



ORDINANCE 2024-01

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN, CHAPTER 194 THEREOF, ENTITLED SUBDIVISION OF LAND AND CHAPTER 230 THEREOF, ENTITLED ZONING

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND
HEREBY ORDAINS:

Section 1. Chapter 194. Subdivision of Land, Article VII Plan Requirements, of the Code of
the Town of Georgetown is hereby amended as follows:

§ 194-32.1 Contents of Final Subdivision Plan

The applicant is responsible for preparing the final subdivision plan. The final site plan shall
comply with all existing laws, regulations and ordinances governing the approval of subdivision
plans and provide sufficiently accurate dimensions and construction specifications to provide the
data necessary for the issuance of construction permits.

- A. In addition to meeting the submittal requirements of a preliminary subdivision plan, final
plan shall meet all specific plan submittal requirements of Section 1g-1.26 of Town of
Georgetown Design and Construction Standards and all applicable engineering details set
forth in Town of Georgetown Design and Construction Standards.
- B. Submittals shall demonstrate compliance with any conditions of site plan approval and
shall include all necessary approvals from any local, county, state and federal agency.
- C. As a condition of final plan approval, the Planning Commission may establish additional
submittal requirements for a final plan, and may waive a particular requirement if, in its
opinion, the inclusion of that requirement is not essential to a proper decision on the
project.
- D. Final subdivision plans submittals shall adhere to the order of plan sheets required under
section § 194-32C above with any additional required details and plan drawings inserted
into the order prescribed by the Town Engineer.
- E. ~~Certificates~~. **Certifications**. The approved subdivision plan, showing distinctively that
part to be recorded, shall contain the following ~~certificates~~ **certifications**:

- 1) Certificate of **Certification by** the applicant's engineer or surveyor that the plan represents a survey made by him or her and that dimensions and geodetic details are correct.
- 2) The subdivision plan shall bear the following ~~notarized~~ certification, signed by the developer and all persons having any proprietary interest in the planning of the subdivision.

"It is hereby certified that the undersigned are the owner and developers of the land shown on this subdivision plot plan and that the streets, lanes, avenues and park areas hereon shown with the section approved for development are dedicated for the general use of the traveling public and for the use of the abutting property owners. This dedication shall impose no duty nor obligation upon the Town of Georgetown respecting the maintenance and improvement of the dedicated streets, lanes, avenues and park areas, unless otherwise agreed by the Town of Georgetown."

- 3) Certification **of Final Approval by the Town of** Georgetown ~~of the Director of Planning and Zoning~~ that the plan conforms to the approved subdivision regulations.
- 4) ~~Certification of the Chairman or other authorized member of the Planning Commission that the plan has met with the approval of the Planning Commission as provided for in § 194-41.~~

Section 2. Chapter 230. Zoning, Article XXVI Administration, of the Code of the Town of Georgetown is hereby amended as follows:

§ 230-209. Category 1 site plan processing procedures.

C. Final stage: The purpose of the final stage is to ensure that all submittal requirements of final site plans as set forth in § 230-212 and in the Town of Georgetown Design and Construction Standards are specifically and accurately addressed, to ensure that all conditions of the Planning Commission's approval are specifically and accurately met and to finalize any and all necessary formal agreements related to the project, which may include public works agreements and easement agreements, among others.

- 1) Final site plan approval shall be granted prior to the commencement of any development activity.
- 2) Final site plans shall be submitted to the Director of Planning and Zoning, who shall review the plans for compliance with these regulations and the conditions, if any, imposed by the Planning Commission. If specified conditions or stipulations are met in revised plans, the Director of Planning and Zoning shall approve issuance of building permits in accord with the revision without returning the plans for further Planning Commission review.

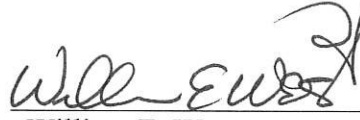
- 3) When all review and approvals have been completed and documentation of such approvals provided to the Director of Planning and Zoning, he/she shall ~~sign~~ **affix the official Town of Georgetown Final Approval to** the site plan ~~to indicate~~ **indicating** completion of review and approval by the Town, and to certify that conditions, if any, of site plan approval have been met. The applicant shall submit all local, county, state and/or federal approvals as may be required. No **building** permit shall be issued until this approval has been given.
- 4) When a public works agreement is required, the Director of Planning and Zoning may not certify final approval of a site plan until that public works agreement and any required bonds have been executed by the applicant and the Town.

Section 3. Chapter 230. Zoning, Article XXVI Administration, of the Code of the Town of Georgetown is hereby amended as follows:

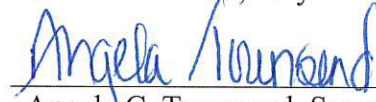
§ 230-213 Administrative Plan Review Procedures

- B. Plans requiring administrative review shall be submitted to the Director of Planning and Zoning who shall review the plans for compliance with these regulations. If the Director finds that such plans meet the intent of this chapter and are consistent with the Comprehensive Plan, then the Director shall affix **the official Town of Georgetown Final Approval to** ~~his/her signature on~~ the plan(s) certifying approval. If the Director finds that the plan does not meet the intent of this chapter and/or is not consistent with the Comprehensive Plan and the Town's adopted building and site design standards, then the ~~Director~~ **Town Manager** shall deny approval and transmit that decision in writing to the applicant.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the 22nd day of April, A.D., 2024.



William E. West, Mayor



Angela C. Townsend, Secretary

Planning Commission Public Hearing: January 17, 2024

Town Council Public Hearing: March 25, 2024

1st Reading: April 8, 2024

2nd Reading: April 22, 2024

Adoption: April 22, 2024