

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING AGENDA**

Meeting Date: Wednesday, May 11, 2016
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 6:30P.M. Executive Session
7:00 P.M. Regular Meeting

6:30 P.M. Executive Session

Mayor and Council will meet in executive session for the discussion of:

A. A personnel matter which the names, competency and abilities of individual employees are discussed.

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of the April 27, 2016 Town Council Meeting Minutes
5. Oath of Office
6. Organization of Council
 - A. Vice-Mayor
 - B. Secretary
 - C. Affirmation of Code of Ethics
7. National Community Action Month Proclamation
8. Out of Town Utility Request - Del-Tech Community College
9. Downtown Development District
 - A. Application for Designation as a Downtown Development District
 - B. Resolution #2016-3 for Application as a Downtown Development District
10. Planning Commission Appointments
11. Board of Adjustment Appointments
12. 2nd Reading & Adoption of Ordinances
 - A. Ordinance #2016-7 Water Rates
 - B. Ordinance #2016-4 Registered Compassion Center
13. 3rd Reading & Adoption of Ordinance
 - A. Ordinance #2016-5 Animals
14. Departmental Reports
 - A. Gene Dvornick – Town Manager
 - B. Bill Bradley – Director of Public Works
15. Public Comment
16. Adjournment

TOWN COUNCIL
AGENDA ITEM INFORMATION SHEET

ITEM: Organization of Council

ITEM NO: 6A - Vice-Mayor
6B – Secretary
6C – Affirmation of the Code of Ethics

DATE: May 11, 2016

Per the Charter, Sections 2.5 and 2.1

At the annual meeting, **the Town Council shall organize and elect a Vice-Mayor**, who shall hold office for the term of one (1) year or until his/her successor shall be duly elected.

The Town Council shall likewise select a Secretary from their own number to serve until the organization meeting after the next Annual Municipal Election.

Annually, **Town Council members shall sign an Affirmation of the Code of Ethics** as prescribed by the Town of Georgetown at the Council meeting in May each year when the Town Council elects the Secretary and Vice Mayor, as an acknowledgement of each Council member's continuing commitment to abide by the principles of this Code.



Proclamation

For

National Community Action Month

WHEREAS, First State Community Action Agency eliminates the root causes of poverty while making less severe the effects of poverty on low income people and communities; and

WHEREAS, First State Community Action pride themselves on: a trained staff with an outstanding capacity to help people become self-sufficient, a commitment to diversity, sponsor programs that promote self-reliance, inventive approaches to complicated problems that baffle others, and follow a belief that people need to get back to the basics of honesty, responsibility, hard work, and concern for the welfare of others not just the self; and

WHEREAS, First State Community Action is governed by a multi-talented Board of Directors that represent the banking industry, the teaching profession, real estate, government and housing management. First State's many programs are implemented by a trained staff that go the "extra mile" for the people served; and

NOW THEREFORE, I, William E West, by virtue of the authority vested in me as Mayor of the Town of Georgetown do hereby proclaim May 2016 as

National Community Action Month

and urge all citizens to join in supporting First State Community Action Agency and the programs and services provided by the staff.

In Witness Whereof, I have hereunto set my hand and caused the Seal of this Town to be affixed this 11th day of May, 2016.

William E West, Mayor

TOWN COUNCIL
AGENDA ITEM INFORMATION SHEET

ITEM: Out of Town Utility Request - Del-Tech Community College

ITEM NO: 8

DATE: May 11, 2016

DESCRIPTION: Delaware Technical Community College is in the process of constructing an Agricultural Production Lab on Ennis Road (14.00-53.01)

BACKGROUND: Background information is attached.

- Property location and information.
- Letter from DTCC requesting variance.

Agricultural Lab



The whole parcel consists of 17 acres and currently is out of Town limits. The proposed site has a water meter and sewer lateral in place.

The proposed Agricultural Lab (2,400sqft) will have a single restroom with a toilet and sink for use by the College Ag Students and staff, occupancy will be six (6) persons at one time.

A fire sprinkler line is not required.

The existing well will be used for wash down of an inside production bench and irrigation of crops.

If approved Town water will be used for drinking and sanitary sewer installation.

Impact Fees	Water - \$1,599
	Sewer- <u>\$7,400</u>
	\$8,999 (per EDU)

DTCC is asking for a variance to hook into the existing utilities.

4/22/2016

Linford P. Faucett III
Delaware Technical Community College Owens Campus
21179 College Dr.
Georgetown, De 19947



Georgetown Town Council
39 The Circle
Georgetown, De 19947

Tax Parcel # 1-35-14.00-53.01

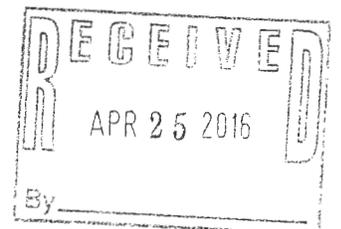
Dear Council Members;

Delaware Technical Community College Owens Campus is in the process of building a pole building on the old lot that used to be Mr. Wilbur Shockley's house. In the late 1990's, DTCC bought 17 acres from Mrs. Ida Hudson where the house stood. We (DTCC) were under the impression that utilities (Town of Georgetown Sewer and Water were available for hook in). I (Lin Faucett) recently was informed by Mr. Bill Bradley and Jamie Craddock that Mr. Shockley did not hook up to Town services, but, there is a water meter and sewer lateral that could be used for this new building. We (DTCC) will have a single restroom with a toilet and sink for use by college ag students and staff. I thought that this property was in Town limits but, found out it is in Sussex County's jurisdiction. I am asking for the council to issue a variance to hook in these to these two existing utilities. DTCC is a cooperating partner with the Town of Georgetown and most of our Campus is in Georgetown city limits. Please advise on the course forward, this building is key to our Agriculture Program this summer semester.

Thanking you for your support and consideration on project,

A handwritten signature in black ink, appearing to read "L. P. Faucett III".

Linford P. Faucett III
Director of Administrative Services
Delaware Technical Community College Owens Campus





**DELAWARE DOWNTOWN DEVELOPMENT DISTRICT
APPLICATION FOR DESIGNATION AS A DISTRICT**



March 2016

**Downtown Development District Program
How to Use this Application Form**

This application is a Microsoft Word document that has been modified. The text in the document is "locked" meaning that you can't edit it. The fields where you are supposed to enter information are "open" allowing you to type or paste information into these fields. The fields that can be edited are in gray.

First, we recommend that you save this document with a unique file name that includes the name of your jurisdiction. An example would be "DDD-Application-Dagsboro." Then you can work on the document without fear of overwriting it, and when you send it to us we will know who it came from (and we won't be in danger of overwriting it).

Some of the fields are informational in nature, such as places to type in the name and address of your jurisdiction. It should be relatively straightforward to type this information in and save it. Some of the fields are check boxes, which are similarly straightforward.

Many of the fields are questions that ask you to respond in either 100 or 750 words. You might find it helpful to write and edit your responses in a separate Word document and then paste them in to the application once they are complete. The 100 word statement is to be used internally for review and in printed materials where we need a concise description of each proposed District. Almost all other questions are suggested to be no more than 750 words, which is about a page and a half of text (using 12 point font). In these responses it is important to clearly and concisely answer each question. Your District Plan can go into much more detail about each topic, and it is appropriate and expected that you will reference your District Plan in these 750 word responses. There is no penalty for exceeding 750 words, but if you find that you are writing much more than 750 words please consider putting the additional information in your District Plan.

There are numerous attachments mentioned throughout this application. The most obvious one will be the District Plan. The application also asks for various maps, spreadsheets, letters of support, resolutions and data to be attached associated with particular questions. Please compile all of the attachments into one Adobe Acrobat (.pdf) document. It would be wonderful if you could include a table of contents, and organize these attachments in the order of the questions.

It is likely that when you are done with the application form (Word document) and the attachments (.pdf document) the combination of both documents will be larger than 15mb, which is the limit for external email in the State system. In these cases, we will arrange for you to have access to a sftp file transfer site to upload your documents. Email the OMB Application Team at OMB_APP_Team@state.de.us to request an account and a password to upload the file. You must include the following information in your email in order for the OMB Application Team to process your account access: Name, Company, Email Address, and Phone Number.

OSPC will provide technical assistance with Census data and GIS mapping if requested by local governments that can demonstrate the need for the assistance. We will provide assistance to all local governments on the technical aspects of completing this application and transmitting / uploading finished applications. To request assistance or if you have questions about any part of this application or the program in general please contact your Circuit Rider Planner at the Office of State Planning Coordination, (302) 739-3090.



Downtown Development Districts

Application for Designation as a District

Section I General Guidelines

The Downtown Development Districts Act of 2014 (the Act) was enacted by the General Assembly in order to:

- Spur private capital investment in commercial business districts and other neighborhoods;
- Stimulate job growth and improve the commercial vitality of such districts and neighborhoods;
- Help build a stable community of long term residents by improving housing opportunities; and
- Assist local governments in strengthening neighborhoods while harnessing the attraction that vibrant downtowns hold for talented people, innovative small businesses and residents from all walks of life.

Local governments¹ that wish to take advantage of this program must identify a downtown district in their community and apply for designation. To make an application for designation this form must be completed, supporting materials must be attached, and the entire packet submitted to the Office of State Planning Coordination as detailed herein in order for the request to be considered.

¹ Municipalities and counties are eligible to apply for Downtown Development District designation. Throughout this document, the terms "local government" and "applicant" refer to either the municipality or county that is presenting the application.

Completed applications will be considered by the Cabinet Committee on State Planning Issues (the Committee). The Committee will make recommendations to the Governor, who may then designate additional Downtown Development Districts in the current program year. Additional Districts may be designated in future program years. The number of Districts is limited to 15 at any one time. District designations last for 10 years, and the Committee can consider up to two five year extensions.

Selection as a Downtown Development District will entitle private construction projects within the identified District to receive grants to offset up to 20% of their capital construction costs. There are a host of other benefits that will be described in more detail in other materials. Grant funds will be administered by the Delaware State Housing Authority (DSHA).

Applications must be addressed to the Office of State Planning Coordination as follows:

Mrs. Constance C. Holland, AICP
Director
Office of State Planning Coordination
122 Martin Luther King Jr. Blvd, S.
Dover, DE 19901

Application Due Date for
FY16 Cycle:
June 1, 2016



Downtown Development Districts

Application for Designation as a District

Section II Specific Requirements

Local governments must identify proposed Downtown Development Districts in accordance with the Act. Districts must include a traditional mixed-use downtown area, commonly known as a Central Business District (CBD)². Districts must be no more than 85 acres in area for jurisdictions with a population under 9,000³ persons, no more than 170 acres in area for jurisdictions with a population between 9,000 and 30,000 persons, and no more than 225 acres in area for jurisdictions with a population over 30,001 persons. Applicants are encouraged to geographically concentrate the incentives to the greatest extent possible.

The size and shape of the proposed District must make sense from an urban planning and revitalization perspective. The applicant must fully describe the rationale for choosing the boundaries as a part of this application. Guidelines for preparing District boundaries are found elsewhere in this application.

A map of the District is required as a part of this application. Local governments must also supply maps showing the future land use and zoning of the district area, and discuss how the

² Central Business District: An area around the downtown portion of the city or town allowing for higher intensity residential uses as well as commercial, office, personal services, governmental, and similar uses intended to serve the community and surrounding areas of the city or town.

³ Population to be based on the 2010 US Census.

plan and land use regulations support the application for the District.

The Act identifies three components of the application for designation as a District:

- The need and impact of the District designation;
- The quality of the District Plan
- The quality of the local incentives offered

Each of these components will now be described in more detail.

Need and Impact: The applicant must describe the need for the economic incentives that will be available in designated District. The need must be documented through the use of relevant data and other methods. The conditions of the local economy, income, poverty, homeownership rates, prevalence of vacant or abandoned buildings and other metrics may be used to make the case that the proposed District is in need of the incentives.

In addition, the applicant must describe the potential positive impacts that are likely to accrue due to designation as a District. Applicants are encouraged to describe the impacts using both data and other methods.

The **Need and Impact** section will account for 50% of the consideration given to scoring each application.

District Plan – The local government must present a District Plan that will be used to guide development activities and



Downtown Development Districts

Application for Designation as a District

revitalization efforts in the District. The District Plan is to be a detailed description of the overall strategy for the development of a proposed district.

The applicant must demonstrate that the District Plan is consistent with the local government's certified Comprehensive Plan and the *Strategies for State Policies and Spending* and any other local planning documents or studies that are applicable. Additionally, if other governmental, non-governmental and/or quasi-governmental organizations are involved with revitalization efforts in the downtown area they must be identified and it must be demonstrated that coordination of all activities will be part of the District Plan.

The District Plan should clearly and concisely describe the key actions and strategies that are in place and / or will be used to guide growth and revitalization efforts in the proposed District. The overall vision of the plan, the clarity of actions to be taken, and proof of the ability and the will of the municipality or county and other partners to implement the plan will be key considerations when evaluating this section of the application.

Changes to the District Plan must be reviewed by the Committee. District designation may be rescinded if the District Plan is not adhered to.

The quality of the **District Plan** will account for 30% of the consideration given to scoring each application.

Local Incentives – The local government must detail a package of local development incentives that will apply within the proposed District. These incentives may include, but are not limited to, a reduction in fees or taxes; regulatory flexibility; permit process and licensing reform; special zoning districts; or exemptions from local ordinances. These incentives may either be currently in place and in use by the municipality or county or they may be proposed for implementation upon designation as a District.

Upon designation as a District the local government is required to implement the incentive package as described and proposed for the duration of the District designation. Grant funds will not be available to projects until the incentive package is adopted by the local government and made available to the project developer. Changes to the incentive package must be approved by the Committee. The District designation may be rescinded by the Committee if these conditions are not adhered to.

The quality of the **Local Incentives** will account for 20% of the consideration given to scoring each application.

Section III Application Instructions

Local governments that wish to be considered for designation as a Downtown Development District must fill out the application form for the current FY16 application cycle.



Downtown Development Districts

Application for Designation as a District

For local governments that previously applied for designation in the FY14 round, their original applications remain on file with the OSPC. If the local government would like to be considered for designation in the FY16 round, they will have the following options:

- Have their original application reviewed;
- Have their original application reviewed with supplemental materials to be provided; or
- Complete a new application.

If a local government with an application on file wishes to be considered for designation in this round, they must signify this by completing at least the Information Sheet and they must provide a new Resolution from the local legislative body.

If a local government with an application on file wishes to provide supplemental materials, the new materials must be inserted in the appropriate locations on this application form. Attachments, such as a revised District Plan, are certainly permissible. The supplemental materials must be presented in a way that clearly demonstrates what changes, updates or new information is being provided. Actually highlighting or red-lining new materials would be most helpful.

Here are some details about the various parts of the application form:

Check List - self-explanatory.

Information Sheet - The local government must supply the

jurisdiction's name, mailing address, and phone numbers. The applicant must provide the date of the last update of the comprehensive plan and briefly describe the District being proposed. All local governments must complete this form, even those with applications on file from a previous round.

Map of the Proposed District – The local government must submit a map of the proposed District in sufficient detail to clearly identify the boundaries of the District and calculate its area. Maps should be created with GIS software, and the associated computer files should be made available to aid our review of the proposal. Districts must be contiguous, and be no more than 85 acres in area for local governments with a population under 9,000 persons, no more than 170 acres in area for jurisdictions with a population between 9,000 and 30,000 persons, and no more than 225 acres in area for jurisdictions with a population over 30,001 persons. There are guidelines detailed elsewhere in this application that must be followed when preparing the proposed District boundaries. Applicants must also supply maps showing the future land use and zoning of the district area, and discuss how the plan and land use regulations support the application for the District.

Summary of Need and Impact – The local government must complete this form to summarize the need for District designation and the potential positive impact of the district. Supporting documentation should be attached to this form.



Downtown Development Districts

Application for Designation as a District

Summary of District Plan – The local government must complete this form to summarize the District Plan for the proposed District. Copies of the District Plan or Plans must be attached to this form, along with any relevant supporting documentation.

Written Documentation from Supporting Organizations – The local government must supply written documentation from other organizations that will be relied upon to implement the District Plan. The documentation must be attached to the “Summary of District Plan” form.

Summary of Local Incentives – The local government must complete this form to summarize the local incentive package to be made available within the District upon designation. The local ordinances (or other regulations or documentation) enabling and governing these incentives must be attached to this form, along with any relevant supporting documentation. In the case of incentives proposed upon designation, the draft ordinances must be attached.

Legislative Body Resolution – The local government must attach an adopted resolution from the jurisdiction’s legislative body that indicates the local government’s desire to apply for designation as a District, and the local government’s willingness to adhere to the District Plan and the Local Incentives for the duration of the District designation. All local governments must provide a resolution from the legislative body, even those with applications on file from a previous round. Resolutions

must have been acted upon during this FY16 application period. Resolutions from 2014 will not be accepted.



Downtown Development Districts

Application for Designation as a District

Application Cover Sheet and Check List

Jurisdiction Name:

Town of Georgetown

Date of Application ____

Date Received ____

Check List for Application Materials

- Application Cover Sheet and Check List.
- Information Sheet.
- Map of the Proposed District (GIS files encouraged).
- Map of Future Land Use in Proposed District (GIS files encouraged)
- Map of Zoning in Proposed District (GIS files encouraged)
- Summary of Need and Impact (with attachments).
- Summary of District Plan (with attachments).
- Written Documentation from Supporting Organizations.
- Summary of Local Incentives (with attachments).
- Legislative Body Resolution.



Downtown Development Districts

Application for Designation as a District

Information Sheet

Note: All local governments must complete this sheet, even those with applications on file from a previous round.

Municipality / County: Town of Georgetown

Contact Person for Application		Proposed District Administrator (if different)	
Name: _____		Name: _____	
Address: _____		Address: _____	
Phone: _____		Phone: _____	
Email: _____		Email: _____	
Signature _____	Date _____	Signature _____	Date _____

- New Application, never applied for DDD designation before.
- Application on file, please review with no changes.
- Application on file, please review with the addition of supplemental materials included in this application form or attached.
- Application on file. Please disregard it and review this entirely new application.

Date of certified Comprehensive Plan _____

Population of the municipality or county (as per 2010 US Census) 6,422

Population of proposed District (based on 2010 US Census Block data) 1,663

Area of proposed District in acres 84

Area Verified by OSPC Staff _____
OSPC use only



Downtown Development Districts

Application for Designation as a District

Brief description of the proposed Downtown Development District (100 words or less)

Note: this description will be used as a summary for internal review and in printed materials

The proposed Downtown Development District includes the two key corridors that lead to downtown Georgetown, East Market Street and North Race Street. The area to the east of the Circle that makes up the District is in need of major revitalization. As the County seat there are numerous State and County workers and visitors coming to downtown Georgetown every day, yet there are few businesses and services to support the daily influx of people, as well as the needs of residents. In the past few years the Town has put forth efforts to make improvements but the District still faces many challenges.



Downtown Development Districts

Application for Designation as a District

Map of the Proposed Downtown Development District

Instructions: Prepare a map of the proposed Downtown Development District. The map must clearly show the boundaries of the District. The area of the proposed District, in acres, must be calculated from the boundaries designated on the map. The following guidelines must be adhered to when preparing the boundaries of the proposed District:

- The maximum size of the District is 85 acres for local governments with populations below 9,000, 170 acres for local governments with a population between 9,000 and 30,000, and 225 acres for local governments with populations over 30,001 (population as per the 2010 US Census).
- Districts must be contiguous.
- Districts must include the streets and right-of-ways within it. These count towards the maximum acreage.
- Enclaves within District boundaries are not acceptable.
- Prioritizing, phasing and /or timing of redevelopment activities in different geographic areas of the District is acceptable, and will be considered favorably when it can be demonstrated that this will concentrate the incentives to achieve specific revitalization goals.
- If any portion of the proposed District is in the floodplain, the FEMA floodplain map must be included as a layer on the map. Contact OSPC for technical assistance if needed.

Attach the map of the proposed Downtown Development District

Attach a map showing the future land use in the proposed District from the municipality's or county's certified Comprehensive Plan. Attach a map showing the zoning or land use regulations that apply to lands within the District. Discuss how the plan and land use regulations support the application for the District.

It is encouraged that the map(s) be created using GIS software. If the municipality or county is able to use this software, please submit digital files to our office to supplement the application and aid us in our review. Please contact OSPC if you need assistance and / or to arrange to electronically transfer the files.

District Boundaries Map Attached

GIS data is available and will be electronically transferred to OSPC

Name of person who created the map: _____

Phone _____

Email _____



Downtown Development Districts

Application for Designation as a District

Map of the Proposed Downtown Development District - continued

Describe the rationale for choosing the boundaries of the proposed District (please limit your response to 750 words or less).

While the Sussex County Courthouse and Administrative Buildings anchor the downtown, and have generated many spinoff uses, it is the area's leading to the Circle that is in need of improvement. Over the years businesses have come and gone, and many residences have not been maintained leading to some homes being beyond repair. All of this has taken away from the assets and historic character Georgetown has to offer. It made sense to concentrate on the area around the Circle. The corridors of East Market Street and North Race Street make up the District and are the key gateways to the Circle, which is the hub of Georgetown. There is a mix of uses with many commercial establishments. Scattered throughout the District are several vacant parcels and properties with infill potential. The proposed District is approximately 84 acres and includes 212 parcels.

Attach a map showing the future land use of the District from the local government's certified Comprehensive Plan.

Map Attached

GIS data is available and will be electronically transferred to OSPC

Attach a map showing the zoning or land use regulations that apply to lands within the District

Map Attached

GIS data is available and will be electronically transferred to OSPC



Downtown Development Districts

Application for Designation as a District

Map of the Proposed Downtown Development District - continued

Discuss how the plan and land use regulations support the application for the District (Please limit your response to 750 words or less).

The District contains a diverse mix of uses that are well-dispersed throughout. The most prevalent land uses in terms of land area are open space/recreational, single-family and multi-family residential, parking areas and vacant land. Retail uses are grouped into three categories of general retail of goods and services, food related retail, and available space; together they make up 10% of the land area. Eight percent of the District includes institutional uses such as non-profits, religious uses, and state and local government building sites. Offices and professional uses, including law firms, make up 4% of the District land uses. Mixed-use buildings that contain retail or offices on the first floor and residential apartments on the upper floors make up 2%. The remaining land uses include industrial, storage and utility sites.

The Plan promotes and encourages continuing to allow the diverse mix of uses, especially mixed-use buildings with businesses on the first floor and offices or residential above. There are also Town wide design standards as well as East Market Street design standards that are applied to the District.

One of the many incentives the Town is offering is the creation of a form-based code to be applied to the District. Form-based code will give a potential developer clear guidelines as to the types of uses and aesthetic the Town is looking for, while giving the developer flexibility to be creative and innovative in a renovation or new construction project along with an expedited review and approval timeframe.

Are there other special overlays, districts, or areas that intersect the proposed District? Examples of such special areas include historic districts, BID taxing districts, etc. Please describe any of these special areas and how they will interact with the proposed Downtown Development District. Include maps, if applicable. (Please limit your response to 750 words or less).

There are currently no overlays within the District, but there are districts and design guidelines that will have an impact on the District. There is currently a Historic Zoning District that comprises several blocks off the Circle, including a section of the proposed District. The Town previously completed a review of the current Historic Zoning District looking at permitted uses and zoning district expansion. Many of the recommendations that came out of the Historic Zoning District committee will be utilized in the creation of the form-based code incentive.



Downtown Development Districts

Application for Designation as a District

Also, as mentioned above, there are design standards applied town wide and design standards specifically created for East Market Street. These two sets of design guidelines will play a key role and ensuring the character Town will continue to be maintained and improved, and the aesthetic of the Town will be enhanced.



Downtown Development Districts

Application for Designation as a District

Summary of Need and Impact 50%

Instructions: Complete this form to document the need for the District designation and its potential to positively impact your community. Attachments of data and other documentation are required. There is no specific page or word limit on the information that can be attached, *however* please be aware that applications that provide clear and concise documentation that is directly related to the need and impact of the District proposal will be scored the highest.

Please describe the **need** for the Downtown Development District designation in your community (please limit your response to 750 words or less).

Georgetown's downtown has a lot of potential with its rich history and notable historic character. Over the years the Town has put together many planning documents that speak to their dedication to continuously improve the Town as a whole as well as the downtown. The Town has invested in planning studies and actions that address downtown development, including the 2010 Comprehensive Plan, East Market Street Design Standards, Historic District Study Committee, Downtown Façade Improvement Program, and the Branding Initiative and Beautification Efforts Improvement Program. While the Town has set forth great energy and taken many steps forward, the downtown still faces many challenges. There are three main challenges (1-3) and several secondary challenges (4-7) which include:

1. Creating the right mix of uses that would promote day and night economic activity. As the Sussex County seat the Town consists of mostly weekday daytime activity resulting from the courthouse and government employment.
2. Competing with the commercial retail along the Route 113 corridor has proven to be a struggle for the downtown as people find the variety of businesses, easy access and hours of operation of large-scale commercial establishments more appealing than what is currently provided in Town. There is also immense competition with the coastal areas as most businesses want to invest in the coastal communities that attract so many visitors every summer.
3. Improving the physical walking environment throughout the downtown would make visiting multiple businesses much easier for pedestrians. Many times throughout the day it is difficult to cross Market Street, Bedford Street and the Circle.
4. There is a crime issue within the District as well as a perception of crime. A large percentage of the Town's crime occurs within or just adjacent to the District.



Downtown Development Districts

Application for Designation as a District

5. Parking has become an issue – where to find parking and the need for improved parking areas, especially the eastern gateway.
6. Gateways into the District are lacking which diminishes the sense of arrival into the downtown as well as the sense of place.
7. All the challenges above have taken away from Town's strong historic character.

It is also important to note that as the County seat there are great demands on the Town from the large influx of daily State and County workers and visitors to various agencies. As government entities the State and County do not add to the Town's tax base but do generate demand for services and infrastructure. The DDD would even the playing field by offering incentives for private investment in Town and capitalize on the large number of workers and visitors, while increasing the Town's tax base.



Downtown Development Districts

Application for Designation as a District

Summary of Need and Impact – continued 50%

Attach relevant data to that demonstrates and documents the **need for** the Downtown Development District designation.

The following table summarizes the **required** data from the US Census. Input the data into the summary spreadsheet provided, and attach any other written documentation that can summarize the data. Contact OSPC for assistance with the Census data, if needed.

Required Data from the US Census

The municipality or county as a whole			
Median Income	Poverty Rate	Age of Structures	% Homeownership
% Rental	Vacancy	Median Home Value	
The Census Tract(s) that contains the proposed District			
Median Income	Poverty Rate	Age of Structures	% Homeownership
% Rental	Vacancy	Median Home Value	% Low / Mod Income
The Census Block(s) that most closely correspond to the proposed District			
Total Population	% Homeownership	% Vacancy	

Summary spreadsheet and other documentation attached

Please provide any other data that support the municipality's application for the District. The following table contains some **suggested** data sources that can serve to supplement the required data. Please attach any that apply, and any other data that is relevant. Cite the source for each dataset.

Suggested Data from a Variety of Sources

Blight	Condemned Properties	Code Violations
Crime Statistics	Economic Analysis	CDBG Program Statistics
Market Studies	Redevelopment Authority Activities	Public Works Projects
Education Data	Infrastructure Condition or Need	Other

Additional data and documentation attached



Downtown Development Districts

Application for Designation as a District

Summary of Need and Impact – continued 50%

Describe how the attached data demonstrates the **need for** the Downtown Development District designation in your community (please limit your response to 750 words or less).

There are approximately 1,663 people living within the District. The median household income within the Town is estimated (2013) to be just under \$48,000 which is below the State median of \$60,000. The homeownership rate of the Town (48%) and the rate of the District (19%) both fall well behind the County (79%) and State (73%). Homeownership rates in Georgetown have been consistently lower in recent decades, mostly attributed to the transient population. Frequent mobility and high poverty rates tend to yield lower homeownership rates. In addition, Georgetown has seen an increase in housing vacancy rates from 9% to 14% between 2010 and 2013. Specifically within the District 19% of the housing units were occupied while 72% were renter occupied and 9% were vacant. An estimate also lists Georgetown's poverty rate as 21%, a rate almost twice that of the State's.

The Town and District consistently fall below that of the County and State averages when it comes to income, homeownership and poverty rates.

Describe the potential positive impacts of the proposed Downtown Development District designation in your community. Impacts can include economic, social and / or cultural impacts among others. Attach supporting documentation if applicable (please limit your response to 750 words or less).

The Town and District will see numerous benefits if designated a Downtown Development District. The overall benefit would be making the downtown market-ready and stimulating economic activity. Economic diversity will help create a more vibrant downtown which will strengthen the downtown's market. The designation will promote and incentivize infill development throughout the District with a focus on prime vacant and underutilized lands. It is the hope that these key locations will help start redevelopment and improvement projects throughout the District that will eventually spread to the surrounding areas. It only takes one great project to spur interest and investment into a community.

Designation will also help leverage additional funding opportunities for private and public projects that will improve the downtown as a whole. Improvements could include enhancing the



Downtown Development Districts

Application for Designation as a District

public realm which in turn would generate street activity and foot traffic. Increased pedestrian activity means more people visiting businesses downtown and putting 'eyes on the street' which creates a safer environment. Improvements could also include street amenities and façade improvements.

The Town has invested and lot of time and resources into rebranding the Town including a new motto - "well rounded", a logo and color palette. Receiving designation will help the Town take their rebranding efforts to the next level. The Town can focus on business recruitment through marketing and promotion incorporating previous branding with the development of the downtown.

The District Plan itself will be used as a planning tool to not just stimulate economic activity within the downtown, but guide activity through strategic, efficient and sound investments.



Downtown Development Districts

Application for Designation as a District

Summary of District Plan 30%

Instructions: through this application the municipality or county will be presenting the District Plan that will guide future revitalization, growth and development activities in the District. Upon designation, the local government will be required to adhere to the District Plan in order to qualify for grants and other incentives. Attach the District Plan, and summarize the content, goals, and objectives in the space provided.

The District Plan Checklist is provided in the Program Guidelines document. The proposed District Plan must be prepared in accordance with the Checklist.

Attach the District Plan.

District Plan Attached.

Summarize the content, goals and objectives of the District Plan. (please limit your response to 750 words or less).

As mentioned above and throughout the Plan, the District faces many challenges. Through public outreach the District's assets, challenges and opportunities for improvement were identified. These ideas were organized into goals, objectives and strategies (Section 4) and sorted into categories, such as housing, connectivity and walkability, and parking. The Implementation Plan (Section 5) summarizes the strategies by putting them in a user-friendly table that can be used by Town officials and staff in coordinating planning actions with other government agencies to make decisions in a timely and systematic manner.

The strategies, or Recommendations as they are labeled in the table, are categorized and mimic the strategies listed in Section 5 (Goals, Objectives and Strategies) of the Plan. The Implementation Schedule also provides information on potential partners and coordinating agencies that the Town could work with, offers a priority level – short term, high, medium and ongoing, and provides potential technical and financial assistance sources.



Downtown Development Districts

Application for Designation as a District

Summary of District Plan – continued 30%

Please summarize how the local government envisions itself in a leadership role to guide the successful implementation of the District Plan (please limit your response to 750 words or less).

The Town will work to promote the District Plan, administer the incentives and work on completing the strategies put forth in the Plan. The Plan can be used as a tool to support the reasons developers and business owners should come to Georgetown. The Town will simultaneously work to implement the strategies over the course of the designation. The Town will also continue their branding and marketing efforts. Using the products of the re-branding exercise, the Town will be able to update their Town website and other published materials to give them a cohesive look. These re-branding efforts can be put towards an advocacy and marketing campaign putting focus on the District, looking to attract new residents and visitors as well as potential developers.

List key implementation strategies for the District Plan. Please also list any known projects or proposals that can be underway within six to twelve months of District designation. Key Priority Projects⁴ should be identified, if applicable. See the Checklist for more details (please limit your response to 750 words or less).

Some of the high priority strategies include:

- Enforce existing and new property maintenance codes and impose fines on violators, in accordance with adopted regulations. Look into providing a home maintenance training program to educate District residents. Also put together and distribute a brochure to all property owners explaining the Code requirements for property maintenance.
- Work with a funding source that is already familiar with Downtown Development Districts and their processes and other revitalization efforts, in order to provide better step-by-step technical assistance to those wishing to apply for incentives.
- Ensure any development, when it applies, meets the Design Guidelines for East Market Street.

⁴ Key Priority Projects are specific projects identified in the District Plan that are considered to be potential catalysts for other redevelopment activity and / or contribute to superior urban design or other benefits to the District.



Downtown Development Districts

Application for Designation as a District

- Encourage adaptive reuse of existing structures that have character and architectural significance for new uses rather than replacing them. Preserve and protect home-like business structures east of the railroad.
- Review and amend the UB zoning district requirements to make it conducive toward creating a vibrant, traditional mixed-use and walkable downtown. For example, amend the permitted uses to remove antiquated or unsuitable uses for a downtown and that may have an adverse effect in achieving the District vision and goals.
- During the Comprehensive Plan update, evaluate the zoning and future land use designation of the four parcels in the proposed Downtown Development District zoned HC – Highway Commercial Zone. Also, evaluate the zoning of the Georgetown United Methodist Church property to look into preserving this site as open space and recreational lands.
- Conduct a sidewalk and crosswalk inventory that identifies gaps and sections in need of repair, and add the necessary improvements in the capital improvement budget.
- Review and amend the parking standards to ensure that the requirements are more conducive to a walkable, mixed-use downtown environment versus an auto-oriented commercial environment.
- Revise the parking standards to be more prescriptive in allowing a reduction in the number of spaces in a shared lot. Also permit a reduction in the number of spaces for proximity to on-street parking, municipal lots and public transit.
- Consider a program where builders may pay a fee in-lieu of providing the required spaces, which would be kept in a dedicated fund to provide for public parking purposes.



Downtown Development Districts

Application for Designation as a District

Summary of District Plan – continued 30%

List any other governmental, quasi-governmental or non-governmental organizations that will be involved in the creation and / or implementation of the District Plan. A Main Street organization would be an example of such an organization. For each organization, describe how the local government will coordinate their activities to encourage revitalization and economic development in the District.

**Waiting for Letters of Support to complete

First State Community Action Agency has provided many services over the years to the Town and its residents. They have worked with low income families in Town through programs such as Food Pantry, Housing Counseling and Youth Programs. These are all essential programs to help improve the lives of Georgetown residents and therefore improve the Town. First State understands the Georgetown's community and the direction the Town is heading. They will be a valuable resource in advancing the lives of the residents of the community as well as the District.

Georgetown Chamber of Commerce

Historic Georgetown Association

Sussex County Economic Development Office

Sussex County Association of Realtors

Attach written documentation (in the form of letters of agreement, memorandums of understanding, board resolutions etc) from each of the above listed organizations indicating support for this application to be designated as a Downtown Development District and identifying a willingness to coordinate with the municipal government to implement the District Plan.

Written documentation attached from all other organizations



Downtown Development Districts

Application for Designation as a District



Downtown Development Districts

Application for Designation as a District

Summary of District Plan – continued 30%

Describe any actions your local government has taken to ensure energy efficient and environmentally sensitive development, and to prepare for flooding and sea level rise, if applicable. How will these efforts be implemented in the proposed District? (please limit your response to 750 words or less).

The proposed District is ideally located at the center of Sussex County. At this location, the elevation and far proximity to water bodies prevents the District from being susceptible to flooding or having concerns with sea level rise. Since the Town has little in the way of development constraints, it is an ideal location for development.

The District has a lot of redevelopment potential as well as opportunities for new construction. There are several vacant or potential infill parcels, and numerous existing buildings that could be renovated. There are also several parcels that are large enough to be subdivided. In addition, the Town has made efforts to preserve open space by creating parks and dedicated open space to preserve the remaining natural area.

The Town has existing development specifications, as well as design standards, which provide standards for building, parking lot, landscaping and stormwater design. All future structures and renovations within Town, as well as the District, will have to meet stringent building and energy efficiency codes. The Town currently uses the adopted 2012 International Energy Conservation Code (IECC) which encourages energy conservation through efficiency in envelope design, mechanical systems, lighting systems and the use of new materials and techniques.

Describe how the District Plan is consistent with your certified Comprehensive Plan and the *Strategies for State Policies and Spending* (please limit your response to 750 words or less).

<http://stateplanning.delaware.gov/strategies/>

The underlying vision throughout the Comprehensive Plan, adopted in 2010, is to protect vital resources, improve the quality of life for residents and provide new commercial services to the area, especially those that are not already offered in Sussex County. The overall goal of the Comprehensive Plan is exactly that of the DDD Plan – strive to make Georgetown an even greater place with a strong sense of community, stable neighborhoods, vibrant businesses areas,



Downtown Development Districts

Application for Designation as a District

high-quality recreation opportunities, a historic character and an excellent quality of life. The Comprehensive Plan includes a list of 31 goals, many of which were incorporated into the goals of the DDD Plan. A series of policies and strategies were also included in the Comprehensive Plan aimed at strengthening the downtown area. The work completed through creating the Downtown Development District Plan will also be incorporated into the Comprehensive Plan update.

The proposed District, and the majority of the Town, is within Level 1 of the Strategies for State Policies and Spending. A Level 1 area is the most prepared for growth and where the State can make the most cost-effective investments. These areas are prioritized for investment and development. The State encourages new development and reinvestment in these areas.



Downtown Development Districts

Application for Designation as a District

Summary of Local Incentives 20%

Instructions: The municipality or county must complete this form to summarize the local incentive package to be made available within the District upon designation. The local ordinances (or other regulations or documentation) enabling and governing these incentives must be attached to this form, along with any relevant supporting documentation. In the case of incentives proposed upon designation, the draft ordinances must be attached.

Attach the Local Incentives. The following table includes **suggested** local incentives. Please attach any that are relevant, and others that have not been listed.

Suggested Local Incentives

Fee or Tax Reductions	Regulatory Flexibility	Permit or Licensing Reform
Special Zoning Districts	Exemptions from Local Ordinances	Streamlined Permitting
Other		

Written documentation attached for all Local Incentives

List the Local Incentives that are already in place. Please detail the geographic extent of each incentive (i.e. is the incentive available throughout the entire jurisdiction, or only in certain geographic areas?)

Local Incentive	In effect since (approx.)	Geographic area covered
Façade, Sign and Lighting Improvement Grant		
Realty Transfer Tax Exemption - 1 st Time Homebuyers	August 2004	



Downtown Development Districts

Application for Designation as a District

Summary of Local Incentives - continued 20%

List any of the existing Local Incentives that will be modified to have specific benefits to properties in the proposed District.

Local Incentive	How modified?	Geographic area covered
		DDD Only

List the Local Incentives that are new and will be available only in the proposed District.

Local Incentive	Date enacted (or proposed date of adoption)	Geographic area covered
10 Year Property Tax Increase Phase In	90 days of designation	DDD Only
Business License Fee Waiver	90 days of designation	DDD Only
Accelerated Development Review Process	90 days of designation	DDD Only
Building Permit Fee Reduction	90 days of designation	DDD Only
Emergency Services and Georgetown Recreation, Education and Arts Trust Reduction	90 days of designation	DDD Only
Form-Based Code	90 days of designation	DDD Only
		DDD Only



Downtown Development Districts

Application for Designation as a District

	DDD Only
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Summary of Local Incentives - continued 20%

Please describe how each local incentive will be funded. If the incentive involves a reduction or waiver of taxes or fees, or in-kind services (for example, expedited permitting utilizing existing staff resources) please note that here.

Local Incentive	Funding Source
Façade, Sign and Awning Improvement Grant Program	
Realty Transfer Tax Exemption – 1st Time Homebuyers	
10 Year Property Tax Increase Phase In	
Business License Fee Waiver	
Accelerated Development Review Process	
Building Permit Fee Reduction	
Emergency Services and Georgetown Recreation, Education and Arts Trust Reduction	
Form-Based Code	

For each Local Incentive to be provided, please describe the specifics of how the incentive works (details are needed), and how the incentive encourages economic development and revitalization in your community.

Façade, Sign and Awning Improvement Grant Program
Realty Transfer Tax Exemption – 1st Time Homebuyers



Downtown Development Districts

Application for Designation as a District

10 Year Property Tax Increase Phase In
Business License Fee Waiver
Accelerated Development Review Process
Building Permit Fee Reduction
Emergency Services and Georgetown Recreation, Education and Arts Trust Reduction
Form-Based Code



Downtown Development Districts

Application for Designation as a District

Summary of Local Incentives - continued 20%

Summarize the package of Local Incentives, and describe how these incentives will work in concert with the Downtown Development District benefits to encourage revitalization and economic development in your proposed District (please limit your response to 750 words or less).



Downtown Development Districts

Application for Designation as a District

Legislative Body Resolution

Note: All local governments must provide a resolution from the local legislative body, even those with an application on file from a previous round. Applicants with applications on file must provide a resolution acted upon during the current application period. Resolutions from 2014 will not be accepted.

Instructions: Attach a resolution that has been adopted by the legislative body of your municipality or county. The resolution must affirmatively indicate that the legislative body supports the application for designation as a Downtown Development District and is willing to adhere to the District Plan and the Local Incentives for the duration of the District designation.

Date of Resolution

Resolution Number

Resolution Attached.



RESOLUTION NO. #2016-3

**A RESOLUTION AUTHORIZING DESIGNATION
AS A DOWNTOWN DEVELOPMENT DISTRICT**

WHEREAS, under the Downtown Development Districts Act, 22 Del. C §§1901 et seq. (the “**Act**”), the State of Delaware may designate districts within Delaware’s cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits; and

WHEREAS, these districts are known as Downtown Development Districts (“**Districts**”); and

WHEREAS, the State is accepting applications for the designation of the second round of Districts, with such applications being due on June 1, 2016; and

WHEREAS, under the Act, each applicant must submit a plan that includes the boundaries of, and a detailed planning and development strategy for, the proposed District (the “**District Plan**”); and

WHEREAS, under the Act, each applicant must also propose incentives that address local economic and community conditions, and that will help achieve the purposes set forth in the Act (the “**Local Incentives**”);

WHEREAS, if an applicant is successful and the Town of Georgetown receives District designation, the District Plan and Local Incentives proposed by an applicant shall be binding upon the applicant; and

WHEREAS, the incentives associated with designation as a Downtown Development District would greatly benefit current and future residents, businesses, non-profit organizations, and others within the Town of Georgetown; and

WHEREAS, the Town Council of the Town of Georgetown strongly believes that it is in the best interest of the Town of Georgetown to apply for District designation.

NOW THEREFORE, BE IT RESOLVED THAT:

SECTION 1. The Town Council supports the Application for Designation as a Downtown Development District prepared by Kyle Gulbranson, AECOM, dated May 27, 2016 (the “**Application**”); and

SECTION 2. The Town of Georgetown is authorized to appoint the Town Manager (the “**Administrator**”) to file the Application on behalf of the Town, and to provide such other documents and information as may be necessary or desirable in connection with the Application; and

SECTION 3. If the Application is successful and the Town of Georgetown receives notice that it has been selected for designation as a District:

- a. The Town of Georgetown shall adhere to the District Plan and the Local Incentives contained in the Application for the duration of the District designation; and
- b. The Administrator, or his or her designee(s), is authorized to execute such documents and enter into such agreements as may be necessary or desirable in connection with the Downtown Development Districts program and the rights and obligations of the Town of Georgetown thereunder; and
- c. The Administrator, or his or her designee(s), is authorized to carry out all District administrative and reporting requirements on behalf of the Town of Georgetown for the duration of the District.

SECTION 4. This Resolution shall become effective immediately upon its approval by Council.

ADOPTED by a majority vote of the Town Council of The Town of Georgetown this _____ day of _____, 2016.

William E West, Mayor

Steve M Hartstein, Secretary

TOWN COUNCIL
AGENDA ITEM INFORMATION SHEET

ITEM: Planning Commission Appointments

ITEM NO: 10

DATE: May 11, 2016

DESCRIPTION: Two (2) seats are currently up for appointment.

Two (2) Letters of reappointment were received from Gary Tonge and Linda Dennis.

The vacancy was advertised in the Sussex Countian and on the Town's website.

Jocelyn Godwin

From: gltonge@verizon.net
Sent: Monday, April 11, 2016 4:13 PM
To: Jocelyn Godwin
Cc: Eugene Dvornick
Subject: Planning Commission

Please consider this email as notification of my desire to continue to serve on the Planning Commission. Please contact me if there are any questions or issues. Thank you.

Linda J Dennis
4 Huckleberry Drive
Georgetown, DE 19947
April 18, 2016



TO Mayor and Town Council of Georgetown
RE Reappointment to the Planning Commission

I would like to be considered for reappointment to the Georgetown Planning Commission.

The future of Georgetown has been of importance to me since I made it my home 10 years ago. I have served the Town in the following capacities:

- Councilperson Ward 4 2012-2014
- Member of charter Review Commission 2011-2012
- Chairperson of the Transitional Housing Task Force 2012
- Member Design Standards Workgroup 2014-2015
- Member Historic Committee Workgroup 2015
- Member of the Down Town Development District Workgroup 2015-2016
- Attended the 2015 National Main Street Conference in Atlanta Georgia
- Board of Adjustment 2011-2012

In addition, I have attended and participated in the University Of Delaware's IPA workshops on Planning 101-Planning Your Communities Future, and Planning 102-Land Use Law & Regulation.

Through my participation in these activities I have gained an appreciation and optimism for the future direction of our Town and serving its residents in any capacity is a privilege.

Sincerely,

Linda J. Dennis

Distribution List: Mayor Bill West, Councilpersons Lecates, Holston, Hartstein, Johnson-Dennis, Town Manager Dvornick and Town Clerk Townsend.

TOWN COUNCIL
AGENDA ITEM INFORMATION SHEET

ITEM: Board of Adjustment Appointments

ITEM NO: 11

DATE: May 11, 2016

BACKGROUND: Three (3) seats are currently up for appointment.

Two (2) Letters of reappointment were received from Jane Hovington and Shirley Hitchens. Paul L Myers will not be able to serve any longer due to health issues.

The vacancy was advertised in the Sussex Countian and on the Town's website.

According to Jocelyn Godwin, Planning Department, there will possibly be a meeting in June. With the reappointment of two (2) members, it will fulfill the required quorum.

If Council desires the remaining open position can be readvertised.

Jamie Craddock

From: jehovahrohi@aol.com
Sent: Friday, April 08, 2016 12:59 PM
To: Jamie Craddock
Subject: Re: Board of Adjustment Term

Dear Ms Craddock:

I am interested in serving on the Board of Adjustments and I am seeking reappointment. Thank you for your assistance. Should you need anything further, please let me know.

Jane Hovington

-----Original Message-----

From: Jamie Craddock <jcraddock@georgetowndel.com>
To: jehovahrohi <jehovahrohi@aol.com>
Cc: Jocelyn Godwin <jgodwin@georgetowndel.com>
Sent: Fri, Apr 8, 2016 9:11 am
Subject: Board of Adjustment Term

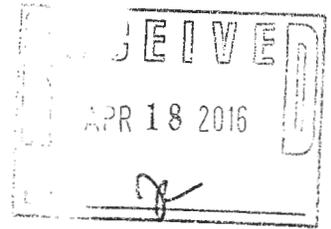
Good morning Jane,

Your 3 year term on BOA will be expiring in May. If you are interested in being reappointed please submit your letter of interest by April 29th.

(I have attached the vacancy posting)

Have a great day!

Jamie Craddock
Planning Assistant
Town of Georgetown
302-856-7391



April 14, 2016

Town of Georgetown
Planning Department
39 The Circle
Georgetown, DE 19947

I would like to request re-appointment to the Board of Adjustment for a term of three.

Sincerely

A handwritten signature in black ink, appearing to read "Shirley D. Hitchens".

Shirley D. Hitchens
120 Burton Street
Georgetown, DE 19947



ORDINANCE NO. 2016-7

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN,
CHAPTER 98 THEREOF, ENTITLED FEES**

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

Section 1. Chapter 98, of the Code of the Town of Georgetown is hereby amended as follows:

§ 98-5. Utility services.

The following fee schedule is hereby adopted for utility services provided by the Town of Georgetown:

Type	Fee
Trash fee (per quarter)	\$68 per unit
Water availability (per quarter)	\$35 per 30,000 gallons' usage
Water usage rate	
In Town	\$3.13 <u>\$3.88</u> per 1,000 gallons' usage
Out of Town	\$4.70 <u>\$5.82</u> per 1,000 gallons' usage
Fire sprinkler line (per quarter)	\$150
Water impact fee (per EDU)	\$1,599 (effective May 1, 2014)

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: April 27, 2016
2nd Reading: May 11, 2016
Adoption: May 11, 2016



ORDINANCE NO. 2016-4

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN, CHAPTER 230, THEREOF, ENTITLED ZONING

WHEREAS, the Town Council recognizes the need to address Registered Compassion Centers.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET, HEREBY ORDAINS:

Section 1. Chapter 230, Article III, Definitions, of the Code of the Town of Georgetown is hereby amended as follows:

§ 230-5. Definitions.

For the purpose of this chapter, certain terms and words are hereby defined as follows:

Registered Compassion Center

Means a not-for-profit entity registered pursuant to the Delaware Medical Marijuana Act that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, or dispenses marijuana, paraphernalia, or related supplies and educational materials to registered qualifying patients who have designated the dispenser to cultivate marijuana for their medical use and the registered designated caregivers of these patients.

Section 2. Chapter 230, Article XV, HC Highway Commercial District, of the Code of the Town of Georgetown is hereby amended, by adding a new subsection "AA" to §230-104, as follows:

§ 230-104. Permitted uses.

Buildings may be erected, altered and used or land may be used for any of the following purposes and none other:

AA. Registered Compassion Center, subject to the following requirements:

- (1) The facility shall be a minimum of 1,000 feet from any school, park, or child-care facility located within the Town limits of Georgetown.**
- (2) Prior to the issuance of a Certificate of Occupancy, the facility shall provide a minimum of two (2) public outreach presentations explaining the facility and its operations.**
- (3) Exterior appearance of the structure must be consistent with the general architectural characteristics of the surrounding area.**
- (4) Hours of operation shall be limited as follows:**
 - a. Monday through Friday – 10:30 a.m. to 6:30 p.m.**
 - b. Saturday – 10:00 a.m. to 4:00 p.m.**
 - c. Sunday - Closed**

- (5) Lighting shall be required such that will illuminate the compassion center, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
- (6) The owner(s) shall remove graffiti from the premises within 24 hours of its occurrence.
- (7) The owner(s) shall provide for removal of litter twice each day of operation, from, and in front of, the premises.
- (8) The owner(s) shall ensure the absence of loitering.
- (9) Signs
 - a. Exterior signage shall be restricted to a single ground or wall sign no larger than ten (10) square feet.
 - b. No graphics of any kind will be allowed.
 - c. Wall identification sign listing the name and emergency contact phone number of the operator or manager in letters of at least 2 inches in height shall be posted in close proximity to the fire department Knox Box.
- (10) The facility shall fully comply with all other requirements of the Town of Georgetown, the laws of the State of Delaware, and comply with Delaware Code, Title 16, Part IV, Chapter 49A as approved and amended from time to time.
- (11) The Town shall report any noncompliance, safety issues or questions from the public concerning the operation of a Registered Compassion Center within the Town, to the Delaware Department of Health and Social Services.

Section 3. Chapter 230, Article XVI, LI-1 Limited Industrial District, of the Code of the Town of Georgetown is hereby amended, by adding a new subsection "AA" to §230-110, as follows:

§ 230-110. Permitted uses.

Buildings may be erected, altered and used or land may be used for any of the following purposes and none other:

AA. Registered Compassion Center, subject to the following requirements:

- (1) The facility shall be a minimum of 1,000 feet from any school, park, or child-care facility located within the Town limits of Georgetown.
- (2) Prior to the issuance of a Certificate of Occupancy, the facility shall provide a minimum of two (2) public outreach presentations explaining the facility and its operations.
- (3) Exterior appearance of the structure must be consistent with the general architectural characteristics of the surrounding area.
- (4) Hours of operation shall be limited as follows:
 - a. Monday through Friday – 10:30 a.m. to 6:30 p.m.
 - b. Saturday – 10:00 a.m. to 4:00 p.m.
 - c. Sunday – Closed
- (5) Lighting shall be required such that will illuminate the compassion center, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.

- (6) The owner(s) shall remove graffiti from the premises within 24 hours of its occurrence.
- (7) The owner(s) shall provide for removal of litter twice each day of operation, from, and in front of, the premises.
- (8) The owner(s) shall ensure the absence of loitering.
- (9) Signs
 - a. Exterior signage shall be restricted to a single ground or wall sign no larger than ten (10) square feet.
 - b. No graphics of any kind will be allowed.
 - c. Wall identification sign listing the name and emergency contact phone number of the operator or manager in letters of at least 2 inches in height shall be posted in close proximity to the fire department Knox Box.
- (10) The facility shall fully comply with all other requirements of the Town of Georgetown, the laws of the State of Delaware, and comply with Delaware Code, Title 16, Part IV, Chapter 49A as approved and amended from time to time.
- (11) The Town shall report any noncompliance, safety issues or questions from the public concerning the operation of a Registered Compassion Center within the Town, to the Delaware Department of Health and Social Services.

Section 4. 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: March 23, 2016
1st Reading: April 27, 2016
2nd Reading: May 11, 2016
Adoption: May 11, 2016



ORDINANCE NO. 2016-5

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF GEORGETOWN, CHAPTER 52 THEREOF, ENTITLED ANIMALS

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

Section 1. Chapter 52, Article I of the Code of the Town of Georgetown is hereby amended as follows:

Article I. Dogs at Large CONTROL OF ANIMALS

Section 2. Chapter §52-1, Definitions, of the Code of the Town of Georgetown is hereby amended as follows:

CAT - A domestic feline of either sex including stray.

DOG— Either a male or female canine.

DOG - A domestic canine of either sex including stray.

NUISANCE - A dog or cat or groups of dogs and cats shall be considered a nuisance if any of the following occurs:

- A. Chases, snaps at, or impedes a pedestrian, bicyclist, or vehicle.**
- B. Damages, soils, or defiles private or public property, other than his owner's on more than one occasion or habitually.**
- C. Habitually interferes with, molests, or attacks persons or other animals. ; ~~other than those coming upon his owner's property with permission.~~**

OWNER - When applied to the proprietorship of a dog **or cat**, includes every person having a right of property in such dog **or cat**, and every person who keeps or harbors such dog **or cat**, or has it in his/her care, and every person who permits such dog **or cat** to remain on or about any premises occupied by him/her.

PREMISES - That portion of land owned or occupied by an owner or keeper, not including any portion of such land that is accessible to the public as a right of way.

Section 3. Chapter §52-3 of the Code of the Town of Georgetown is hereby amended as follows:

§ 52-3 Public nuisances prohibited

It shall be unlawful for any owner or keeper to permit a dog or cat to create a nuisance as defined by this Ordinance.

~~§ 52-3. Appointment and duties of Dog Catcher; records to be kept.~~

~~The Mayor, with the approval of a majority of the members of Council, shall appoint a suitable person to act as Dog Catcher for the purposes of enforcing the provisions of this article. Any person so appointed to act as Dog Catcher shall serve at the pleasure of the Mayor. The duties of the Dog Catcher, appointed pursuant to the provisions of this article, shall include, but shall not be limited to, the apprehending and the impounding of any dog found running at large within the corporate limits of the Town of Georgetown contrary to the provisions of this article. The Dog Catcher shall keep a record of each dog apprehended and impounded by him. The record, as kept and maintained by the Dog Catcher, shall include for each dog apprehended and impounded the time, date and place of apprehending and the impounding, the breed, if ascertainable, the color, the sex, the number of the state dog tag, if any, the final disposition and the date of final disposition. A compilation of the records of the Dog Catcher setting forth the information required above shall be maintained at the office of the Town Council.~~

~~§ 52-4. Notice of impoundment.~~

~~It shall be the duty of the Dog Catcher to give notice to the owner, if ascertainable, by registered mail with return receipt requested, within 72 hours from the time that the dog is apprehended and impounded. Such notice shall contain the information, or as much of it as is applicable, as is required to be kept and maintained by the Dog Catcher in accordance with § 52-3 of this article. It shall also be the duty of the Dog Catcher to post or cause to have posted in the offices of the Town Council within 72 hours following the time of apprehending and impounding notice of the apprehending and the impounding of each dog. Said notice shall contain the information, or so much of it as is applicable, as is required to be kept and maintained by the Dog Catcher in accordance with § 52-3 of this article.~~

~~§ 52-5. Claiming of dogs.~~

~~The owner of any dog apprehended and impounded by the Dog Catcher may reclaim said dog upon the payment of any fine and costs imposed for any violation of this article and a charge of \$1 per day from the date of apprehension and impounding as the cost of keeping and maintaining the said dog.~~

~~§ 52-6. Disposition of unclaimed dogs.~~

~~Any dog apprehended and impounded by the Dog Catcher in accordance with the provisions of this article may, if not reclaimed by owner following the expiration of five days from the date of receipt of the registered notice by the owner or from the date of the posting of the notice in the offices of the Town Council, whichever is later, be turned over and released to the State Dog Warden for disposition in accordance with the provisions of the Game and Fish Laws and Regulations, or the Dog Catcher may release the dog to a person other than the owner upon the payment of the charge imposed for keeping and maintaining the dog; provided, however, that any dog which appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease shall not be released but shall be forthwith destroyed without the necessity of giving any notice.~~

Section 4. Chapter §52-7 of the Code of the Town of Georgetown is hereby amended as follows:

~~§ 52-7 4. Violations and penalties.~~

Any person violating any provision of this article shall pay such fines as set out in Chapter **1**, Article **III**, General Penalty.

Section 5. 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: April 13, 2016
2nd Reading: April 27, 2016
3rd Reading: May 11, 2016
Adoption: May 11, 2016