

TOWN OF DAGSBORO
ORDINANCE NO. 277-3-9

**AN ORDINANCE TO AMEND CHAPTER 277 OF THE DAGSBORO
TOWN CODE**

WHEREAS, the Town Council of the Town of Dagsboro desires to amend Chapter 277 of the Town Code.

WHEREAS, the Town of Dagsboro deems it appropriate, necessary, and proper for the protection of trees, woodlands and forests that are essential to the health, welfare, and safety of its citizens because trees and woodlands capture carbon dioxide, stabilize soil, cleanse the air, rejuvenate ground water, provide protection for wildlife and their habitats and add to the physical, aesthetic and natural beauty of the environment;

WHEREAS, Sussex County has lost 37,000 acres of forest since 1986, or about 1,000 acres per year according to the State Botanist for the State of Delaware; and

WHEREAS, the loss of trees causes the release of carbon stored in the trees, the loss of ecosystems, an increase in erosion from the loss of trees anchoring the soil, the loss of air and water filters, and the loss of the aesthetic beauty of natural woodlands, and

WHEREAS, the Sussex County Council has identified forest protection as one of its priority topics for Sussex County, and

WHEREAS, the Town of Dagsboro Comprehensive Plan specifically directs the Council to be “proactive in the preservation of the natural greenery found throughout the community” and to keep in mind “the continued preservation of agricultural and open spaces”, all in keeping with the Town being named a “Tree City USA”, and

WHEREAS, in furtherance of the Comprehensive Plan’s direction, the Town has adopted several ordinances to protect the greenery and trees spread throughout the community, including a comprehensive tree ordinance for woodlands preservation by protecting existing trees, restricting clearing of trees and requiring replanting of trees.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Dagsboro, a majority thereof concurring in Council duly met, that the Town Code be and hereby is amended as follows:

Section 1. Amend Chapter 277 by adding the following (Amendments and additions are highlighted in bold below):

§ 277-3. New development

- A. In new developments, woodland areas shall be preserved in accordance with the following Table 1 below:**

TABLE 1

Use	Density	Percentage of Existing Woodlands Area to be Preserved.
Residential	0 to 1.25 DUs/acre	60%
	1.25 to 2.5 DUs/acre	65%
	2.5 to 5 DUs/acre	75%
	5 to 10 DUs/acre	80%
Use	Density	Percentage of Existing Woodlands Area to be Preserved.
Nonresidential	1 to 10 acres	50%
	10 to 25 acres	60%
	25 to 50 acres	70%
	More than 50 acres	80%

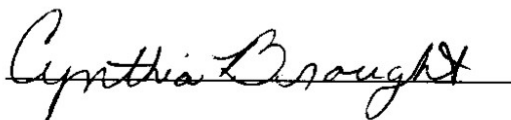
Section 277-9. Passive Open Space

No less than 90% of existing woodland in areas designated as passive open space on the subdivision or site plan shall remain forested.

ORDAINED AND ENACTED into law this 28 day of March 2024.


William Chandler, Mayor

I, Cynthia Brought, Administrator of the Town Council of the Town of Dagsboro, do hereby certify that the foregoing is a true and correct copy of the ordinance adopted by the Town Council at its meeting on March 28, 2024 at which meeting a quorum was present and voting throughout and that the same is still in force and effect. The ordinance was approved by a vote of 5 in favor, and 0 against, the Motion to approve the Ordinance.



Cynthia Brought, Town Administrator

Synopsis: The purpose of this ordinance is for the Preservation of Trees, Woodlands and Forests Within the Corporate Limits of the Town of Dagsboro.