



## TOWN OF DEWEY

### BEACH

www.townofdeweybeach.com

105 Rodney Avenue  
Dewey Beach, DE 19971  
302-227-6363 (Voice or TDD)  
302-227-8319 (Fax)

#### ORDINANCE NO. \_\_\_\_\_

### **AN ORDINANCE TO AMEND CHAPTER 185, ZONING, REGARDING PARKING REQUIREMENTS AND PROVIDE CONSISTENCY REGARDING RESIDENTIAL PARKING REQUIREMENTS BETWEEN WHAT IS IN TABLE 2 AND WHAT IS IN THE TEXT VERSION OF THE CODE.**

**WHEREAS**, TABLE 2 CURRENTLY STATES “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”

**WHEREAS**, THE TOWN COMMISSIONERS DESIRE TO AMEND 185-35 A TO BE CONSISTENT WITH THE LANGUAGE IN TABLE 2.

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

#### **Section 1.**

#### **§ 185-35 Off-street parking requirements.**

**A. General requirements.** When any building or structure is hereafter erected or structurally altered, or any building or structure is converted for any use listed below, accessory off-street parking spaces shall be provided as follows:

**(1) Residential parking requirements.** Every dwelling unit in a residential structure, whether a detached single-family detached dwelling or one of several dwelling units in a multifamily residential or mixed-use structure, in each zoning district shall require a minimum number of off-street parking spaces equal to the sum of two spaces allocated for the first ~~three~~ four bedrooms plus one additional space per additional 2 bedrooms.

**(2) Bed-and-breakfast inn.** Operation of a bed-and-breakfast inn shall require one off-street space for every two dedicated bed-and-breakfast inn bedrooms in addition to such spaces as are required under residential parking requirements for the private portion of the home or townhouse.

**(3) Convention center.** Operation of a convention center shall require one space per 200 square feet of net patron area or one space for every four seats, whichever is greater.

**(4) Office, public, or institutional use.** Operation shall require one space for staff and visitor parking per 400 square feet of gross building area; at least 50% of such spaces must be dedicated for visitor use.

**(5) Dedicated patron use.** Operation of commercial uses other than restaurant, convention center, office, public or institutional uses shall require one space dedicated to patron parking per 200 square feet of patron area.

**(6) Restaurants.**

(a) All zoning districts except for the PRB-1 and PRB-3 Zoning Districts: Restaurants with 2,000 square feet or less assigned for patron use shall have no off-street parking requirements. Restaurants with more than 2,000 square feet assigned for patron use shall have one space for each 200 square feet assigned for patron use, including open decking.

(b) PRB-1 and PRB-3 Zoning Districts: All restaurants shall require one space for each 200 square feet of patron area, including open decking, regardless of the building size.

**Section 2.** If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

**Section 3.** This Ordinance shall take effect immediately upon its passage by a majority vote of the Commissioners of the Town of Dewey Beach.

**ORDAINED AND ENACTED into law this \_\_\_\_\_st day of \_\_\_\_\_ 2021.**

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**William Stevens, Mayor**

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**Bill Zolper, Town Manager**