

Town of Bellefonte, Delaware



ORDINANCE 2014-01

**ORDINANCE TO AMEND THE TOWN OF BELLEFONTE
(2007) COMPREHENSIVE PLAN: FUTURE LAND USE MAP**

WHEREAS, the owner of 202 Schoolhouse Lane (Tax Parcel No. 17-001.00-044) proposes to rezone the property from its present classification of R-1 (Residential 1 and 2 Family District) to MX-2 (Mixed Use 2 District) as part of a larger plan to combine Tax Parcel 17-001.00-044 with adjacent Tax Parcel 17-001.00-045 for purposes of, among other things, adding additional off-street parking spaces and facilitating a small addition to the existing building on Tax Parcel 17-001.00-045; and

WHEREAS, the owner of 202 Schoolhouse Lane (Tax Parcel No. 17-001.00-044) has also, pursuant to 22 Del. C. §702(e), requested that the Bellefonte Comprehensive Plan (2007) be amended by revising the Town of Bellefonte: Future Land Use Map to reflect the change in classification from R-1 (Single Family Residential) to MX-2 (Mixed Use) (the "Comprehensive Plan Amendment"); and

WHEREAS, the proposed amendment to the Future Land Use Map of the Town's Comprehensive Plan is attached hereto as Exhibit A; and

WHEREAS, the Planning Commission of the Town of Bellefonte, at a public hearing, took testimony on this application and has since provided its recommendation to the Commissioners of the Town of Bellefonte on the application; and

WHEREAS, the proposed Comprehensive Plan Amendment has been reviewed by PLUS and the State of Delaware has provided its comments which have been considered by the Planning Commission in its recommendations; and

WHEREAS, Section 10 of the Land Use Code of the Town of Bellefonte provides that the Commissioners of the Town of Bellefonte, following a public hearing, may amend the Land Use Code if it finds that the Review Criteria in §10-02.C(3) have been satisfied; and

WHEREAS, the Commissioners of the Town of Bellefonte, in consideration of the application materials, the Recommendation of the Planning Commission and the testimony

before it, following a public hearing, deem that the proposed Comprehensive Plan Amendment is appropriate; and

WHEREAS, the Commissioners of the Town of Bellefonte expressly find that the Comprehensive Plan Amendment benefits the health, safety and welfare of the Town, provides for adequate light and air, will not contribute to the overcrowding of land, will not adversely impact public facilities or other public requirements, and finds that the character of the area will not be impacted by the Comprehensive Plan Amendment.

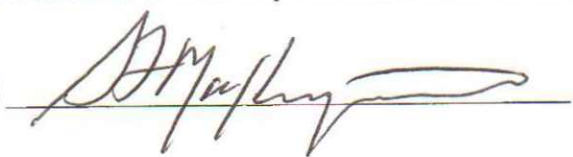
NOW THEREFORE, in accordance with all laws and procedures, **BE IT ORDAINED** by the Commissioners of the Town of Bellefonte, an appropriate majority thereof concurring after careful review, that:

1. The Bellefonte Comprehensive Plan (2007), as amended, is hereby further amended to reflect the revision to the Town of Bellefonte: Future Land Use Map changing the land use classification of a single parcel designated on Exhibit A from R-1 (Single Family Residential) to MX-2 (Mixed Use).
2. This Comprehensive Plan Amendment shall supersede any inconsistent statements contained within the Bellefonte Comprehensive Plan (2007).

Synopsis: This Ordinance will amend the Bellefonte Comprehensive Plan (2007) by revising the Town of Bellefonte: Future Land Use Map to reflect a recent change in classification from R-1 (Single Family Residential) to MX-2 (Mixed Use).

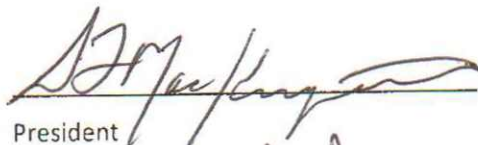
AND, BE IT FURTHER ORDAINED by the Commissioners of the Town of Bellefonte that this Ordinance, including the revised Future Land Use Map attached hereto as Exhibit A, shall take effect upon adoption.

PASSED BY THE COMMISSIONERS

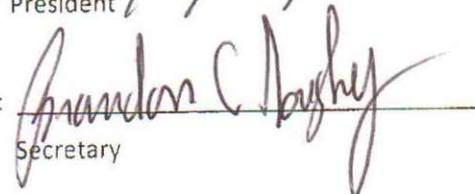


First Reading: 10/13/14

Second and Final Reading: 11/10/14


President

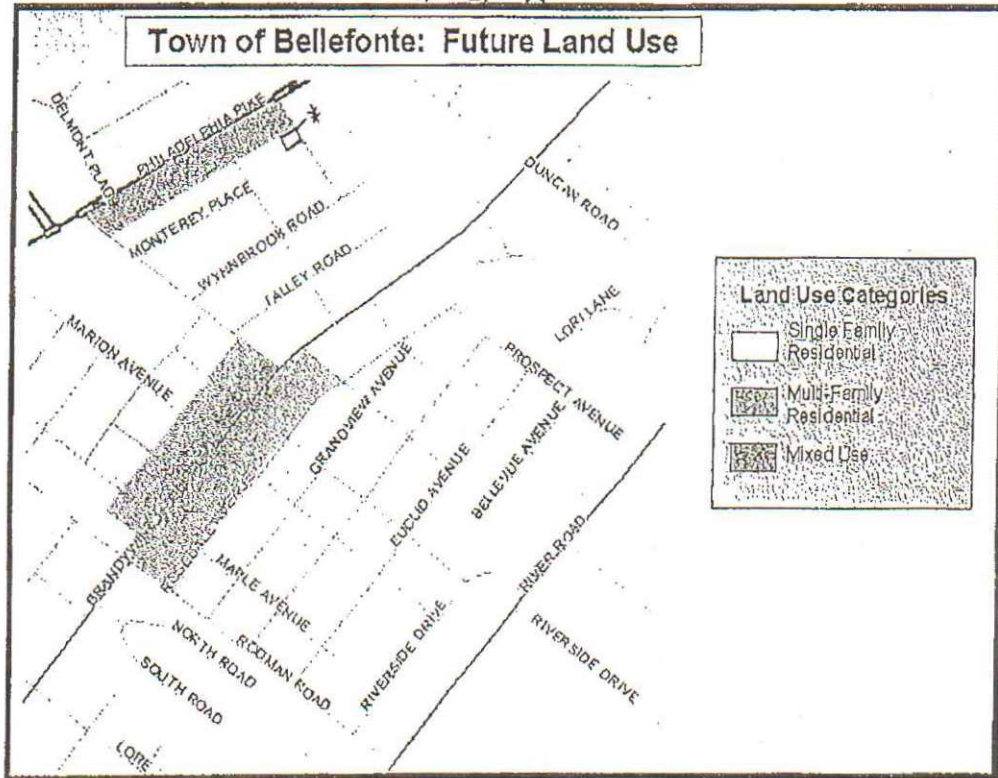
11/10/14
Date

Affirmed: 
Secretary

11/10/14
Date

Map 13: Bellefonte Future Land Use

Exhibit A



* Amendment to Town of Bellefonte Comprehensive Plan (2008)
from Single Family Residential to Mixed Use