

ZONING

185 Attachment 1

Town of Dewey Beach

**TABLE 2
BULK ZONING STANDARDS IN ALL DISTRICTS**
[Amended 5-9-2015 by Ord. No. 718]

Zoning District	NR	RR	PR	RB-3	RB-2	RB-1	PRB-1	PRB-3	
Height	<p>For buildings not in any special flood hazard area: Maximum building height: 35 feet measured from grade. Maximum number of stories: 2 1/2. Roof decks are permitted, with all decks and railings subject to this height standard. The floor area of any roof deck shall not exceed 20% of the covered and/or enclosed floor area of the top story; the finished floor elevation of any top-floor deck shall be not less than six feet below the elevation of the roof peak. All above ground deck railing must be the higher of: 42 inches above the deck surface or in compliance with the most current Town Building Code.</p> <p>For buildings in any special flood hazard area (SFHA): Maximum building height: 32 feet measured from the elevation of the 1% annual flood level on the appropriate effective FEMA Flood Insurance Rate Map plus appropriate Town mandatory freeboard except in any VE SFHA where one additional foot of height shall be permitted due to the difference in base building elevation reference points for AO and AE SFHAs versus VE SFHAs. Maximum number of stories: 3. Roof decks are permitted with all decks and railings subject to this height standard. All aboveground deck railing must be the higher of: 42 inches above the deck surface or in compliance with the most current Town Building Code.</p>	<p>For buildings not in any special flood hazard area: Maximum building height: 35 feet measured from grade. Maximum number of stories: 3. Roof decks are permitted with all decks and railings subject to this height standard. All above ground deck railing must be the higher of: 42 inches above the deck surface or in compliance with the most current Town Building Code.</p> <p>For buildings in any special flood hazard area (SFHA): Maximum building height: 32 feet measured from the elevation of the 1% annual flood level on the appropriate effective FEMA Flood Insurance Rate Map plus appropriate Town mandatory freeboard except in any VE SFHA where one additional foot of height shall be permitted due to the difference in base building elevation reference points for AO and AE SFHAs versus VE SFHAs. Maximum number of stories: 2 1/2. Roof decks are permitted, with all decks and railings subject to this height standard. The floor area of any roof deck shall not exceed 20% of the covered and/or enclosed floor area of the top story; the finished floor elevation of any top-floor deck shall be not less than six feet below the elevation of the roof peak. All aboveground deck railing must be the higher of: 42 inches above the deck surface or in compliance with the most current Town Building Code.</p>	<p>For buildings not in any special flood hazard area: Maximum building height: 35 feet measured from grade. Maximum number of stories: 3. Roof decks are permitted with all decks and railings subject to this height standard. All above ground deck railing must be the higher of: 42 inches above the deck surface or in compliance with the most current Town Building Code.</p> <p>For buildings in any special flood hazard area (SFHA): Maximum building height: 32 feet measured from the elevation of the 1% annual flood level on the appropriate effective FEMA Flood Insurance Rate Map plus appropriate Town mandatory freeboard except in any VE SFHA where one additional foot of height shall be permitted due to the difference in base building elevation reference points for AO and AE SFHAs versus VE SFHAs. Maximum number of stories: 3. Roof decks are permitted with all decks and railings subject to this height standard. All aboveground deck railing must be the higher of: 42 inches above the deck surface or in compliance with the most current Town Building Code.</p>						
Exclusions to height restriction	<p>Chimney required to comply with fire code (not to exceed 24 inches above peak of roof); alternative energy systems, where appropriately set back from roof edges so as not to be visible from the street, permitted as special exception but not to exceed 42 inches above roof peak.</p>	<p>Chimney and stand pipe required to comply with fire code (not to exceed 24 inches above peak of roof). Elevator bulkhead where required for safety, and air handling system (appropriately screened) and alternative energy system when appropriately set back from roof edges so as not to be visible from the street, permitted as special exception but not to exceed 42 inches above peak of roof.</p>							

DEWEY BEACH CODE

Zoning District	NR	RR	PR	RB-3	RB-2	RB-1	PRB-1	PRB-3
Minimum lot size (square feet)	5,000		100,000		5,000			80,000
Minimum setback requirements (feet)	Front yard: 18 Rear yard: 12 Aggregate of front and rear yards: 30	Front yard: 22 Rear yard: 10 Aggregate of front and rear yards: 32	Street setback: 20 Side yard and rear yard: 12	Residential use: See RR District Requirements Commercial and mixed use: Front yard: 18 Rear yard: 10 Side yard: 10 unless abutting a street, side yard shall then be 15. Setback to a residential district: 10.	Front yard abutting a street: 6; front yard abutting S.R.1: 8.	Front yard abutting a street. Side yard abutting any street other than S.R. 1: 6; side yard abutting S.R.1: 8.	Front yard: 8 Rear yard: 10 Side yard: 6	Front yard: 18 Side yard: 10 unless abutting a street. Side yard abutting a street: 15.
	Side yard: 8 each side, with an aggregate of 16 both sides. Side yard abutting a side street: 15.	Side yard: 8 each side, with an aggregate of 16 both sides. Side yard abutting a side street: 8. Internal setbacks between multiple residential buildings on a single parcel: 20 between front or rear of a building and any face of another building: 10 between sides of adjacent buildings.	Maximum FAR: 1.20. Roof decks and private garages are included in the FAR calculation; passenger elevators and open decks other than roof decks are not included in the FAR calculation.	Internal setbacks between multiple residential buildings on a single parcel is 20 between front or rear of a building and any face of another building, and 10 between sides of adjacent buildings.				
Floor area ratio (FAR)	Maximum FAR: 1.00. Open decks and roof decks, passenger elevators, and private garages not included in the FAR calculation.	Maximum FAR: 1.20. Roof decks and private garages are included in the FAR calculation; passenger elevators and open decks other than roof decks are not included in the FAR calculation.	Maximum FAR: 1.00 for residential and mixed-use development, with passenger elevators, open decks and roof decks not included in the FAR calculation; 1.20 for dedicated commercial development, with passenger elevators, open decks and roof decks not included in the FAR calculation.	Maximum FAR: 1.20, with passenger elevators, open decks and roof decks not included in the FAR calculation.	Maximum FAR: 1.20, with passenger elevators, open decks and roof decks not included in the FAR calculation.	Maximum FAR: 1.50, with passenger elevators, open decks and roof decks not included in the FAR calculation.	Maximum FAR: 1.50, with passenger elevators, open decks and roof decks not included in the FAR calculation.	Maximum FAR: 1.35, with passenger elevators, open decks and roof decks not included in the FAR calculation.
Tiered setbacks	Covered and/or enclosed portions of a third story; minimum additional 5-foot setback beyond the minimum front yard or rear yard for any building face abutting a street, the ocean or bay.	Minimum additional 10-foot setback beyond the minimum yard requirement for the covered and/or enclosed portions of each story above the second story for any building face abutting a major street or side street, the ocean or bay.	Residential and commercial uses: See RR District requirements.	Covered and/or enclosed portions of a third story; minimum additional 5-foot setback beyond the minimum yard for any building face abutting a street, the ocean or bay.	Covered and/or enclosed portions of a third story; minimum additional 10-foot setback beyond the minimum yard for any building face abutting a major street or side street, the ocean or bay.	Covered and/or enclosed portions of a third story; minimum additional 10-foot setback beyond the minimum yard for any building face abutting a major street or side street, the ocean or bay.	Covered and/or enclosed portions of a third story; minimum additional 10-foot setback beyond the minimum yard for any building face abutting a major street or side street, the ocean or bay.	Covered and/or enclosed portions of a third story; minimum additional 10-foot setback beyond the minimum yard for any building face abutting a major street or side street, the ocean or bay.
Maximum building frontage	Single-family detached dwelling only.	Not to exceed 3 dwelling units per structure; street frontage not to exceed 100 feet per structure.	Not to exceed 4 dwelling units per structure; street frontage not to exceed 100 feet per structure.	Not to exceed 3 dwelling units per structure; street frontage not to exceed 100 feet per structure.				
Maximum floor area per dwelling unit (multiunit structure)		1,200 square feet of living area (including covered decks in the floor area calculation, but not including the floor area of open decks and adjacent storage areas)						

ZONING

Zoning District	NR	RR	PR	RR-3	RR-2	RR-1	PRB-1	PRB-3
Residential to commercial use ratio		Residential only		In a mixed-use structure, the first floor shall be 100% commercial and the residential-use square footage may not exceed 2 times the commercial-use square footage. Commercial parking lot area is not included in the commercial-use square footage calculation.			In a mixed-use structure, the first floor shall be 100% commercial and the residential-use square footage may not exceed 2 times the commercial-use square footage. If developed with one or more dedicated 100% residential-use structures, the aggregate total residential-use square footage may not exceed the aggregate total commercial-use square footage.	In a mixed-use structure the first floor shall be 100% commercial; while dedicated residential structures are permitted, the total floor area dedicated to residential use shall not exceed 2 times the total floor area dedicated to commercial use, including decks, storage and open service areas.
Maximum dwelling unit density	1 single-family detached dwelling per lot.	1 dwelling unit per 3,600 square feet of land area; may be a detached single-family residential dwelling unit in a townhouse or multifamily dwelling.	1 dwelling unit per 3,600 square feet of land area; may be a detached single-family residential dwelling unit in a townhouse or multifamily dwelling.	1 dwelling unit per 3,600 square feet of land area; may be a detached single-family residential dwelling unit in a townhouse, multifamily dwelling or mixed-use structure.	No single-family detached homes, townhouses or residential multifamily dwellings are permitted, but 1 residential dwelling unit in a multiuse structure is permitted per 3,600 square feet of land area.		1 residential dwelling unit in a mixed-use or dedicated multifamily dwelling residential structure per 3,000 square feet.	1 dwelling unit per 3,600 square feet of land area; may be a detached single-family residence or one of several residential units in a townhouse, multifamily or mixed-use structure.
Residential parking requirements			2 off-street spaces for the first 4 bedrooms in a dwelling unit plus one additional space for each additional two bedrooms in the same dwelling unit, such that a 5-bedroom or 6-bedroom dwelling unit requires 2 such spaces as such that a 5-bedroom or 6-bedroom dwelling unit requires 4 spaces, a 7-bedroom or 8-bedroom dwelling unit requires 4 spaces, etc.					
Bed-and-breakfast parking requirements	1 off-street space for every two dedicated bed-and-breakfast bedrooms in addition to such spaces as are required under residential parking requirements for the private portion of the home or townhouse.							
Convention center parking requirements				1 space per 200 square feet of patron area or 1 space for every 4 seats, whichever is greater.				1 space per 200 square feet of patron area or 1 space for every 4 seats, whichever is greater.
Parking requirements for office, public or institutional use				One space per 400 square feet of gross building area, for staff and visitor parking. However, a minimum of 50% of such spaces must be dedicated for visitor use.				
Dedicated patron parking requirements for other commercial uses				No off-street parking required for other commercial establishments with less than 2,000 square feet of assigned patron area; one space for each 400 square feet of patron area for other commercial establishments with less than 5,000 square feet but more than 2,000 square feet of patron area; one space for each 100 square feet of patron area for other commercial establishments with more than 5,000 square feet of floor area assigned for patron use.				One space dedicated to patron parking per 200 square feet of patron area.
Restaurant parking requirements				No off-street required for restaurants with less than 2,000 square feet of patron area; one space dedicated to patron parking per 200 square feet of patron area for restaurants with 2,000 square feet or more patron area, including all exterior areas where service of patrons is permissible.				One space dedicated to patron parking per 200 square feet of patron area, including all exterior areas where service of patrons is permissible.
Basements	Nonhabitable space below grade permitted, but a basement designed for or used as living space is not permitted.	Not permitted.	Nonhabitable space below grade permitted, but a basement designed for or used as living space is not permitted.					Not permitted.

DEWEY BEACH CODE

Zoning District	NR	RR	PR	RP-3	RB-2	RB-1	PRB-1	PRB-3
Planting and open space requirements	Minimum of 15% of gross lot area dedicated to planting and beautification area; a minimum of 50% of this requirement shall be located in the front yard, notwithstanding that not more than 50% of the front yard shall be required to be planted.	Minimum of 10% of gross lot area dedicated to planting and beautification area; a minimum of 50% of this requirement shall be located in the front yard, notwithstanding that not more than 50% of the front yard shall be required to be planted.	Minimum of 15% of gross lot area dedicated to planting and beautification area, with a required 5-foot-wide planting strip provided along any portion abutting RR and/or NR Districts.	Minimum of 10% of gross lot area dedicated to planting and beautification area; a minimum of 50% of this requirement shall be located in the front yard, notwithstanding that not more than 50% of the front yard shall be required to be planted.	Minimum of 10% of the S.R. 1 front/side yard setback area dedicated to planting and beautification area; use of planters to meet this requirement is permitted.	Minimum of 10% of the S.R. 1 front/side yard setback area dedicated to planting and beautification area; use of planters to meet this requirement is permitted.	Open space provided for passive recreation, green space and beautification areas to be at least 12.5% of the gross lot/parcel area with 10% located in the S.R. 1 setback. Required public walks, setbacks and green spaces shall be open to the sky. Unencumbered public access shall be provided to all common areas and beach/bay-front areas.	