



Resolution No.: 12-12-14-065

Date: 12-12-2014

**RESOLUTION PROPOSING PUBLIC HEARING FOR THE REVISION OF
FIVE YEAR GROWTH PLAN – MAP #7 AND FIVE YEAR GROWTH
AREA NARRATIVE OF THE CHESWOLD COMPREHESIVE PLAN AND
ARTICLE 7, TABLE 7-2 OF THE CHESWOLD LAND USE ORDINANCE, IN
ACCORDANCE WITH THE CHARTER OF THE TOWN OF CHESWOLD**

Whereas; the Charter of the Town of Cheswold, Section 4.2.48, authorizes the Town Council to make, adopt and establish, alter and amend all such Ordinances, Regulations, Rules and By-Laws not contrary to the laws of the State and the United States, as the Town Council may deem necessary to carry into effect any of the provisions of the Charter or any other law of the State relating generally to municipal corporations or which they may deem proper and necessary for their protection and good government of the Town.....; and

Whereas; the Mayor and Council of the Town of Cheswold pursuant to the requirements of the Office of State Planning Coordination to amend the Five Year Growth Plan – Map #7 and to revise the written description of the 5 Year Growth Area of the approved 2010 Cheswold Comprehensive Plan; and to reflect the Town Council approval of R-3 Zoning Code of Map ID 4-00-04700-01-4400-00001 owned by Cheswold Village Properties, LLC, and proposed to be annexed within the corporate limits of the Town of Cheswold; and

Whereas; the Mayor and Council of the Town of Cheswold pursuant to the requirements of the Office of State Planning Coordination to amend Five Year Growth Plan – Map #7, and to revise the written description of the 5 Year Growth Area of the approved 2010 Cheswold Comprehensive Plan, to reflect the Town Council approval of R-3 Zoning Code of Map ID's 4-00-04700-01-4201-00001 and 4-00-04700-01-4202-00001 owned by Our Grace Land Holdings, LLC, and proposed to be annexed within the corporate limits of the Town of Cheswold; and

Whereas; the Mayor and Council of the Town of Cheswold pursuant to the requirements of the Office of State Planning Coordination to revise the narrative of the Five Year Growth Area of the 2010 Cheswold Comprehensive Plan;

From: The Town is encouraging three types of major development over the next five years; development of an age-restricted community (former Area of Concern A), increased commercial activity along U.S. Route 13, and accommodating increased airport utilization and airport-related growth.

To: The Town is encouraging *four, (4)*, types of major development over the next five years; development of an age-restricted community, (former Area of Concern A), increased commercial activity along U.S. Route 13, *extension of residential housing onto the east side of Route 13* and accommodating increased airport utilization and airport-related growth; and

Whereas; the Mayor and Council of the Town of Cheswold has deemed it proper and necessary for the protection and good governance of the Town after receipt of Planning Commission Memo #14-013 recommending a revision of Article 7 – Table 7-2 Related Uses, to require a Site Plan Review for Zoning Codes R-1; R-2; R-3; R-4; C-1 and C-2 under Transportation – Related Sales & Service; Motor Vehicles sales, repair, service and storage; and

Whereas, the Mayor and Town Council deem it fit and proper to provide notification to the residents, property owners and registered voters of the Town of Cheswold of the proposed approval of the revisions and amendments to the approved 2010 Cheswold Comprehensive Plan and Town of Cheswold Land Use Ordinance;

Be it resolved, that:

1. A Public Hearing is to be held by the Town Council, who shall sit to hear comments and opinions from any concerned party regarding the revisions and amendments to the approved 2010 Cheswold Comprehensive Plan and Town of Cheswold Land Use Ordinance as specified above; and
2. The Public Hearing shall be held before the regular Town Council Meeting on the 5th day of January, 2015, beginning at 6:00 p.m., in the Cheswold Town Hall, 691 Main Street, Cheswold, DE.

The purpose of the hearing is to obtain public comment and administrative fact finding from any concerned party, on the specified revisions and amendments. The Town Council is not bound to react in response to any comments or information offered at the hearing.

Anyone desiring to provide comments must submit their names to the Town Clerk at 302-734-6991, by close of business on Friday, January 2, 2015.

The proposed revisions and amendments will satisfy the administrative requirements of the Office of State Planning Coordination as applies to Comprehensive Plans and Article 16 – Text and Map Amendments.

This resolution was duly adopted by the Town Council at the Town of Cheswold Town Council Workshop Meeting, held on Tuesday, December 16, 2014.

I, Donald Tinari, Mayor of the Town of Cheswold, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by an affirmative majority vote of all elected members of the Town Council of Cheswold at a regularly scheduled Town Council Workshop Meeting, held on, Tuesday, December 16, 2014, at which a quorum was present and voting throughout, and that the same is still in force and effect.

CERTIFIED: *Donald F. Tinari*
Donald F. Tinari - Mayor

Date: December 16, 2014

ATTEST: *Theon E. Callender*
Theon E. Callender - Secretary/Treasurer

Date: December 16, 2014

Agreed: *Robert W. Sine*
Vice-Mayor Robert W. Sine

Date: December 16, 2014

Agreed: *Sherry Lambertson*
Councilperson Sherry Lambertson

Date: December 16, 2014

Agreed: Position Vacant
Councilperson

Date: December 16, 2014

Agreed: Position Vacant
Councilperson

Date: December 16, 2014

NOTARIZED: *Shadina Jones*
Shadina Jones - Town Clerk

Date: December 16, 2014



Primary Sponsor: Land Use Administrator Theon E. Callender
Co-Sponsor: Planning Commissioner Dennis Coker
Introduction: December 12, 2014