

Town of Bellefonte, Delaware

ORDINANCE 2023-10

**AN ORDINANCE ANNEXING 23 ADJACENT PARCELS
INTO THE TOWN OF BELLEFONTE**

WHEREAS, the Town of Bellefonte, Delaware (“the Town”), in accordance with and pursuant to Section 2.2.2 of the Town Charter, has the power and authority to extend its boundaries by the annexation of territory contiguous to its existing Town borders, provided the annexation of any such territory shall be consistent with the procedures as provided for in 22 *Del. C.* §101; and

WHEREAS, the Town’s 2019 Comprehensive Plan includes a section, starting on page 48, identifying potential areas of annexation, with Map 11: Bellefonte Future Annexation Possibilities; and

WHEREAS, in addition to 22 *Del. C.* §101, on November 14, 2022, the Town Commission adopted Ordinance 2022-02 regarding the annexation process and notice; and

WHEREAS, on November 14, 2022, the Town Commission adopted Resolution 2022-03 and created the Annexation Committee; and

WHEREAS, on January 13 and February 13, 2023, the Annexation Committee held duly noticed public hearings and received significant public comment on potential annexation; and

WHEREAS, a survey was mailed to all units in the proposed annexation areas, and the results of those surveys were presented to the Town Commission on March 13, 2023, and then the executive summary was released to the public; and

WHEREAS, the Town notified all other affected jurisdictions and provided a comment period of at least 30 days; and

WHEREAS, the Town filed with the State Office of Planning Coordination any written comments received concerning such proposed annexation together with any response or responses thereto; and

WHEREAS, on April 10, 2023, the Town Commission voted to proceed with annexation of a portion of the proposed annexation areas, specifically the parcels identified on Exhibit A, attached hereto and incorporated by reference (“the Annexation Area”); and

WHEREAS, the Annexation Area is contiguous with the Town’s existing boundaries; and

WHEREAS, most of the Annexation Area’s current land use is within those uses under the Town’s R-1 Zoning District and should not negatively affect the character of the Town; and

WHEREAS, the Annexation Area will help to adjust irregularities in a Town boundary and will strengthen the Town’s tax base; and

WHEREAS, residents and property owners in the Annexation Area should benefit from being part of the Town; and

WHEREAS, the Town prepared a plan of services and adding the Annexation Area should be revenue neutral or positive for the Town; and

WHEREAS, the Town did not receive petitions signed by more than 50 percent of the eligible petitioners in the Annexation Area opposing annexation into the Town; and

WHEREAS, the Town published a notice in a newspaper of general circulation in the Town regarding this Ordinance 2023-10;

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Town Commissioners of the Town of Bellefonte, a majority of Commissioners concurring therein, that the Annexation Area, consisting of the parcels identified on Exhibit A, are hereby annexed into the Town of Bellefonte.

BE IT FURTHER ENACTED AND ORDAINED that this Ordinance 2023-10 shall take effect on July 1, 2023.

First Reading: _____ Second Reading: _____

Approved by the Commissioners: _____
President

Attest: _____ Date: _____
Secretary

EXHIBIT A

| <u>PARCEL #</u> | <u>ADDRESS:</u> |
|------------------------|------------------------|
| 613200091 | 602 PHILADELPHIA PIKE |
| 614100028 | 1003 RIVER RD |
| 614100026 | 1005 RIVER RD |
| 614100027 | 1007 RIVER RD |
| 614100025 | 1009 RIVER RD |
| 614100024 | 1011 RIVER RD |
| 614100023 | 1013 RIVER RD |
| 614600131 | 1 RIVERSIDE DR |
| 614600132 | 2 RIVERSIDE DR |
| 614000247 | 3 RIVERSIDE DR |
| 614000248 | 4 RIVERSIDE DR |
| 614000249 | 5 RIVERSIDE DR |
| 614000250 | 6 RIVERSIDE DR |
| 614000251 | 7 RIVERSIDE DR |
| 614600592 | 29 RIVERSIDE DR |
| 614000270 | 30 RIVERSIDE DR |
| 614000269 | 31 RIVERSIDE DR |
| 614000268 | 32 RIVERSIDE DR |
| 614000267 | 33 RIVERSIDE DR |
| 614000266 | 34 RIVERSIDE DR |
| 614000265 | 35 RIVERSIDE DR |
| 614000264 | 1100 MARION AVE |
| 614600133 | 1101 RODMAN RD |