

“A Historic Past”



“A Bright Future”

CITY OF DELAWARE CITY
407 Clinton Street – P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573

**CITY OF DELAWARE CITY
DELAWARE CITY, DELAWARE**

ORDINANCE NO. 12-0227-01

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF DELAWARE CITY SO
AS TO REZONE TAX PARCEL 22-011.00-005, BRANCH CANAL-NATURAL AREA, TO
COMPLY WITH THE CITY OF DELAWARE CITY’S COMPREHENSIVE PLAN.**

WHEREAS, the Mayor and Council of the City of Delaware City deem it necessary to amend portions of the official zoning map of the City of Delaware City which is incorporated into Chapter 46 of the Code of the City of Delaware City so as to rezone a parcel to make it consistent with the City’s Comprehensive Plan;

WHEREAS, the Mayor and Council of the City of Delaware City find that rezoning tax parcel 22-011.00-005 as proposed promotes the health and general welfare of the community by encouraging well defined zoning districts;

NOW, THEREFORE, the Mayor and Council of the City of Delaware City do ordain as follows:

Section 1. Map Amendment. The official zoning map of the City of Delaware City (the “City”), incorporated into the Code of the City (the “Code”) by Section 46-5 of the Code, is hereby amended to rezone tax parcel 22-011.00-005 to the OS-BA zoning classification; provided, however, that the legal owner shall impose lawfully binding and recorded deed restrictions consistent with the provisions hereof;

Section 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and Council hereby declare that they would have passed this Ordinance and each section, subsection, sentence, clause or phrase irrespective of the fact that any one or more thereof is declared unconstitutional or invalid.

Section 3. Repealer. Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided that any such repeal shall not abate a right of action already accrued under any repealed Ordinance.

Section 4. Effective Date. This Ordinance shall become effective only after the changes or amendments set forth above have been duly entered upon the Official Zoning Map.

(Signature page follows)

Attest:

Michelle Hartman
Secretary

Approved:

Paul H. St.
Mayor

Approved:

Betty Bawell
Councilmember

Ronald R. Stokman
Councilmember

James M. Sullivan
Councilmember

[Signature]
Councilmember

Councilmember

Approved as to form:

Max Waters
City Solicitor

First Reading: February 27, 2012

Second Reading and Adoption: 3-19-2012

Synopsis

This Ordinance rezones Branch Canal-Natural Area from R-3 to OS-BA.