

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY

407 Clinton Street - P.O. Box 4159

Delaware City, Delaware 19706

302-834-4573

**ORDINANCE TO AMEND CITY CODE SECTION 46-31 TO CHANGE THE
DIMENSIONAL REQUIREMENTS IN THE HPR DISTRICT FOR QUARTERMASTER
PLACE
ORDINANCE 18-1015-01**

WHEREAS, pursuant to Article V, Section 5-02(A) of The City of Delaware City Charter ("Charter"), and pursuant to the "Powers of the City," outlined in Article II, § 2-1 of the Charter, the Mayor and the Council of The City of Delaware City ("City Council") possess the authority to adopt, amend, modify, or repeal The City of Delaware City Code ("Code");

WHEREAS, Chapter 46, Section 46-31 of the Code, entitled Dimensional Requirements by Districts, establishes dimensional requirements for various intended development of Ft. DuPont, including but not limited to the HPR district and Quartermaster Place;

WHEREAS, the City Council of the City of Delaware City desires to amend and update Chapter 46, Section 46-31 of the Code to also allow one family detached and one family attached housing in the HPR district for Quartermaster Place;

WHEREAS, upon amendment, the dimensional requirements for one family detached and one family attached housing in Quartermaster Place will have the same dimensional requirements as one family detached and one family attached housing in the Canal District;

WHEREAS, the revisions to the dimensional requirements for Quartermaster Place have been reviewed by the Planning Commission at a public hearing noticed fifteen (15) days in advance;

WHEREAS, the Planning Commission has provided its recommendations to the Council;

WHEREAS, the City Council has also held a public hearing, noticed fifteen (15) days in advance, regarding the dimensional requirements for Quartermaster Place;

WHEREAS, the City Council has reviewed the amendments to the dimensional requirements for Quartermaster Place and finds that they are consistent with the City’s Comprehensive Development Plan (as amended);

WHEREAS, in addition to the notice provided above, under Article V, Section 5-02(B) of the Charter, the proposed amendments to the dimensional requirements for Quartermaster Place were introduced at a regular meeting, duly read in full or in abstract, and prominently posted for seven (7) days in The City of Delaware City.

NOW, THEREFORE, the Mayor and City Council believe the amendments to the dimensional requirements for Quartermaster Place is in the best interest of the City and necessary to enhance the health, safety, and welfare of the City of Delaware City, and the Mayor and the City Council of The City of Delaware City hereby ordain and adopt the following Code changes and revisions:

Section 1. Amend Section 46-31 of the Code, regarding the dimensional requirements in the HPR District for Quartermaster Place as follows by adding the language identified below in **bold**:

HPR Dimensional Requirements	Area	Frontage	Front Setback	Rear Primary	Rear Accessory	One Side	Both Sides	Min sf/family	Max lot coverage by Building	Max Height	
	Sq ft	ft	ft	ft	ft	ft	ft	Sq ft	%	Stories	Height
Quartermaster Place District											
Two-family, Attached*	4000	30	20	20	5	15	30	2000	60	3	45
Multifamily and Commercial Mixed Use	5000	35	10	20	n/a	5	n/a	n/a	n/a	2.5	45
One-family, Detached	6000	60	20	20	5	5	15	6000	50	2.5	45
One-family, Attached*	1760	22	10	20	5	5	10	1760	60	3	45

Section 2. Inconsistent Ordinances and Resolutions Repealed. All Ordinances or parts of Ordinances and all resolutions or parts of resolutions that may be in conflict herewith are hereby repealed.

Section 3. Severability. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that City Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with City Council’s intent.

Section 4. Effective Date. This Ordinance shall become effective immediately upon its adoption by City Council.

ADOPTED BY THE MAYOR AND COUNCIL, this ~~10th~~^{19th} day of ~~November~~^{November}, 2018.

ATTEST:


City Secretary


Mayor

APPROVED AS TO FORM:


Council Member


City Solicitor


Council Member


Council Member


Council Member


Council Member

First Reading on October 15, 2018

Second Reading, Public Hearing, and Final Passage on November 19, 2018