PETITION TO AMEND ZONING ORDINANCE TEXT
Before the Dover City Council
August 25, 2008

Applicants/Owners:	Amendment initiated by Planning Staff
Location:	C-2 & C-2A zones
Proposed Zoning Change:	The 2003 Comprehensive Plan calls for the implementation of a "downtown mixed use traditional development zone." The proposed ordinance was developed by staff in accordance with this recommendation. The C-2 (Central Commercial) zone is the mixed use zone that occupies the core of the downtown. The C-2A (Limited Central Commercial) zone occupies some of the areas surrounding this downtown area, as well as other urbanized areas within the City. Staff is currently working with the Parks, Recreation & Community Enhancement Committee to develop a separate ordinance to address open space and active recreation requirements as they relate to the downtown area.
Planning Commission Recommendation:	Following a public hearing on August 18, 2008, where two members of the public spoke in regards to the proposed ordinance, the Planning Commission unanimously recommended in favor of the proposed ordinance, with favorable recommendations on Staff Amendment 1 and Planning Commission Amendment 2.
File Number:	MI-08-13

Summary of Ordinance Amendments:

The proposed ordinance would amend the C-2 (Central Commercial) zone in the following ways:

- It would allow some limited personal service stores as permitted uses on Loockerman Street between State and New Streets, as long as they are not located within 250 feet of another personal service store. **Amendment 1 would keep the language consistent within the code, relating to personal service stores.**
- It would allow for location of parking to be further than 150 feet from the subject parcel, leaving the discretion to the Planning Commission to determine appropriate proximity.
- It would require that buildings above three stories have the floors above the third floor set back by 25 feet. **Amendment 2 recommended for approval by the Planning Commission would eliminate this requirement.**
- It would reduce the rear yard (if provided) from 10 feet to five feet.
- It would require that ½ parking space be provided for every 300 square feet of new construction. If sufficient space does not exist on the site for required parking, the *Zoning Ordinance* already contains a provision for parking waivers where cash-in-lieu of required parking can be permitted. Studies and public opinion continually point to parking deficiencies as a hindrance to downtown redevelopment. This addition ensures that parking is addressed as new construction occurs within the C-2 zone.
- It would also change the maximum building height to six stories and sixty feet, and the floor area ratio to 4.0. A number of buildings have received waivers through the Historic District Architectural Review Certificate. This would eliminate the need for continual waivers on these bulk standards.

The proposed ordinance would amend the C-2A (Limited Central Commercial) zone in the following ways:

- It would eliminate the language related to residential uses and add language mirroring the C-2 zone, regarding allowance of apartments.
- It would add civic institutions as a permitted use and social service agencies as a conditional use.
- It would add language, mirroring that in the C-2 zone, permitting multiple establishments to encourage mixed uses.

In addition, the ordinance would eliminate the requirement that residential uses in the C-1 (Neighborhood Commercial), C-1A (Limited Commercial), C-2 (Central Commercial) and C-2A (Limited Central Commercial) zones conform to the RM-2 (Medium Density Residence) bulk standards.

Planning Commission Public Hearing and Recommendation

The Planning Commission held a public hearing on the proposed ordinance on August 18, 2008, during which two members of the public spoke. Conny Malmberg, of 30 The Green, spoke in favor of the ordinance, but expressed two concerns: 1) that the ordinance as presented does not include an open space exemption; and 2) that the ordinance includes a requirement that stories

above the third story be set back by 25 feet. Hue, of Hue Architecture, also expressed concerns regarding the requirement that stories above the third story be set back 25 feet.

The Planning Commission had discussion, primarily related to the concern about the setback of upper stories. Staff explained that this provision would codify what already exists in the Historic District Guidelines, and that waivers could still be granted in the approval of the Architectural Review Certificate (for those buildings within the Historic District) and in the architectural review associated with all buildings.

Following the public hearing and discussion, the following motion was approved unanimously by the Planning Commission:

> *Mr. DiMondi moved with regards to MI-08-13 recognized as Ordinance #2008-33 be recommended to City Council for approval as submitted with the exception that the table inset carrying line designation of #187 where it appears under front yard setbacks under column C-2 that the recommendation being carried forward with this motion is that the zero remain and strike from consideration any further language that suggests by ordinance a twenty-five (25) foot front yard setback for all elevation appearing above the third floor. Also, subject to a positive recommendation with regards to Staff amendment as proposed and designated as Amendment #1 under the same Ordinance of #2008-33, seconded by Mr. Tolbert and the motion was unanimously carried.*

CITY OF DOVER
POSITION DESCRIPTION

TITLE: CITY ASSESSOR

FLSA: Exempt

Purple font = Language from job posting
Highlighted language = Suggestions from IAAO
Strikeouts = Deletions based upon IAAO recommendations or comparing job description to job posting

GENERAL DESCRIPTION

The essential function of the position within the organization is to oversee ~~operations of the Dover Tax Office~~. (*strikeout based upon job posting*) **and direct the assessment of property for ad valorem purposes and the Realty Transfer Tax System in the City**. The position is responsible for staff supervision, planning, training, mass appraisal of real property, billing and collections, and preparing reports. The position formulates long range goals for the organization; develops policy and position papers and negotiates with chief administrative officer and/or elected officials. The position shall be directly responsible to the mayor and council. The City Assessor shall function under the administration of the City Manager.

PRIMARY DUTIES: *This list represents the essential tasks performed by the position. Employees may be assigned additional duties by management as required.*

Analysis and interpretation of statutes, codes, rules and regulations related to the assessment practice in the State of Delaware and City of Dover.

Understanding of appraisal principles and property tax laws and regulations.

Publishes, signs and makes available to the public the Assessment roll of the City of Dover.

~~Defends assessed values through informal, formal and legal appeals~~. (*strikeout based upon job posting*)

Designs, prepare, interpret; and use ratio studies; develop and manage the administrative appeals system, including preparing technical appraisal reviews and defending ad valorem values before the City Tax Appeals Board.

Analysis of assessment/appraisal performance through the use of descriptive statistics.

Oversight of the revaluation process and any vendor work product.

Supervises staff, including selecting or recommending selection, training, assigning and evaluating work, counseling, disciplining, and terminating or recommending termination.

Assesses all real property in the City of Dover; ~~calculates, publishes, and submits effective tax rates for adoption by the City.~~

Participates in development and implementation of goals, objectives, policies, procedures, and priorities relating to tax assessment and collection for the City.

~~Oversees billing and collections, ensuring operations comply with applicable City guidelines and regulations~~.

Sets up and maintains record/filing system; processes daily paperwork including property cards, reports, memos, requisitions, and personnel information.

Interacts with taxpayers to provide information for area of responsibility or to discuss and resolve complaints or problems; provides in-house assessment updates. **Ensures good public relations.**

Gathers and maintains information/data to support periodic and special reports and papers for the area of responsibility.

Attends or conducts staff, Council, and other professional meetings to exchange information; attends professional seminars or conferences to improve professional skills. **Maintains effective and interpersonal relationships.**

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Coordinates or determines time, place, or sequence of operations or activities based on analysis of data and possibly executes determinations or reports on events.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Supervises or directs others by determining or interpreting work procedures, assigning specific duties, maintaining harmonious relations, and promoting efficiency.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Leads or handles machines, tools, equipment, or work aids involving moderate latitude for judgment regarding attainment of standard or in selecting appropriate items, such as computers and software used for programming custom applications or the application of custom or commercial financial , accounting, or other complex software or systems.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility for achieving major economies or preventing major losses through the assessment and management of the City's taxes.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for other people's safety, either inherent in the job or to assure the safety of the general public.*

Requires some responsibility for safety and health of others and/or for occasional enforcement of the standards of public safety or health.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses practical application of fractions, percentages, ratios and proportions, measurements, or logarithms; may use algebraic solutions of equations and equalities, deductive geometry, and/or descriptive statistics.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads journals and manuals; composes specialized reports and business letters using proper format and grammar; speaks to groups of coworkers and people outside the organization.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Performs work involving the application of broad principles of professional management and leadership to solve new problems for which conventional solutions do not exist; requires sustained, intense concentration for accurate results and continuous exposure to unusual pressure.

IMPACT OF DECISIONS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death to individuals.*
Makes decisions with severe impact - affects entire organization, other activities/organizations, the general public, and a wide geographic area; loss of data and revenue is highly likely.

EDUCATION AND EXPERIENCE REQUIREMENTS

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Requires bachelor's degree in ~~finance, business administration (or a closely related field)~~ (*strikeout based upon job posting*) **computer science, mathematics or statistics or some college and** equivalent years of experience.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Requires an IAAO accreditation or ability to acquire accreditation with 1 year (or an equivalent documented accreditation or certification)

Certification shall include either an Assessment Administration Specialist (AAS) or Certified Assessment Evaluator (CAE) from the International Association of Assessing Officers, or the ability to acquire within one (1) year.

Valid driver's license.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires four years of **recent professional** ~~related~~ (*strikeout based upon job posting*) experience with **computer assisted** appraisal of real property in a mass appraisal environment. **Assessment or appraisal work experience to include residential, commercial and industrial property, two of those years at the administrative/supervisory level.**

AMERICANS WITH DISABILITIES REQUIREMENTS

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires light work involving standing or walking some of the time, exerting up to 20 pounds of force on a regular basis, and moderate dexterity in operating machinery or office equipment.

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

The position is exposed to extreme heat or cold, wet/humid conditions, bright or dim lights, dust/pollen, and traffic.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, and speaking.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Dover is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

CITY OF DOVER
POSITION DESCRIPTION

TITLE: ASSISTANT CITY ASSESSOR

FLSA: Non-Exempt

Shall the City implement the changes suggested by the IAAO in regards to hiring an additional Residential Assessment Technician, the Assistant City Assessor would become Exempt.

GENERAL DESCRIPTION

The essential function of the position within the organization is to assist with operations management for the Dover Tax Office. The position is responsible for assisting with staff supervision, planning, training, appraisal of real property, billing, and collections, and for preparing reports. The position works under general supervision independently developing work methods and sequences. The position is supervised and reports directly to the City Assessor.

PRIMARY DUTIES: *This list represents the essential tasks performed by the position. Employees may be assigned additional duties by management as required.*

Assist with the analysis of assessment/appraisal performance through the use of descriptive statistics.

Assist with the oversight of the revaluation process and any vendor work product.

Assist with the analysis and interpretation of statutes, codes, rules and regulations related to the assessment practice in the State of Delaware and the City of Dover.

Assist with defending assessed values through informal, formal and legal appeals.

Assists with staff supervision, including selecting or recommending selection, training, assigning and evaluating work, counseling, disciplining, and terminating or recommending termination.

Assesses real property in the City of Dover as directed by the Assessor.

Participates in development and implementation of goals, objectives, policies, procedures, and priorities relating to tax assessment and collection for the City.

Assists with billing and collections, ensuring operations comply with applicable City guidelines and regulations. Similar language was deleted from the City Assessor, however it was not suggested to be deleted from the Assistant City Assessor.

Sets up and maintains record/filing system; processes daily paperwork including property cards, reports, memos, requisitions, and personnel information.

Interacts with taxpayers to provide information for area of responsibility or to discuss and resolve complaints or problems; provides in-house assessment updates.

Gathers and maintains information/data to support periodic and special reports for the area of responsibility.

Attends or conducts staff and other professional meetings to exchange information; attends professional seminars or conferences to improve professional skills.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Compiles, examines, or evaluates data or information and possibly recommends action based on results.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Persuades or influences others in favor of a service, course of action, or point of view.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Leads or handles machines, tools, equipment, or work aids involving moderate latitude for judgment regarding attainment of standard or in selecting appropriate items, such as computers and software used for programming custom applications or the application of custom or commercial financial , accounting, or other complex software or systems.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility and opportunity for achieving moderate economies and/or preventing moderate losses through the management or handling of supplies of high value or moderate amounts of money.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for other people's safety, either inherent in the job or to assure the safety of the general public.*

Requires no responsibility for the safety and health of others.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses practical application of fractions, percentages, ratios and proportions, measurements, or logarithms; may use algebraic solutions of equations and equalities, deductive geometry, and/or descriptive statistics.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads technical instructions, charts, and/or procedures manuals; composes routine reports and completes job forms; speaks compound sentences using standard grammar.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Performs skilled work involving rules/systems with almost constant problem solving; requires normal attention with short periods of concentration for accurate results and occasional exposure to unusual pressure.

IMPACT OF DECISIONS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death to individuals.*

Makes decisions with moderately serious impact - affects work unit and may affect other units or citizens.

EDUCATION AND EXPERIENCE REQUIREMENTS

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Requires associate's degree or the equivalent of two years of college or specialized vocational training in finance, business administration, or a closely related field or equivalent years of experience.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Requires none however an IAAO accreditation or ability to acquire accreditation within 1 year (or an equivalent documented accreditation or certification) is preferred.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires two years of related experience with appraisal of real property in a mass appraisal environment.

AMERICANS WITH DISABILITIES REQUIREMENTS

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires sedentary work involving standing or walking for brief periods, exerting up to 10 pounds of force on a regular basis, and moderate dexterity in operating office equipment.

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

The position is exposed to no unusual environmental hazards.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, and speaking.

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