

MCC approved: December 10, 2018
LPC Recommendation 615

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEWES, DELAWARE, PROPOSING THAT A PUBLIC HEARING BE HELD ON THE SUBJECT OF AMENDING THE CITY ZONING MAP REFERRED TO IN SECTION 197-10 OF THE CITY OF LEWES MUNICIPAL CODE

WHEREAS, the Mayor and City Council of the City of Lewes have deemed it desirable to consider amending the Zoning Map of the City of Lewes referred to in Section 197-10 of the City of Lewes Municipal Code as follows:

Amend the Zoning Map referred to in Section 197-10 to:

- Change the zoning designation of parcel 335-8.07-137.00 from R4 (Residential Medium Density) to CF (HC) (Community Facilities (Health Care));
- Change the zoning designation of parcel 335-8.15-40.00 from R4 (Residential Medium Density) to OS (Open Space).

WHEREAS, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict 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 open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”:

WHEREAS, Section 38 of the City’s Charter provides that “[f]or the purpose of protection against fire, promoting health, safety, morals or the general welfare of the community, the City Council is hereby empowered to adopt ordinances to regulate and restrict the height, number of stores [sic], size of buildings and other structures, the density of population and the location and use of buildings, structures and lands for trade, industry, residence or other purposes”, and;

WHEREAS, the Mayor and City Council deem it desirable to consider the question of whether it is in the public interest to amend the Zoning Map of the City of Lewes referred to in Section 197-10 of the City of Lewes Municipal Code, as aforesaid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, that a public hearing shall be held on **January 15, 2019, directly following workshop scheduled at 6pm**, at Lewes City Hall, 114 E. Third Street, Lewes, Delaware, 19958 to consider the question of whether it is in the public interest to amend the Zoning Map of the City of Lewes referred to in Section 197-10 of the City of Lewes Municipal Code, as aforesaid.


BE IT FURTHER RESOLVED, that parties in interest and citizens shall have an opportunity to be heard at said public hearing.

BE IT FURTHER RESOLVED, that the City Manager be and is hereby directed to cause a notice which shall consist of a true copy of this Resolution, in full or by title only, to be published in an official newspaper of the City of Lewes or a newspaper of general circulation in the City at least fifteen (15) days prior to the date set forth in this Resolution for the public hearing.

BE IT FURTHER RESOLVED, that the City Manager be and is hereby directed to post a notice and agenda of said public hearing at City Hall more than seven (7) days prior to the date set forth in this Resolution for the public hearing.

BE IT FURTHER RESOLVED, that the City Manager is hereby directed to post a notice of said hearing on the City's website at least fifteen (15) days prior to the date set forth in this Resolution for the public hearing.

I, Dennis Reardon, Secretary of the City Council of the City of Lewes, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the Mayor and City Council at its meeting on **December 10, 2018** at which a quorum was present and voting throughout and the same is still in full force and effect.


Secretary of the City Council
the City of Lewes

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEWES, DELAWARE, PROPOSING THAT A PUBLIC HEARING BE HELD ON THE SUBJECT OF AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP.

WHEREAS, Title 22, Section 702(a) of the Delaware Code provides, in relevant part, that “[a] planning commission established by any incorporated municipality under this chapter shall prepare a comprehensive plan for the city or town or portions thereof as the commission deems appropriate.”

WHEREAS, the Mayor and City Council of Lewes adopted the 2015 Comprehensive Plan on October 16, 2017.

WHEREAS, Title 22, Section 702(d) of the Delaware Code provides that “After a comprehensive plan or portion thereof has been adopted by the municipality in accordance to this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan.”

WHEREAS, the Mayor and City Council of the City of Lewes have deemed it desirable to consider amending the Comprehensive Plan Future Land Use Map as follows:

Amend the Comprehensive Plan Future Land Use Map so that:

- Parcel 335-8.07-105.00 is classified as Residential;
- Parcel 335-4.15-69.00 is classified as Open Space;
- Parcel 335-4.15-70.00 is classified as Open Space.

WHEREAS, the Mayor and City Council deem it desirable to consider the question of whether it is in the public interest to amend the Comprehensive Plan Future Land Use Map, as aforesaid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, that a public hearing shall be held on January 15, 2019, following workshop scheduled at 6pm at Lewes City Hall, 114 E. Third Street, Lewes, Delaware, 19958 to consider the question of whether it is in the public interest to amend the Comprehensive Plan Future Land Use Map, as aforesaid.

BE IT FURTHER RESOLVED, that parties in interest and citizens shall have an opportunity to be heard at said public hearing.

BE IT FURTHER RESOLVED, that the City Manager be and is hereby directed to cause a notice which shall consist of a true copy of this Resolution, in full or by title only, to be published in an official newspaper of the City of Lewes or a newspaper of general circulation in the City at least fifteen (15) days prior to the date set forth in this Resolution for the public hearing.

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Secretary of the City Council
the City of Lewes

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEWES, DELAWARE, PROPOSING THAT A PUBLIC HEARING BE HELD ON THE SUBJECT OF REVISING ARTICLES III, IV, AND V OF CHAPTER 197 OF THE LEWES CITY CODE RELATING TO ZONING DISTRICT PURPOSE STATEMENTS, PERMITTED USES, DIMENSIONAL REGULATIONS, ACCESSORY STRUCTURE REGULATIONS, AND LOT STANDARDS

WHEREAS, the Mayor and City Council of the City of Lewes have deemed it desirable to consider revising Articles III, IV, and V of Chapter 197 of the Municipal Code of the City of Lewes relating to the following:

Within the R-1 (Suburban Zone)

- Purpose Statement (Section 197-25(B))
- Permitted Uses (Section 197-44 and Attachment 1: Table of Permitted Uses and Structures)
- Dimensional Regulations (Section 197-49 and Attachment 2: Table of Dimensional Regulations)
- Accessory Structures (Section 197-52 and Attachment 5: Table of Dimensional Regulations for Accessory Buildings and Structures)

Within the R-2 (Residential Low-Density Zone)

- Purpose Statement (Section 197-26(B))
- Permitted Uses (Section 197-44 and Attachment 1: Table of Permitted Uses and Structures)
- Dimensional Regulations (Section 197-49 and Attachment 2: Table of Dimensional Regulations)
- Accessory Structures (Section 197-52 and Attachment 5: Table of Dimensional Regulations for Accessory Buildings and Structures)

Within the R-3 (Residential Beach Zone)

- Purpose Statement (Section 197-28(B))
- Permitted Uses (Section 197-44 and Attachment 1: Table of Permitted Uses and Structures)
- Accessory Structures (Section 197-52 and Attachment 5: Table of Dimensional Regulations for Accessory Buildings and Structures)

Within the R-4 (Residential Medium-Density Zone)

- Zoning Map (Section 197-10)
- Purpose Statement (Section 197-30(B))
- Permitted Uses (Section 197-44 and Attachment 1: Table of Permitted Uses and Structures)
- Dimensional Regulations (Section 197-49 and Attachment 2: Table of Dimensional Regulations)
- Accessory Structures (Section 197-52 and Attachment 5: Table of Dimensional Regulations for Accessory Buildings and Structures)

WHEREAS, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict 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 open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”:

WHEREAS, Section 38 of the City's Charter provides that “[f]or the purpose of protection against fire, promoting health, safety, morals or the general welfare of the community, the City Council is hereby empowered to adopt ordinances to regulate and restrict the height, number of stores [sic], size of buildings and other structures, the density of population and the location and use of buildings, structures and lands for trade, industry, residence or other purposes”, and;

WHEREAS, the Mayor and City Council deem it desirable to consider the question of whether it is in the public interest to amend Chapter 197 of the municipal code, as aforesaid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, that a public hearing shall be held on **January 15, 2019, directly following workshop scheduled at 6pm at Lewes City Hall, 114 E. Third Street, Lewes, Delaware, 19958** to consider the question of whether it is in the public interest to amend the municipal code, as aforesaid.


BE IT FURTHER RESOLVED, that parties in interest and citizens shall have an opportunity to be heard at said public hearing.

BE IT FURTHER RESOLVED, that the City Manager be and is hereby directed to cause a notice which shall consist of a true copy of this Resolution, in full or by title only, to be published in an official newspaper of the City of Lewes or a newspaper of general circulation in the City at least fifteen (15) days prior to the date set forth in this Resolution for the public hearing.

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