

# COUNCIL COMMITTEE OF THE WHOLE

## AGENDA



SEPTEMBER 26, 2017 - 6:00 P.M.

**REVISED**

CITY HALL COUNCIL CHAMBERS, 15 LOOCKERMAN PLAZA, DOVER, DELAWARE

**REVISED BY REMOVING "PRESENTATION - RESTORE THE VOTE - EX-OFFENDER DISENFRANCHISEMENT: RESTORATION OF VOTING RIGHTS (NELSON L. HILL, VICE PRESIDENT/DIRECTOR OF ORGANIZING - UNITED FOOD & COMMERCIAL WORKERS UNION, LOCAL 27)" FROM THE LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE AGENDA**

PUBLIC COMMENTS ARE WELCOMED ON ANY ITEM AND WILL BE PERMITTED AT APPROPRIATE TIMES. WHEN POSSIBLE, PLEASE NOTIFY THE CITY CLERK (736-7008 OR E-MAIL AT [CITYCLERK@DOVER.DE.US](mailto:CITYCLERK@DOVER.DE.US)) SHOULD YOU WISH TO BE RECOGNIZED.

### LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

1. AGENDA ADDITIONS/DELETIONS
2. PROPOSED ORDINANCE #2017-13 AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS; ARTICLE 5 - SUPPLEMENTARY REGULATIONS; AND ARTICLE 12 - DEFINITIONS (ADULT DAY CARE PROVISIONS) (SPONSORS: NEIL AND HUGG)  
(STAFF RECOMMENDS ADOPTION OF ORDINANCE #2017-13)
3. ADJOURNMENT OF LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETING

### SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

1. AGENDA ADDITIONS/DELETIONS
2. REQUEST FOR LETTER OF SUPPORT - SEATBELTS FOR SCHOOL BUSES (JANETTA GUINN)
3. PRIORITIZATION OF CITY OF DOVER STATE CAPITAL TRANSPORTATION PROGRAM (CTP) PROJECTS  
(STAFF RECOMMENDS APPROVAL OF THE RECOMMENDED PRIORITY RANKING FOR THE COMING YEAR)
4. ADJOURNMENT OF SAFETY ADVISORY AND TRANSPORTATION COMMITTEE MEETING

### ADJOURNMENT OF COUNCIL COMMITTEE OF THE WHOLE MEETING

/TM

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COMMITTEE-AGENDAS\2017\09-26-2017 CCW AGENDA-REVISED 09-25-2017.WPD

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(e)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

CITY OF DOVER ORDINANCE #2017-13

1 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN**  
2 **COUNCIL MET:**  
3

4 That Appendix B – Zoning, Article 3 – District Regulations, Section 1 – One-Family Residence Zones,  
5 of the Dover Code be amended by inserting the text indicated in bold, blue font as follows:  
6

7 **ARTICLE 3. - DISTRICT REGULATIONS**  
8

9 Section 1. - One-family residence zones [(R-20, R-15, R-10, R-8 and R-7)].  
10 (R-20, R-15, R-10, R-8, R-7.) (See also article 5, Supplementary Regulations; and article 6, Off-Street  
11 Parking, Driveways and Loading Facilities.)

12 1.1 *Uses permitted.* In a one-family residence R-20, R-15, R-10, R-8 and R-7 zones, no building or  
13 premises shall be used and no building or part of a building shall be erected or altered which is  
14 arranged, intended or designed to be used, in whole or in part, for any uses except the following:

15 1.11 The raising of field and garden crops, vineyards and orchard farming, the maintenance of  
16 nurseries, and the seasonal sale of the products thereof, provided no building is erected and  
17 signs conform with article 5, section 4.

18 1.12 One-family detached dwellings, not to exceed one such dwelling per lot.

19 1.13 Public buildings, structures and uses, including parks and playgrounds, subject to  
20 approval of site plans by the planning commission in accordance with article 10, section 2.

21 1.14 The following uses are permitted, conditional upon the approval of the planning  
22 commission in accordance with the procedures and subject to the general conditions set forth in  
23 section 10.1 and to any specified requirements set forth below:

24 (a) Places of worship, including parish houses; [and] schools, including nursery schools,  
25 kindergartens and day care centers in accordance with article 5, Supplementary  
26 Regulations, section 14, **Child Day** care facilities; philanthropic and eleemosynary  
27 institutions; hospitals and sanitariums for general medical care; and funeral homes  
28 subject to the following requirements:

29 i. Any school permitted under this paragraph [subsection 1.14(a)] shall be a  
30 nonprofit organization within the meaning of the Internal Revenue Act and shall  
31 be registered effectively as such thereunder.

32 ii. Any school permitted under this paragraph [subsection 1.14(a)], other than a  
33 kindergarten, nursery school, or day care center, shall occupy a lot with an area of  
34 not less than two acres, plus one acre for each 100 pupils for which the building is  
35 designed.

36 iii. Any kindergarten or nursery school permitted under this paragraph [subsection  
37 1.14(a)] shall be limited to a maximum of 50 children in zones R-8 thru R-20 and  
38 a maximum of 100 children in all other zones. At least 100 square feet of outdoor  
39 play space per child shall be provided. Outdoor play space shall be fenced or  
40 otherwise enclosed on all sides and shall not include driveways, parking areas, or  
41 land unsuited by other usage or natural features for children's active play space.  
42 Fencing or other enclosures shall be a minimum height of four feet. The minimum

43 lot area for each ten, or remainder over the multiple of ten, children shall be the  
44 same as the minimum lot area requirement for each dwelling unit in the districts  
45 in which such uses are to be located.

46 iv. No such building or part thereof shall be erected with less than a 50-foot front  
47 yard or nearer than 25 feet from any other street or property line.

48 v. The sum of all areas covered by all principal and accessory buildings shall not  
49 exceed 20 percent of the area of the lot.

50 vi. Courts shall conform to the requirements of article 5, section 3 hereof.

51 (b) Railroad and public utility rights-of-way and structures necessary to serve areas  
52 within the city, subject to such conditions as the planning commission may impose in  
53 order to protect and promote the health and safety and general welfare of the  
54 community and the character of the neighborhood in which the proposed structure is to  
55 be constructed.

56 (c) Country clubs or other annual membership clubs, catering exclusively to members  
57 and their guests, and accessory private playgrounds, golf courses, swimming pools,  
58 tennis courts and recreation buildings not conducted as business enterprises, provided  
59 that the following operations shall be prohibited:

60 i. Outdoor entertainment, live or mechanical;

61 ii. The use of outdoor public address systems for any purpose; and

62 iii. Exterior lighting producing glare at the lot line other than that essential for the  
63 safety of the users of the premises.

64 No building erected under the provisions of this paragraph [subsection 1.14(c)] shall  
65 be so erected nearer than 50 feet to any street or property line.

66 (d) **Adult day care facilities in accordance with Article 5 – Supplementary**  
67 **Regulations, Section 22 – Adult Day Care Facilities.**

68

69 1.15 Accessory uses, limited to the following:

70 (a) Professional office or studio of an artist, dentist, musician, teacher, or physician, but  
71 not including veterinarians, provided that:

72 i. Such office or studio is incidental to the residential use of the premises and is  
73 carried on by a resident thereon with not more than one nonresident assistant; and

74 ii. Such office or studio shall occupy not more than 30 percent of the area of one  
75 floor of the main building.

76 iii. Studios where dancing or music instruction is offered to groups in excess of four  
77 pupils at one time or where concerts or recitals are held are prohibited.

78 iv. Medical centers, barbershops, beauty parlors, real estate offices, funeral homes  
79 or similar uses shall not be considered permitted accessory uses.

- 80 (b) Garden house, tool house, playhouse, greenhouse or pool incidental to the residential  
81 use of the premises and not operated for gain.
- 82 (c) Private garage, provided that, in the case of a one-family dwelling, such garage shall  
83 have a capacity of not more than three passenger automobiles. One such space may be  
84 leased to a person not [a] resident on the premises.
- 85 (d) Keeping domestic animals as pets, provided not more than three (3) dogs over six  
86 months old, shall be permitted.
- 87 (e) Keeping of chickens for individual domestic purposes subject to the following  
88 restrictions:
- 89 i. Keeping of chickens shall not be permitted on lots smaller than 10,890 square feet  
90 in lot area.
- 91 ii. No more than five (5) chickens shall be permitted on a residential lot.
- 92 iii. Chickens shall be registered with the Delaware Department of Agriculture.
- 93 iv. Chickens shall be penned in a coop that shall be at least four (4) square feet per  
94 chicken.
- 95 v. All chicken coops shall be located in a rear yard and shall be a minimum of 20  
96 feet from side and rear property lines.
- 97 vi. Any odor associated with the chickens shall not be discernable from property  
98 lines.
- 99 vii. Keeping of roosters shall be prohibited.
- 100 viii. Any lot with chickens shall either comply with these requirements by June 1,  
101 2016 or remove the chickens.
- 102 (f) Dormitories accessory to schools, provided that such dormitories conform to the bulk  
103 regulations of the RG-1 zone. For purposes of computing bulk requirements, each four  
104 rooms shall be considered one dwelling unit. Parking shall be calculated as identified  
105 in Article 6—Off-Street Parking, Section 3—Required off-street parking spaces,  
106 Paragraph 3.1—Schedule of requirements.
- 107 (g) Customary home occupations, provided that:
- 108 i. No display of products, goods and/or signs shall be visible from the street.
- 109 ii. Such home occupation shall be incidental and secondary to the residential use of  
110 the premises and shall be conducted in the principal building by the resident or  
111 residents that reside therein.
- 112 iii. Nonresident assistants or co-workers shall be prohibited.
- 113 iv. Such home occupation shall not occupy more than 30 percent of the area of one  
114 floor in the principal building.
- 115 v. There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas,  
116 fumes, radiation, or electromagnetic interference.

117 1.16 [1.2] *Site development plan approval.* Site development plan approval in accordance with  
118 article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection  
119 or enlargement of all structures and related accessory structures. Such approval shall also be  
120 required prior to the issuance of certificates of occupancy for a change of use.

121 1.17 [1.3] *Performance standards.* All uses are subject to performance standards as set forth in  
122 article 5, section 8.1.

123 1.18 [1.4] [*Closed zone.*] Zone R-7 is a closed zone in accordance with article 10, section 5.19.

124 1.19 [1.5] [*Signs.*] Signs shall meet the regulations found in article 5, section 4, supplementary  
125 sign regulations.

126 (Ord. of 1-8-1979; Ord. of 5-14-1990; Ord. of 12-14-1992(2); Ord. of 7-10-2000; Ord. of 2-12-2001;  
127 Ord. No. 2009-12, 9-14-2009; Ord. No. 2011-21, 10-10-2011; [Ord. No. 2016-01, 4-11-2016](#).)

128 **BE IT FURTHER ORDAINED:**

129 That Appendix B – Zoning, Article 3 – District Regulations, Section 10 – Institutional and Office Zone  
130 of the Dover Code be amended by inserting the text indicated in bold, blue font and deleting the text  
131 indicated in red strikethrough as follows:

132  
133 Section 10. - Institutional and office zone (IO).

134  
135 10.1 *Uses permitted.* In an institutional and office zone (IO), no building or premises shall be used,  
136 and no building or part of a building shall be erected, which is arranged, intended, or designed to be  
137 used, in whole or in part, for any purpose, except the following:

- 138 (a) Business, professional, or governmental offices.
- 139 (b) Banks.
- 140 (c) Research, design, and development laboratories.
- 141 (d) Public and institutional uses including hospitals, medical clinics, libraries, police stations,  
142 courthouses, transit centers, schools, colleges, universities, places of public assembly,  
143 philanthropic and charitable institutions, parks, playgrounds, public indoor recreation  
144 centers, athletic fields.
- 145 (e) Public utility rights-of-way and structures necessary to serve areas within the city.
- 146 (f) **Child** ~~Day~~ day care centers, provided they are established in accordance with all applicable  
147 state regulations pertaining to child care and provided that they are established and  
148 maintained in accordance with article 5, section 14 of this ordinance.
- 149 (g) Emergency shelters and transitional housing.
- 150 (h) **Adult day care facilities provided they are established in accordance with all**  
151 **applicable state regulations pertaining to adult care and provided that they are**  
152 **established and maintained in accordance with article 5, section 22 of this ordinance.**

153 10.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the  
154 planning commission in accordance with the procedures and subject to the general conditions set  
155 forth in article 10, section 1:

156 (a) Firearm ranges, prisons, and correctional facilities.

157 (b) Public incinerators.

158 (c) Hotels and restaurants.

159 10.3 *Accessory uses.* The following uses shall be permitted accessory to other permitted uses on a  
160 lot.

161 (a) Clinics, cafeterias, and recreational facilities.

162 (b) Motor vehicle storage and repair facilities accessory to a public or institutional use.

163 (c) Restaurants that are on a campus and intended to support users of the campus.

164 10.4 *Uses prohibited.* The following uses are prohibited:

165 (a) Landfills, dumps.

166 10.5 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than offstreet  
167 parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas  
168 associated with restaurants approved by the city planner.

169 10.6 *Performance standards.* All uses are subject to performance standards as set forth in article 5,  
170 section 8.1.

171 10.7 *Site development plan approval.* Site development plan approval in accordance with article  
172 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or  
173 enlargement of all structures and prior to the issuance of certificates of occupancy for any change of  
174 use.

175 (Ord. of 10-24-1983; Ord. of 12-14-1992; Ord. of 7-12-1993, § 7; Ord. of 4-25-1994; Ord. of 10-12-  
176 1998; Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. of 4-23-2007(1); Ord. of 4-23-2007(2); [Ord. No.](#)  
177 [2014-08, 7-14-2014](#) )

178  
179 **BE IT FURTHER ORDAINED:**

180  
181 That Appendix B – Zoning, Article 5 –Supplementary Regulations, Section 14 – Day Care Facilities of  
182 the Dover Code be amended by inserting the text indicated in bold, blue font and deleting the text  
183 indicated in red strikeout as follows:

184  
185 Section 14. – **Child** ~~Day~~ day care facilities.

186  
187 14.1 *General.* In order to promote the development of quality child care outside of the home (day care  
188 facilities), the following two basic assumptions have been made:

189  
190 14.11 The establishment of **child** day care services and facilities, wherever there is a need, is a

191 necessary public objective; and

192  
193 14.12 Day care programs **for children** shall be treated as community facilities and shall be  
194 permitted to locate in any zoning district, provided that need has been demonstrated, state  
195 licensing requirements have been met and no physical hazard to children can be reasonably  
196 anticipated.

197  
198 14.2 *Definitions.*

199  
200 **Child Day care facility.** For the purposes of this ordinance, the facilities described furnishing  
201 care, supervision and guidance of a child or group of children unaccompanied by a parent or  
202 guardian, for periods of less than 24 hours per day shall be defined as follows:

203  
204 14.21 **Child Day care center.**

205  
206 (a) Any place, other than an occupied residence, which receives children for  
207 compensation for day care or large family day care home; and

208  
209 (b) Any occupied residence which receives 13 or more children for compensation for  
210 day care.

211  
212 **Child Day care centers** shall be required to obtain conditional use approval by the planning  
213 commission in accordance with the procedures and subject to the general conditions set forth in  
214 article 10 and to any specified requirement set forth in subsection 14.3 below, except in zoning  
215 districts where listed as a permitted use.

216  
217 14.22 **Family day care home-children.** An occupied residence in which a person provides care  
218 for children other than his/her own family and the children of close relatives for compensation.  
219 Such care in a family day care home is limited to that care given to six or fewer children **with a**  
220 **maximum of three children allowed for after school care.** Such child care facility shall be  
221 permitted as an accessory use in all residential zones and shall be exempt from obtaining a  
222 conditional use permit and site plan approval.

223  
224 14.23 **Large family day care home-children.** A facility which provides child care for more than  
225 six, but less than 13 children **with a maximum of three children allowed for after school care.**  
226 This care may be offered in a private home or in a property converted to the purpose of providing  
227 child day care. This form of day care facility requires the submission of a site plan application in  
228 accordance with the procedures and subject to article 10, section 2 of the zoning ordinance. If a  
229 large family day care home is not to be located in an occupied residence, then a conditional use  
230 site plan application shall be required in accordance with article 10 section 1 of the zoning  
231 ordinance.

232  
233 14.3 *Zoning criteria.*

234  
235 14.31 *Number of children.* Day care centers shall be limited to a maximum of 50 children in all  
236 residential zones.

237  
238 14.32 *Outdoor play area.* Must meet the state requirement for day care centers.  
239

240 14.33 *Off-street parking/loading.* One space per each adult attendant, plus one space for every  
241 ten children.  
242

243 14.34 ~~Signs in all residential zones. Signage shall be limited as follows:~~ *Signage for child day*  
244 *care facilities*  
245

246 (a) *Signs in residential zones.*  
247

248 (a) i. *Family day care homes-children and large family day care homes-children.* One  
249 wall-mounted sign limited to two square feet.  
250

251 (b) ii. *Child day care center.* One sign, wall-mounted or freestanding, limited in area  
252 to 12 square feet. The planning commission shall consider the location of such sign as part of the  
253 conditional use review and may approve a lesser amount of sign area if deemed necessary by the  
254 commission to protect the general health, safety and welfare of the public in general and the residents of  
255 the immediate neighborhood in particular.  
256

257 (b) *Signs in nonresidential zones.* ~~Child day~~ day care centers within nonresidential zoning  
258 districts shall be governed by the sign regulations in effect for the particular  
259 nonresidential zoning district in which the day care center is located.  
260

261 14.35 *Licensing requirements.* ~~Child day~~ day care facilities must meet state **licensing** standards;  
262 ~~and a license from the state shall be submitted to the department of planning and inspections~~  
263 ~~prior to the issuance of~~ **and must be inspected by the City of Dover Fire Marshal's Office.**  
264 ~~a~~ **A City of Dover Business License and a Public Occupancy Permit is required.**  
265

266 (Ord. of 5-14-1990; Ord. of 4-25-1994; Ord. of 4-23-2007(3))  
267

268 **Editor's note**— The subsections of this section have been numbered by the editor to retain format.  
269

270 **BE IT FURTHER ORDAINED:**  
271

272 That Appendix B – Zoning, Article 5 –Supplementary Regulations of the Dover Code be amended by  
273 inserting a new Section 22 – Adult Day Care Facilities, as follows:  
274

275 **Section 22. – Adult day care facilities**

276 ***Adult day care facilities shall be permitted to locate in any zoning district provided that state***  
277 ***licensing requirements have been met and such facilities are subject to the following***  
278 ***requirements:***  
279

280 ***22.1 Definitions***



281 *Adult day care facilities* apply to any program that provides health, social and related support  
282 services for four or more functionally impaired adults who requires supervision due to  
283 cognitive or physical impairment or who cannot independently perform one or more activities  
284 of daily living. These services are provided to adults for a period of less than 12 hours during  
285 the day and are provided in a setting other than a participant’s home or the residence of the  
286 facility operator.

287 *Small adult day care facility.* A facility that provides services for four adult participants but  
288 less than 16 adult participants.

289 *Large adult day care facility.* A facility that provides services for 16 or more adult participants.

290 *22.2 Review Process*

291 (a) Adult day care facilities are permitted as accessory uses to existing facilities that provide  
292 services to adult participants.

293 (b) *Residential zones.* A conditional use site plan application shall be required in accordance  
294 with Appendix B-Zoning, Article 10-Planning Commission section 1 for adult day care  
295 facilities in residential zones.

296 (c) *Non-residential zones.*

297 i. Site development plan approval in accordance with Appendix B-Zoning, article 10,  
298 section 2 hereof shall be required for small adult day care facilities.

299 ii. A conditional use site plan application shall be required in accordance with  
300 Appendix B-Zoning, article 10 section 1 for large adult day care facilities.

301 *22.3 Zoning criteria*

302 *22.31 Off-street parking.* One space per each adult attendant, plus one space for every four  
303 adult participants.

304 *22.32 Signage for adult day care facilities*

305 (a) *Signage in a residential zone.* One sign, wall-mounted or freestanding, limited in  
306 area to 12 square feet. The planning commission shall consider the location of such  
307 sign as part of the conditional use review and may approve a lesser amount of sign  
308 area if deemed necessary by the commission to protect the general health, safety and  
309 welfare of the public in general and the residents of the immediate neighborhood in  
310 particular.

311  
312 (b) *Signs in nonresidential zones.* Adult day care facilities within nonresidential zoning  
313 districts shall be governed by the sign regulations in effect for the particular  
314 nonresidential zoning district in which the day care facility is located.

315 **22.33 Licensing requirements. Adult day care facilities must meet state licensing standards**  
316 **and must be inspected by the City of Dover Fire Marshal’s Office. A City of Dover Business**  
317 **License and a Public Occupancy Permit are required.**

318 **BE IT FURTHER ORDAINED:**

319  
320 That Appendix B - Zoning, Article 12 – Definitions of the Dover Code be amended by inserting the  
321 following new definition in its correct alphabetical order:  
322

323 **Adult day care facilities: Apply to any program that provides health, social and related support**  
324 **services for four or more functionally impaired adults who require supervision due to cognitive or**  
325 **physical impairment or who cannot independently perform one or more activities of daily living.**  
326 **These services are provided to adults for a period of less than 12 hours during the day and are**  
327 **provided in a setting other than a participant’s home or the residence of the facility operator.**  
328

- 329 (a) **Small adult day care facility: A facility that provides services for four adult**  
330 **participants but less than 16 adult participants.**  
331 (b) **Large adult day care facility: A facility that provides services for 16 or more adult**  
332 **participants.**  
333

334 **BE IT FURTHER ORDAINED:**

335  
336 That Appendix B - Zoning, Article 12 – Definitions – Day care facility of the Dover Code be amended  
337 by inserting the text indicated in bold, blue font and deleting the text indicated in red strikethrough as  
338 follows:  
339

340 ~~Day care facility: For the purposes of this ordinance, the facilities described furnishing care, supervision and~~  
341 ~~guidance of a child or group of children unaccompanied by [a] parent or guardian for periods of less than 24~~  
342 ~~hours per day shall be defined as follows:~~

343 ~~Child day care facility:~~ For the purposes of this ordinance, the facilities described furnishing care,  
344 supervision and guidance of a child or group of children unaccompanied by a parent or guardian for periods of less  
345 than 24 hours per day shall be defined as follows:

- 346 (a) ~~Child day care center:~~  
347 i. Any place, other than an occupied residence, which receives children for day care or large family  
348 day care home; and  
349 ii. Any place, including an occupied residence, which receives 13 or more children for day care.  
350

351 (b) ~~Family day care home-children:~~ An occupied residence in which a person provides day care for children  
352 other than his/her own family and the children of close relatives. Such care in a family day care home is  
353 limited to that care given to six or fewer children **with a maximum of three children allowed for after**  
354 **school care.** Such child care shall be permitted as an accessory use in all residential zones and shall be  
355 exempt from obtaining a conditional use permit and site plan approval.  
356

357 (c) ~~Large family day care home-children:~~ A facility which provides child care for more than six, but less  
358 than 13 children **with a maximum of three children allowed for after school care.** This care may be  
359 offered in a private home or in a property converted to the purpose of providing child day care.

360 ADOPTED: \*

361

362

363

364

**SYNOPSIS**

365 The proposed ordinance Article 5 section 22 will be a new section added to the *Zoning Ordinance* to  
366 allow Adult day care facilities to be permitted in any zoning district provided that state licensing and  
367 city code requirements have been met. The proposed amendment under Article 5 section 14 of the  
368 *Zoning Ordinance* are revisions to the existing ordinance that identifies Child day care facilities. Other  
369 amendments revise references and definitions pertaining to these uses.

370

371

(SPONSORS: NEIL AND HUGG)

372

373

Actions History:

375 09/25/17 – Scheduled for Introduction – Council Committee of the Whole/Legislative, Finance, and  
376 Administration Committee

377


378

379 S:\ClerksOffice\Ordinances\BLOCKS\Ordinance.wpd

380

DRAFT

# SEATBELTS For Schoolbuses

1. Jenna Miller 151 US Shells Mill
2. Mary Herb 36937 Creeklane Dr, Selbyville De
3. Latonya Baulow
4. James Madison
5. Eric Brad Collier
6. Kendall Guinn
7. Robin Perry
8. Kali Graham
9. Kuree Wesley
10. Susie Perry
11. Tanishaia Brown
12. Joanne Walker
13. Shell Mason
14. Genevieve Douras
15. 
16. Robert L. Washington
17. Aaron Patton
18. Miranda Wayman
19. Angele Harmon
20. Eric W. Orendy
21. Bartley Mumford
22. Jay Calhoun
23. Jason Jones
24. Corey Jones
25. Tyrone Smith
26. Gary Hicks
27. Tom Baston

- |    |                     |      |                     |
|----|---------------------|------|---------------------|
| 28 | Dorothy Hudson      | (55) | Dorothy L. Hudson   |
| 29 | Gloria J. Johnson   | (56) | Gloria J. Johnson   |
| 30 | Suzanne Williams    | (57) | Suzanne Williams    |
| 31 | Delia Lamb          | (58) | Delia Lamb          |
| 32 | John Filling        | (59) | John Filling        |
| 33 | Stephane Person     | (60) | Stephane Person     |
| 34 | Mae Smith           | (61) | Mae Smith           |
| 35 | Ira Harmon          | (62) | Ira Harmon          |
| 36 | Larrie Reeves       | (63) | Larrie Reeves       |
| 37 | Peter Spurr         | (64) | Peter Spurr         |
| 38 | Wid Smith           | (65) | Wid Smith           |
| 39 | Ann [unclear]       | (66) | Ann [unclear]       |
| 40 | Paul [unclear]      | (67) | Paul [unclear]      |
| 41 | J. [unclear]        | (68) | J. [unclear]        |
| 42 | Carol Antoinette    | (69) | Carol Antoinette    |
| 43 | Ronald Cant         | (70) | Ronald Cant         |
| 44 | Natasha James       | (71) | Natasha James       |
| 45 | Essie Patey         | (72) | Essie Patey         |
| 46 | Jean Sedley         | (73) | Jean Sedley         |
| 47 | Janice Tremaine     | (74) | Janice Tremaine     |
| 48 | Paulita [unclear]   | (75) | Paulita [unclear]   |
| 49 | Goldie E. [unclear] | (76) | Goldie E. [unclear] |
| 50 | Hendrick Eizey      | (77) | Hendrick Eizey      |
| 51 | Frank Lewis         | (78) | Frank Lewis         |
| 52 | Joseph Morris       | (79) | Joseph Morris       |
| 53 | Paula [unclear]     | (80) | Paula [unclear]     |
| 54 | Arthur [unclear]    | (81) | Arthur [unclear]    |

- |     |                     |       |                       |
|-----|---------------------|-------|-----------------------|
| 81  | Christine Glassburn | (108) | Chris L Grow          |
| 82  | MARK GLASSBORN      | (109) | DA Her, MURRAY        |
| 83  | IDA WATERS          | (110) | JAMES EDGAR WATSON JR |
| 84  | JESUS JACOBO        | (111) | Ken - Nally           |
| 85  | German Jacobo       | (112) | Herbert J. Lewis      |
| 86  | Mary Thompson       | (113) | Charles W. Wain       |
| 87  | Jane Langston       | (114) | Louise Caldwell       |
| 88  | Karen A. Smith      | (115) | Beverly J. Sharpe     |
| 99  | Antonia Penay       | (116) | John F. Miller        |
| 90  | Patricia May        | (117) | Wendy A. Lick         |
| 91  | Hizam Al-Khalil     | (118) | Richard A. Segari     |
| 92  | Muhammad Ayub       | (119) | Joe S. Velez et al.   |
| 93  | Enice Cannon        | (120) | AN WILKINSON          |
| 94  | Dolly E. Davis      | (121) | Wesley Swearing       |
| 95  | Harvey J. Davis     | (122) | Harold G. Brown II    |
| 96  | Fatou Ka            | (123) | Thelma Nickerson      |
| 97  | Cathy Ginner        | (122) | Mark J. Day           |
| 98  | Don Proffert        | (123) | Robert Lee            |
| 99  | Faith Lamb          | (124) | James C. Linn         |
| 100 | Leah E. Brown       | (125) | Allen Brown           |
| 101 | Melissa Dotter      | (126) | Deirdre Hayes         |
| 102 | Elaine August       | (125) | David G. Hayes        |
| 103 | Viggo Sander        | (126) | Ronald & Abraham      |
| 104 | Missy Brown         | (127) | Shirley Stephens      |
| 105 | John                | (128) | John C. Brown         |
| 106 | Denise Jessup       | (129) | Yvonne Hidalgo        |
| 107 | Nawel Alyemman      | (130) | Kevin Hewson          |

|     |                    |     |                   |
|-----|--------------------|-----|-------------------|
| 131 | Isabel Hendry      | 157 | Ronald Barnett    |
| 132 | Mildred Calder     | 158 | Carricann Jones   |
| 133 | Julius Dargyn      | 159 | Janetta Guinn     |
| 134 | Satos Hearn        | 160 | <del>John</del>   |
| 135 | Bellefontaine      | 161 | Michelle Wight    |
| 136 | Lucia Prince       | 162 | James Thom        |
| 137 | Lain Morrow        | 163 | Shirley Williams  |
| 138 | Mike Rice          | 164 | Stanley R. Uwe    |
| 139 | Jessica Green      | 165 | Chris Dwyer       |
| 140 | Anna O'Leary       | 166 | Loretta Thomas    |
| 141 | M. Kallista Arthur | 167 | Darwin Sullivan   |
| 142 | Cogan Donnan       | 168 | Harry Dixon       |
| 143 | Sharon Lyle        | 169 | Megan Cunningham  |
| 144 | Doris in Peter     | 170 | Mary A. Jones     |
| 145 | Elizabeth Lawrence | 171 | Alexander Stob    |
| 146 | Theodore Peter     | 172 | <del>John</del>   |
| 147 | Ben Beyon          | 173 | Patricia L. Combs |
| 148 | Erica Wierich      | 174 | Maria Garrison    |
| 149 | Mildred Clark      | 175 | John D. Dwyer     |
| 150 | Amanda Hill        | 176 | John Buckler      |
| 151 | Mike Dargyn        | 177 | Gubey Watkins     |
| 152 | Robert Dargyn & S. | 178 | Richard Brewster  |
| 153 | Robert J. Dargyn   | 179 | Josephine Wight   |
| 154 | Gemith C. Martin   | 180 | Jennifer Wight    |
| 155 | Pat. B. Dargyn     | 181 | Linda Kozar       |
| 156 | Leslie Turner      |     |                   |

- 182 Charles Adams  
183 Shirley Simmons  
184 Lonnie I. Little  
188 Alfreda Fisher - Dean  
186 Howard Jones  
187 Jim Litch  
188 Ed. W. Winters  
189 Dorothy Cooper  
190 Courtney J. Stevenson  
191 ~~Frank Johnson~~  
192 AEE Robinson  
193 Fwi Johnson  
194 Lylama Qui  
195 V. Brandon Green  
196 M. B.  
197 Helene Warren  
198 Cheryl Mabry  
199 Paul A. Beal  
200 Mace Hays Jr.  
201 Brian Cephas  
202 Capris Aldorza  
203 Terene Brooks  
204 Tyson Stevens  
205 Blanca Gonzalez  
206 John  
207 Darlene Carson



1988 Rhonda Dace.

- |                                  |                       |
|----------------------------------|-----------------------|
| 209 <del>My</del> <del>Ann</del> | 236 Ella Saunders     |
| 210 Myrtle Taylor Sr             | 237 Williams          |
| 211 Mrs Fisher                   | 238 <del>Myrtle</del> |
| 212 Kathryn Cubse                | 239 <del>Myrtle</del> |
| 213 Julia Draufem                | 240 May Hulpe         |
| 214 Donnell Draufem              | 241 <del>Myrtle</del> |
| 215 Milton Davis                 | 242 Betty Taylor      |
| 216 Shirley McNeil               | 243 S. Sutton         |
| 217 Aileen Eason                 | 244 D. Johnson        |
| 218 Clyde McNeil                 | 245 Spann Boon        |
| 219 Brenda Coward                | 246 Velma Robins.     |
| 220 Mack Coward                  | 247 James Robins      |
| 221 <del>Myrtle</del>            | 248 Carol Jason       |
| 222 Chuck                        | 249 Emily Ryan        |
| 223 <del>Myrtle</del>            | 250 Herman Skotense   |
| 224 Leslie Cabeling              | 251- Ella Baker       |
| 225 Ronalyn Cabeling             | 252 <del>Myrtle</del> |
| 226 Devenoleen Roberts           | 253 <del>Myrtle</del> |
| 227 Mary-Beth Johnson            | 254 <del>Myrtle</del> |
| 228 <del>Myrtle</del>            | 255 <del>Myrtle</del> |
| 229 J. Snow                      | 256 Tameca Morris     |
| 230 Mrs Perera                   | 257 Dino Morris Sr.   |
| 231 MATTIE Brown                 | 258 <del>Myrtle</del> |
| 232 <del>Myrtle</del>            | 259 Anita L. Francis  |
| 233 Anna Goden                   | 260 <del>Myrtle</del> |
| 234 EDWARD EVERETT               | 261 Barbara S. Mc     |
| 235 Edward B. Sanders Sr.        | 262 MOSES Lewis       |

- 243 Stella P. Tiller
- 244 William Wilson
- 245 Martha Ann Wilson
- 246 ~~John~~
- 247 Dr. Robert Finger Wright
- 248 Isaac Cannon, Sr.
- 249 Edgerell Jones
- 250 C. Pearson
- 271 Jacqueline Pope
- 272 Emma Pope
- 273 Jerome James
- 274 Kimberly James
- 275 Grandly Mary
- 276 Mrs. M. Sasin
- 277 Marquita Brown
- 278 Maya Bythwood
- 279 Shelma Jefferson
- 280 Rev. E. H. [unclear]
- 281 Deby Lawrence
- 282 Marie Marchena
- 283 Claude Taylor
- 284 ~~John~~
- 285 ~~John~~
- 286 DONOVAN Weiford
- 287 Kayvon Harris
- 288 Mary Powell
- 289 Darlene Dendy

DEVELOPING: Hurricane Irma Now a Tropical Storm



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# Children Rushed to Hospital Following Delaware School Bus Accident

By Kelly Bayliss



School bus crashes into a light pole in a Delaware middle school parking lot injuring 11 students Tuesday morning. NBC10's Jesse Gary has the story. (Published Tuesday, Dec. 23, 2014)

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
Several children were rushed to a Delaware Hospital following a school bus crash in the parking lot of a middle school in New Castle County Tuesday morning.

Eleven of the 24 students from Shue-Medill Middle School were taken to Alfred I. duPont Hospital after their school bus crashed into a pole just around 7:10 a.m. in the school's parking lot, according to the Christina School District's Facebook page.

All of the children were taken to duPont with minor injuries, said police.

The bus driver, Arlene Holden, also suffered minor injuries, said Delaware State Police.

### TRENDING STORIES

-  [Man Dies Defending His Daughter; Teen Charged as Adult](#)
-  [Teen, Brother Arrested in Murder of Dad in Front of Daughter](#)
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### WEATHER FORECAST

Philadelphia, PA

 **74°** Broken Clouds  
Feels Like 74°



# NATIONAL CONFERENCE of STATE LEGISLATURES

## School Bus Safety

4/6/2017



Millions of children rely on school buses to transport them to and from school and related activities.

This form of transportation is very safe. On average, only six passengers die in school bus crashes. In comparison, each year approximately 2,000 children are killed in motor vehicle crashes.

The federal government has established 35 safety standards to help ensure safe school bus transportation. States are free to pass even stricter regulations. One area still up for debate is that of occupant protection on school buses. Although safety belts provide excellent protection in passenger vehicles, the effectiveness of safety belts on school buses is unknown because the effectiveness depends upon the type of restraint, how it is used and the type of crash.

In 2008, NHTSA announced a rule change to FMVSS 222, which now requires new school buses of 10,000 pounds or less to have lap-shoulder belts in lieu of the lap belts currently required. The rule also requires increasing seat backs from 20 inches to 24 inches and allows states or local jurisdictions to decide whether to install larger school buses (over 10,000 pounds). Arkansas, California, Florida, Louisiana, New Jersey, New York and North Carolina have passed some variation of a seat belt law for school buses but funding has not been appropriated in some states. In 2017, at least 29 states have introduced bills that would address seat belts on school buses.

On November 8, 2015, NHTSA Administrator Dr. Mark Rosekind declared that "NHTSA's policy is that everyone should have a three-point seat belt," and indicated that "NHTSA will seek to use all the tools at our disposal to achieve that goal..."

### Publications

Traffic Safety Trends: State Legislative Action 2016, April 2017 by Anne Teigen, Amanda Essex and Douglas Shinkle.

School Bus Stop-Arm Camera Laws, Updated December 12, 2016.

- Should School Buses have Seat Belts? June 2016 by Amanda Essex
- Traffic Safety Trends: State Legislative Action 2015, February 2016 by Anne Teigen, Douglas Shinkle and Amanda Essex.
- Traffic Safety Trends: State Legislative Action 2014, February 2015, by Anne Teigen, Douglas Shinkle and Amanda Essex.
- Catching Unlawful School Bus Passers With Cameras, January 2015.
- Traffic Safety Trends: State Legislative Action 2013, February 2014, by Anne Teigen and Douglas Shinkle.
- Traffic Safety Trends: State Legislative Action 2012, February 2013, by Anne Teigen and Douglas Shinkle. See page 18 of PDF for school bus safety information.
- Traffic Safety and Public Health: State Legislative Action, 2011, No. 36, February 2012, by Anne Teigen and Douglas Shinkle.
- Transportation Review: School Bus Safety, August 2012 by Crystal Cook and Douglas Shinkle.

- "Traffic Safety and Public Health: State Legislative Action 2009," Transportation Series No. 34, February  
Melissa Savage, Anne Teigen and Nicholas Farber.

### Additional Resources

- NCSL/NHTSA Traffic Safety Legislation Database
- National Highway Traffic Safety Administration
- National Transportation Safety Board
- National Highway Traffic Safety Administration's School Buses site.
- Report on bus crashworthiness from the National Transportation Safety Board.
- National School Transportation Association
- School Transportation News
- School Bus Fleet Magazine
- National Association of State Directors of Pupil Transportation Services
- National Safety Council
- National Association for Pupil Transportation (NAPT)
- Bellwether Education Partners, Miles to Go: Bringing School Transportation into the 21st Century (N

### NCSL Member Toolbox

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Tel: 202-624-5400 |

# City of Dover

To: Safety Advisory and Transportation Committee

From: David S. Hugg III, Interim Director, Planning & Inspections and  
Dawn Melson-Williams, Principal Planner

Thru: Donna A. Mitchell, Acting City Manager

Date: September 20, 2017

Subj: 2017 Transportation Priorities

Each year the City Council develops priorities for road improvements to be forwarded to the Secretary of Transportation and the Dover/Kent MPO for consideration in the department's Capital Transportation Plan (CTP). The priorities below reflect current development patterns and the recommendations of related studies and plans, such as the Dover Bicycle Plan and Pedestrian Plan and the Delaware Route 8 Concept Plan and Operations Study. Projects have been re-prioritized as appropriate.

1. **Sidewalks within the walk zone of the new Dover High School** – Dover High School is entering its fourth school year and critical gaps in the sidewalk system remain, including along Mifflin Road and along Route 8 on the south side from Mifflin Road west. This project also addresses the continuation of the Senator Bikeway. The City is very concerned about public safety in this area and believes it deserves to be included in the CTP and funded at the earliest opportunity.
2. **Kenton Road Corridor Upgrades** – this project includes road improvements and sidewalks to improve traffic flow and bicycle/pedestrian safety. It is critical to improving the approach to the City from the northwest where new residential areas within and outside the City are being built. This segment also lacks sidewalks. It is CTP priority #70
3. **Loockerman Street/Forest Street Intersection** – this project is in the CTP as priority #60. It has been a priority of the City to help spur redevelopment activities in the downtown while also improving traffic circulation and safety. It was identified as an improvement needed through the Restoring Central Dover Study and the West Side Redevelopment Study conducted in 2001. It is also complementary to the recommendations of the Capital Gateway Study addressing the Forest Street/Route 8 corridor.
4. **Crawford Carroll Avenue Extension** – this project has been moved up in the City's priority list (from #8 last year) to reflect the continuing growth of Delaware State University, commercial development in the area, and future development possibilities involving the Dover Mall and adjoining properties. It would provide access from the DSU Learning and Living Commons facility and the main campus as an alternate to using US 13. The 2008 Comprehensive plan identified the need to link educational facilities of Del Tech and DSU. This project is included in the CTP as priority #47.

5. **North US 13 Service Road** – this project would create a service road parallel to US 13 from Leipsic Road to Scarborough Road, providing economic benefits to the Dover Mall and proposed adjacent commercial complex. This project is in the CTP as SR 1/Scarborough Road C-D roads at priority #100 and is part of the US Route 13 Circulation Study.
6. **College Road Corridor Upgrades (Kenton Road to McKee Road)** – this project is in the CTP as priority #77 and includes road improvements and sidewalks in this heavily traveled corridor. It is a key east-west linkage of northwest residential areas to commercial corridors and DSU.
7. **Kings Highway/Route 13 Intersection Improvements** – The intersection of Kings Highway/ White Oak Road and US 13 needs improvements to meet an acceptable level of service. Extensive new commercial development is planned south of the intersection which will add traffic and access burdens on these roads. The intersection project is not in the CTP.
8. **Route 8/Hazelettsville Road Connector** – this is a north/south access road that was identified in the Route 8 Concept Plan and Operations Study. With the construction of the new Dover High School this project is important to providing access to the school without over burdening other roads in the area. A portion of this corridor exists as Dover High Drive. This project is not in the CTP.
9. **US 13 Service Road Corridor** – the construction of service roads along US13 continues to be a priority to alleviate congestion on US 13, several segments of which are included in the CTP. This project is not in the CTP.
10. **US 13 Sidewalk Construction** – construction of multi-use paths along US 13 continues to be a priority. Construction of sidewalks is required when properties are developed or redeveloped, but significant sections of the sidewalk system are either in deteriorated condition or missing. This project is not in the CTP.
11. **West Street Improvements from North Street to the Transit Center** - this project is along the western edge of the Downtown Development District and would improve traffic flow, safety and access to the transit system serving the Downtown and the City, and provides an opportunity for multi-modal linkages to be established. It is an added City priority and is in the CTP as Priority #71.
12. **Route 8 East/West Corridor Plan Improvements** – the Route 8 Corridor Study identified a number of improvements along the Route 8 corridor that would improve safety, better manage access, reduce congestion and provide improved traffic flow. While improvements complementary to this corridor (West Dover Connector and Senator Bikeway, for example) address north/south movements, continued development on the west side of the City impact the capacity and operation of this roadway. This project is not in the CTP.
13. **Garrison Oak Connector Road** – this project was moved down in the priority list reflecting completion of a recent study (Garrison Oak Traffic Study) that indicated that road is not justified at this time, based on the current uses and potential continued development in the Garrison Oak Technical Park. An alignment study to determine the feasibility and location of a future road might be justified. As additional development occurs in the park its priority may be revised as appropriate. It is not in the CTP.