

CITY OF DOVER ORDINANCE #2011-29

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 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses be amended by inserting a new subsection (d) as follows:

(d) In order to stimulate limited commercial activity in the RG-1 and RG-2 zones within the city's historic district zone and/or where a historic district property or a property listed on the National Register of Historic Places exists, and to make this area of historic Dover more attractive to tourists and residents, antique shops, art galleries, gift and card shops, book stores, specialty hobby stores, and restaurants with no alcoholic beverages may be permitted as accessory uses incidental to the principal residence, subject to the conditional use approval of the planning commission in accordance with Article 10 - Planning Commission, Section 1 - Approval of conditional uses and subject to the following :

- i. Total floor area of any non-residential accessory use shall not exceed 2,000 square feet.
- ii. A minimum of two (2) off-street parking spaces shall be required to serve the residence and the accessory use.
- iii. Signage for the accessory use is limited to one (1) sign not to exceed six (6) square feet in area. Signs may be illuminated, provided that internally illuminated signs shall be prohibited.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces, Subsection 3.1 - Schedule of Requirements be amended to read as follows:

3.1 *Schedule of requirements.* Accessory off-street parking spaces, open or enclosed, shall be provided for any lot as specified in article 4, zoning bulk and parking regulations or as specified below for each use in any zone, whichever is greater.

(a) *Exceptions.*

- i. Where Article 3 - District Regulations, specifies a minimum parking requirement, this parking requirement shall prevail.
- ii. For existing buildings within the C-2 zoning district, the requirements of article 4, section 4.14 - [C-1, C-1A, C-2, C-2A zoned], bulk and parking regulations governing the C-2 zoning district shall prevail.

ADOPTED: JANUARY 9, 2012

SYNOPSIS

The proposed ordinance would permit limited commercial uses accessory to the principal residential use on properties within the General Residence Zone (RG-1 and RG-2) that are located within the City's Historic District Zone and/or listed on the National Register of Historic Places as part of a historic district or as an individual property. It would also require that such accessory uses be subject to Conditional Use approval by the Planning Commission set standards for such accessory uses.

(SPONSORS: BONAR, RUSSELL, AND LYNN)

Actions History

- January 9, 2012 - Public Hearing/Final Reading
- December 19, 2011 - Considered by Planning Commission
- November 28, 2011 - First Reading by Council
- November 14, 2011 - Considered by Legislative, Finance, and Administration Committee