

TOWN COUNCIL
PUBLIC HEARING INFORMATION SHEET

ITEM: Zoning Amendment Application—Georgetown
Marketplace – Case #2016-05

ITEM NO: N/A

DATE: October 26th, 2016

PRESENTER: G. T. Cupples, LLC/Gary Cupples

DESCRIPTION: An application by G. T. Cupples, LLC, on behalf of Georgetown Marketplace, for an official zoning map amendment from Urban Business (UB1) to Highway Commercial (HC). The properties are located at the Northwest corner of Routes 113 and 9, Georgetown, DE identified as Sussex County Tax District 135 Map 19.00 Parcel 12.02 & 12.03.

BACKGROUND: The public hearing will allow for public comment and any questions that the public has regarding the application.

The application was forwarded to the Planning Commission for review and comment at their September 21st meeting.

A copy of the Planning Commission draft minutes have been included for your review.

No action is necessary at this time.

The record will remain open 14 days for written comment.

This application will be formally voted on at the November 16th Town Council meeting.

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING AGENDA**

Meeting Date: Wednesday, October 26th, 2016
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 6:45 P.M. Public Hearing
7:00 P.M. Regular Meeting

6:45 P.M. Public Hearing – Rezone 2016-05

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of October 12th, 2016 Town Council Minutes
5. Parking Ticket Appeal
6. 1st Reading of Ordinances
 - A. Ordinance #2016-10 Peace and Good Order – Vehicle Repossession
 - B. Ordinance #2016-11 Downtown Development District Incentives
7. Departmental Reports
 - A. Town Manager – Gene Dvornick
8. Public Comment
9. Adjournment

The agenda items as listed may not be considered in sequence. This agenda is subject to change to include additional items including executive sessions or the deletion of items including executive sessions, which arise at the time of the meeting. Persons with disabilities requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the Americans with Disabilities Act (ADA).

TOWN OF GEORGETOWN

MAYOR
AND
COUNCIL



TOWN HALL
39 THE CIRCLE
GEORGETOWN, DE
19947

October 5, 2016

Ms. Sonya Simpler
1200 Magnolia Drive, # 1206
Delmar, DE 19940

RE: Appeal – Parking Ticket # 5010005898

Dear Ms. Stalworth,

This letter confirms receipt of your Parking Violation Appeal Form submitted on September 26, 2016 regarding the parking ticket issued on September 26, 2016 for parking overtime and the associated \$20.00 fine.

After review and consideration of the reason for appeal, your request is ***denied*** and the violation remains in effect.

Should you disagree with this decision, Georgetown Town Code § A240-17(3) allows for an appeal directly to the Town Council, which provides you with an opportunity to present your case.

Should you choose to appeal this decision please contact Town Hall, at (302) 856-7391, to be placed on the next regular Town Council Agenda. Otherwise, the original fine remains in effect and due within seven (7) days of this notice. Failure to pay the fine as indicated will result in additional penalties being assessed.

Sincerely,

TOWN OF GEORGETOWN

Eugene S. Dvornick, Jr.

Eugene S. Dvornick, Jr.
Town Manager

cc: Stephani Ballard – Town Solicitor
RL Hughes – Chief of Police
Elaine Reynolds – Meter Attendant



ORDINANCE 2016-10

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN, CHAPTER 157 THEREOF, ENTITLED PEACE AND GOOD ORDER

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

Section 1. Chapter 157 of the Code of the Town of Georgetown is hereby amended
by adding the following:

Article IV. Vehicle Repossession

§ 157-9. Notice to Law Enforcement for Motor Vehicle Repossession.

A merchant who repossesses motor vehicle collateral or goods subject to a motor vehicle consumer lease, or a person who repossesses such collateral or goods on behalf of the merchant, shall notify the Georgetown Police Department in writing about any planned repossession. The notification shall include the names of the customer, merchant, and, if applicable, the person who repossesses the collateral or goods on behalf of the merchant. The notification shall also include a description of the collateral or goods. Notification under this subsection shall be made before, no less than 24 hours prior to the repossession.

§ 157-10. Additional requirements.

Vehicle repossession on Sundays shall be prohibited.

§ 157-11. Violations and penalties.

Any person violating any provision of this article shall be subject to a fine of \$1000.

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2016.

William E West, Mayor

Steve M Hartstein, Secretary

1st Reading: October 26, 2016

2nd Reading: November 16, 2016

Adoption: November 16, 2016

DRAFT



ORDINANCE 2016-11

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN, CREATING APPENDIX CHAPTER A250, ENTITLED DOWNTOWN DEVELOPMENT DISTRICT INCENTIVES

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

Section 1. The Code of the Town of Georgetown is hereby amended by adding the following:

ARTICLE I. Intent

The Town Council has deemed it to be in the best interests of the residents of the Town and in furtherance of their health, safety, and welfare to promote the renovation, utilization, development, and redevelopment of parcels within the Designated Downtown Development District. In order to promote this the Town Council has determined that incentives, including, but not limited to, tax abatements, impact fee waivers, and building permit waivers should be offered.

ARTICLE II. ELIGIBILITY.

Section 1 – Eligible project.

Projects eligible for incentives shall include any project contemplated within the boundaries of the Designated Downtown Development District, as approved by the Cabinet Committee on State Planning Issues on October 5, 2016 and as modified from time to time.

ARTICLE III - INCENTIVES

Section 1 – Property tax increase phase in.

All projects will be afforded a phase in for the incremental increase in the Town of Georgetown property tax due as a result of the improvement. The phase in will be ten percent (10%) year one, and increase by an additional ten percent (10%) each year until year ten.

Section 2 – Business license fee waiver

The annual Town of Georgetown Business License Fee will be waived for the first five (5) years in operation (new businesses only). An annual business license application will be required and kept on file. Annual business licenses shall be issued by the Town.

Section 3 – Accelerated development review process

Projects in complete compliance with Town of Georgetown Zoning Code will be administratively approved.

All reviews, controlled by the Town of Georgetown, are to be completed within three (3) weeks of submission.

Section 4 – Building permit fee reduction

All projects will be eligible for a reduction in the Building Permit Fee based on the value of the improvement. The reduction amount ranges from a minimum of fifteen percent (15%) to a maximum of seventy five (75%).

Section 5 – Emergency Services and Georgetown Recreation, Education, and Arts Trust Fund fee reduction

All projects will be eligible for a 50% reduction in the Emergency Services and Georgetown Recreation, Education and Arts Trust Fund Fee. This fee is based on the value of the new construction cost and is a sliding scale as outlined in Chapter 98 – Fee, § 98-6 Licenses and Permit.

Section 6 – Impact fee (Water & Sewer) reduction

All Projects of a commercial nature will be afforded a twenty percent (20%) reduction in water & sewer impact fees at time of building permit issuance.

Projects of a mixed use (commercial/residential) nature will be afforded a thirty-five percent (35%) reduction in water & sewer impact fees at time of building permit issuance.

Fee calculation is based on one (1) initial EDU, per unit, with additional EDU's being calculated at the end of the first twelve (12) months in operation.

Impact fees (water and sewer) shall be as outlined in Chapter 98 – Fee, § 98-5 Utility Services.

Section 7 – Sign, Façade, and Awning Grant

All Projects shall be eligible to participate in the Town of Georgetown Sign, Façade, and Awning Grant program.

ARTICLE IV. - ADMINISTRATION

The Town Manager and his staff shall develop the administrative procedures necessary to implement this ordinance. The Town Manager and his staff shall promulgate reasonable standards to be used in determining which incentives an eligible project shall receive.

ARTICLE V. - SEVERABILITY

Section 1. - Severability.

Should any section or provision of this ordinance be declared to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the parts so declared to be unconstitutional or invalid.

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2016.

William E. West, Mayor

Steven M. Hartstein, Secretary

1st Reading: October 26, 2016

2nd Reading: November 16, 2016

Adoption: November 16, 2016