



TITLE #: 51
Ordinance #: 04-01-15-043

Date: April 1, 2015

ORDINANCE
to Record Amendments to the
2010 Comprehensive Plan – 5 Year Growth Area and Plan

DESCRIPTION: This Ordinance shall be known as the 5 Year Growth Area and Plan of the amendment of the 2010 Comprehensive Plan, as it cites the amendments and Map revisions required to meet the standards of the Office of State Planning Coordination.

Section 1. PURPOSE

The purpose of this Ordinance is to record the amendments to the 2010 Comprehensive Plan, known as the 5 Year Growth Plan and the revision of Map 7 – 5 Year Growth Plan to reflect the inclusion of a R-3 Zoning District, (Multi-Family & Townhouses), to territory annexed into the corporate limits of the Town of Cheswold, known as Our Grace Land Holding Property, LLC, located on the east side of Route 13, at the southern end of Jerome Drive and north of the Wal-mart.

Section 2. AUTHORITY TO ACT

The authority to amend the Comprehensive Plan of the Town of Cheswold is granted by Section 4.2.48 of the Town Charter which provides for the Town Council to make, adopt, and establish, alter and amend all such Ordinances, Resolutions, Rules and By-Laws not contrary to the laws of this State and the United States as the Town Council may deem necessary to carry into effect any of the provisions of this Charter or any other law of the State relating generally to municipal corporations or which they may deem proper and necessary for the order, protection and good government of the Town, the protection and preservation of persons and property, and of the public health and welfare of the Town and its inhabitants.....

Section 3. APPLICABILITY

The text and map amendments authorized by an unanimous vote of the Town Council, at the Town Council Workshop, held on January 20, 2015, at the Cheswold Town Hall, 691 Main Street, Cheswold, DE, shall apply to the 2010 Comprehensive Plan and be incorporated into future versions and updates of the Comprehensive Plan as deemed required by the Planning Commission.

Whereas, the Town of Cheswold received certification from the Governor of the State of Delaware of its 2010 Comprehensive Plan, on December 11, 2011; and

Whereas, the Town of Cheswold Planning Commission submitted the following text amendment of Page #27 Section 5 Year Growth Area of its 2010 Comprehensive Plan; and

Whereas, the Engineering firm of Remington, Vernick & Beach, serving as Town Engineer, revised Map 7 – Five Year Growth Plan, to include a proposed annexation area, east of Route 13 and Jerome Drive as Zoning Code R-3, (Multi-Family and Townhouse Residential); and

Whereas, the Town Council of the Town of Cheswold, properly posted and held a Public Hearing on January 5, 201, held at 6:00 p.m., in the Cheswold Town Hall, at 691 Main Street, Cheswold, DE 19936, to receive public comment on the amendment and revision; and

Whereas, not any negative or adverse public comments were made against the said amendment and revision at the above mentioned Public Hearing; and

Whereas, the Town Council at their regularly scheduled Town Council meeting, on January 5, 2015, held at 6:00 p.m., in the Cheswold Town Hall, at 691 Main Street, Cheswold, DE 19936, voted unanimously to approve the amendment and revision to the 2010 Comprehensive Plan; and


Whereas, Resolution 12-16-2014-066, along with said revision and amendment were submitted as required, to the Office of State Planning Coordination for PLUS review and approval; and

Whereas, confirmation of the approval of the PLUS review was received on February 23, 2015, from the Office of State Planning Coordination,

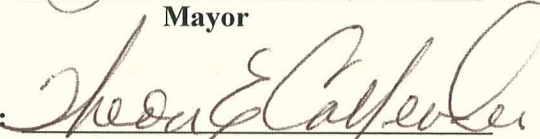
Now Therefore Be It Resolved, that the Town Council of the Town of Cheswold hereby authorizes the amendment and revision as required to the 2010 Comprehensive Plan.

This Ordinance was duly adopted by a unanimous vote of the Town Council at its' regularly scheduled monthly Town Council meeting, on Monday, May 4, 2015 at 6:00 p.m., in the Town Hall at 691 Main Street, Cheswold, Delaware, 19936.


I, **Donald F. Tinari, Mayor of the Town of Cheswold**, do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by an affirmative majority vote of Town Council members of the Town of Cheswold, at which a quorum was present and voting throughout, and that the same is still in force and effect.

Certified: 
Mayor

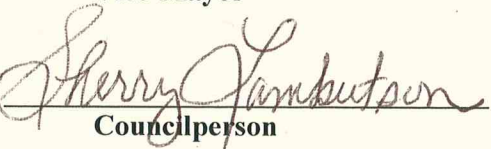
Date: May 4, 2015

ATTEST: 
Secretary/Treasurer

Date: May 4, 2015

Agreed: 
Vice-Mayor

Date: May 4, 2015

Agreed: 
Councilperson

Date: May 4, 2015

Agreed: Position Vacant
Councilperson

Date: May 4, 2015

Agreed: Position Vacant
Councilperson

Date: May 4, 2015

NOTARIZED: *[Signature]*
Town Clerk

Date: May 4, 2015

Sponsored by: Theon E. Callender – Secretary/Treasurer
Co-Sponsor: Dennis Coker – Planning Commission Chairperson