

NOTICE

THE COMMISSIONERS OF THE CITY OF REHOBOTH BEACH ON APRIL 19, 2024,
ADOPTED ORDINANCE NO. 0424-02 WHICH READS AS FOLLOWS:

**AN ORDINANCE
TO AMEND CHAPTER 236 OF THE MUNICIPAL CODE OF THE CITY OF
REHOBOTH BEACH BY INSERTING A NEW SECTION 236-8.2
RELATING TO THE CONSOLIDATION OF LOTS**

WHEREAS, as recommended by the City of Rehoboth Beach Planning Commission, the Commissioners of the City of Rehoboth Beach deem it desirable and appropriate to amend Chapter 236, of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001 (“Code”) to provide specific criteria, largely consistent with former Code Section 270-46.1, regarding the Planning Commission’s review and approval of requests to consolidate or re-subdivide certain lots in a summary manner.

BE IT ORDAINED, by the Commissioners of the City of Rehoboth Beach, in session met, in the manner following to wit:

Section 1. Chapter 236, Subdivision of Land and Site Plan Review, of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by inserting a new Section 236-8.2 as follows:

§ 236-8.2 Consolidation of lots.

A. Two or more lots under common ownership shall be consolidated into a larger single lot when the multiple lots are utilized as one parcel as evidenced through the placement of a structure, structures, or other improvements thereon, or when the multiple lots are expressly consolidated to comply with the provisions of Chapter 270.

B. No lots may be consolidated unless the lots are under common ownership (as demonstrated by common legal title).

C. No permit shall be issued when two or more lots must be consolidated to comply with the provisions of Chapter 270 until the owner of the lots has executed a lot consolidation affidavit provided by the City acknowledging the consolidation of the lots into a larger single lot, and the affidavit is recorded in the Sussex County office of the Recorder of Deeds.

D. Lots consolidated pursuant to this Chapter, or previously consolidated consistent with the provisions of this Chapter, may be re-subdivided to their originally plotted lot configuration, upon approval by the Planning Commission, either (1) by demonstrating it is not necessary to consolidate the multiple lots to comply with the provisions of Chapter 270, or (2) by

demonstrating that (a) but for the requirements of Section 270-22A, it is not necessary to consolidate the multiple lots to comply with the provisions of Chapter 270 and (b) each of the lots, as originally plotted, conform to the requirements of Section 270-22A(3).

E. Notwithstanding anything contained in this chapter or Chapter 270 to the contrary, in all residential districts, no lots may be consolidated unless all such combined lots shall have contiguous and continuous frontage on the same street.

Section 2. This Ordinance shall become effective immediately upon its adoption by the Commissioners of the City of Rehoboth Beach.

SYNOPSIS: This Ordinance amends Chapter 236, Subdivision of Land and Site Plan Review, of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, to provide specific criteria, regarding the Planning Commission's review and approval of requests to consolidate or re-subdivide certain lots in a summary manner.