

TOWN OF FREDERICA
ORDINANCE NO. 19-04

**“AN ORDINANCE TO AMEND THE LAND DEVELOPMENT
ORDINANCE OF TOWN OF FREDERICA, ARTICLES 6, 7 AND 8 BY
AMENDING SECTIONS 6.1, 6.2, TABLE 7.1, SECTION 8.2 AND TABLE 8.2,
TO CREATE A NEW “PCD PLANNED COMMERCIAL” DISTRICT;**

WHEREAS, Town of Frederica Town Council has found that the current Land Development Ordinance provisions for Commercial Zoning Districts cannot be accommodated for lands bordering State Maintained Roads; and

WHEREAS, in zoning applications, a primary concern of the Town of Frederica Town Council and the public has been the uncertainty about what may actually be constructed on commercial sites that are adjacent to State Maintained Roads within the incorporated areas of the Town of Frederica; and

WHEREAS, Town of Frederica Town Council desires to create more specific zoning district appropriately located that will provide well-planned areas for large-scale retail and commercial uses to promote better design, planning and management within the Town of Frederica; and

WHEREAS, TITLE 22, Chapter 3, Subchapter 1, Section 301 of the Delaware Code grants the legislative body of incorporated towns the power to regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, and the location and use of buildings, structures and land for trade, industry, residence or other purposes for the purpose of promoting health, safety, morals or the general welfare of the community; and

WHEREAS, TITLE 22, Chapter 3, Subchapter 1, Section 301 of the Delaware Code states “The legislative body of the municipality shall provide for the manner in which the regulations and restrictions and the boundaries of the districts shall be determined, established and enforced and from time to time amended, supplemented or changed”; and

WHEREAS, these amendments will promote the public health, safety, morals, convenience, order, prosperity or general welfare of the Town of Frederica, its residents, visitors and businesses.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FREDERICA IN COUNCIL MET:

Section 1. Section 6-1 of the Land Development Ordinance of the Town of Frederica is hereby amended by inserting in A. Base Zones, the zoning district “PCD -- Planned Commercial District.”

Section 2. Section 6-1 of the Land Development Ordinance of the Town of Frederica is hereby amended by inserting the “Purpose” of the “PCD Planned Commercial District” as follows:

To provide appropriately located, well-planned areas for large-scale retail and commercial uses. To establish design guidelines for development within the PCD Zone that will contribute and improve the attractiveness and character of the Town of Frederica. To encourage an orderly and systematic development design providing the rational placement of activities, parking and auto circulation, pedestrian circulation, ingress and egress, loading, landscaping, and buffer strips. To encourage commercial development which is consistent with the Comprehensive Plan.

Section 3. Section 6-1 of the Land Development Ordinance of the Town of Frederica is hereby amended by inserting the following typical kinds of uses:

- Hotels & Motels
- Retail
- Restaurants
- Banks
- Convenience with Gas Pumps
- General, Professional and Medical Offices

Section 4. Section 6-2 of the Land Development Ordinance of the Town of Frederica is hereby amended by inserting a new Zoning Category, E.1 “PCD Planned Commercial District” immediately after Paragraph E. “C-1 Commercial” as follows:

Section 6-2. Specific Requirements, by Zone

E.1 PCD Planned Commercial District

1. Permitted Uses. For permitted uses, see Table 7-1, Permitted Uses and Structures.

2. Accessory Uses. Uses accessory and incidental to the operation of approved uses listed heretofore shall be allowed.

3. General Requirements.

- a. The minimum district area in the PCD Planned Commercial District shall be 15 acres.
- b. Building height shall not exceed 35 feet, except that the maximum permitted height of a Hotel/Motel structure in this district shall not exceed five (5) stories and not exceeding 60 feet in height.
- c. Access to a PCD will be from a State Maintained Road.
- d. The minimum setback from State Route 1 shall be 50 feet. The minimum setback from other state-maintained roads shall be 30 feet. The minimum setback from other roads shall be 15 feet. The minimum setback from Riparian Buffers Areas shall be 50 feet.
- e. Parking space sizes can be reduced to a minimum of 9' x 18' with 24' wide drive aisles. No single parking area shall exceed 200 spaces unless divided into two or more subareas separated from each other by landscaping, access drives or public streets, pedestrian walkways, or buildings. Hotels shall be permitted to maintain a parking ratio of one parking space per room.
- f. Impervious coverage shall not exceed 85% of the area of the parcel or phase.
- g. Buffer and Landscaping Requirements are to be followed as listed in Article 12: Sections 12-5 *Screening* and 12-6 *Landscaping and Tree Preservation*.
- h. Signage Requirements are to be followed as listed in Article 13 *Signs*.

4. General Design Elements. The Town considers the following design features to be desirable elements of planned commercial development, and the standards and guidelines set forth in subsequent sections of this article are intended to facilitate the incorporation of as many of these features into a proposed project as feasible and appropriate.

- a. Visual compatibility with development on adjacent sites.
- b. Building scale and mass that is compatible with adjacent or nearby development, especially residential.
- c. Preservation of natural site features.

- d. Landscaping and screening of parking areas with extensive use of shade trees shall be subject to the regulations of Article 12, §12-5, 12-6, landscaping and buffering.
- e. Significant landscape and hardscape (e.g., decorative pavers) elements throughout the entire site.
- f. Use of quality exterior building materials (e.g., stone and brick), surfaces, and textures and avoidance of large stretches of unadorned stucco, or concrete block.
- g. Articulated building forms and massing with significant wall articulation and variation (e.g., insets, canopies, wing-walls, trellises).
- h. Multi-plane pitched roofs with meaningful overhangs, covered walkways, awnings and arcades.
- i. Step-down of building scale adjacent to pedestrian routes and building entrances.
- j. Pedestrian-oriented ornamentation and detail at ground level.
- k. Building locations that provide significant pedestrian courtyards, plazas, or other common gathering areas with coordinated site furniture and lighting.
- l. Incorporation of man-made water features such as fountains, etc., as a prominent site amenity.
- m. Provisions of clearly delineated pedestrian circulation system including walkways along buildings of sufficient size to accommodate potential outdoor dining and desired hardscape improvements.
- n. Connect on-site pedestrian/bicycle and cartway circulation system with adjoining off-site sidewalks, bikeways, and other trails.
- o. Prominent access driveways with clear visibility of entrances.
- p. Master parking and access plans that provide for cross access between adjoining sites and minimize the number of curb cuts of collector and arterial roads.
- q. Signage which complements and is in scale with the building architecture.

- r. Screening of any visible outdoor storage, loading, or equipment areas.
 - s. Exterior lighting that confines light spread and minimizes glare.
5. Building and parking area location/orientation.
- a. The height, scale, and mass of buildings should be compatible with the neighboring area especially when located near residential development, or as approved by the town council when sufficient buffering is proposed.
 - b. Where surrounding development is of a smaller scale, larger-scale buildings should be located internal to the site and transition down in scale to the outer edge of the site.
 - c. Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.
 - d. Attractive landscape transition to adjoining properties shall be provided.
 - e. Multiple buildings in a single project shall create a positive functional relationship to one another. Where possible, multiple buildings shall be clustered to achieve a "village" scale. This creates opportunities for plazas and pedestrian areas while preventing long "barracks-like" rows of buildings. When clustering is impractical, a visual link shall be established between buildings with the use of an arcade system, trellis, colonnade, covered walkways, landscaping, enhanced paving, building articulation and detailing, or similar features.
 - f. Orienting buildings closer to the street to screen parking in the interior of the site and providing strong pedestrian connections to buildings is encouraged where appropriate (e.g., does not negatively impact any abutting residential areas).
 - g. If the design of a site does not lend itself to a functional storefront along the street(s), the building facade facing the street shall be designed with enhancements comparable to that of the primary facade. Design enhancements may include real and/or faux windows, awnings/pedestrian arcades, outdoor seating/public plaza, landscape features, or other design elements that meet the intent of this guideline.

- h. Position entries to buildings so they are easily identifiable from the interior drives and parking lots.
 - i. Parking lot areas should be located away and well-screened and buffered from any adjacent or nearby residential areas.
 - j. Parking setbacks from all streets should be adequate to allow for all required buffering or screening.
 - k. Parking should be placed at the side or rear of the lot and screened from view whenever possible.
6. Parking area design.
- a. Large-surface parking areas and other expansive areas of paved surfaces should be designed with a series of smaller parking fields. Incorporate smaller parking fields can be incorporated by physically separating parking areas with buildings and plazas; and delineating an on-site circulation system that utilizes uninterrupted drive aisles, landscape islands and planters, pedestrian walkways, or any combination thereof.
 - b. Parking areas shall be partially screened from view from public roads using plantings, building wall extensions, berms, or other innovative design means.
 - c. Designs that provide for on-street parking in front of buildings may be considered if appropriate given the layout and general location of the site.
 - d. Parking lots should have direct pedestrian connection to the building entry points, especially if the parking is located along the side and/or behind the buildings. Designated pedestrian access shall be provided from all parking areas to the primary building entrances.
 - e. Design parking lots to avoid dead-end aisles whenever possible.
 - f. Separate parking areas from buildings by a landscaped strip whenever possible or a raised concrete walkway or pedestrian plaza.
 - g. Provide landscaping islands at the ends of all rows of parking.
 - h. Use curbed landscaping islands to designate a change in direction of parking stalls and aisles.

- i. Provide cross-access easements between adjacent lots to facilitate the flow of traffic between complementary users.
- j. The required number of safe and conveniently accessible parking spaces should be provided for the physically handicapped in accordance with ADA standards. Locations shall be near building entrances and where parking space sides abut landscape islands.
- k. Applicants may request that the Town consider designs that provide for shared parking between different uses with staggered peak parking demand in order to reduce the total number of spaces within the development.
- l. Applicants may request that the Town consider the use of properly designed grass or pervious paved overflow parking areas for developments that have only periodic parking demand.

7. Pedestrian amenities.

a. All commercial developments with multiple buildings or tenants should be designed to include:

- (1) Pedestrian plazas and courtyards that are of such scale, design and/or locations to be a focal point of activity and/or interest. Such areas should not just be aesthetically pleasing, but they should also be designed (e.g., providing ample covered/shaded areas) to serve as truly functional and desirable places of public interaction and enjoyment.
- (2) Outdoor dining areas and sidewalk cafes should be used to bring activity to plans and courtyards, as well as should be placed at the edge of open spaces or located along building and street frontages. Where feasible, create a sense of enclosure for such outdoor dining areas.
- (3) Walkways and breezeways that provide connections between buildings and other site amenities. When located along storefronts, walkways should be of sufficient width to accommodate potential sidewalk cafes and shall be primarily covered with building overhangs, trellises, awnings, or a combination thereof.

(4) Water bodies that serve as a site amenity both in terms of design (e.g., size/shape/use of fountains) and interaction with other pedestrian amenities (e.g., outdoor dining areas and walkways).

(5) Restrooms/changing areas.

(6) If the applicant does not propose one or more of these features, a statement must be provided indicating what conditions, if any, inhibit their inclusion in the project. It will be at the town council's discretion to move the project forward without one of these amenities.

8. Vehicular access and circulation.

a. Locate site access points as far as possible from street intersections to provide maximum vehicle stacking room.

b. Minimize the number of street access driveways by combining curb cuts servicing adjacent uses.

c. Locate and design site entries to minimize pedestrian/vehicular conflicts.

d. Design entrances to align with focal points within the development.

e. Driveway entrances shall not directly line up with head-in parking.

f. Design internal roadways/driveways to incorporate design elements of gateway entries including use of pavers, landscaping, and lighting. The provision of tree-lined drive aisles should be emphasized.

g. Avoid conflicts between adjacent parking lots by maintaining similar directions of travel and parking design.

h. Design drive-through lanes to allow for vehicle stacking distance that accommodates anticipated demand without impairing traffic circulation.

i. Drive-through facilities and stacking lanes shall not be located within the front yard setbacks and shall be adequately screened from view.

j. Locate drop-off points near building entries and plaza areas.

l. Traffic patterns shall be designed to accommodate emergency vehicles.

9. Pedestrian and bicycle circulation.

- a. Provide separate vehicular, pedestrian, and cart path circulation systems where applicable with a strong emphasis on pedestrian linkages between uses. Separation of systems should be created through design elements such as changes in grade, materials (e.g., decorative pavers), landscaping screens, structures/barriers, etc.
 - b. Link developments with surrounding areas and uses by extending sidewalks, bike paths, cart paths and other trails directly into and across the development, and across property lines, thereby providing convenient, direct pedestrian and bicycle access to adjoining development.
 - c. Continuous internal pedestrian walkways, no less than five feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. Out parcels shall be connected to each other, to the main shopping center and to the public sidewalk system by pedestrian walkways.
 - d. Internal pedestrian walkways shall provide weather protection features such as awnings or arcades within 30 feet of all customer entrances.
 - e. Provide well-identified connections from perimeter sidewalks and bike paths to the primary pedestrian and bicycle paths within the development. Pursuant to ADA requirements, all developments shall be designed with a minimum of one designated pedestrian path from each abutting street to the primary entrance(s) of the development.
 - f. Align walkways directly and continuously to connect pedestrian destinations.
 - g. Internal pedestrian walkways should be designed to avoid the crossing of drive-through lanes and service drives.
 - h. Locate bicycle parking spaces near both customer and employee building entrances but be careful not to obstruct said entrances or the flow of pedestrian traffic.
 - i. All sidewalks and pedestrian ways should be designed to be compliant with ADA requirements and recommendations.
10. Landscaping design. All applicable requirements of Article 12, 12-5, 12-6, Performance standards, must be met, in addition to the following:

- a. Landscaping should be designed as an integral part of the overall site plan with the purpose of enhancing building design, public views and spaces, and providing buffers, transitions, screening, and shade.
- b. Existing desirable landscape elements and topographical features on the site should be incorporated into the design.
- c. Perimeter landscaping along all adjacent public rights-of-way and other abutting development shall be provided. The intent of such landscaping is to soften and help beautify the appearance of the overall development but not to totally screen the development from any public view. Landscaped buffers are required along all public rights-of-way which incorporate a combination of landscaping, berms, and/or low walls made of concrete, masonry, or other similar material and not exceeding a maximum height of three feet.
- d. Landscaping shall be provided adjacent to and within parking areas using landscaped islands and medians to screen vehicles from view, provide shade, and minimize the expansive appearance of parking lot fields. The extensive use of shade trees shall be required when landscaping any area of a site where vehicles will be parked.
- e. Landscaping should be provided along all building facades facing a parking lot or street. Anchor it to the surrounding environment and soften the appearance of the structure. In-ground landscaping should comprise the majority of the landscaping requirement. Raised planters are acceptable when designed to accentuate the architecture and/or enhance pedestrian areas.
- f. Unity of design shall be achieved by repetition of certain plant varieties and other materials.
- g. Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design and good appearance shall be used.
- h. Plants shall be protected by appropriate curbs, tree guards, or other devices when susceptible to injury by pedestrian or motor traffic.

i. Dense landscaping and/or architectural treatments should be provided to screen unattractive views and features such as storage areas, trash enclosures, utility cabinets and other similar elements.

j. Landscaping and accent paving should be used to help define and beautify main project entrances. Entries to multitenant projects should be designed as special statements reflective of the character and scale of the project in order to establish identity for tenants, visitors, and patrons. Landscaping consisting of natural vegetation should be the predominant component of the design of such entries versus hardscape components such as walls, fountains, and signage. Planting design should have focal points at project entries, plaza areas, and other areas of interest using distinctive planting and/or landscape features.

k. The site design for projects located at street corners should provide special landscape treatment at street intersections to anchor the corner while also considering sight-line issues. Improvements should complement driveway entry landscaping and enhance the character/design of the overall development.

11. Exterior lighting.

a. Parking area light fixtures should be designed with a concealed/recessed light source that shields light downward and confines light spread within a site's boundaries and does not adversely impact any adjoining residential areas.

b. Site lighting should provide consistent levels of illumination, avoiding pockets of very high or low levels of illumination.

c. All building entrances and other areas of special security concern should be well lit.

d. A photometric lighting plan is required for all proposed commercial developments to ensure adequate and appropriate light levels are provided for each site condition.

e. Lighting sources shall be color-correct types such as halogen or metal halide.

- f. The same type poles and fixtures should be used throughout a multibuilding project site and be compatible with those found on adjacent residential properties.
- g. The maximum height of parking lot poles is 30 feet, measured from grade. The maximum height of poles within plazas and other pedestrian areas is 20 feet, also measured from grade. The use of shorter height poles than the maximums listed above shall be encouraged, provided illumination levels meet all intensity and safety requirements.
- h. Parking lot poles should be located in medians or perimeter buffer areas wherever possible. Landscaping improvements should not conflict with the location of poles.
- i. Provide separate pedestrian-scale lighting for walkways.
- j. Decorative lighting fixtures mounted directly on structures may be allowed when utilized for walkways or plazas near buildings provided the level of illumination is of relatively low intensity.
- k. "Wall packs" are permitted only in loading and service areas, and should be down-lit.
- l. Consider highlighting entrances, art, terraces, and special landscape features using concealed fixtures to prevent glare.

12. Signage

- a. The primary function of signage for any commercial center shall be to identify the location of businesses but not to serve as a supplementary means of advertisement.
- b. All integrated commercial developments within the Planned Commercial District (e.g., multiple tenants or buildings) shall establish a uniform sign program to ensure compatibility between signs throughout the project.
- c. Such sign programs may provide for the use of directional/reader board signs to assist in the location of stores in commercial centers, provided said signs are of compatible scale and architectural design.
- d. A signage plan shall be submitted to the Town for approval by applicant prior to final plan approval.

- e. Every sign shall have good scale and proportion on its design and in its visual relationship to buildings and surroundings.
- f. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.
- g. The colors, materials, and lighting of every sign shall be harmonious with the building and site to which it principally relates.
- h. All signs not on a building face shall be accompanied by landscaping in scale to the size of the sign, and the sign shall not overwhelm the landscaping.
- i. Permitted signs.
 - (1) Signs permitted in all districts.
 - (2) Each side of a commercial building facing a public street may have one internally or externally illuminated or unlighted wall, awning, projecting, or marquee sign. One pylon sign with a height not to exceed fifty (50) feet, measured at grade, shall be permitted along State Route 1. One pylon sign with a height not to exceed fifty (50) feet, measured at grade, shall be permitted at the entrance.
 - (3) Each commercial use may have one illuminated or unlighted window sign.
 - (4) One internally illuminated or unlighted ground/monument sign is allowed for each side of a commercial unit that runs along a major arterial or collector road.
 - (5) Conditional use. All integrated complexes in the PCD shall establish a uniform sign program for compatibility between signs. Any proposed complex of three or more principal structures located on one or more contiguous properties, under common management and operation, is required to submit an application for comprehensive signage approval. Such application may be submitted for any commercial structure that has more than 400 linear feet of frontage on a principal arterial street.

13. Utilities, mechanical and telecommunications equipment.

- a. Install all permanent utility lines underground.

- b. Locate transformers away from major pedestrian routes and outdoor seating areas.
 - c. Buffer all transformers, telecommunication devices, equipment switching boxes and other utility cabinets from street and pedestrian areas with landscaping and/or architectural screens. Do not leave meters exposed where visible to the public.
14. Storage, loading and service areas.
- a. Locate loading docks, storage and service areas away from any public street in areas of low visibility, such as the rear of buildings.
 - b. Screen such areas from public view with walls and/or landscaping. Such screens shall be of a color and material matching or compatible with the dominant colors and materials found on the facades of the primary building(s).
 - c. Combine loading docks and service areas between multiple sites.
 - d. Clearly identify service entrances with signs to discourage the use of main entrances for deliveries.
15. Trash/recycling facilities.
- a. Trash enclosures and containers shall be sized to accommodate the volume of refuse but should also take advantage of opportunities to centralize enclosures where there are multiple buildings or users.
 - b. Trash facilities shall be enclosed on three sides and screened from view.
 - c. Trash enclosures shall be located in low-visibility areas.
 - d. Trash enclosures shall be located so not to obstruct drive aisles, pedestrian walkways, and access to parking spaces. They must be located so as to be conveniently accessed by refuse haulers and not infringe on any of the areas noted immediately above.
16. Ownership. The land in a PCD Planned Commercial District need not be under single ownership; provided, however, that all owners of interest in the land under development must comply with the Land Development Ordinance.

17. Additional land area. If, after approval and recording of the master plan, the owner/developer desires to incorporate additional land or after-acquired adjacent land area into the development plan, a conference shall be held with the Planning Commission for purpose of reviewing the additional plan. If an application is filed, the procedural requirements shall be as for all other PCD Planned Commercial Districts and shall be considered as the establishment of a new and separate district.

Section 5. Section 7-1 of the Land Development Ordinance of the Town of Frederica is hereby amended by inserting the following table showing permitted Uses and Structures in the PCD:

Table 7-1. Permitted Uses & Structures

P = Permitted Use SP = Site Plan review required, see Art. 4 CU= Conditional use, see Sec. 4-8 D = See definition in Art. 2	Zon e R-1	Zon e R-2	Zon e R-3	Zo ne R 4	Zo ne R-5 (T ND)	Zo ne T C- 1	Zo ne C- 1	Zo ne C- PC D	Zo ne LI	Zo ne A O	Zo ne I
Agriculture - Related Uses											
Farms, customary and conventional taming operations including the raising of vegetables, flowers, and horticultural materials; not to be construed to include commercial poultry and swine production, cattle feeder lots, and fur bearing animal farms		P			P ²		C U	CU		P	
Farms, housing or raising of livestock for commercial or non-commercial purposes					P ²					P	

Greenhouse, commercial	D					P ²		P	P		P	
Residential Uses												
Apartments above commercial or office uses						P'	P	P	P			C U
Bed & Breakfast	D	CU	CU	CU	P	CU'	C U	C U	CU			C U
Dwelling, Two family	D		CU	P		P						C U
Dwelling, Manufactured Home	D				P							
Dwelling, Multi-Family	D			P								C U
Dwelling, Single Family, including modular homes	D	P	P	P	P	P					P	C U
Dwelling, Townhouse	D		CU	P		P						
Home-based business	D	CU	CU	CU	C U	CU'	C U					
Hotel, motel	D							P	P			
Sales & Rental of Goods, Merchandise, and Equipment												
Convenience store	D					P ¹	P	P	P			
Retail food establishments, 5,000 SF or less	D					P ¹	P	P	P			
Retail food establishments between 5,000 - 7,500 SF	D					P ¹	C U	P	P			
Retail food establishments more than 7,500 SF	D					C U ₁		P	P			

more than 7,500 SF												
Social service establishments	D					P'						P
Manufacturing, Assembling, Processing												
Manufacturing establishments	D										P	
Educational, Cultural, Religious, Philanthropic, Social, Fraternal												
Club, private such as golf, swimming, and tennis clubs, lodges, and other annual membership clubs	D					P'						P
Educational, institutions, public and private	D	CU	CU	CU	C U	P'	C U	C U	CU			P
Places of worship	D	CU	CU	CU	C U	P'	C U	C U	CU			P
Institutional, Residence, Care, Confinement & Medical Facilities												
Day Care Center	D	CU	CU	CU	C U	P'	C U	C U	CU			P
Day Care Family (1-9 children)	D	P	P	P	P	CU'	C U					
Day Care large family (7-12 children)	D	CU	CU	CU	C U	CU	C U					
Hospital	D					CU'		C U	CU			C U
Medical Clinic	D					P'	C U	C U	CU			P
Nursing and care facilities	D					CU'		C U	CU			P
Surgical center	D					P'		C U	CU			P
Fitness / wellness center						P'	C U	P	P			P
Transportation-Related Sales & Service												

Motor vehicle filling stations	D					P		P	P	P		
Motor vehicle sales, repair, service, and storage	D					CU ₁	P	P	P	P		
Storage & Parking												
Distribution center	D							P	P	P		
Garage, public or commercial parking						P ¹	C U	P	P	P		
Self-storage facility	D							P	P	P		
Warehouse	D							P	P	P		
Public, Semi-Public, Emergency												
Government facilities and services, local	D	CU	CU			P	P	P	P		C U	P
Government facilities and services, non-local	D	CU	CU			P	P	P	P		C U	P
Parks & open space		P	P	P	P	P	P	P	P	P	P	P
Public safety facilities including, ambulance, fire, police, rescue, and national security	D	CU	CU	CU	C U	P	C U	C U	CU			P
Public utility service facility	D	CU	CU	CU	C U	P	C U	C U	CU	P		P
Recreation Facility	D	CU	CU	CU	C U	P	P	C U	P			P
Not Grouped Elsewhere												
Cemeteries												P
Funeral home								P	P			P
Veterinary clinics, animal hospital, or kennels, provided						P ¹		P	P			

that no open pens, runs, kennels or cages are located within 100 feet of land that is used or zoned residential											
Mixed use and mixed density developments	D				P ¹	P					

P¹ - Uses permitted by right in the designated mixed-use area

CU¹ - Uses allowed following conditional use review in the designated mixed-use areas.

P² - Only permitted while land is in active farming condition

Section 6. Section 8-2 of the Land Development Ordinance of the Town of Frederica is hereby amended by inserting the following table showing Dimensional and Density Standards in Non-Residential Zones:

Table 8-2. Dimensional & Density Standards in Non-Residential Zones

Standard	C-1	PCD	I	LI
	Commercial	Planned Commercial District	Institutional	Light Industrial
Minimum Tract Area	10,850 SF	15 AC	10,850 SF	10,850 SF
Street Frontage (feet)				
Lot Width at Front Building Line (feet)	30	50	30	50
Lot Depth (feet)	100	100	100	100
Setbacks (feet)				
Front	15	15	15	15
Side				
One	20	20	20	20

Sum of Both	40	40	40	40
Rear				
Zone				
Adjoining Residential	30	25	30	50
Zone				
Adjoining Non-Residential	25	25	25	25
Zone				
Maximum Building Height				
Stories	2 1/2	5	2 1/2	2 1/2
Feet	35	35 ¹	35	35
Maximum Building Coverage (% of Lot)	50%	35%	50%	50%
Green Area (% of Lot)	15%	15%	15%	15%

(¹) - A hotel or motel may have a height of over 3 stories, but not to exceed 5 stories, and not exceeding 60 feet.

Section 7. The Town Clerk shall be permitted to administratively disperse sections of this Ordinance throughout the Land Development Ordinance to facilitate ease of use.

BE IT FURTHER ORDAINED that this Ordinance shall take effect thirty days from its adoption by a majority vote of all members of the Town Council.

ORDAINED AN ENACTED INTO THE LAW by a majority vote of the Town Council of Frederica, Delaware on August 7, A.D. 2019.

First Reading: July 17, 2019

Public Hearing and Second Reading: August 7, 2019

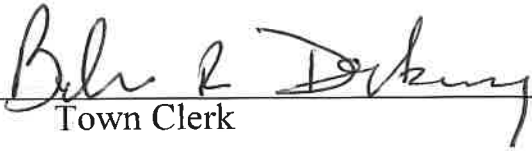
Published: August 10, 2019

William C. Glanden

William C. Glanden
Mayor

I, Bethany DeBussy, Town Clerk of the Town of Frederica, do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by the Town Council

during its August ____, 2019, meeting at which meeting a quorum was present and voting throughout and that the same is still in full force and effect.


Town Clerk

DATED:

SYNOPSIS

The Ordinance amends the Land Development Ordinance to establish a Planned Commercial District (PCD) zoning district and provide the regulations therefor.