



The Town of Fenwick Island

800 Coastal Highway, Fenwick Island, DE 19944-4409

302-539-3011 ~ 302-539-1305 fax

www.fenwickisland.delaware.gov

CHARTER & ORDINANCE COMMITTEE MEETING

December 19, 2025, at 1:30 PM

Town Hall

Agenda

Call in #: 1-301-715-8592

Meeting ID: 890 6827 3937

<https://us02web.zoom.us/j/89068273937>

Flag Salute and call to order.

1. Approval of the Minutes of November 21, 2025, meeting
2. Discussion and Possible Action
 - a. Referral from Town Council re: request from a business owner that the Town consider an amendment to Section 160-10 F and G of the Code of Fenwick Island to allow parking on unimproved lots in the commercial district:

- b. Section 160-10 F and G of the Code reads as follows:

*F. Vehicle parking on an unimproved lot in the commercial zone for a fee or not and with or without the permission of the lot owner is prohibited.
[Added 4-28-2000]*

And

*G. A parking area in the Commercial Zone which serves a permitted use included in § 160-5A shall not also be used for a use which is not permitted in § 160-5A such as a commercial parking lot or a shuttle service. For purposes of this § 160-10G, the phrase "shuttle service" shall have the meaning set forth in § 153-7.
[Added 4-28-2000; amended 2-24-2023]*

Section 160-10 **MODIFIED**

C. Location of parking spaces.

[Amended 2-22-2013]

(1) Residential. Parking spaces shall be located on the same lot(s) with the structure they are intended to serve in one of the following ways:

(a) Within a permitted garage or carport.

(b) On an open area of the lot.

This Agenda is subject to change to include additional items, including Executive Sessions or the deletion of items, as in accordance with provisions within Title 29, Chapter 100, Freedom of Information Act. Persons with disabilities requiring special accommodations, please contact Town Hall 72 hours in advance.

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(2) Commercial. Parking spaces shall be located on the same lot(s) with the structure they are intended to serve in one of the following ways:

[Amended 2-23-2018]

(a) Parking in the Commercial Zone is permitted on improved lots, but only those that have been improved with permanent structures that have working utilities and one or more bathrooms that are operational and available for employee, customer or client use during business hours **or application has been made and approved by Town Council for parking on an unimproved lot as set forth in Section 160-10 F;**

(b) If approved by the Town Council, open parking spaces required for a structure may be located on a lot(s) other than those intended to be served, provided that:

[Amended 2-24-2023]

[1] It is not practicable to locate such spaces in accordance with Subsection C(2) because of:

[a] Unusual shape, size or dimensions of the lot; or

[b] The lack of an alley or the lack of appropriate ingress or egress facilities through existing or proposed alleys or streets; or

[c] Traffic hazards.

[2] No more than 15% of the total required spaces is located on a lot(s) other than those intended; and

[3] There is a written agreement provided to Town Council, attested to by the owners of record. The agreement shall:

[a] List the names and ownership interest of all parties to the agreement;

[b] Provide a legal description of the land;

[c] Include a site plan showing the area of the parking parcel and the open space reserved area which would be provided for future parking;

[d] Describe the hours of use of the area of the parking parcel and establish that the use will be unencumbered by any condition which would interfere with its use;

[e] Agree and expressly declare the intent for the covenant to run with the land and bind all parties and all successors in interest to the covenant;

[f] Assure the continued availability of the spaces for joint use and provide assurance that all spaces will be usable without charge to all participating uses;

[g] Describe the obligations of each party, including the maintenance responsibility;

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[h] Describe the method by which the covenant shall, if necessary, be revised, with a provision to notify the Town of any revision; and

[4] The peak parking hours of the lot(s) will not be the same as the structure intended to be served; and

[5] The lot(s) to serve the structure are not located in the Residential Zone; and

[6] The lot(s) to serve the structure are within 500 feet of the structure intended to be served.

[7] The Council may impose conditions in addition to those in Subsection C(2)(b)[1] through [6] above as to screening, coping, setbacks, fences, the location of entrances and exits or any other requirement it shall deem necessary to assure the continued provision and maintenance of such spaces.

c. Discussion of the issue of whether to amend, and if so, in what manner with potential motion for future action.

3. Old Business
4. New Business
5. Public Participation
6. Adjournment

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