

**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 27 - Corridor Overlay Zone 1 (COZ-1) be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikethrough, as follows:

Section 27. Corridor overlay zone 1 (COZ-1).

27.1 *Purpose.* The corridor overlay zone (COZ) is established for the following reasons:

- (a) To promote superior urban corridor development and the highest quality built environment;
- (b) To foster coordination and linkage among corridor properties and with adjacent lands;
- (c) To preserve the functionality and efficiency of the roadway for traffic movement; and
- (d) To achieve a visually balanced streetscape environment which is friendly to the pedestrian and motorist alike.

**27.2 *Superior Urban Design.* For the purposes of this ordinance the term “superior urban design” shall meet the following criteria:**

- (a) Superior urban design places a strict and primary importance on the pedestrian. The concept should lend itself to interconnectivity while presenting building structures as aspects of the street, not simply islands existing in the 'sea of roads'. The design should encourage fewer car-trips, as well as promote automobile trips on an interconnected local street system rather than trips that utilize the arterials. In demonstrating superior urban design, an applicant must show that the plan presented exceeds the requirements of the zoning ordinance in at least two of the following areas:**
  - (i) Transportation amenities for bicycles, pedestrians and transit that exceed those required by the zoning ordinance;**
  - (ii) Architectural features including, but not limited to: LEED certified buildings; unique architecture not replicated in other locations; use of architectural elements such as entry porticos, porte-cocheres, colonnades, cornices, porch columns and balusters, band courses, coins, water tables and other trim that enhances visual quality and function of the structure; and use of the highest quality construction materials.**

**(iii) Landscaping that exceeds the requirements of this section, including robust use of trees, shrubbery, and flowering plants to screen parked cars; water gardens and ponds; arboretums; tree preservation measures;**

**(iv) Public Spaces and Art including, but not limited to sculpture, memorials, murals, public court yards and pocket parks, and fountains;**

**(v) Green technologies for storm water management, as well as green energy technologies such as geothermal heating and cooling and solar energy supplies.**

**(b) The City Planner shall develop policy guidance on how the concept of superior urban design will be evaluated.**

**27.2 3** *Zone boundaries.* The COZ encompasses the lands adjacent to the following roadways as outlined on the City of Dover Zoning Map as set forth in article 2, section 2 of this ordinance:

(a) *Delaware Route 8 (Forrest and Division Streets)* from the ~~Conrail~~ Railroad tracks in a westerly direction to the city limit line.

(b) *McKee/Saulsbury Road (County Road 156)* from the intersection at Dennys Road (County Road 100) in a southerly direction to the terminal intersection with West North Street (County Road 73).

**27.3 4** *Permitted uses.* Land use shall be governed by those provisions of this ordinance related to the specific zoning district designations of each property as depicted on the zoning map.

**27.4 5** *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change in use. When the zoning district regulations specify that a particular use requires conditional use approval in accordance with article 10, section 1, the provisions of that article shall apply. Site development plans and conditional use site plans for properties within the COZ shall reflect compliance with the development guidelines of this article, in addition to all other applicable codes and regulations.

**27.5 6** *Development guidelines.*

~~27.5 6~~ **61** *Setbacks:*

a. Front yards.

TABLE INSET:

	Residential	Nonresidential
	Min. Max.	Min. Max.
McKee/Saulsbury	60' to 80'	40' to 50' *
Route 8--Artis Drive to Mifflin Road	60' to 80'	None
<b>Route 8--</b> Mifflin Road to Saulsbury Road	40' to 60'	40' to 60' *
<b>Route 8--</b> Saulsbury Road to R.R. line	20' to 30'	20' to 30'
Subdivision streets	(Setback provisions of article 4 shall apply)	

**\* When the applicant can demonstrate to the satisfaction of the planning commission through the site plan review process, that the proposal involves a superior urban design, the maximum setback may be increased to no more than 90 feet from the property line on Route 8 from Mifflin Road to Saulsbury Road and on McKee and Saulsbury Roads.**

~~27.52~~ **62** *Building placement.* Buildings shall be situated on the property so as to maximize the use of the frontage along the roadway and shall have the longest side of the building arranged parallel and square to the roadway. When **the applicant can demonstrate** ~~it can be demonstrated~~ to the satisfaction of the planning commission that, due to specific constraints related to lot configuration ~~or the orientation of existing buildings on adjacent lots~~, alternative building placements may be permitted.

~~27.53~~ **63** *Parking.*

(a) *Location.* Parking shall not be permitted to be situated within the front yard, nor between the right-of-way line and the building, except in the following instances:

- (i) Automobile service stations;
- (ii) Properties in a shopping center (SC) zoning district, in which case, parking may be permitted between the building and the roadway, provided that such parking [shall] be limited to five rows of single parking spaces between the road and the storefront;
- (iii) When **the applicant can demonstrate** ~~it can be demonstrated~~ to the satisfaction of the planning commission through the site plan review process, that **the design** presented involves a superior urban design ~~due to specific constraints related to existing lot configuration and the orientation of existing buildings~~, parking may be permitted between the building and the street, provided that such parking within this area [shall] ~~be limited to no more than 20 percent of the total parking required for the proposed use and that such parking~~ shall be adequately landscaped and screened from the roadway.

- (b) *Required number of spaces.* See specific district requirements in article 4.
- (c) *Layout.*
- (i) Parking lots shall be arranged in such a manner so that not more than 20 parking spaces in a row shall be permitted without a landscaped island. No more than six rows of 20 spaces shall be provided without provision for a landscaped median. Parking islands shall be a minimum of ten feet wide and planting medians shall be no less than eight feet wide.
  - (ii) There shall be a landscaped buffer area of at least 12 feet in width between the building and parking lot and drive areas. The buffer area shall include provisions for a sidewalk of at least six feet and no greater than eight feet in width. The buffer area and sidewalk shall be grade separated from the parking lot by concrete curbing of at least six inches in height.
- (d) *Landscaping.* Design shall be simple and easy to maintain and shall consist of a combination of hardy canopy trees, low evergreen shrubs and turf grass, and shall be designed in accordance with landscape guidelines set forth in article 5, section 15 of this ordinance and as follows:
- (i) *Interior landscaping.* A minimum of five percent of the interior area of a parking lot shall be reserved for landscape purposes. This provision shall include the landscaping of all required parking islands and medians. Shade trees shall be incorporated within the landscaped islands whenever and wherever practicable.
  - (ii) *Parking lot screening adjacent to public right-of-way.* Low profile screening shall be required when parking spaces would result in vehicles facing onto the roadway. Screening may consist of a low wall, evergreen hedge with a minimum height of two feet at the time of planting, planted three feet apart on center, and a maximum height of three feet at maturity, or earth berm. Should a low wall be used, such wall shall be accompanied by evergreen shrub plantings on the roadway side of the wall and spaced ten feet apart on center.
  - (iii) *Reserved.*

~~27.54~~ **64** *Site access.*

- (a) *Entrance width and radii.* Site entrances shall have a minimum width of 24 feet. Entrances involving a median divider shall be at least 35 feet in width. Entrance radii shall be a minimum of 15 feet and a maximum of 25 feet.
- (b) *Number of entrances and curb cut spacing.* One curb cut shall be permitted for each street which abuts a site. For sites with street frontage in excess of 300 linear feet, one additional curb cut may be permitted. For sites with street frontage in excess of 600 linear feet, two additional curb cuts may be permitted.

Multiple curb cuts on a property shall have a minimum spacing distance in accordance with the following schedule:

TABLE INSET:

Speed Limit	Maximum Spacing(Ft.)
25	105
30	125
35	150
40	185
45	230
50	275

- (c) [*Shared access.* ] Shared access shall be provided, whenever possible, for entrances to adjoining uses, including residential driveways.
- (d) [*Cross access.* ] Cross access shall be provided among abutting uses of similar use categories, whenever possible, to provide linkage between properties as an alternative to reentering the corridor to access both existing and future neighboring properties.
- (e) *Entrance locations for adjoining properties.* Commercial site entrances shall be no closer than 25 feet to an adjoining property which is zoned residential and no closer than ten feet to an adjoining property which is in a nonresidential zoning category.

27.~~55~~65 [*Signs.* ] Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

27.~~56~~66 *Building height.*

- (a) Buildings shall be limited in overall height to 35 feet and shall not exceed two stories.

27.~~57~~67 *Open space and landscaping.*

- (a) *Lot coverage.* Each lot shall have a minimum of 25 percent of the lot area dedicated to be landscaped open space. A lesser amount of landscaped open space may be permitted when it can be demonstrated to the satisfaction of the planning commission, through the site plan review process, that, due to lot configuration and existing built conditions, the required minimum is impractical.
- (b) *Frontage.* Each lot shall have a landscaped open space of at least 25 feet in width, measured from the back of curb along the entire frontage of the lot, except at points of site access. Trees shall be provided along the frontage perimeter at a minimum rate of one tree for each 50 linear feet of frontage.

- (c) *Side and rear yards.* A minimum of 15 feet of landscaped open space shall be provided along all side and rear lot lines when abutting a residential use and a minimum of five feet when abutting a nonresidential use. Tree plantings shall be provided along all nonfrontage perimeters at a minimum rate of one tree for each 75 linear feet.
- (d) *Stormwater detention ponds.* Detention ponds may be counted toward the minimum 25 percent open space area, provided that such ponds are designed to emulate natural features by incorporating irregular outline, gradual slopes (no greater than 1:4), and appropriate landscape plantings.
- (e) *Landscaping.* Landscaped open spaces shall be designed in accordance with the provisions of this section, as well as the landscaping guidelines as set forth in article 5, section 9 of this ordinance.
- (f) *Screening.* The following items shall be located so as to minimize visibility from the roadway, adjacent properties and other public areas, and shall be screened from public view:
  - (1) Service bays;
  - (2) Loading docks and platforms;
  - (3) Rooftop utilities;
  - (4) Satellite dishes;
  - (5) Dumpsters;
  - (6) Storage areas.
- (g) *Standard for tree plantings.* Trees shall be of a high canopy variety and shall be limbed to a minimum height of 12 feet above grade at maturity.
- (h) *Standards for shrubbery.* Shrubby shall be of a low evergreen variety and shall be limited to use as foundation plantings and for screening purposes.
- (i) *Standards for ground cover.* Ground cover shall be limited to turf and ornamental grasses and ornamental evergreen ground cover plantings within required landscape areas.

**27.5868** *Lot configuration.* All lots within the corridor overlay district created after the enactment of this section shall conform to the following:

- (a) Minimum lot area [shall be] 10,000 square feet. Service stations [shall have a minimum lot area of] 20,000 square feet.
- (b) Minimum lot depth shall be 100 feet. In the C-3 (service commercial) district, the minimum lot depth shall be 150 feet.
- (c) Minimum road frontage shall be at least 100 feet. In the C-3 (service commercial) district, the minimum road frontage shall be 150 feet.

27.5969 *Architectural review.* The side of any building which faces the corridor (or corridors) shall be referred to as the "corridor elevation." Buildings in the COZ-1 shall be designed to front on the corridor, and the corridor elevation shall contain architectural elements traditionally associated with the front of a building. Blank walls without functioning windows are prohibited along the corridor. Windows must be incorporated into the overall design concept of the corridor elevation. Providing one or several small windows on a large corridor elevation shall not constitute compliance with this ordinance.

A "functioning window" shall be defined as a window which lets light into the interior of the structure, and is integrated and related to the interior layout of the space. In addition to functioning windows, the corridor elevation shall have ~~two or more of~~ the following elements:

- (a) A primary entrance door or doors (except for loading doors).
- (b) A primary entrance feature, such as a porch, portico, awning, entrance walk, or other similar feature.

**In addition, the corridor elevation shall have one of the following elements:**

- ~~(ea)~~ Landscaping integrated into the building design concept.
- ~~(eb)~~ Architectural or urban design elements which link adjacent structures together, such as plazas, walkways, colonnades, or similar features.
- ~~(ec)~~ Architectural relief, such as vertical and horizontal offsets in exterior wall elevations, band courses, lintels and sill courses, cornices, and the like, to create shadow lines.

The applicant shall submit 12 copies of the corridor elevation at the time of application. The city planner or his/her designee shall determine whether compliance with the provisions of this ordinance has been achieved.

ADOPTED: \*

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### **SYNOPSIS**

The proposed amendment allows the Planning Commission to waive certain requirements of the Corridor Overlay Zone when the applicant demonstrates a superior urban design. Additionally, it would require that the corridor elevation of buildings within the COZ include a primary entrance door and a primary entrance feature.