



Town of Milton

115 Federal Street, Milton, Delaware 19968

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ORDINANCE NO. 2026-001

**AN ORDINANCE TO AMEND CHAPTER 188 OF THE TOWN CODE, ENTITLED
"SUBDIVISION AND LAND DEVELOPMENT," REGARDING PROCEDURE FOR FINAL
APPROVAL OF A MAJOR SUBDIVISION OR LAND DEVELOPMENT**

WHEREAS, the Charter of the Town of Milton vests power in the Mayor and Town Council to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, the Mayor and Town Council of the Town of Milton have previously enacted an ordinance governing Subdivision of Land, codified as Chapter 188 of the Town Code; and

WHEREAS, the Mayor and Town Council held an open meeting on the 2nd day of March 2026, to consider amendments to Chapter 188;

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Town Council of the Town of Milton, a majority thereof concurring, that the following revisions hereby be incorporated into Chapter 188 of the Town Code:

Section 1. Amend § 188-32 with deletions shown by strikethrough and additions shown by underline as follows:

§ 188-32. Procedure for final approval of major subdivision or land development.

Final approval of a major subdivision or land development shall be in accordance with the following procedure:

A. Application for approval of a major subdivision or land development will be presented by the developer, owner or its agent to the Town Clerk on forms supplied by the Town at least 21 days in advance of a regular scheduled meeting of the Planning and Zoning Commission.

B. The applicant shall supply ~~at least five~~ ten paper copies and an electronic copy of the proposed final

record plan prepared by and attested to by a licensed surveyor. Such plan shall show its location, surrounding properties, roads or other applicable details, and the proposed subdivision or land development layout as platted from deed, Tax Map, and/or survey and in accordance with this chapter. The applicant will present to the Town all approvals from the outside agencies (including but not limited to signed ~~topographic~~ plans, water system designs, sewage designs, stormwater management designs, highway access or curb cuts, State Fire Marshal, and Sussex Conservation District).

C. The Town shall acknowledge receipt of all materials required under subsection B. ~~receive the application and all required plans and material, and shall acknowledge receipt in a proper space on the application. The Town shall return one copy to the developer, owner or its agent as their receipt and file one copy as the record of receipt.~~

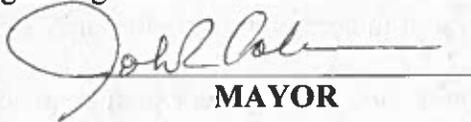
D. The Town shall, upon receipt of the application, make certain that all material required accompanies the application. If the owner or its agent has failed to provide all required material, the Town shall so advise the developer, owner or its agent, in writing, ~~and return all material received, except the application, for resubmission.~~ If all required material is in order, the Town shall place the application on the agenda of the next regular scheduled Planning and Zoning Commission meeting and forward a copy of the application together with the prints of the plan and other required material to the Planning and Zoning Commission for its review and recommendation.

E. The Planning and Zoning Commission shall review the plan for final approval of a major subdivision or land development and all the required material, making certain that all the requirements and conditions set forth in this chapter and the other Town ordinances have been satisfied. If the developer, owner or his agent fails to satisfy all of the requirements, the Planning and Zoning Commission shall so advise, in writing, ~~and return all material required, except the application and one copy of the plan, for correction or addition thereto and resubmission.~~

F. Once the final record plan ~~has~~ and the final site plan have received approval from the Planning and Zoning Commission, the application and approved record plan will be forwarded to the Town Council for its approval.

Section 2. This Ordinance shall become effective on July 1, 2026.

I, **JOHN R. COLLIER**, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Town Council of the Town of Milton at its meeting held on the 2nd day of March, 2026, following a duly noticed public hearing, at which a quorum was present and voting throughout and that the same is still in full force and effect.


MAYOR

SYNOPSIS

This ordinance amends the Town Code's subdivision and land development ordinance. Specifically, it better identifies the timeline and procedural aspects of the final approval.