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**ORDINANCE NO. 26-01**

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF MILLVILLE  
FOR CERTAIN PARCELS OF LAND KNOWN AS  
TAX PARCEL NOS. 134-12.00-16.00, -1501.00 THROUGH -1509.00, AND -1511.00  
THROUGH 1515.00.**

**WHEREAS**, the Mayor and Council of the Town of Millville have the power to zone or district the Town and make particular provisions for particular zones or districts with regard to building or building material, and generally to exercise all powers and authorities vested in the legislative body of cities and incorporated towns under and by virtue of Chapter 3, Title 22 of the Delaware Code; and

**WHEREAS**, the Mayor and Town Council has previously found it necessary for the aforementioned purposes to enact a zoning ordinance, codified as Chapter 155 of the Town Code, and adopt an official Zoning Map; and

**WHEREAS**, Article XIII of Chapter 155 governs zoning amendments, including Section 155-73 providing in part, “Any such amendment may be initiated by resolution of the Town Council or by petition of any property owner addressed to the Town Council”; and

**WHEREAS**, the owner of the above-captioned parcels submitted a rezoning application and additional documentation to the Town; and

**WHEREAS**, the Town adopted its October 2019 Comprehensive Plan that was certified then by the Governor as an official statement about the Town’s future and is used to direct subsequent development decisions; and

**WHEREAS**, the Office of State Planning Coordination issued to the Town a letter dated December 20, 2024 indicating no objection to amending the Town’s Comprehensive Plan without a Preliminary Land Use Services (“PLUS”) review for changing the future land use designation for tax parcel nos. 134-12.00-16.00, -1501.00 through -1509.00, and -1515.00 from commercial to residential, such that these parcels were annexed into the Town with a R-Residential District designation; and

**WHEREAS**, the Mayor and Town Council recently enacted an ordinance amending the zoning regulations in Chapter 155 to provide for an R2 Residential District, with the prior R-Residential being renamed the R1 Residential District; and

**WHEREAS**, the Mayor and Town Council held a public hearing on June 10, 2025, with proper notice by publication as required by Section 155-74 and 22 *Del. C.* § 304; and

**WHEREAS**, after the public hearing, for the reasons provided at the public hearing and discussed thereafter, the Mayor and Town Council voted 5-0 in favor of the rezoning;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Town Council for the Town of Millville, Sussex County, Delaware, having duly met and a majority thereof concurring herein, that; the future land use map (Map 5) of the Town’s 2019 Comprehensive plan is recognized as amended to residential for tax parcel nos. 134-12.00-16.00, -1501.00 through -1509.00, and -1511.00 through 1515.00; and the Official Zoning Map of the Town, adopted by reference in Town Code Section 155-5, is amended for said parcels to receive an R2 Residential District designation.

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MILLVILLE, SUSSEX COUNTY, DELAWARE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.**

**SEAL:** \_\_\_\_\_  
**MAYOR**

**ATTESTED:** \_\_\_\_\_  
**SECRETARY**

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**SYNOPSIS**

This ordinance amends the Town’s official zoning map from R1 to R2 for the captioned parcels.