FEMA flood insurance rate map. For land development plans or subdivision plans exceeding 50 acres or proposing to create five or more lots within or adjacent to a floodplain where base flood elevations are not available, the applicant must provide a hydrologic and hydraulic analysis to establish the base flood elevations. The applicant must obtain a letter of map revision from FEMA prior to final plan approval.

"Floodway" means the portion of the floodplain district required to carry and discharge the waters of the 100-year flood without increasing the water surface elevation at any point more than one foot above existing conditions as demonstrated in a flood insurance study.

"Garage, private" means an accessory building for storage purposes only and used by the owner or tenant of the property, and in which no business, service or industry is conducted.

"Garage/parking, public" means a garage or parking area available to the public for free or a fee.

"Garden apartment" See *apartment*.

"Gross floor area" means the sum of the total horizontal areas of every floor of every building on a lot. The measurement of gross floor area shall be computed by applying the following criteria:

- A. The horizontal square footage is measured from the outside face of all exterior walls.
- B. Cellars, basements, penthouses, attics, covered or uncovered porches, balconies and decks, enclosed storage or mechanical areas, mezzanines and similar structures shall be included as GFA wherever at least seven feet are provided between finished floor and ceiling.
- C. No deduction shall apply for horizontal areas void of actual floor space, for example, elevator

shafts and stairwells.

"Home occupation" means a business, profession, occupation or trade located entirely within and accessory to a residential dwelling which does not change the essential character of the residential use and which is not evident from the exterior of the dwelling.

"Impervious surfaces" means areas that do not allow significant amounts of water to penetrate.

"Junk yard" or *"salvage yard"* means any outdoor establishment or place of business, which is maintained, used, or operated for storing, keeping, buying or selling junk or salvage.

"Lot" means a parcel of land whose boundaries have been established by a legal instrument such as a recorded deed, court order, or a recorded plot which is recognized as a separate legal entity for purposes of transfer of title and possessing frontage on at least one street improved to meet the town standards for street construction.

"Lot area" means the area of a lot taken at its perimeter exclusive of any portion within a public or private street right-of-way.

"Lot, corner" means a lot at the junction of and fronting on two or more intersecting streets.

"Lot coverage" means the percentage of the lot area which is covered by impervious surfaces.

"Lot line" means a line, including a property line or lease line, dividing one lot from another or from a street or other public space.

"Lot line, front" means the street lot line from which access is taken. In the case of a corner lot, the lot shall be considered to have two front lot lines and two side lot lines.

"Lot line, rear" means the lot line opposite the front lot line.

"Lot line, side," means the lot lines that run generally perpendicular to or at an angle to the street or any line that is not a front, street or rear lot line.

"Lot line, street" means any lot line that is also a street right-of-way.

"Lot width" means the horizontal distance between the side lot lines, measured between the points on the side lot lines at which they are intersected by the required setback.

"Major land development" means a development plan that proposes one or more of the following:

- A. A new public or private street, or dedication to public use of an existing street.
- B. Buildings of 5,000 square feet or more of gross floor area.
- C. Additions to existing nonresidential developments of ten or more percent of the existing gross floor area.
- D. A subdivision of four or more lots.
- E. Apartment or multifamily development containing five or more units.
- F. Wetlands or floodplain disturbance or stream encroachment.

"Manufactured home" means a one-family dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it was built in compliance with the Federal Manufactured Housing Construction and Safety Code.

"Minor land development" means any development not qualifying as a major land development as herein defined.

"Mobile home" means a transportable one-family dwelling larger than 320 square feet, designed to be used as a year-round residence. This definition does not include motor homes or recreational vehicles.

"Motor vehicle service establishment" means a building or use which is intended to be used for fuel sales, servicing, repairs, maintenance, or cleaning of motor vehicles.

"Net lot area" See *lot area*.

"Nonconforming building or use" means a building or a use of land or a building existing at the effective date of the ordinance from which this section is derived which does not conform to the requirements of this article.

"Nonconforming lot" means a lot legally existing at the effective date of the ordinance from which this section is derived which does not conform to the requirements of the zoning district in which it is located, such as lot area, coverage, width, setbacks, etc.

"Office" means a building or portion of a building wherein services are performed involving predominantly administrative, data processing, professional or clerical operations.

"Open space" means land area to be left open and undeveloped as a natural resource preservation, recreation and buffer yards as defined in this section.

"Parking space" means an open space on a lot or in a garage, reserved exclusively for parking motor vehicles, the area of which is not less than nine feet x 18 feet, and to which there is direct access to a street, alley, driveway or vehicular access way.

"Principal building or use" means the main building or use on a lot in terms of size, areas and function.

"Recreation, active" means recreational use areas or activities requiring formal facilities, such as ball fields, courts, running and jogging trails, swimming pools, community centers, etc.

"Recreation, passive" means recreational use areas or activities which require no special or formal facilities or are natural areas. Passive recreation activities include but are not limited to bicycle riding, walking, hiking, bird watching, etc.

"Residential professional office" means a professional office which is operated from a residential property and which is limited to the practice of medicine, law, dentistry, architecture, engineering and similar professional occupations.

"Restaurant" means any establishment at which food is sold for consumption on the premises to patrons seated within an enclosed building.

"Salvage" means any discarded material or articles, including scrap metallic or nonmetallic items, whole or parts of vehicles and equipment, paper, glass, containers and structures, which is separated for industrial processing or reprocessing and further used or reused.

"Sign" means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images and as further defined in this section.

"Special exception" means a form of permitted use, authorized by this article, under the jurisdiction of the board of adjustment. The board of adjustment is empowered to grant permission for special

exceptions, consistent with the public interest, in compliance with the standards and procedures established in this article.

"Story" means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

"Story, first" means the ground floor story of a building, provided its floor level is not more than four feet below the mean lot level adjacent to the foundations.

"Story, half" means a story under a sloping roof at the top of the building, the floor of which is not more than two feet below the wall plate.

"Street" means a strip of land comprising the entire area within the right-of-way, intended for use as a means of vehicular and pedestrian circulation to provide access to more than one lot. However, the establishment of a common driveway for access purposes for no more than three separate parcels contiguous to one another shall not be considered a street as this term is defined.

"Street, arterial" means a street, which serves, or is designed to serve as a connection between uses which generate heavy traffic volumes, or between other arterial streets.

"Street, collector" means a street, which serves or is designed to serve as the connection from local streets to the arterial streets system.

"Street, cul-de-sac" means a short, independent, local street having only one point of ingress and egress, terminating in a circular turn-around or other approved termination.

"Street line" means a property line of a lot that coincides, with a right-of-way line of street also defined as a street lot line.

"Street, local" means a street, which serves or is designed to serve primarily as access to abutting properties.

"Structure" means any man-made object having ascertainable stationary location on land or in the water, whether or not affixed to the land.

"Structure, permanent" means a structure placed on or in the ground, or attached to another structure in a fixed position.

"Structure, temporary" means a structure that is designed to be repeatedly erected or inflated, tents and inflatable structures, or buildings that are picked up and moved.

"Subdivision, major" means any subdivision which does not qualify as a minor subdivision as herein defined.

"Subdivision, minor" means a subdivision plan shall be deemed minor if all of the following conditions are met:

- A. The proposal does not involve the creation of more than three lots.
- B. The proposal does not involve the construction or extension of streets or utilities.
- C. The proposal does not require any variances.
- D. The proposal does not involve any wetlands or floodplain disturbance.

"Townhouse" means a single-family attached dwelling unit, with a single unit going from ground to roof, and with individual outside access.

"Use" means the specific purposes for which the land or building is designed, arranged, intended, or for which it is or may be occupied or maintained.

"Yard" means an unoccupied space open to the sky on the same lot with a building or structure, the depth of which is determined by the specific requirements of the zoning district in which it is located.

"Yard, front" means a yard extending the full width of the lot between street line and the principal building erected thereon, the depth of which is equal to or exceeds the required setback.

"Yard, rear" means a yard extending the full width of the lot between the rear lot line and the principal building.

"Yard, side" means a yard between the principal building and the side lot line extending from the street line to the rear lot line.

(UDC 2002, § 104)

24.04.070 Applicability Of Regulations

- A. No building shall hereafter be erected and no existing building shall be moved, structurally altered, rebuilt, added to, enlarged, nor shall any building or land be used for any purpose other than those included among the uses listed as permitted uses in each zone by this article and meeting the requirements set forth in 24 Appendix A of this chapter, entitled Schedule of Area and Bulk Requirements. No yard contiguous to any building shall be encroached upon or reduced in any manner, except in conformity to the area and bulk requirements, offstreet parking requirements, and all other regulations designated in this article for the zoning district in which such building or space is located. In the event of any such unlawful encroachment or reduction, such building or use shall be in violation of this article and the certificate of zoning compliance shall be void.
- B. Any structure or property in compliance with all zoning codes prior to adoption of the unified development code specified herein shall be grandfathered from compliance with said codes.

(UDC 2002, § 200)

24.04.080 Preservation Of Natural Features

- A. No structure shall be built within a riparian buffer area.
- B. No persons, firm or corporation shall strip, excavate or otherwise remove top soil for sale or other use other than on the premises from which it was taken, except in connection with the construction or alteration of a building on such premises when excavation or grading is incidental to such activity.
- C. Existing natural resources, such as woodlands, individual mature trees, streams and watercourses, drainage channels and important vistas and view-sheds shall be retained. Whenever a development proposal is in conflict with the preservation of such natural features, the Planning Commission may authorize their removal or relocation provided that, in their opinion, there will be no substantial adverse impact upon the overall integrity of the community or property values in the area, and no feasible alternative exists.

(UDC 2002, § 201)

24.04.090 Regulations Applicable To All Zoning Districts

- A. No lot shall have erected upon it more than one principal residential building.
- B. No yard, setback or open space provided on a lot for the purpose of complying with the provisions of this section shall be considered to provide a yard, setback or open space for any other lot.
- C. Every principal building shall be built upon a lot, which possesses frontage upon a street improved to meet the town's requirements for street construction.
- D. All yards facing on a street shall be considered front yards and shall conform to the minimum front yard requirements for the zone in which it is located. Corner lots shall provide the minimum front yard requirements for the respective zone for both front yards.
- E. Where a building lot obtains frontage on a street, which the comprehensive plan or the official map of the town indicates is proposed for right-of-way widening, the required front yard setback area shall be measured from the proposed right-of-way line.
- F. No front yard shall be used for open storage of boats, trailers, recreation vehicles or equipment except for passenger automobile parking on driveways. Boats, trailers, recreation vehicles or equipment shall be stored in side or rear yards only.
- G. The overnight parking of trucks or commercial vehicles in a residential area shall be prohibited.
- H. Accessory buildings or structures shall be located so as to conform to the required setbacks for the zone in which the structure is located. Accessory buildings or structures shall be located to the rear of the required front yard.
- I. The provisions of this section shall not apply to customary local utility distribution or collection lines such as water, gas, telephone, or electric service. All facilities, such as pumping stations, repeater stations and electric substations that require a structure abovegrade shall be subject to the provisions of this section.
- J. An ornamental fence or wall not more than 3 1/2 feet in height may project into or enclose any front or side yard to a depth from the street line to the required depth of the front yard.
- K. At the intersection of two or more streets, no hedge, fence, wall (other than a single post or tree) or other such fixture which is higher than two feet above curb level, nor any obstruction to vision shall be permitted in the triangular area formed by the intersecting street lines and a line joining each 20 feet distant from said intersection along said street line.

(UDC 2002, § 202)

24.04.100 Submission Requirements

- A. *Minor Subdivision Or Land Development Plan.* A submission for minor subdivision or land development must contain the following information (when applicable).
 - 1. Name of the subdivision or development.
 - 2. Name and address of the owner and applicant.
 - 3. Name and address of the engineer or surveyor who prepared the plan.
 - 4. Written and graphic scale, not exceeding 1" = 50'.
 - 5. Sheet size of either 24" x 36" or 24" x 42".

6. North arrow.
7. Plan legend.
8. Date of the original plan and all subsequent revision dates.
9. Sheet number, if multiple sheets are used.
10. A location map with a scale of no less than 1" = 500' indicating adjacent streets.
11. Certification of plan accuracy by engineer/surveyor.
12. Certification of ownership.
13. Certification of plan approval.
14. Tax parcel numbers.
15. Zoning district of the subject tract.
16. Source of title.
17. Survey datum and local benchmark.
18. Total site gross and net acreage.
19. Name of water supplier and the note "Water supply is subject to the State Department of Natural Resources and Environmental Control and the Delaware Department of Health."
20. Sanitary sewage disposal method.
21. Number of existing and proposed lots or dwelling units.
22. Lot numbers for all existing and proposed lots.
23. Existing and proposed nonresidential gross floor area.
24. Location of existing and proposed building and structures.
25. The name, right-of-way width and cartway width of all adjoining streets.
26. Tie-in distances from subject property to the nearest street intersection.
27. Location of front, side, and rear yard setbacks and all required buffer yards.
28. Location and dimensions of all existing and proposed sidewalks.
29. Calculation of required off-street parking spaces and number of existing and proposed spaces.
30. Location of off-street loading areas.
31. Location of all existing and proposed site accesses and driveways.
32. Location and design of all proposed off-street parking areas, indicating parking space and access aisle dimensions and directional arrows indicating proposed traffic circulation patterns.
33. Existing and proposed building coverage.
34. Existing and proposed impervious coverage.
35. Name and address, tax parcel numbers and zoning of all adjoining property owners.
36. Location of any water bodies and watercourses.
37. Location of any floodplains, including FEMA map panel number.

38. Location of any wetlands areas delineated during a time of seasonal high ground water tables. If no wetlands present on site, a letter of nonexistence for wetlands is required.
39. Location and identification of any historic structures.
40. Location of all significant natural or manmade structures.
41. Existing and proposed deed restrictions, easements or protective covenants.
42. Grading plan indicating existing contours (at two foot intervals), proposed grading, spot elevations and finished floor elevations and top and bottom of wall elevations for any retaining walls over two feet.
43. Limit of existing tree masses and location, size and species of all individual trees over six inch caliper.
44. A limit of disturbance line.
45. A soil erosion and sediment control plan.
46. Stormwater management plan.
47. Solid waste management plan.
48. Landscape plan.
49. A listing of all existing nonconforming buildings, uses or structures.
50. Digital copies of the submitted application packet.
51. Once the plan has final approval digital copies in CAD or other applicable engineering software must be submitted to the Town Clerk and the Town Engineer.
52. Final Checklist by Town Engineer (Appendix C - Minor Development Checklist).

B. *Major Subdivision Or Land Development Plan.* A submission for major subdivision or land development shall contain all of the information required for minor subdivision/land development plan and the additional following information (if applicable):

1. A traffic impact study, including mitigation measures if deemed necessary by the study.
2. The name, right-of-way width, cartway width, profiles, cross sections and grading for all proposed streets.
3. Type, location, size, material of construction, slope and profiles for all proposed utilities.
4. Location, size, material of construction slope and profiles for all proposed storm sewers.
5. Location, grate elevation and invert elevation for all catchbasins, inlets and manholes.
6. Location of all proposed fire hydrants.
7. Phasing lines for phased developments.
8. Sidewalk locations, pedestrian ways, bikeways, walkways.
9. Proposed passive and active recreation areas.
10. Listing of any required variances.
11. Wetland report.
12. Floodplain study.
13. Construction details for all proposed improvements.

14. Final Checklist by Town Engineer (Appendix D - Major Development Checklist).

15. Delaware Department of Transportation (DelDOT) Pipe cover and lateral spreadsheet.

(UDC 2002, § 203)

HISTORY

Amended by Ord. 2020-004 on 6/3/2020

24.04.110 Violation And Penalties

Any person that shall violate the provisions of this article, or do any act or thing prohibited, or refuse to do any act or thing required to be done, or refuse or fail to comply with an order of the building official or an order of the board of adjustment, shall upon conviction thereof, be subject for each violation to a forfeit fine not to exceed \$100.00. In default to the payment of such fine imposed, such violator may be subject to imprisonment not exceeding 30 days. Whenever such person shall have been officially notified by the building official or by service of a summons in prosecution, or in any other official manner that the person is committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense punishable by a like fine or penalty.

(UDC 2002, § 902)