



MEMORANDUM

City of Dover, Delaware
Department of Planning & Inspections
P.O. Box 475 Dover, Delaware 19903
Phone: 302.736.7196 Fax: 302.736.4217

DATE: October 23, 2024 **REVISED October 29, 2024**
TO: Development Advisory Committee
FROM: Planning Office
SUBJECT: Revised Agenda to Add MI-24-09 Text Amendments (Proposed Ordinances #2024-29 and #2024-30)
Distribution of Plans for Review and Meeting Announcement
D.A.C. Meeting of Wednesday, October 30, 2024

This **REVISED Agenda adds Application MI-24-09 Text Amendment: Recreational Marijuana Land Uses and Related Zoning Regulations (Proposed Ordinances #2024-29 and #2024-30) as City Council completed First Readings and acted on October 28, 2024 to refer the Proposed Ordinances to the Planning Commission (Proposed Text Amendments to the *Zoning Ordinance*). With this Revised Agenda, the item is distributed to the Development Advisory Committee for review and comment.**

The Staff Development Advisory Committee (D.A.C.) Meeting for **Wednesday, October 30, 2024 at 9:00 AM** will be held both In-Person in the Caucus Room of City Hall, 15 Loockerman Plaza, Dover DE and as a Virtual Meeting using Webex. Regular DAC member participants will receive a specific invitation to attend meeting as a Panelist; see email for participation information.

Public Participation Information

To Attend City of Dover Staff Development Advisory Committee (D.A.C.) Meeting of October 30, 2024

Join by Phone: 1-650-479-3208

Access code: 253 736 31343 (Password: 36837782)

Join Online: <https://bit.ly/StaffDAC103024>

Webinar Number: 2537 363 1343

Webinar Password: DoverStaffDAC

The Planning Office will be providing the submitted Applications to our Department and Agency reviewers (by paper copy and/or electronic copy) for technical review. Comments should be submitted electronically to the Planning Office via email directly to dmelson@dover.de.us or to compplan@dover.de.us.

The Applicant Development Advisory Committee (D.A.C.) will also be held as an In-Person and a Virtual Meeting on **Wednesday, November 9, 2024 at 10:00AM** with participation information to be released in the future. These Applications are anticipated to be scheduled for public hearing and review at the Planning Commission Meeting of November 18, 2024 Session 1 and Session 2.

APPLICATIONS FOR REVIEW:

1. C-24-05 JJ's Learning Experience II Child Day Care Center at 261 North DuPont Highway - Review of a Conditional Use Plan application to convert an existing 12,000 SF tenant space (previous retail establishment) into a Child Day Care Center. The subject site is within a building located on a parcel developed as a shopping center known as the Centre at Dover. The subject site is located east of North DuPont Highway and east of Centre Drive (private drive). The property is zoned SC-2 (Community Shopping Center Zone). The owner of record is Mahavir Realty, LLC c/o HH Property Management Inc. Applicant: JJ's Learning Experience, LLC (Keith and Shawanda Johnson). Property Address: 261 North DuPont Highway, Suite 1. Tax Parcel: ED-05-068.14-01-03.05-000. Council District 3.
2. S-24-19 Legislative Hall Building Addition at 411 Legislative Avenue – Review of a Site Development Plan Application and associated Architectural Review Certification to permit renovation and expansion of Legislative Hall. The proposal includes a three-story 56,820 SF Building Addition on the east side of the existing Legislative Hall building creating a new main public entrance, a Plaza area with Monument Walk, and other site improvements. The main property of 2.80 acres+/- is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone) and the H (Historic District Zone). The other property of 0.43 acres+/- is zoned ROS (Recreational and Open Space Zone) and subject to H (Historic District Zone). The subject properties are located on the east side of Legislative Avenue as the block between Martin Luther King Jr. Boulevard North and Martin Luther King Jr. South. The owner of record is the State of Delaware. Property Addresses: 411 Legislative Avenue and Court Street. Tax Parcels: ED-05-077.09-05-15.00-000 and ED-05-077.09-05-14.00-000. Council District 4. *The project was the subject of HI-24-07 for Historic District Commission Review and Recommendation on the Architectural Review Certification at their October 17, 2024 Meeting.*
3. MI-24-09 Text Amendments: Recreational Marijuana Land Uses and Related Zoning Regulations- Review of a series of Text Amendments to the *Zoning Ordinance* for establish provisions for recreational marijuana land uses and related zoning regulations.
 - A. Ordinance #2024-29: Text Amendments to the *Zoning Ordinance* pertaining to recreational marijuana land use and zoning for cultivation, manufacturing, and testing facilities and compassion centers by amending *Dover Code of Ordinances*, Appendix B – Zoning: Article 3 - District Regulations Section 19 - Manufacturing Zone (M), Section 20 - Industrial Park Manufacturing Zone (IPM), and Section 23 - Agricultural Zone (A); Article 5 - Supplementary Regulations adding new Section 24 - Marijuana Related Businesses; and Article 12 - Definitions. These amendments add definitions for marijuana related businesses, allow these business types to operate as permitted uses within certain zones, and add supplementary regulations by which these businesses must abide.
 - B. Ordinance #2024-30: Text Amendments to the *Zoning Ordinance* pertaining to recreational marijuana land use and zoning for retail marijuana stores and provisions for compassion center conversions by amending *Dover Code of Ordinances*, Appendix B – Zoning: Article 3 - District Regulations Section 16 - Highway Commercial Zone (C-4); Article 5 - Supplementary Regulations adding new Section 24 - Marijuana Related Businesses; and Article 12 – Definitions. These amendments add the definition of retail marijuana stores and allow recreational marijuana stores to operate as permitted uses in the C-4 zone and add supplementary regulations by which these businesses must abide.

CC: Planning Staff
Inspections Staff
Fire Marshal
City Manager
Mayor
City Clerk
City Council
City Comptroller
Sharon Duca
Jason Lyon

Electric Department
Parks & Recreation
Tax Assessor
Police Chief
Patricia Marney
Mark Nowak
Dover Fire Chief
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Elaine Webb
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Brian Williams Jr.
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