



## **ORDINANCE #2021-09**

### **AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING ZONING DESIGNATIONS OF CERTAIN PROPERTIES TO CONFORM WITH THE 2019 COMPREHENSIVE PLAN.**

**WHEREAS**, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

**WHEREAS**, Delaware Code, Title 22, Chapter 3 Municipal Zoning Regulations, Section 303. Purpose of Regulations, states that zoning regulations shall be made in accordance with a Comprehensive Plan and designed to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements; and

**WHEREAS**, Delaware Code, Title 22, Chapter 7 Planning Commission, Section 702 Comprehensive Development Plan, Item (c), states that the Comprehensive Plan shall be the basis for the development of zoning regulations and that upon adoption of the Comprehensive Development Plan, the official zoning map shall be amended to rezone all lands within the municipality in accordance with the uses of land provided for in the Comprehensive Development Plan; and

**WHEREAS**, the City Council of the City of Dover, on January 13, 2020, following the recommendation of the City of Dover Planning Commission, adopted the 2019 Comprehensive Plan pursuant to Title 22, Section 702 of the Delaware Code; and then adopted amendments to the 2019 Comprehensive Plan on March 8, 2021; and

**WHEREAS**, the Honorable John Carney, Governor of the State of Delaware, certified the 2019 Comprehensive Plan to be effective as of January 13, 2020 by letter of March 10, 2020; and

**WHEREAS**, Title 22 Section 702 of Delaware Code requires the City rezone properties in accordance with the Comprehensive Plan and this analysis was undertaken as part of the implementation of the 2019 Comprehensive Plan; and

**WHEREAS**, the City of Dover Planning Office has reviewed the Land Development Plan Map (Map 12-1 as amended March 8, 2021) along with the Zoning Map, and during this review has identified a series of parcels for Rezoning. These Comprehensive Zoning Map Amendments are presented for review as part of the Comprehensive Rezoning 2021 Project and in accordance with the process outlined in the Dover Code of Ordinances, Appendix B - Zoning, Article 10 - Planning Commission, Section 5 - Amendments; and

**WHEREAS**, the Planning Commission held a public hearing on May 17, 2021, after which the Planning Commission made a recommendation in regard to these amendments to the Zoning Map of the City of Dover.

**WHEREAS**, the City of Dover has prepared the Comprehensive Rezoning 2021 Project Map and Summary Table showing recommendations to change the zoning designations for an identified series of properties so that the City of Dover Zoning Map is in accordance with the adopted 2019 Comprehensive Plan, as amended March 8, 2021.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**

That from and after the passage and approval of this ordinance, the Zoning Ordinance and Zoning Map of the City of Dover is amended by changing the zoning designations (Rezoning) of specific properties to conform with the Zoning Map changes presented to City Council on June 14, 2021 and as depicted on the Maps and Summary Table entitled “City of Dover Comprehensive Rezoning 2021 Project.”  
(Planning Reference: MI-21-03 Comprehensive Rezoning 2021 Project)

**BE IT FURTHER ORDAINED:**

That upon final action to adopt this ordinance, the adopted Comprehensive Zoning Map Amendments shall be reflected on the official Zoning Map of the City of Dover, DE and published accordingly.

**ADOPTED: JUNE 14, 2021**

S:\ORDINANCES\2021\ADOPTED\ORDINANCE #2021-09-COMPREHENSIVE ZONING MAP AMENDMENT- 06-14-2021 ADOPTED.wpd

### **SYNOPSIS**

The proposed ordinance would adopt a series of Zoning Map Amendments by amending the Zoning Map that would bring the City of Dover Zoning Map into conformance as required by Delaware Code with the 2019 Comprehensive Plan, as amended March 8, 2021. This Comprehensive Zoning Map Amendment is known as the Comprehensive Rezoning 2021 Project and is depicted in Map and Summary Table Exhibits.

#### Actions History

06/14/2021 - Final Reading - City Council  
06/07/2021 - Public Hearing - City Council  
05/17/2021 - Public Hearing - Planning Commission  
04/26/2021 - First Reading - City Council