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**ORDINANCE NO.**

**AN ORDINANCE TO APPROVE A CONDITIONAL USE TO OPERATE AN AUTOMOBILE PARKING LOT AT THE PROPERTY LOCATED AT 136 DAGSWORTHY AVE, DEWEY BEACH DE, FORMALLY KNOWN AS MAP 334-20.18 PARCEL 58.00, LOCATED IN ZONING DISTRICT RB-3, PURSUANT TO CHAPTER 185-25.2 AND TABLE 3 OF THE DEWEY BEACH MUNICIPAL CODE**

**WHEREAS**, on the [REDACTED] day of [REDACTED], 2025, a public hearing was duly held, after proper notification, to permit a Conditional Use in the RB-3 Resort Business District for an Automobile Parking Lot, filed by Highway I Limited Partnership, located on Dagsworthy Street, Dewey Beach, DE, being Sussex County Tax Parcel 334-20.18-58.00, pursuant to Subsection 25.2D and Table 3 of Chapter 185; and

**WHEREAS**, Chapter 185, Section 25.2D and Table 3, Conditional Uses in a RB-3 District, provides for the Conditional Use of an Automobile Parking Lot when, in the determination of the Commissioners, the application meets the provisions of Chapter 185, Subsection 25.2D and Table 3.

**WHEREAS**, on the [INSERT] day of [INSERT] 2025, a Planning Commission meeting and public hearing was held, after proper notification, resulting in [PENDING] [a recommendation to allow the operation of the parking lot as depicted in the site plan and in accordance with the conditions set forth below], and

**NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

**Section 1.** The above-described Conditional Use is hereby approved to allow Highway I Limited Partnership to use the area shown on the site plan attached hereto, as an Automobile Parking Lot and the Zoning Map of the Town of Dewey Beach is amended to reflect the adoption of this Ordinance subject to the following terms and conditions:

- 1) Hours of operation for the parking lot shall be 24 hours a day.
- 2) Applicant shall acquire all necessary licenses from the Town of Dewey Beach and the State of Delaware. All State agency requirements and regulations shall be complied with by the licensee, and licensee shall operate at its own risk of violating any State regulation that is not incorporated into this approval.
- 3) There shall be trash receptacles placed on the property and the parking lot shall be cleaned of trash at least once a day.

[INSERT ADDITIONAL CONDITIONS HERE]

**Section 2.** Severability. If any provision of this Ordinance shall be deemed or held to be invalid or

44 unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any  
45 other provision of this Ordinance which may be given effect without such invalid or unenforceable  
46 provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.  
47

48 **Section 3.** This Ordinance shall take effect immediately upon its approval by the Town Council. Adopted  
49 by at least a majority vote of all Commissioners of the Town of Dewey Beach on [INSERT].  
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52 William Stevens, Mayor

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Bill Zolper, Town Manager