

CITY OF DOVER ORDINANCE #2021-03

**1 AN ORDINANCE AMENDING THE 2019 COMPREHENSIVE PLAN BY AMENDING MAP
2 12-1: LAND DEVELOPMENT PLAN BY CHANGING THE LAND USE CLASSIFICATION OF
3 THE SPECIFIC PROPERTIES LOCATED AT 1365 N. DUPONT HIGHWAY AS LOT 1 AND
4 LOT 2.**

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6 **WHEREAS**, the City of Dover has adopted a Comprehensive Plan laying out land use policies within
7 the City of Dover, Delaware; and
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9 **WHEREAS**, the City Council of the City of Dover, on January 13, 2020, following the
10 recommendation of the City of Dover Planning Commission, adopted the 2019 Comprehensive Plan
11 pursuant to Title 22, Section 702 of the Delaware Code; and
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13 **WHEREAS**, the Honorable John Carney, Governor of the State of Delaware, certified the 2019
14 Comprehensive Plan to be effective as of January 13, 2020 by letter of March 10, 2020; and
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16 **WHEREAS**, the 2019 Comprehensive Plan allows for an annual amendment process; and
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18 **WHEREAS**, a property owner has requested amendments to the Land Development Plan Map (Map 12-
19 1) in accordance with the process set forth in the 2019 Comprehensive Plan; and
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21 **WHEREAS**, the Planning Office has prepared this amendment to the Land Development Plan Map
22 (Map 12-1) for review as part of the Comprehensive Plan Amendments 2021; and
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24 **WHEREAS**, the Planning Commission held a public hearing on February 16, 2021, after which the
25 Planning Commission made a recommendation in regard to this amendment to the Land Development
26 Plan related to the specific properties.
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28 **WHEREAS**, it is deemed in the best interest of zoning and planning in the City of Dover to change the
29 Land Use Classification of the properties on the Land Development Plan Map (Map 12-1) as described
30 below.
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32 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY
33 OF DOVER, IN COUNCIL MET AND AMEND THE 2019 COMPREHENSIVE PLAN BY:**
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35 That from and after the passage and approval of this ordinance, that Map 12-1: Land Development Plan
36 Map of the City of Dover has been amended by changing the designated Land Use Classification from
37 Commercial High Intensity to Mixed Use for two parcels (Lot 1 and Lot 2) located to the east of the
38 Dover Mall shopping center development at 1365 N. DuPont Highway.
39 (Property Owner: Dover Power Center LLC (Dover Mall LLC c/o Simon Property Group); Property
40 Address: 1365 North DuPont Highway Lot 1 and Lot 2; Tax Parcels: ED-02-057.00-01-14.04-000 and
41 ED-02-057.00-01-14.05-000; Planning Reference: MI-21-01)
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43 **BE IT FURTHER ORDAINED:**
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45 That upon final action to adopt this ordinance, the amendment as approved changing the Land Use
46 Classification of the properties shall be made to Map 12-1: Land Development Plan of the 2019
47 Comprehensive Plan.

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49 ADOPTED: *
50 I:\DAC\2021 Applications\2 February 2021\MI-21-01 Comprehensive Plan Amendments A B C\Amendment C - 1365 N
51 DuPont Hwy Dover Mall Residual Lands\Final Reading Ordinance 2021-03 Comp Plan Amendment Lots 1 and 2 of Dover
52 Mall MI-21-01C.docx
53

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55 **SYNOPSIS**
56 The proposed ordinance would adopt an amendment to the *2019 Comprehensive Plan* for the Land Use
57 Classification of two properties. The properties are Lot 1 and Lot 2 of 1365 North DuPont Highway,
58 Dover DE. The amendments (MI-21-01C) are to be reflected as a revision to Map 12-1: Land
59 Development Plan Map of the *2019 Comprehensive Plan*.
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63 Actions History:
64 March 8, 2021 – Public Hearing & Final Action scheduled for City Council
65 February 16, 2021 – Public Hearing & Action on Recommendation by Planning Commission
66 January 25, 2021 – First Reading – City Council and setting of Public Hearing dates
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