

AN ORDINANCE AMENDING THE TOWN CODE OF THE TOWN OF MILLSBORO, CHAPTER 210, ZONING, § 210-20. RESIDENTIAL PLANNED COMMUNITY (RPC) DISTRICT, SUBPARAGRAPH J. MINIMUM LOT AREA AND WIDTH, BY IMPOSING NEW MINIMUM LOT SIZE, MINIMUM LOT WIDTH, AND MINIMUM SETBACK REQUIREMENTS FOR DETACHED SINGLE-FAMILY DWELLING LOTS IN RESIDENTIAL PLANNED COMMUNITIES AND TO CLARIFY THAT SAID MINIMUM REQUIREMENTS SHALL NOT BE REDUCED FOR DETACHED SINGLE-FAMILY DWELLING LOTS, NOTWITHSTANDING ANY OTHER PROVISION IN § 210-20.

WHEREAS, Section 210-20.J of Chapter 210, Zoning, of the Town Code of the Town of Millsboro (“Zoning Code”) has been amended a number of times in recent years; and

WHEREAS, despite the previous amendments to the minimum lot size and other requirements set forth in Section 210-20.J of the Zoning Code, the general consensus among Town Council members has been that additional changes to said requirements are necessary to ensure that single-family dwellings in Residential Planned Communities will be located on larger lots that are better able to accommodate the size of dwellings being constructed, to provide more yard space, and to provide more space between dwellings; and

WHEREAS, the Charter and Code Review Committee (“Committee”) reviewed the matter and recommended that the Town Council amend Section 210-20.J of the Zoning Code to increase the minimum lot size to at least 9,000 square feet and to increase the minimum setback requirements for all single-family dwellings in future Residential Planned Communities; and

WHEREAS, the Town Council reviewed the recommendations presented by the Committee and concluded that the proposed revisions to Section 210-20.J of the Zoning Code should be pursued; and

WHEREAS, as required by 22 Del. C. § 304, the Town Council held a public hearing on Monday, December 1, 2025, regarding the proposed revisions to the Zoning Code; and

WHEREAS, following the public hearing, the Town Council continues to conclude that the proposed revisions to the Zoning Code should be made.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Millsboro, in session met, a quorum pertaining at all times thereto, that the Town Code of the Town of Millsboro be and is hereby amended as follows:

Item 1:

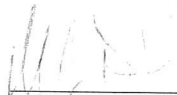
Amend § 210-20. Residential Planned Community (RPC) District, by revising

subsection J. Minimum lot area and width, thereof as follows (removed language is stricken through; new language is underlined):

- J. Minimum lot area, ~~and width and setbacks~~. The minimum lot area and minimum lot width of detached single-family dwelling lots established within the development shall not be less than ~~2/3 of the normal minimum lot area and minimum lot width required for detached single-family dwellings in the district in which the lot is located~~ 9,000 square feet and 75 feet in width. Detached single-family dwelling lots within the development shall have a minimum front yard setback of 25 feet, minimum side yard setback of 10 feet, and minimum rear yard setback of 10 feet. Setbacks Notwithstanding any other provision in this § 210-20 that may allow for flexibility with respect to minimum lot area, width and setbacks, the foregoing requirements shall not be reduced for detached single-family dwellings under any circumstances.

AND BE IT RESOLVED that the Town Manager be and he is hereby authorized and directed to cause a Notice which shall consist of a true copy of this Ordinance by title to be published in a newspaper of general circulation in The Town of Millsboro.

I, Mary J. D'Silva, Secretary of the Town Council of the Town of Millsboro, do hereby certify that the foregoing is a true and correct copy of an Ordinance passed by the Town Council at its Regular Meeting held on December 1, 2025, at which a quorum was present and voting throughout and that the same is still in full force and effect.



Mary J. D'Silva, Secretary