



## **ORDINANCE #2022-03**

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

That Chapter 82 – Planning, Section 82-2 City Planner be amended to read as follows:

### **Sec. 82-1. - Planning commission.**

There is hereby created a planning commission. The members of the planning commission shall be appointed by the mayor, subject to confirmation by the council. The planning commission shall consist of nine members serving three-year terms. Two members shall be selected from each council district and one member shall serve from the city at-large. The terms of the members shall be arranged so that each year the terms of three members shall expire, and the expiration date shall be on June 1. Incumbent members of the planning commission shall continue to serve beyond the expiration of their term until a successor is appointed by the mayor and confirmed by the council.

**(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-1; Ord. of 6-27-1994)**

**Charter reference— Power of council to create planning commission, subpart A, § 23.**

**State Law reference— Planning commission, 22 Del. C. §§ 701—711.**

### **Sec. 82-2. City planner.**

There is hereby established the office of city planner who shall be selected by the city manager and approved by city council and employed at the pleasure of city manager. The city planner shall be the Director of Planning, Inspections and Community Development, and be directly responsible to the city manager.

**(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-2; Ord. of 1-9-2006; Ord. of 7-24-2006(1); Ord. No. 2009-24, 11-9-2009; Ord. No. 2015-21, 12-14-2015, eff. 1-1-2016 )**

### **Sec. 82-3. - Planning services.**

(a)Zoning verification letters/administrative interpretations. A zoning verification letter or administrative interpretation will be provided by the city planner upon request to verify the current zoning of a particular piece of property and the types of uses that are allowed in that zoning district. A request for a zoning verification letter or administrative interpretation shall be submitted using forms provided by the planning office. Fees related to zoning verification letters shall be as provided for in Appendix F—Fees and Fines.(b)Content. A zoning verification letter or administrative interpretation may contain the following information based upon the request received:(1)The zoning district of the property and any zoning overlay

districts applicable to the property.(2)Verification that a particular use is permitted within the property's zoning district.(3)A list of permitted uses in the zoning district.(4)Identification of any current Notice of Violations issued for code enforcement violations on the subject property.(5)Any other requested information determined by the city planner to be within the scope of this section.(c)Appeal of zoning verification letter or administrative interpretation. Any determination made by the city planner may be appealed to the board of adjustment in accordance with the provisions of Appendix B—Zoning, Article 9—Board of Adjustment, Section 2.2—Appeal of administrative order, requirement, decision or determination.

( Ord. No. 2015-21, 12-14-2015, eff. 1-1-2016 )

Sec. 80-703. - Post-retirement benefits.

ADOPTED: MAY 9, 2022

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### SYNOPSIS

This ordinance transfers the position of City Planner under the direction of the City Manager and clarifies that the City planner shall also be the Director of Planning, Inspections and Community Development. Current code provisions have the City Planner appointed by and reporting to City Council. Also, they do not clearly identify the City Planner as the Director of the Department of Planning, Inspections and Community Development. Other City Department Heads, except the Controller/Treasurer, the City Clerk, and the Police Chief report to and are under the direction of the City Manager.

This change is intended to improve efficiency, strengthen the managerial team, and ensure effective coordination among all the operating departments. The change does not affect the City Planner's authority and duties as related to the Planning Commission, the Board of Adjustment, or the Historic District Commission.

This proposed organizational structure is typical for other jurisdictions.

(SPONSORS: ANDERSON AND HUGG)

#### Actions History

05/09/2022 - Final Reading - City Council

04-25-2022 - First Reading - City Council

04-12-2022 - Council Committee of the Whole/Legislative, Finance, and Administration Committee