

**CITY OF DOVER ORDINANCE #2015-21**

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

That Chapter 82, Planning, of the Dover Code be amended to read as follows:

**Chapter 82 - Planning**

**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 council and employed at the pleasure of mayor and council. The city planner shall be directly responsible to the mayor and council.

(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)

**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.

**BE IT FURTHER ORDAINED:**

That Appendix F, Fees and Fines, of the Dover Code be amended by inserting the following:

Description	Fees and Fines (in dollars)
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Chapter 82 - Planning			
Sec. 82-3	Planning services		
	(a)	Zoning verification letters/ administrative interpretations	\$50.00 per letter/interpretation

Appendix B - Zoning, Article 8 - Enforcement and Penalties			
Sec. 2	Certificates of occupancy		
	Subsec 2.4	Certificate of occupancy for one-family residential uses	\$60.00
		Temporary certificate of occupancy for one-family residential uses	\$75.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

	Certificate of occupancy for uses other than one-family residential uses	\$75.00 for the first 20,000 square feet of building area, plus the sum of \$15.00 for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof.
	Temporary certificate of occupancy for uses other than one-family residential uses	\$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

ADOPTED: DECEMBER 14, 2015

EFFECTIVE: JANUARY 1, 2016

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### SYNOPSIS

The amendment adds new revenue sources.

(SPONSORS: LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

(SPONSORS: HUTCHISON AND HARE)

#### Actions History

12/14/2015 - Final Reading at the City Council meeting

11/23/2015 - Introduced at the City Council meeting