

CITY OF MILFORD
NOTICE OF ORDINANCE DENIAL

NOTICE IS HEREBY GIVEN that City Council voted to deny the following ordinance during a regular meeting of Milford City Council on May 23, 2022:

ORDINANCE 2022-24
AMENDING AND ADOPTING BY ORDINANCE
THE 2018 CITY OF MILFORD COMPREHENSIVE PLAN
Amendment #13
MR. WIGGLES, LLC
3-30-11.00-056.00

FUTURE LAND USE DESIGNATION CHANGE AND TEXT AMENDMENT

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 7-Establishment; Membership, of the Delaware Code, the City of Milford established a Planning Commission, and

WHEREAS, pursuant to Title 22-Municipalities, Chapter 7-Planning Commission, Section 702 Comprehensive Development Plan of the Delaware Code, the City of Milford adopted Ordinance 2017-24 the '2018 Comprehensive Plan' on January 22, 2018 to implement the current Comprehensive Plan, and

WHEREAS, during a PLUS review on February 23, 2022, the Planning Director prepared and consulted with the Office of State Planning the thirteenth amendment to the 2018 Comprehensive Plan; and

WHEREAS, the amendment includes changes to the Comprehensive Plan Future Land Use Maps and Text, which will permit the future land use designation change of Sussex County Tax Parcel 3-30-11.00-056.00 from Low Density Residential to Commercial; and

WHEREAS, the amendment involves changes to the Comprehensive Plan, Appendix B, SE Master Plan, Future Land Use Maps, which will eliminate proposed Transfer of Development Rights (TDR) Receiving Area #1 on Tax Parcel 3-30-11.00-056.00 and increase the size of TDR Receiving Area #3 on Tax Parcel 3-30-15.00-024.00; and

WHEREAS, the amendment involves changes to Appendix B, SE Master Plan, Chapter 4, replacing Table 4.2 entitled "Milford TDR Receiving Areas" to accommodate the change in future land use designation for the Mr. Wiggles, LLC property; and

WHEREAS, the City of Milford Planning Commission held a duly advertised public hearing for public review and comment on the thirteenth 2018 Comprehensive Plan amendment on May 17, 2022 and did recommend denial of the amendment to the 2018 Comprehensive Plan, and

WHEREAS, the Mayor and City Council held a duly advertised public hearing on the thirteenth amendment of the 2018 Comprehensive Plan on May 23, 2022, after which they voted to deny the ordinance.

NOW, THEREFORE, THE CITY OF MILFORD HEREBY ORDAINS that this Ordinance was denied by a vote of 6-1.

Dates:

City Council Introduction: May 9, 2022

Planning Commission Review & Public Hearing: May 17, 2022

City Council Review & Public Hearing: May 23, 2022
Action: Ordinance Denied by a Vote of 6-1

DSN 081922