



Town of Dewey Beach

www.townofdeweybeach.com

105 Rodney Avenue
Dewey Beach, DE 19971
P: (302)227-6363

2

3

ORDINANCE NO.

4

5 AN ORDINANCE TO AMEND CHAPTER 173 AND CHAPTER 185, TABLE 2 OF THE MUNICIPAL CODE OF 6 THE TOWN OF DEWEY BEACH TO ESTABLISH A MINIMUM NUMBER OF TREES REQUIRED FOR NEW 7 CONSTRUCTION OR REDEVELOPMENT PROJECTS

8 **WHEREAS**, the Town of Dewey Beach recognizes the environmental, aesthetic, and community
9 benefits provided by trees, including stormwater management, shade, habitat preservation, and
10 enhancement of neighborhood character; and

11 **WHEREAS**, the preservation and expansion of the Town's tree canopy supports sustainability
12 goals and improves overall quality of life for residents, property owners, businesses, and visitors; and

13 **WHEREAS**, the existing Code of the Town of Dewey Beach does not require a uniform or
14 minimum standard for trees to be planted on open lots or on lots where trees did not previously exist
15 prior to development; and

16 **WHEREAS**, the Town desires to establish clear and consistent standards for tree planting in
17 connection with new construction and redevelopment projects including development on previously
18 open or cleared lots; and

19 **WHEREAS**, the Planning and Zoning Commission met on December 15, 2025 to review potential
20 amendments to Chapter 173 and related provisions of Chapter 185 of the Town Code, and has discussed
21 recommendations to protect and enhance the Town's tree canopy and green space within Town limits.

22 **NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the Commissioners of the Town of
23 Dewey Beach, Sussex County, Delaware, in session met, as follows:

24 **Section 1.** Amend Chapter 173 of the Code of Ordinances by including a new subsection 173-1.1 to read
25 as follows:

26 29 § 173-1.1 Minimum tree requirements.

30 31 Every lot shall maintain, at all times, a number of trees equal to or greater than the minimum
32 number determined by dividing the total square footage of the lot by the maximum square
33 footage per required tree in Table 2 of the Zoning Code. Where the minimum number of trees
34 results in a fractional value, any fraction of 0.5 or greater shall be rounded up to the next whole
35 tree, and any fraction less than 0.5 shall be rounded down.

36 **Section 2.** Amend Chapter 185, Table 2 of the Code of Ordinances by including a new line titled
37 "Minimum square footage per required tree," to read as follows:

38

39

40

41

Zoning District	NR	RR	PR	RB-3	RB-2	RB-1	PRB-1	PRB-3
Planting, green space, and open space requirements								
Maximum square footage per required tree	<u>1666</u>	<u>2000</u>			<u>2500</u>			
Driveway and walkway construction								

42

43

44 **Section 3.** If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for
 45 any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of
 46 this Ordinance which may be given effect without such invalid or unenforceable provision, and to this
 47 end, the provisions of this Ordinance are hereby declared to be severable.

48

49 **Section 4.** This Ordinance shall take effect immediately upon its passage by a majority vote of the
 50 Commissioners of the Town of Dewey Beach.

51

52 Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this 13th day of
 53 February, 2026.

54

55

56

SYNOPSIS

57

58 This ordinance amends Chapters 173 and 185, Table 2 of the Town of Dewey Beach Municipal Code to
 59 establish a clear and consistent minimum tree requirement for new construction and redevelopment
 60 projects. The ordinance requires all lots to maintain a minimum number of trees based on standards set
 61 forth in Table 2 of the Zoning Code and ensures that required trees meet established species, size, and
 62 installation criteria outlined in Chapter 173.

63

64

65

 Mayor, William Stevens

66

67

68

69

70

71

 Town Manager, Bill Zolper