

**CITY OF DOVER STAFF AMENDMENT #1
TO ORDINANCE #2009-12**

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

3 That Ordinance #2009-12 be amended by inserting a new section after section 3.10 on line 130 as follows:

4 *3.11 Maximum number of parking spaces. The maximum number of parking spaces shall not*
5 *exceed 25% over the number of parking spaces required by the code.*

6 ADOPTED: SEPTEMBER 14, 2009

7 SYNOPSIS

8 The proposed amendment to the ordinance would create a maximum number of parking
9 spaces to be created with a site.

10 Actions History:

11 September 14, 2009 - Introduced at Council

12 August 17, 2009 - Introduced at Planning Commission

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**Staff Amendment #3
for Ordinance #2009-12**

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

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4 That Ordinance #2009-12 be amended by eliminating lines 98-101 in their entirety, and by
5 eliminating the following text from line 75:

6
7 **(except as stated in Section 3.9d(1))**

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SYNOPSIS

10 The proposed amendment would eliminate the ability to grant a parking reduction
11 of up to 75% in the Downtown Target Area.

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ADOPTED: SEPTEMBER 14, 2009

Staff Amendment #4 for Ordinance #2009-12

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

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4 That Ordinance #2009-12 be amended by adding the following text the end of line 117 regarding
5 bicycle parking:

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7 The planning commission may waive the requirement for the bicycle parking if it is
8 demonstrated that bicycle parking would not be appropriate for safety reasons or due to the
9 nature of the use of the site.

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11 ADOPTED: SEPTEMBER 14, 2009

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13 **SYNOPSIS**

14 The proposed amendment would allow for the Planning Commission to waiver
15 the bicycle parking requirement in certain cases.

Staff Amendment #5 for Ordinance #2009-12

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

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4 That Ordinance #2009-12 be amended by adding the following subsection (a) following line 73:

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6 (a) Campus Parking Plan – When a new building or building addition is made to a campus
7 involving multiple buildings under common ownership where one or more of the uses
8 will be generating demand for parking when the other use or uses are not in operation, the
9 applicant shall present a campus parking plan as a part of the site development plan that
10 includes an analysis of the parking needs based on the provisions of section 3.8 of this
11 article.

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13 ADOPTED: SEPTEMBER 14, 2009

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15 **SYNOPSIS**

16 The proposed amendment would clarify that applicants for new buildings or
17 building additions on a campus of multiple buildings should include a campus
18 parking plan with their site development plan application.

CITY OF DOVER ORDINANCE #2009-12

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

3 That Appendix B – Zoning, Article 3 – District Regulations, Section 1 - One-Family Residence Zones,
4 Subsection 1.15 - Accessory uses, limited to the following, Paragraph (f), be amended to read as follows:

5 (f) Dormitories accessory to schools, provided that such dormitories conform to the bulk
6 regulations of the RG-1 zone. For purposes of computing bulk requirements, each four rooms shall
7 be considered one dwelling unit. Parking shall be calculated as identified in Article 6 - Off-Street
8 Parking, Section 3 - Required off-street parking spaces, Paragraph 3.1 - Schedule of requirements.

9 BE IT FURTHER ORDAINED:

10 That Appendix B - Zoning, Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 –
11 Required Off-Street Parking Spaces, be amended to read as follows:

12 3.1 *Schedule of requirements.* Accessory off-street parking spaces, open or enclosed, shall be
13 provided for any lot as specified in article 4, zone bulk and parking regulations, or as specified
14 below for each use in any zone, whichever is greater.

15 Table Inset:

16 For:	At Least One Parking Space For Each
17 Places of worship	Two hundred (200) square feet of floor area, but not less than one (1) space for each four (4) seats, where provided
18 Libraries	Three hundred (300) square feet of floor area
19 Medical Offices –all types	Three hundred (300) square feet of floor area
20 Nursery school or kindergarten	Adult attendant, plus one for every 20 children
21 Elementary or junior high school	Eight (8) seats in main auditorium/cafeteria or gymnasium
22 High school, technical school, college 23 or university	Five (5) seats in main auditorium/cafeteria or gymnasium; if none, see Article 4 - Zoning, Bulk and Parking Regulations
24 Hospitals or sanitariums	Three beds
25 Apartments	Two (2) per dwelling unit and one (1) for every 200 square feet of office space and 0.25 per dwelling unit for visitor space
26 Roominghouses	Guestroom
27 Dormitories	Three (3) beds
28 Eating and drinking places	Four (4) seats plus one (1) for every three (3) bar seats
29 Funeral homes	Two (2) employees, plus five (5) spaces for each chapel

30	Hotels and motels	Guestroom, plus one (1) for every 200 square feet of office space, banquet hall, or meeting areas
31	Athletic fields, baseball, football or	Three (3) seats
32	boxing stadiums and arenas; race	
33	tracks	
34	Golf courses	Per employee and four (4) parking spaces for each hole
35	Golf or baseball driving range	One-half (½) stall
36	Airports	Per employee and for each two (2) airplanes in storage

37 3.2 *Areas computed as parking spaces.* Areas which may be computed as open or enclosed off-
38 street parking spaces include any private garage, carport, or other area available for parking, other
39 than a street or driveway. However, a driveway within a required front yard for a one-family or
40 two-family residence may count as one parking space, other than a corner lot as provided in article
41 5, section 1.3.

42 3.3 *Location and ownership of required accessory parking facilities.* Required accessory
43 parking spaces, open or enclosed, may be provided upon the same lot as the use to which they are
44 accessory, or elsewhere, provided all spaces therein are located within 150 feet walking distance of
45 such lot. In all cases, such parking spaces shall conform to the regulations of the district in which
46 they are accessory and shall be subject to deed restriction, filed with the city clerk, binding the
47 owner and his heirs and assigns to maintain the required number of spaces available either:

- 48 (a) Throughout the existence of such use to which they are accessory; or
- 49 (b) Until such spaces are provided elsewhere.

50 3.4 *Size of spaces.* The minimum parking space dimensions shall be at least nine (9) feet in
51 width and at least 18 feet in length. Disabled accessible spaces shall meet ADA requirements.

52 3.5 *Access.* Unobstructed access to and from a street shall be provided. Each drive lane shall
53 have at least ten (10) feet of width so that one-way drives have at least ten (10) feet of width and that
54 two directional drives have two lanes of ten (10) feet each. Unless otherwise specified within this
55 section, access shall be provided by at least one (1) two-directional drive lane or two (2)
56 one-directional drive lanes.

57 3.6 *Drainage and surfacing.*

58 (a) All open permanent parking areas and access drives shall be properly drained and all
59 such areas shall be provided with paved asphalt, concrete or other hard, paved, dust-free
60 surface.

61 (b) All permanent parking areas shall be enclosed with upright concrete curbing at least
62 six inches in height. The Planning Commission may relax this requirement for a portion of
63 a parking area when there is a demonstrated need to convey stormwater to a proposed or
64 approved stormwater management area. Curbing shall not be required for loading areas,
65 handicapped access and for parking spaces accessory to a one-family or two-family
66 residence (see also article 6, section 5.3).

67 3.7 *Joint Facilities.* Required parking spaces, open or enclosed, may be provided in spaces
68 designed to serve, jointly, two or more establishments, whether or not located on the same lot,
69 provided that the number of required spaces in such joint facilities shall be not less than the total
70 required for all such establishments.

71 3.8 *Combined spaces.* When any lot contains two or more uses having different parking
72 requirements, the parking requirements for each use shall apply to the extent of that use. Where it
73 can be conclusively demonstrated that one or more such uses will be generating a demand for
74 parking spaces primarily during periods when the other use or uses is not or are not in operation, the
75 planning commission may reduce the total parking spaces required for that use with the least
76 requirement.

77 (a) Campus Parking Plan - When a new building or building addition is made to a
78 campus involving multiple buildings under common ownership where one or more of the
79 uses will be generating demand for parking when the other use or uses are not in operation,
80 the applicant shall present a campus parking plan as a part of the site development plan that
81 includes an analysis of the parking needs based on the provisions of section 3.8 of this
82 article.

83 3.9 *Adjustments to parking requirements.* The planning commission may reduce, in an amount
84 not to exceed 50 percent, the number of parking spaces required when, in the opinion of the
85 commission, it has been demonstrated that the use is adequately served by transportation and
86 parking alternatives, including but not limited to:

87 (a) Site plan proposals within the downtown redevelopment target area, as described in
88 appendix C of the Dover Code of Ordinances, may be granted a 20 percent reduction in the
89 amount of off-street parking normally required, due to the availability of mass transit,
90 municipal parking and existing pedestrian amenities.

91 (b) Designated off-street parking reserved for car pools, van pools, and bicycle parking
92 facilities, in accordance with the following schedule:

93 (1) Each carpool space shall be equivalent to three (3) standard parking spaces.

94 (2) Each vanpool space shall be equivalent to five (5) standard parking spaces.

95 (3) Every group of five (5) bicycle parking spaces shall be equivalent to one (1)
96 standard parking space.

97 (c) Employer participation in a traffic mitigation plan approved by the Delaware
98 Department of Transportation.

99 (d) Cash-in-lieu of parking contributions toward the capital construction or improvement
100 of municipal parking facilities that are proposed. The cash-in-lieu of parking contribution
101 shall be in a monetary amount equivalent to the estimated cost of construction for the
102 number of standard surface parking spaces for which the reduction is sought. To take
103 advantage of this option, the developer shall submit to the city engineer a cost estimate for
104 the parking requested to be waived. The city engineer shall examine the estimate for
105 accuracy in current prevailing costs of construction at the time of proposal and shall report
106 to the planning commission his/her findings.

107 (e) Proposals involving superior urban design which contribute to an enhanced
108 pedestrian environment and which include such features as pedestrian plazas and pocket-
109 parks, pedestrian-way connections with existing sidewalk systems and community facilities,
110 park benches and other street furniture, mass transit connections and shelters, and
111 landscaping and shade tree plantings.

112 In all areas, except the downtown redevelopment target area, the development plans shall have an area of
113 open space designated where parking could be constructed equal to the number being reduced and the plan
114 shall bear a note which explains that the petitioner, in accepting a parking reduction, agrees to construct
115 such additional parking as is otherwise required under the provisions of the zoning ordinance [this
116 appendix], if the planning commission, after a hearing, determines that the reasons for granting said
117 reduction no longer exist. In all such instances where the planning commission determines that the reasons
118 for granting a reduction no longer exist, the owner of record for the subject property for which a reduction
119 was previously granted must construct the parking required to meet the regulations of the city during the
120 next construction season.

121 3.10 Bicycle Parking. Bicycle parking shall be provided for parking spaces at a rate of one (1)
122 bicycle parking space for every twenty (20) parking spaces or a fraction thereof. The planning
123 commission may waive the requirement for the bicycle parking if it is demonstrated that bicycle
124 parking would not be appropriate for safety reasons or due to the nature of the use of the site.

125 3.11 Maximum number of parking spaces. The maximum number of parking spaces shall not
126 exceed 25% over the number of parking spaces required by the code.

127 ADOPTED: SEPTEMBER 14, 2009

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129 SYNOPSIS

130 The proposed ordinance would amend the parking regulations based on current parking
131 needs. It adjusts parking requirements for several uses, increases the allowance for cash-in-
132 lieu of parking in the downtown area, and adds a requirement for bicycle parking.

133 Actions History

134 July 20, 2009 - Tabled at Planning Commission

135 June 22, 2009 - First Reading

136 June 8, 2009 - Introduced at Parks, Recreation & Community Enhancement Committee