

1 **AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF LEWES,**
2 **CHAPTERS 170 SUBDIVISION AND LAND DEVELOPMENT, 197 ZONING SECTION**
3 **197-57 JURISDICTION AND PROCEDURES, AND 197-62 OFF-STREET LOADING AS**
4 **IT RELATES TO SITE DEVELOPMENT PLAN REVIEW.**
5

6 **WHEREAS**, the Mayor and City Council deem it appropriate to consider the question of
7 whether it is in the public interest to amend Chapter 197, Zoning, of the Municipal Code of the
8 City of Lewes, Delaware, as amended, by amending the site plan process;
9

10 **WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or
11 the purpose of promoting health, safety, morals or the general welfare of the community, the
12 legislative body of cities and incorporated towns may regulate and restrict the height, number of
13 stories and size of buildings and other structures, percentage of lot that may be occupied, the size
14 of yards, courts and other open spaces, the density of population, and the location and use of
15 buildings, structures and land for trade, industry, residence or other purposes”;

16
17 **WHEREAS**, Section 38 of the City's Charter provides that “[f]or the purpose of protection
18 against fire, promoting health, safety, morals or the general welfare of the community, the City
19 Council is hereby empowered to adopt ordinances to regulate and restrict the height, number of
20 stores [sic], size of buildings and other structures, the density of population and the location and
21 use of buildings, structures and lands for trade, industry, residence or other purposes”;

22
23 **WHEREAS**, Article XV, Chapter 197, Section 104, Text and map amendments, of the
24 Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall
25 be made after a public hearing following fifteen (15) days’ notice by publication in an official
26 paper or a paper of general circulation in the City;

27
28 **WHEREAS**, a public hearing was conducted on June 26, 2023;

29
30 **WHEREAS**, at least fifteen (15) days’ notice of such hearing was provided by publishing
31 notice of the time and place of such hearing in an official paper or newspaper of general circulation
32 in the City; and

33
34 **WHEREAS**, the proposed amendment will promote the health, safety, and general welfare
35 of the Lewes community.

36
37 **BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum pertaining
38 at all times thereto, in the manner following to-wit:

39
40 **Section 1.** Chapter 170 Subdivision and Land Development, 170-6 Definitions and word
41 usage of the Municipal Code of the City of Lewes, Delaware, be the same and is hereby amended
42 by removing the strikethrough text and by adding the underlined text

43
44 § 170-6 Definitions and word usage.

- 45 A. General. Words used in the singular include the plural, and words in the plural include
46 the singular; the word "building" includes the word "structure"; "street" includes "roads
47 and lanes"; and the word "watercourse" includes "drain," "ditch," "stream" and "swale."
48
49 B. Definitions. Unless otherwise expressly stated, the following words shall, for the
50 purpose of this chapter, have the meanings herein indicated:
51

52 ~~**JOINT SITE DEVELOPMENT AD-HOC REVIEW COMMITTEE (JSDRC)**~~

53 ~~Ad Hoc committee consisting of members of the Planning Commission and Historic~~
54 ~~Preservation Architectural Review Commission (HPARC) that review site development~~
55 ~~plans in accordance with Article V, Site Development Plan Review, of this chapter.~~
56

57 **Section 2.** Chapter 170 Subdivision and Land Development, Article V Site Development
58 Plan Review Sections 170-26 and 170-33 through 170-44 of the Municipal Code of the City of
59 Lewes, Delaware, be the same and is hereby amended by removing the strikethrough text and by
60 adding the underlined text.
61

62 **§ 170-26 General standards and guidelines.**

63 All subdivisions and site developments shall conform to design standards that will
64 encourage good development patterns within the City of Lewes. The subdivision and site
65 developments plans shall be such as to lend themselves to the harmonious development of the City
66 and enhance the public welfare in accordance with § 170-2. Purpose and the design standards in
67 this chapter, compatibility with abutting developed or undeveloped lands, as well as the City's
68 Comprehensive Plan, including but not limited to the City's core values. The subdivision and site
69 developments plans shall conform with all City regulations and ordinances, and applicable state
70 and federal laws and regulations. In addition, the subdivision plans shall conform with the
71 following standards and considerations:
72

73 C. Lighting requirements. Intent: Lighting guidelines are intended to eliminate adverse
74 impacts of light spillover; provide attractive lighting fixtures and layout patterns that contribute to
75 a unified exterior lighting design; encourage energy efficiency, and provide exterior lighting that
76 promotes safe vehicular, pedestrian and bicycle access to and within a development, while
77 minimizing impacts on adjacent properties and the nighttime sky.
78

79 (1) Applicability.

80 (a) Lighting standards contained in this chapter apply to all major subdivision or
81 site plans (site plans reviewed by ~~JSDRC~~ Planning Commission only) developed
82 or redeveloped after the amendment adoption date. The standards apply to all
83 proposed uses and structures where there is interior or exterior lighting.
84

85 **§ 170-33 Site development review applicability.**

86 A. Every new building or structure and every change in an existing building or structure shall be
87 subject to the site development plan requirements outlined in this section, unless the building
88 or structure is an approved detached dwelling, two-family dwelling, gazebo, dock.
89

90 B. Prospective applicants are urged to contact the City Planner to discuss proposal specifics and,

91 if advised, schedule a preapplication meeting as defined in § 170-35A. If there exists any lack
92 of clarity as to the intent of this article, the review of any site development plans for
93 construction within the City of Lewes will be referred to the joint ad hoc committee Planning
94 Commission (§ 170-33C) for consideration.

95
96 C. Site development review authority.

97 ~~(1) Development subject to the site development review authority under Chapter 170,~~
98 ~~Article V, are among the most significant building projects in the City. To ensure that~~
99 ~~the City brings the expertise and authorities of both the HPARC and LPC are applied to~~
100 ~~these projects, a joint ad hoc committee, referred to as the "Joint Site Development~~
101 ~~Review Committee (JSDRC)," consisting of representatives of these two commissions,~~
102 ~~is required.~~

103 ~~(2) The JSDRC will consist of three members each of HPARC and LPC and shall review~~
104 ~~all projects subject to site development review under Chapter 170, Article V.~~

105 ~~(3) Each January and June HPARC and LPC shall designate their three respective members~~
106 ~~to serve a six-month term on the JSDRC. These representatives shall have all rights of~~
107 ~~membership and shall represent their respective commissions. HPARC and LPC shall~~
108 ~~have no authority over or participation in site development review after designation of~~
109 ~~their respective representatives to the JSDRC. In the event that HPARC or LPC does not~~
110 ~~designate representatives to the joint ad hoc committee. City Council will appoint such~~
111 ~~representatives either from the commissions or from the citizenry.~~

112 ~~(4) The Joint Site Development Review Ad Hoc Committee shall be chaired by a member~~
113 ~~of City Council, nominated by the Mayor and confirmed by a majority of City Council.~~
114 ~~The Chair shall manage the meetings, agenda, and proceedings of the JSDRC. The Chair~~
115 ~~shall remain neutral and have no vote.~~

116 ~~(5) Nonvoting ex officio members. The City Manager, City Planner, and a representative of~~
117 ~~the Building Official's office shall serve as ex officio members, with all rights of~~
118 ~~membership except the right to vote.~~

119 ~~(6)~~ 1 The JSDRC Planning Commission shall complete its review in no more than 90 120
120 calendar days.

121 ~~(7)~~ 2 The JSDRC Planning Commission shall review and make recommendations to the
122 City Council, as provided in Chapter 170, Article V.

123 (3) The Planning Commission may refer a site development plan application to
124 HPARC when the Planning Commission determines the architecture of the
125 building requires review or the Planning Commission requests assistance with the
126 architecture of the structures.

127 D. Site development plans shall be subject to review by the JSDRC Planning Commission and
128 approval by City Council if they meet the following thresholds:

129 (1) New structures that collectively consist of 5,000 square feet or greater in floor area;

130 (2) Additions to existing structures where additional floor area is greater than 5,000 square
131 feet;

132 (3) Additions of impervious surface where new or additional impervious surfaces constitute
133 15% or more of the existing impervious surface area and are equal to or greater than
134 5,000 square feet of impervious surface; or

135 (4) Adjacent to residential: nonresidential site plans with site disturbance greater than 2,500
136 square feet and adjacent (within 50 feet) to residential uses or residential zones.

137
138 E. Administrative site development plan review. Any development that does not meet the
139 thresholds for a ~~JSDRC~~ Planning Commission review described above shall be processed
140 as administrative site development plan.

141
142 F. If a proposed use or development requires Planning Commission review under the land
143 subdivision regulations of the City of Lewes as set forth in Chapter 170, the application for
144 preliminary review, under § 170-19 of this chapter, and the application for site development
145 plan approval shall be submitted and reviewed concurrently. If upon evaluation by the City
146 Planner, during the preapplication meeting, the subdivision is limited to a parcel consolidation
147 or lot line revision that review can be processed in accordance with § 170-14 or § 170-14.1,
148 in conjunction with the site development review, by the ~~JSDRC~~ Planning Commission at
149 the public meeting. The ~~JSDRC~~ Planning Commission will send its recommendation for the
150 site development plan and any lot consolidation or lot line revision to City Council for review
151 and approval.

152
153 **§ 170-34 Site development review objectives.**

154 A site development plan review is conducted for the purposes outlined in § 170-2, Purpose, of this
155 chapter. In considering and acting upon site development plans, the following objectives shall be
156 taken into consideration and appropriate conditions and safeguards shall be prescribed to ensure
157 that the objectives are satisfied and the proposed development complies with the expressed
158 purpose:

- 159
160 H. Nonresidential and multifamily residential buildings shall comply with the following
161 standards, where applicable:
- 162 (1) Large mechanical equipment or other utility hardware on the roof, ground or buildings
163 shall be screened from public view with materials harmonious to the building.
 - 164 (2) Exterior lighting shall be part of the architectural concept. Fixtures, standards and all
165 exposed accessories shall be harmonious with the building design.
 - 166 (3) Refuse and waste removal areas, service yards, storage area, yards and exterior work
167 areas shall be screened from public view with materials harmonious with the building.
 - 168 (4) Locate the building at a minimum setback line with the maximum length of the building
169 facing along the street to provide frequent and convenient pedestrian connections
170 between buildings and public sidewalks.
 - 171 (5) Minimize the public view of large parking areas and service facilities: provide a
172 continuous edge along the street.
 - 173 (6) Visually enclose and define public street space that is comfortable to pedestrians in
174 proportion and scale.
 - 175 (7) Design and place buildings in order to preserve and enhance special street views. In
176 particular, views of important buildings and natural features, focal points at T-
177 intersections and views along curbs and roadways should be encouraged.
 - 178 (8) Position new buildings to ensure the adjacent properties have visual privacy and
179 sunlight, as well as protection from the new development's site illumination, noise and
180 odor.
 - 181 (9) In terms of shape, style, rooflines, color and materials, buildings shall be designed to
182 complement and contribute to a desirable community character.

- 183 (10) Design landscaping and buildings **that are** adjacent to historic properties ~~that are~~ **to be**
184 complementary to the significant historical features.
- 185 (11) Design and position buildings to screen unsightly elements, such as shipping and loading
186 areas, transformers, dumpsters and meters, from public view.
- 187 (12) Design the building roof to screen mechanical equipment from view and contribute to
188 an attractive visual setting.
- 189 (13) Design the building to ensure adequate blending of the storm drainage requirement with
190 the local environment.
- 191 **(14) Design the buildings and structures to avoid large expanses of blank walls and to**
192 **use materials that complement the aesthetic of the buildings and structures within**
193 **the city.**

- 194
- 195 I. Ensure that large-scale development projects involving phased construction periods are
196 planned and implemented in accordance with an approved site development master plan.
197

198 **§ 170-35 Site development review application procedure.**
199

- 200 A. Preapplication meeting. Prior to the submission of a site development plan, the applicant or
201 his representative shall meet in person with the City Planner or a Building Department official
202 to review a sketch plan and discuss application requirements. The purpose of this meeting
203 shall be to discuss proposed uses or developments in order to determine how to proceed with
204 the application. Depending on the type of proposal, the meeting shall determine if the site
205 development plan should be submitted for processing as an administrative site plan or referred
206 to the JSDRC **Planning Commission**. The City Planner or Building Official shall provide
207 the applicant with a copy of the site development plan application form, which will identify
208 required plan contents. In addition, applicants submitting commercial use or proposals that
209 fall within an adopted historic district will be advised on review processes that may be
210 applicable to the proposal.
211
- 212 B. For applications to be processed as an administrative site review under § **170-36**, the applicant
213 shall be informed at the preapplication meeting which items from the site development plan
214 requirements checklist will be needed for determination of conformity with the provisions
215 and intent of this section, along with any other comments and suggestions to ensure a
216 complete application.
217
- 218 C. For applications to be referred to the JSDRC **Planning Commission** under § **170-37**, the
219 applicant shall be advised at the preapplication meeting which items from the site
220 development plan requirements checklist will be needed for determination of conformity with
221 the provisions and intent of this section, along with any other comments and suggestions to
222 ensure a complete application. The JSDRC may request any additional plan details from
223 § **170-40** if they determine the information is needed as part of the application review.
224
- 225 D. Fees.
226 (1) Fees are identified in the City's fee schedule.
227 ~~(1) The applicant shall pay a nonrefundable site plan review application fee upon submitting~~
228 ~~an initial application as follows:~~

- 229 ~~(a) For administrative site development plan review:~~
230 ~~[1] Residential: \$500 plus \$250 per proposed dwelling unit over three.~~
231 ~~[2] Nonresidential: \$500 plus \$250 per 5,000 square feet of nonresidential land.~~
232 ~~(b) For JSDRC site development plan review:~~
233 ~~[1] Residential: \$1,500 plus \$250 per proposed dwelling unit over three.~~
234 ~~[2] Nonresidential: \$1,500 plus \$250 per 5,000 square feet of nonresidential land.~~
235 (2) The City may require, at the applicant's expense, additional materials, studies, or reports
236 and may charge other unspecified fees necessary to review the site development plan
237 application if the City expects to incur costs in retaining outside technical support, to
238 consider, examine, review and make reports and recommendations concerning the plan,
239 as submitted.

240
241 **§ 170-36 Administrative site development plan review.**

- 242 A. Process for administrative site plan application. If, as a result of the preapplication meeting
243 as described in subsection § 170-35A, it is determined that the proposed uses or development
244 is of a type that may be approved by a City Planner, the applicant shall submit the application
245 for site development plan approval to the City Planner with the required documentation as
246 defined in § 170-40, Site development plan submission requirements, to the extent required
247 by the City Planner. If a party other than the owner of record is making application, a letter
248 of permission from the owner of record must be submitted designating that applicant as an
249 authorized agent. Upon submission of a site development plan to the City Planner and prior
250 to consideration of such plan by the City Planner, the applicant shall make a deposit in an
251 amount defined in § 170-35D, fees. The City Planner shall coordinate the reviews of the
252 various administrative departments of the City of Lewes ~~and outside regulatory agencies and~~
253 review the application within 30 calendar days of the date of submission.
254
255 B. Final plans and working drawings. Following initial review and comment by the City Planner
256 the applicant shall develop final site development plans for approval by the Building
257 Department. The City Planner shall determine that all necessary approvals have been issued
258 by City departments and outside regulatory agencies prior to issuing final plan approval. No
259 building permit shall be issued until such time that the City Planner has issued final site plan
260 approval.
261
262 C. Expiration. Administrative site development plan approval shall expire 12 months from the
263 date of final approval by the City Planner if construction of the work authorized or use
264 permitted has not started or unless an extension of time is applied for by the applicant and
265 granted by the Planning and Building Department. Approval shall also expire if the
266 construction of work authorized has stopped for a period of one year, unless an extension of
267 time is applied for and granted by the Planning and Building Department.
268
269 D. Circumventing ordinance requirements. Administrative site plans shall not be used to
270 circumvent the requirement of JSDRC/City Council site plan review. If the City Planner
271 determines that cumulative administrative site plans on a property are being used to
272 circumvent the requirements of this chapter or other provisions of the Lewes Code of
273 Ordinances, the City Planner shall refer the application to the JSDRC Planning Commission,
274 subject to the requirements of subsection § 170-37.

275
276 § 170-37 ~~Joint Site Development Ad-Hoc Review Committee.~~ Planning Commission site
277 development plan review and action.
278

279 A. Site development plan. If, as a result of the preapplication meeting as described in § 170-35A,
280 it is determined that the proposed uses or development are of a type that would be evaluated
281 by the ~~Joint Site Development Ad-Hoc Review Committee~~ Planning Commission for
282 review, and referral to City Council for approval or disapproval, the applicant shall submit an
283 application as described in this section.
284

285 B. Initial application. Any individual, firm, association, syndicate, corpartnership, corporation,
286 trust, or any other legal entity interested in applying for approval of a land development
287 located wholly or partially within the City of Lewes shall submit, in writing, to the City
288 Planner for review by the ~~JSDRC~~ Planning Commission complete copies of a site
289 development plan as described in § 170-40, Plan requirements, to the extent required by the
290 City Planner, including an electronic version, of the following:
291

- 292 (1) Identity of applicant.
- 293 (2) If a party other than the owner of record is making application, a letter of permission
294 from the owner of record must be submitted designating that applicant as an authorized
295 agent.
- 296 (3) If the applicant is a partnership, the applicant shall identify the name and address of each
297 individual composing the partnership, including all limited partners.
- 298 (4) If the applicant is a corporation, the applicant shall identify:
299 (a) The name and address of each stockholder owning more than 10% of the stock of the
300 corporation;
- 301 (b) The name and address of each officer; and
- 302 (c) The name and address of each member of the Board of Directors or other governing
303 body.
- 304 (5) If the applicant is a limited-liability company, the applicant shall identify the name and
305 address of each member.
- 306 (6) If the applicant is an individual, the applicant shall identify his/her name and address.
307

308 C. The application for site development plan approval shall be submitted to the City Planner at
309 least 30 calendar days' prior to the ~~JSDRC~~ Planning Commission meeting for its review.
310

311 D. The application for site development plan approval shall be accompanied by a fee as defined
312 in § 170-35D, Fees. The applicant shall make a deposit in an amount to be determined by the
313 City of Lewes for the purpose of covering the costs, if the City expects to incur costs in
314 retaining outside technical support, to consider, examine, review and make reports and
315 recommendations concerning the plan, as submitted. Upon final disposition of the plan, as
316 submitted, the City of Lewes shall determine the cost which has been incurred in considering,
317 examining, reviewing and making reports and recommendations concerning the plan and
318 shall deduct that cost from the deposit make by the applicant. If the deposit exceeds the cost
319 incurred by the City of Lewes, the remaining amount shall be refunded to the applicant by
320 the City without interest. If the deposit is less than the cost incurred by the City, the applicant

- 413 (5) Has no appreciable effect on adjoining or surrounding property.
- 414 (6) Does not result in any substantial change of major external access points.
- 415 (7) Does not increase the approved number of dwelling units, square footage or height of
- 416 buildings.
- 417 (8) Does not decrease the minimum specified yards and open spaces or minimum or
- 418 maximum specified parking and loading spaces.
- 419 (9) For any other changes, the applicant would be required to resubmit a site development
- 420 plan for review and approval.

421
422 D. Expiration of site development plan approval.

- 423 (1) Site development plan approval shall expire 12 months after the date of final or
- 424 conditional approval of the Mayor and City Council if construction of the work
- 425 authorized or use permitted has not started or unless an extension of time is applied for
- 426 by the applicant and granted by the Mayor and City Council. Approval shall also expire
- 427 if the construction of work authorized has stopped for a period of one year, unless an
- 428 extension of time is applied for and granted by the Mayor and City Council.
- 429 (2) The City Planner, upon request and for good cause (§ 170-14E), may grant a maximum
- 430 of two extensions of six months each from the one year deadline. Each application for
- 431 extension shall be filed with the City Planner at least 30 calendar days' prior to the
- 432 expiration date of the plan approval. If after the original 12 months and two six-month
- 433 extensions construction is not commenced, and such construction and conditions or
- 434 contingencies established by the Mayor and City Council are not met, the applicant can
- 435 request an additional one-year extension by submitting a request to City Council 30
- 436 calendar days before expiration through the City Planner for review and approval by
- 437 City Council.
- 438 (3) In considering a request for an extension of approval, the Mayor and City Council shall
- 439 consider, but not be limited to, the following:
- 440 (a) Whether the project has been delayed for reasons beyond the control of the applicant,
- 441 excluding economic or financial reasons.
- 442 (b) Whether the applicant has made substantial progress toward obtaining final approvals.
- 443 (c) Whether there have been any significant changes in the surrounding neighborhood.
- 444 (d) Whether there have been any related amendments to the Zoning Map or text, or the
- 445 comprehensive plan, or if any waivers or variances have been granted.
- 446 (e) Requests for extensions shall be submitted, in writing, to the [Planning and](#) Building
- 447 Department.
- 448 (f) Under no circumstances shall the City grant extensions beyond 36 months from the
- 449 date of first approval.

450
451 § 170-40 Site development plan submission requirements.

- 452
453 A. The applicant shall cause a site development plan to be prepared by a civil engineer, surveyor,
- 454 land planner, or architect. The applicant shall submit copies of the site development plan to
- 455 the Building Department at the time of filing the formal application for site development plan
- 456 approval under the provisions of § 170-36, Administrative site development plan review, or
- 457 § 170-37, ~~Joint Site Development Review Committee~~ [S](#)site development plan review.

459 **Section 3.** Chapter 197 Zoning, Article VI Historic Preservation Architectural Review
460 Commission (197-57 Jurisdiction and procedures) of the Municipal Code of the City of Lewes,
461 Delaware, be the same and is hereby amended by removing the strikethrough text and by adding
462 the underlined text.

463
464 § 197-57 **Jurisdiction and procedures.**

465 A. Jurisdiction.

- 466 (1) The Historic Preservation Architectural Review Commission shall have jurisdiction over
467 all structures in the City of Lewes except as stated in Subsection A(3). This jurisdiction
468 includes all existing and new structures (including structures that have been or are
469 proposed to be relocated) and encompass development, development plans,
470 construction, alteration, renovation, modification, building remodeling and any other
471 changes that may be made to a structure.
- 472 (2) ~~The Historic Preservation Architectural Review Commission will participate with the~~
473 ~~Lewes Planning Commission on a joint ad hoc site development plan review committee~~
474 ~~as established in Subdivision and Land Development Ordinance Amendments, Chapter~~
475 ~~170.~~
- 476 (3) The Historic Preservation and Architectural Review Commission shall not have
477 jurisdiction over:
- 478 (a) Residential structures and associated outbuildings located outside the Historic District
479 or not otherwise defined as historic properties;
- 480 (b) Any aspect of the design or construction of the interior of structures that will not alter
481 the exterior appearance of the structure;
- 482 (c) Repair and or replacement of existing windows and doors using the same material,
483 including the installation of storm windows that will not alter the exterior appearance
484 of the structure;
- 485 (d) Maintenance, repair and/or replacement of existing roof material, involving no change
486 in the design, scale, material, or appearance of the structure;
- 487 (e) Repair and/or replacement of roof structures such as cupolas, dormers, and chimneys,
488 using the same material that will not alter the exterior appearance of the structure;
- 489 (f) Repairs and/or replacement of existing shingles, clapboards, or other siding, using the
490 same materials, and maintaining the exterior appearance of the structure;
- 491 (g) Replacement or repairs to existing shutters, fences, or retaining walls, using the same
492 materials for those items being repaired or replaced; ~~or~~
- 493 (h) Repainting or change of paint color, except when required as part of a plan
494 application; ~~;~~
- 495 (i) Outdoor museum exhibitions that comply with the requirements of Article IV.
496 [Added 3-14-2022]; or
- 497 (j) Commercial and industrial structures and associated outbuildings located
498 outside the Historic District or not otherwise defined as historic properties.

499
500 **Section 4.** Chapter 197 Zoning Section 197-62 Off-Street Loading of the Municipal Code
501 of the City of Lewes, Delaware, be the same and is hereby amended by removing the strikethrough
502 text and by adding the underlined text.

- 504 § 197-62 **Off street loading.**
505 C. Additional computational standards.
506 (1) Joint use. Where more than one land use occupies a single structure, off-street loading
507 space shall be computed by assuming that the entire building is occupied by the use for
508 which the most spaces are required.
509 (2) Modification permitted. The ~~Joint Site Development Ad Hoc Review Committee~~
510 Planning Commission may approve, or recommend that the Mayor and City Council,
511 waive the requirement for or reduce the number of required loading spaces for
512 buildings containing less than 10,000 square feet under the following circumstances:
513 **[Amended 2-14-2022]**
514

515 **Section 5.** If any provision of this Ordinance shall be deemed or held to be invalid or
516 unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect
517 any other provision of this Ordinance which may be given effect without such invalid or
518 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to
519 be severable.

520
521 **Section 5.** This Ordinance shall take effect immediately upon its adoption by the Mayor
522 and City Council of the City of Lewes.

523
524 Adopted by the Mayor and City Council
525 of the City of Lewes
526 July 10, 2023

527
528 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the
529 foregoing is a true and correct copy of the ordinance passed by the Mayor and City Council at its
530 regular meeting on July 10, 2023, at which a quorum was present and voting throughout and the
531 same is still in full force and effect.

532
533 
534 _____
535 Secretary

536
537 **SYNOPSIS:** This Ordinance amends the regulations regarding the site plan process.