

CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: February, 09, 2021

Ordinance Title: Site Review Regulations Amendments
Chapter: 153

1. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by eliminating any instance of the term “I-1”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the term “I-2” with “CM”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the term “B-1” with “G”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the terms “I-4” or “ETP” with “IT”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the term “Executive and Technology Park” with “Innovative Technology”

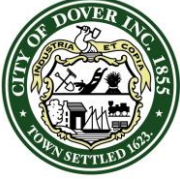
AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the terms “B-3” “B-4” or “B-5” with “C”

2. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 8, “Certification” to read as follows:

“153-8. Certification. [Amended per Planning Board 09-11-1990; amended per Planning Board 09-28-1993; amended per Planning Board 04-22-2003; amended per Planning Board 08-26-2008; amended per Planning Board 12-18-2012.]

- A. The APPLICANT shall submit to the Planning Department an electronic copy, and five (5) copies of the final SITE DEVELOPMENT PLAN for Planning Board Chairman's signature within ninety (90) days of receipt of final site PLAN approval by the Planning Board. The Director of Planning and Community Development may grant one ninety (90) day extension if circumstances arise beyond the control of the APPLICANT. An



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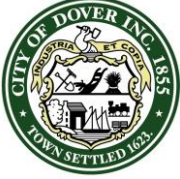
extension denial by the Director of Planning and Community Development can be appealed to the Planning Board. Any additional extensions can only be granted by the Planning Board.

- B. The final SITE DEVELOPMENT PLAN shall be clearly and legibly reproduced via black or blue print lines.
 - C. Where an APPLICANT is required by the Planning Board as a condition of its' approval, to file a PERFORMANCE BOND or ESCROW AGREEMENT, it shall be posted prior to the start of construction of any improvement or the issuance of a building permit. Such bond or ESCROW AGREEMENT shall be executed on forms provided by the Planning Board office and shall be certified as to its sufficiency by the City Attorney.
 - D. Any application which is not signed by the Planning Board Chair as complete, in accordance with this section, is deemed expired, and null and void.
3. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 14, Subsection D "Parking" to read as follows:
- In the Parking Regulation Table, new footnote 11 shall be added for Retail/Service:
"11 For Vehicle Refueling and Recharging Stations, "gas" pumps count as a parking space"
4. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 14, Subsection K "Location of Parking Lots" to read as follows:

K. Location of Parking Lots

(1) Buildings should be sited closer to the street and parking areas should be located on the side or rear of lots in an effort to reduce the visual dominance of parking areas, improve pedestrian safety in parking lots, and increase the visibility of businesses to drivers. The following standards are required:

- (a) For parcels in the B-4 and CM Districts with frontage and driveway access on an arterial or collector road, a minimum percentage of the parking spaces required by these regulations or of the number of parking spaces proposed (whichever is greater) the parking spaces shall be located to the side or rear of the building (i.e.; no closer to the front lot line than the building) according to the following:



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<u>Number of spaces</u>	<u>Percent of spaces to side or rear</u>
50 to 75 <u>25-50</u>	50%
76 to 100 <u>51-75</u>	60%
More than 100 <u>75</u>	70%

~~(b) For parcels in all other non-residential districts (other than B-4) and for parcels in the B-4 District where the parking requirements are less than fifty (50) spaces, the requirements for parking lot location in Section K) 1) a) are optional. However, if an APPLICANT voluntarily complies with the standards of Section K) 1) a), the APPLICANT shall be entitled to a twenty-five (25%) percent reduction in the amount of landscaping for the interior of the parking lot required in Section 149-14 G) 1) a) or a fifty percent (50%) reduction in the paved area application fee.~~

~~(e)~~ (b) In recognition of the unique circumstances of some parcels of land, the Planning Board shall be permitted to vary the standards set forth in subsection K) 1) a) above. The Planning Board may approve projects that do not conform strictly to the parking lot location standards above, provided that a finding is made by the Planning Board that the unique circumstances of the parcel make compliance unreasonable.

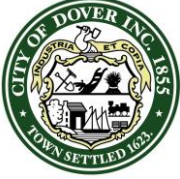
5. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 13, Subsection L, subsection 5 “Various Sections of the City” to read as follows:

“5) Various Sections Of The City

Various sections of the City differ from one another in character and in appropriate treatment. The following sections are listed in order, generally, from the most sensitive to the least sensitive sections.

(a) CBD. This zone encompasses the downtown areas and is highly sensitive because of the importance and challenge of maintaining a pleasing pedestrian environment. This is the Central Business District, which includes the areas along Washington Street from Chestnut Street to Main Street, all of Main Street, and a section of Central Avenue from Sixth Street to Silver Street. As one travels closer to the core areas traditionally the buildings are taller, closer to the sidewalk, built of more substantial materials, and more elaborate in design and detailing. Proposed buildings must adhere to the “Architectural and Urban Design Guidelines” adopted by the City.

(b) CWD. These areas are not as sensitive as existing neighborhoods in which existing residents could be vulnerable to new development over which they have little control. New commercial structures, are not being built in



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TRADITIONAL neighborhoods, however this zone is adjacent to the existing downtown core, and should feel as if it is an extension of the CBD district. The architecture of the waterfront areas should encourage the development of marine, history or tourism related land USES and activities, which take advantage of the peculiar characteristics of the waterfront as well as its central location in Dover and its proximity to the historic area. Proposed buildings must adhere to the “Cochecho Waterfront Development Design Guidelines” adopted by the City.

- (c) B-1, O. These areas are sensitive because some older neighborhoods that are zoned for mixed USE have been harmed by incompatible multifamily and NONRESIDENTIAL development. These are transitional zones, and as such the new non-residential components should respect the character and nature of the existing residential USES. New development should blend in with the TRADITIONAL character of these neighborhoods in order not to diminish property values and the small SCALE pedestrian nature of these areas.
- (d) B-3, B-4, B-5, CM. It is important to enhance the quality of commercial development along these corridors (such as Routes 9, 108, 4, and 155). All serve as gateways to the city, carry high levels of traffic, and are the most prominent areas of the city. On the other hand, an intensive automobile oriented and big BOX/small BOX character is already established in many areas. Thus, while we seek to enhance the visual experience along these corridors, there are generally fewer sensitive resources vulnerable to this type of development.
- (e) I-1, ~~I-2~~, I-4. We seek to enhance the quality of our business and industrial parks (such as Venture Drive ~~and Industrial Park Road~~). While However, because these are located on dead end streets with almost no incidental traffic and with few vulnerable existing visual resources they are less sensitive, a sense of pride and professionalism should be present. Adherence to the 153-15 is required.