



CITY OF DOVER ORDINANCE #2024-30

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix B – Zoning, Article 3 – District Regulations, Section 16 – Highway Commercial Zone (C-4) be amended to read as follows:

Section 16. Highway Commercial Zone (C-4).

16.1 *Uses permitted.* In a highway commercial zone (C-4), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

- (q) Retail marijuana stores, subject to the requirements outlined in Article 5, Section 24.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 5 – Supplementary Regulations, be amended to read as follows:

24.6 Where permitted in accordance with Article 3, retail marijuana stores are subject to the following restrictions:

24.61 The building footprint upon which a retail marijuana store is to be located shall be at least 500 feet away from any private or public K-12 school, child daycare center, State of Delaware licensed substance abuse disorder treatment facility, hospital, and at least 250 feet away from any residential zone, and from the lot line of any college or university.

24.62 The building footprint within which a retail marijuana store is to be located shall be at least 500 feet away from the lot line of any other retail marijuana store within the City of Dover.

24.63 An application for a certificate of occupancy shall be accompanied by a photocopy of a valid license as required by Chapter 13, Title 4 of the Delaware State Code.

24.64 All building openings, entries, and windows shall be located, covered, or screened in such a manner as to prevent a view into the interior from any public or semipublic area.

24.7 A Compassion Center licensed by the State of Delaware on or before January 1, 2024, that obtains a conversion license under the State of Delaware Marijuana Regulations, must comply with the requirements of Article 3 District Regulations, and shall be exempt from distancing requirements detailed in Appendix B- Zoning, Article 5- Supplementary Regulations, 24.61 and 24.62.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 12 – Definitions, be amended to read as follows:

Article 12. – Definitions.

Retail marijuana store means an entity licensed by the State of Delaware to purchase marijuana from marijuana cultivation facilities; to purchase marijuana and marijuana products from marijuana product manufacturing facilities; and to sell marijuana and marijuana products to consumers.

ADOPTED: January 2, 2025

SYNOPSIS

This ordinance amends Appendix B- Zoning of the Dover Code by adding the definition of retail marijuana store, allowing retail marijuana stores to operate as permitted uses in certain zones, and adding supplementary regulations, by which retail marijuana stores must abide.

(SPONSORS: ANDERSON and NEIL)

Action History

01/02/2025 – Council Adopted after Veto by Mayor Christiansen

12/09/2024 – Public Hearing/First Reading – City Council

11/18/2024 – Public Hearing - Planning Commission

10/28/2024 – First Reading – City Council (Ordinance number changed from #2024-25B to #2024-30)

10/15/2024 – Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration Committee (Split into 25B)

09/24/2024 – Council Committee of the Whole / Legislative, Finance and Administration Committee

08/05/2024 – Deferred from 06/11/2024 – Special Legislative, Finance, and Administration Committee (Split into two parts)

06/11/2024 – Introduction – Council Committee of the Whole/Legislative, Finance, and Administration Committee.