

Townsend Planning Commission Meeting Agenda
April 12, 2024 @ 4:30 pm
Town Hall and via Conference Call

4:30 pm – PC Meeting

- I. Call to Order**
- II. Opening Ceremonies**
 - A. Roll Call**
 - B. Pledge of Allegiance**
 - C. Visitor Acknowledgement**
 - D. Additions/Changes to the Agenda**
 - E. Announcements**
- III. Public Hearing Ordinance 2024-002, An Ordinance to Amend Section 24.0.060 of the Town Code to Add the Definition of Commercial Vehicle to the Planning Commission.**
- IV. Public Hearing Ordinance 2024-004, An Ordinance to Amend Board of Adjustment Appeals.**
- V. Adjourn at 5:00 pm.**

Town Meetings will be held both in person and in a virtual format.

Townsend Town Hall will be available to the Town Council and those of the public wishing to attend in person. Those wishing to attend virtually may dial 1(301)715-8592. When directed, provide following meeting ID 407 702 6733# and then the following password 332763# to enter the meeting. If you choose to access the meeting online

If you choose to access the meeting online join the online meeting: <https://us02web.zoom.us/j/4077026733?pwd=TjJ6NmhzMHdOT1dDa3h0Ty8wY0pUQT09>

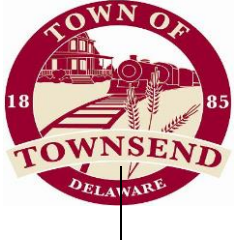
The Mayor and Council of the Town of Townsend

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

Introduced by:

Mayor Lobdell

Introduction on: January 10th, 2024



ORDINANCE 2024-002

AN ORDINANCE TO AMEND SECTION 24.04.060 OF THE TOWN CODE TO ADD THE DEFINITION OF COMMERCIAL VEHICLE AND SECTION 24.04.090 OF THE TOWN CODE

Mayor
Scott Lobdell

Councilman
Joshua Mertz,
PhD

Councilman
Joseph Bangura,
PhD

Councilman
Matthew
Chapman

Councilman
Marcus Suhr

Town Manager
Antonina Tantillo,
MPA,

WHEREAS, the Town Code currently states that commercial vehicles may not be parked overnight anywhere within the Town limits; and

WHEREAS, the Town Code does not define “commercial vehicle;” and

WHEREAS, the Town Council desires to amend the definition section of the Zoning and Unified Development Chapter of the Town Code to include a definition for commercial vehicles.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Townsend, as follows:

SECTION 1: That Section 24.04.060 of the Code of Ordinances, Town of Townsend, Delaware is hereby amended by adding a section after the line beginning “Church” and before the line beginning “Demolition,” which said section shall read as follows:

“Commercial vehicle” shall mean a vehicle of a type required to be registered as commercial under state law or used or maintained for the transportation of persons or property for hire, compensation, or profit, except taxicabs. Commercial vehicles are further defined by the federal Highway Administration as a Class 3- vehicle which is classified as a four tire, single unit vehicle.

SECTION 2: That Section 24.04.090 of the Code of Ordinances, Town of Townsend, Delaware is hereby amended by striking G. The overnight parking of trucks or commercial vehicles in a residential area shall be prohibited and adding said section shall reads as follows:

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Located on the Web at <https://townsend.delaware.gov>

1. Vehicles and trucks above a Class 3 as defined by the FHWA shall be parked in driveways overnight. Overnight parking on streets is prohibited.
2. No buses or mini-buses are allowed to be kept, parked overnight or stored in the residential districts with the exception that they are fully parked within a closed garage overnight or are on a business-service call to an owner or occupant.
3. Recreational Vehicles. Any boat, boat trailer, motor home, self-contained camper, mobile home, trailer, pop-up camper/tent trailer, horse trailer or similarly oriented vehicle as defined in Title 21 of the Delaware Code as amended from time to time are prohibited, with the exception of 48 hours to load and unload. Storage of the vehicles listed in this paragraph is allowed, so long as they are wholly parked within a closed garage.

SECTION 32: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 43: In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

SECTION 54: This Ordinance shall become effective immediately upon passage.

Adopted by at least a majority of the Council members of the Town of Townsend on this ____ day of _____, 2024.

Introduction
Public Hearing
Final Reading
Adoption

Signed By

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Mayor

Town of Townsend, Delaware

Attest: _____
Town Clerk

DRAFT

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:
Mayor S. Lobell and
Councilman J. Mertz
Introduction on:
03/06/2024

ORDINANCE 2024-004

AN ORDINANCE TO AMEND SECTION 24.08.020(D)(1) OF THE TOWN CODE TO REQUIRE APPEALS FROM THE BOARD OF ADJUSTMENT TO BE FILED IN THE SUPERIOR COURT FOR THE STATE OF DELAWARE

Mayor
Scott Lobdell

Councilman
Joshua Mertz,
PhD

Councilman
Joseph Bangura,
PhD

Councilman
Matthew
Chapman

Councilman
Marcus Suhr

WHEREAS, the Town Code currently states that any person aggrieved by a decision of the Board of Adjustment who wishes to file an appeal may file an appeal to the Town Council within a reasonable time; and

WHEREAS, the Town Council desires to amend such instruction to comply with Delaware State Code Chapter 22, Section 347 which requires appeals to be filed within thirty (30) days to the Superior Court of the State of Delaware.

NOW, THEREFORE, be it ordained by the by the Town Council of the Town of Townsend, as follows:

SECTION 1: That Section 24.08.020(D)(1). (2), & (3) of the Code of Ordinances, Town of Townsend, Delaware, is hereby replaced to read as follows:

Any person or persons, or any taxpayer or any officer, department, board or bureau of the Town aggrieved by any decision of the Board of Adjustment may seek review by the Superior Court of such decision, in the manner provided by the laws of Delaware and particularly by Chapter 3, Title 22, Annotated code of Delaware. Such appeal must be filed within thirty (30) days from the date the Board of Adjustment issues it's written opinion on the matter which is the subject of the appeal.

SECTION 2: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3: In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

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SECTION 4: This Ordinance shall become effective immediately upon passage.

Adopted by at least a majority of the Council members of the Town of Townsend on this ____ day of _____, 2024.

- Introduction
- Public Hearing
- Final Reading
- Adoption

Signed By

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Mayor
Town of Townsend, Delaware

Attest: _____
Town Clerk