

CITY OF DOVER ORDINANCE #2023-01

1 **AN ORDINANCE AMENDING THE 2019 COMPREHENSIVE PLAN BY AMENDING MAP 13-**
2 **1: BY CHANGING THE ANNEXATION PLAN CATEGORY AND BY AMENDING MAP 13-2:**
3 **BY IDENTIFYING THE LAND USE CLASSIFICATION OF TWO PROPERTIES LOCATED**
4 **ON WHITE OAK ROAD.**

5
6 **WHEREAS**, the City of Dover has adopted a Comprehensive Plan laying out land use policies within the
7 City of Dover, Delaware; and

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

12
13 **WHEREAS**, the Honorable John Carney, Governor of the State of Delaware, certified the *2019*
14 *Comprehensive Plan* to be effective as of January 13, 2020, by letter of March 10, 2020; and

15
16 **WHEREAS**, the *2019 Comprehensive Plan*, Chapter 15 – Implementation Plan allows for an annual
17 amendment process; and

18
19 **WHEREAS**, a property owner of two properties has requested amendments to the Potential Annexation
20 Areas Map (Map 13-1) and requested amendments to the Potential Land Use for Annexation Areas Map
21 (Map 13-2) in accordance with the process set forth in the *2019 Comprehensive Plan*; and

22
23 **WHEREAS**, the Planning Office has prepared these amendments to the Potential Annexation Areas Map
24 (Map 13-1) and to the Potential Land Use for Annexation Areas Map (Map 13-2) for review as part of the
25 Comprehensive Plan Amendments 2023; and

26
27 **WHEREAS**, the Planning Commission held a public hearing on February 21, 2023, after which the
28 Planning Commission made a recommendation in regard to these amendments to the Annexation Plan
29 (Map 13-1 and Map 13-2) related to the two properties.

30
31 **WHEREAS**, it is deemed in the best interest of future development, zoning, and planning in the City of
32 Dover to change the Annexation Plan Category and associated Land Use Classification of the two
33 properties on the Potential Annexation Areas Map (Map 13-1) and on the Potential Land Use for
34 Annexation Areas Map (Map 13-2) as described below.

35
36 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF**
37 **DOVER, IN COUNCIL MET AND AMEND THE 2019 COMPREHENSIVE PLAN BY:**

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39 That from and after the passage and approval of this ordinance, that Map 13-1: Potential Annexation Areas
40 Plan Map of the City of Dover *2019 Comprehensive Plan* has been amended by changing the designated
41 Annexation Plan Category from an unidentified area and from an Area of Concern to Category 2: Priority
42 Annexation Area for two parcels located on the north side of White Oak Road and west of Bayside Drive

43 known as an unaddressed parcel near White Oak Road and as 3015 White Oak Road. The properties are
44 more fully described below. (Planning Reference: MI-23-01A)
45

46 Property Area: 144.83 acres +/- . Property Address: unaddressed parcel near White Oak Road. Property
47 Owner: Calpine Holdings, LLC. Tax Parcel: LC-00-058.00-02-49.00-000.
48

49 Property Area: 104.06 acres +/- . Property Address: 3015 White Oak Road. Property Owner: Calpine
50 Holdings, LLC. Tax Parcel: LC-00-058.00-02-48.00-000.
51

52 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF**
53 **DOVER, IN COUNCIL MET AND AMEND THE 2019 COMPREHENSIVE PLAN BY:**
54

55 That from and after the passage and approval of this ordinance, that Map 13-2: Potential Land Use for
56 Annexation Areas Plan Map of the City of Dover *2019 Comprehensive Plan* has been amended by
57 identifying the Land Use Classification as Public & Private Utilities for two parcels located on the north
58 side of White Oak Road and west of Bayside Drive known as an unaddressed parcel near White Oak Road
59 and as 3015 White Oak Road. The properties are more fully described below. (Planning Reference: MI-
60 23-01B)
61

62 Property Area: 144.83 acres +/- . Property Address: unaddressed parcel near White Oak Road. Property
63 Owner: Calpine Holdings, LLC. Tax Parcel: LC-00-058.00-02-49.00-000.
64

65 Property Area: 104.06 acres +/- . Property Address: 3015 White Oak Road. Property Owner: Calpine
66 Holdings, LLC. Tax Parcel: LC-00-058.00-02-48.00-000.
67

68 **BE IT FURTHER ORDAINED:**
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70 That upon final action to adopt this ordinance, the amendments as approved changing the designated
71 Annexation Plan Category of the two properties shall be made to Map 13-1: Potential Annexation Areas
72 Map and the amendments as approved identifying the Land Use Classification of the two properties shall
73 be made to Map 13-2: Potential Land Use for Annexation Areas Plan Map of the *2019 Comprehensive*
74 *Plan*.
75

76 ADOPTED: *
77

78 **SYNOPSIS**

79 The proposed ordinance would adopt a series of Amendments to the *2019 Comprehensive Plan*, as
80 amended. The Amendments include consideration of the following as associated with a future Annexation
81 Application AX-23-01 Lands of Calpine Holdings, LLC – Two Properties on White Oak Road: requests
82 for amendment of Map 13-1: Potential Annexation Areas to revise the Annexation Plan category of two
83 properties and requests for amendment of Map 13-2: Potential Land Use for Annexation Areas to identify
84 the Land Use Classification of two properties. The specific properties are an unaddressed parcel on the
85 north side of White Oak Road and 3015 White Oak Road. (Planning Reference: MI-23-01A and MI-23-
86 01B)
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88 Actions History:

89 04/10/2023 – Public Hearing/Final Reading - City Council

90 02/27/2023 – Public Hearing/Final Reading deferred from 03/13/2023 to 04/10/2023

91 02/21/2023 – Public Hearing & Action - Planning Commission

92 01/23/2023 – First Reading – City Council

DRAFT