

CITY OF DOVER
ORDINANCE #2012-15

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix B – Zoning, Article 3 – District Regulations, Section 9 – General Residence and Office Zoning (RGO), Subsection 9.14 (b) be amended to read as follows:

- (b) In order to stimulate limited commercial activity in this zone where the city's historic district overlay zone exists and to make this portion of the city's historic district a greater attraction to tourists and residents, the following list of preferred uses may be permitted as conditional uses, subject to the approval of the planning commission:
- i. Antique shops, art galleries, gift and card shops, book stores, specialty hobby stores (i.e., miniatures, models, needlecrafts), bakeries (including baking on premises), and restaurants.
 - ii. Limitation of entrances from State Street only.
 - iii. Total floor area of any one retail use is not to exceed 2,000 square feet.
 - iv. Such uses will be subject to historic district requirements and will therefore require an architectural review certificate. Architectural review certificates for retail uses described above shall not be granted unless it has been demonstrated that the proposed use will result in either no material change to the exterior of the structure visible from State Street or will result in a restoration of the structure to an appearance which can be documented to more closely reflect the historical appearance of that structure. Material change would include modifications to doors, windows and masonry, other than routine maintenance.
 - v. No parking shall be required for the retail user.
 - vi. If new construction is proposed on State Street between Lookerman and Water Streets, the proposal must not require demolition or extensive modifications of any existing structure which presently contributes to the historic district because of its age or architectural appearance. In addition, the RG-O zone bulk and parking requirements would be waived in certain respects. Lot width and depth will be as appropriate to the site, subject to architectural review and site plan review. Setbacks will be discouraged. Side yards will reflect the needs of adjacent structures by providing adequate light and air to reach existing windows. The height limit of 35 feet or 2½ stories will be retained, as will the 85 percent lot coverage limit. The floor area ratio limitation will be raised to 1.0. The parking requirements will be waived.

ADOPTED: AUGUST 13, 2012

SYNOPSIS

The proposed ordinance would eliminate the prohibition on sale of alcohol in restaurants in the RGO zone. Restaurants in this zone are subject to Conditional Use approval by the Planning Commission.

Actions History:

June 25, 2012 – First Reading/Referral to the Planning Commission

June 11, 2012 - Introduced in the Parks, Recreation & Community Enhancement Committee