

City of



Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF July 9, 2025

PLANNING COMMISSION MEETING of July 21, 2025

Plan Title: Dover Industrial Phase 2: Warehouses at 350 Lafferty Lane, S-25-10

Associated Plan: Flex Use Facilities Commercial Warehouse (Business Park), S-24-13

Plan Type: Site Development Plan

Location: North side of Lafferty Lane approximately one quarter mile west of Horsepond Road

Address: 350 Lafferty Lane

Tax Parcel: ED-05-077.16-02-05.00-000

Owner: Dover Industrial, LLC.

Site Area:

Phase 1	11.1 +/- acres
Phase 2	8.65 +/- acres
Total	~19.74 acres +/-

Zoning: M (Manufacturing Zone)
AEOZ (Airport Environs Overlay Zone): Accident Potential Zones I & II
Noise Zone A (Area of 225 SF)

Current Use: Phase 1: Flex Warehouse Building under construction and Vacant Land (Agricultural Land and Woodland)

Proposed Use: Flex Warehouses (total of 232,000 SF)

Phase 1	Building A: 54,000 SF
Phase 2	Building B: 45,000 SF
	Building C: 133,000 SF

Parking: Overall Required: 290 Overall Proposed: 290
Phase 1 Under Construction: 93 parking spaces
Phase 2 Proposed: 197 parking spaces

Water and Sewer: City of Dover

For Consideration: Performance Standards Review Application
Tree Mitigation Plan

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 9, 2025

APPLICATION: Dover Industrial Phase 2: Warehouses at 350 Lafferty Lane

FILE #: S-25-10

REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Dawn Melson-Williams, AICP

PHONE #: 302.736.7196

I. PLAN SUMMARY

This is a Site Development Plan for the Phase 2 construction of Dover Industrial with two Warehouse Buildings: Building B of 45,000 SF and Building C of 133,000 SF (totalizing 178,00 SF for Phase 2 with Site Improvements. Phase 1 of the project consists of Multi-Tenant Flex Warehouse Building A of 54,00 SF. The property is zoned M (Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): Accident Potential Zones I & II. The property consists of 19.74 acres. The property is located on the north side of Lafferty Lane approximately one quarter mile west of Horsepond Road. The owner of record is Dover Industrial, LLC. Property Address: 350 Lafferty Lane. Tax Parcel Number: ED-05-077.16-02-05.00-000. Council District 2.

Preliminary Land Use Services Review (PLUS)

An application (PLUS Review #2024-08-0) related to this project was reviewed by the State's Preliminary Land Use Services, as required by the City of Dover's Memorandum of Understanding (MOU). It was reviewed by the State at the meeting on August 28, 2024. This MOU requires that non-residential developments of over 75,000 square feet complete the PLUS Review process prior to application submission. The PLUS Review comments were issued in 2024; the applicant must provide a copy of the written response.

II. PROJECT DESCRIPTION

The Site Development Plan proposes the construction of two Warehouse Buildings: Building B of 45,000 SF and Building C of 133,000 SF (totalizing 178,00 SF for Phase 2 with Site Improvements. Phase 1 of the project consists of Multi-Tenant Flex Warehouse Building A of 54,000 SF that was approved under Site Plan Application S-24-13 Flex Use Facilities Commercial Warehouse; see previous applications description.

The Phase 2 project area with two warehouses buildings located to the north of Phase 1 include a series of truck dock bays on one side of each building. A parking lot is proposed between Building B and Building C. The northern portion and northwest portion of the property include areas of woodlands with wetlands. And the eastern portion of the site focuses on stormwater management areas with the expansion of the existing stormwater pond. The site will be subject to a Performance Standards Review Application to ensure the proposed uses comply with Zoning Regulations.

Previous Applications:

In March 2022, the original tract of land property appeared before the Planning Commission for a Site Development Plan and Subdivision. The result was the 22.86-acre property divided into a 2.99 +/- parcel (Lot 2) and a 19.74 +/--acre parcel (Lot 1) that is the subject of this application. The smaller parcel was developed into a warehouse and distribution center for Frito Lay (Application S-22-02).

For the subject site at 350 Lafferty Lane, Phase 1 was considered with Site Development Plan S-24-13 Flex Use Facilities Commercial Warehouse (Business Park) at 350 Lafferty Lane. While Plan originally proposed the construction of a 54,000 SF Flex Warehouse, a 42,000 SF Flex Warehouse, and a 123,750 SF Flex Warehouse (a total of 219,750 SF) with site improvements in a Phased Development Plan, it was refined to just focus on Phase 1 for Building A of 54,000 SF. The Planning Commission granted conditional approval in September 2024 and Final Plan approval in Spring 2025. The site and building construction for Phase 1 has commenced.

Surrounding Land Uses

The surrounding properties are primarily in the M (Manufacturing Zone) except for two small properties to the immediate west that contain two houses in the R-10 (One Family Residence Zone). To the east is the Frito Lay Distribution Center at 300 Lafferty Lane and then the George & Lynch Administration Building and Contractors Yard. To the north is the right-of-way for State Route 1 and the Puncheon Run Connector on-ramp to State Route 1. To the west is other land owned by the State of Delaware which contains a stormwater management facility.

III. ZONING REVIEW

M (Manufacturing Zone)

This property is zoned as M (Manufacturing Zone) and is described in *Zoning Ordinance*, Article 3, Section 19. The M (Manufacturing Zone) Zoning District in the City of Dover permits the following: Manufacturing, assembling, converting, altering, finishing, cleaning, cooking, baking or any other type of manufacturing or industrial processing of any goods, materials, products, instruments, appliances and devices, provided that the fuel used shall be oil, gas or electricity; Research, design and development laboratories; Wholesale storage and warehousing, transshipment and distribution, logistics support; Building contractors' yards; Public utilities uses; Ministorage facilities, subject to regulations; Railroad yards, sidings, and storage facilities; and Marijuana cultivation facilities, marijuana manufacturing facilities, and marijuana testing facilities, subject to requirements outlined in Article 5, Section 24. – Marijuana Related Businesses. There are a number of Accessory uses and Conditional Uses in the M zone, which require approval by the Planning Commission.

Additionally in the M zone, there are uses that are specifically prohibited; see the code excerpt below.

Article 3 Section 19

19.2 *Uses prohibited.* The following uses are specifically prohibited:

19.21 Residences.

19.22 Manufacturing uses involving primary production of the following products from raw materials: asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke and tar

products, including gas manufacturing; explosives; fertilizers; gelatin, glue and size (animal); linoleum and oil cloth; matches; paint, varnishes and turpentine; rubber (natural and synthetic); soaps, including fat rendering; [and] starch.

- 19.23 The following processes: nitrating of cotton or other materials; milling or processing of flour, food, or grain; magnesium foundry; reduction, refining, smelting, and alloying of metal or metal ores; refining secondary aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, [and] lubricating oil; distillation of wood or bones; [and] reduction and processing of wood pulp and fiber, including papermill operations.
- 19.24 Operations involving stock yards and slaughter houses, grain elevators, and slag piles.
- 19.25 Storage of explosives and bulk or wholesale storage of gasoline above the ground.
- 19.26 Dumps, except those owned and operated by the city.
- 19.27 Quarries, stone crushers, screening plants, and storage of quarry screenings, accessory to such uses.
- 19.28 Junkyards, automobile dismantling plants or storage of used parts of automobiles or other machines or vehicles or of dismantled or junked automobiles.

Bulk Standards for the M (Manufacturing Zone) are outlined in *Zoning Ordinance*, Article 4 Section 4.16. The maximum lot coverage for this zone is 85% and the height limit is 60 feet. The proposed impervious lot coverage for the total project is estimated at 56%.

Airport Environs Overlay Zone (AEOZ)

This property is also subject to the requirements of the Airport Environs Overlay Zone (AEOZ) as outlined in *Zoning Ordinance* Article 3 § 22. This property is within Accident Potential Zones I & II (APZ I and APZ II) of the AEOZ. The Accident Potential Zones I & II allows for most uses permitted within the M (Manufacturing Zone) zoning district and calls for an interior noise level reduction of thirty (30) decibels. APZ I & II also prohibit structures from exceeding sixty (60) feet in height. Additionally, items that could generate smoke or light (such as solar panels) are not allowed. The list of prohibited uses in the APZ are found in *Zoning Ordinance*, Article 3 Section 22.8:

Article 3 Section 22

22.8 *Prohibited uses*. In addition to uses prohibited by subsection 22.6, land use compatibility table, the following activities are prohibited within the CZ, APZ I and APZ II zones of the AEOZ, including, but not limited to:

- (a) Storage of explosives;
- (b) Hazardous or toxic materials/waste;
- (c) Aboveground transmission lines;
- (d) Uses that release into the air any substance which would impair visibility or otherwise interfere with the operation of aircraft (dust, smoke, etc.);
- (e) Uses that produce light emission, direct or indirect, which would interfere with pilot vision;
- (f) And uses that attract birds or water fowl, such as, but not limited to, landfills, wastewater treatment facilities, and associated settling ponds, artificial marshes, dredge spoil materials, sand and gravel dredging operations and open fish farming.

It is noted that the proposed development parcel has roughly 225 SF on the southeast corner within Noise Zone A (65dB-69dB) of the AEOZ. This area is shown to the side of the stormwater management area with no proposed buildings

As each specific tenant is identified, the use must be reviewed through a Permit Review process for compliance with the M Zone and the AEOZ. The proposed land use for each building (and tenants within each building) must comply with the permitted uses of the M (Manufacturing Zone) (*Zoning Ordinance* Article 3 § 19) and the Land Use Compatibility Table of the AEOZ (*Zoning Ordinance*, Article 3 § 22.6).

The Dover Air Force Base has provided additional information in their agency comments relating to FAA Bird Mitigation for properties in the flight path for the Air Base, population density suggestions in the APZ I & II zones, as well as submission to DelDOT for the State Office of Aeronautics requirements. Please see comments in the attachments from the Dover Air Force Base for details.

IV. PARKING SUMMARY

The parking requirement in the M zoning district is one space per 800 S.F. of floor area or one space per employee of the largest shift. The floor area of 232,000 S.F. for the total facility would require a minimum of 290 parking spaces. The plan shows two parking lot areas to serve all three buildings resulting in a total of 290 parking spaces including handicapped parking spaces.

Loading Berths

Article 6, Section 4.27 of the *Zoning Ordinance* states that for manufacturing, wholesale, or storage uses in the M zone, the project must provide sufficient off-street loading berths. Loading berth minimum size requirement is 12 feet by 60 feet. The plan shows an overall loading dock area on one side of each Building B and C but does not mark individual spaces. No interior walls are shown, but there is potential for separating tenant spaces. From Planning Staff review it appears the project provides enough loading spaces, but they may want to look at options for parking of trucks awaiting unloading opportunities or resting space.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the number of parking spaces, fifteen (15) bicycle parking spaces are required. The Plan shows a bicycle rack at each building consisting of five spaces each.

V. BUILDING ARCHITECTURE

The Dover Industrial facility Buildings B and C are buildings with a tall one-story section as warehousing for multiple tenants. The representative architectural renderings show a low-pitched roof warehouse with front doors to tenant spaces as certain points of the front façade and with overhead garage doors on the rear of the building. The roof is also a metal system. The entry points include a vertical wall feature and storefront door and window systems with a canopy /awning element. The entry points on the architectural elevations do not seem to match the site plan. These building elevations appear similar to the Building A in Phase 1. The applicant has indicated that the architectural renderings are the general concept proposed for the construction of Buildings B and C.

The facility must comply with the maximum height limitations of the M and AEOZ zoning districts. For these zoning districts, the maximum height is limited to 60 feet. From the building elevation submitted, the example building is estimated to be 24 feet in height (based on the scale given on the drawing); this must be confirmed for each building.

VI. SITE CONSIDERATIONS

Access

The access to this property is through the adjacent property at 300 Lafferty Lane. Lafferty Lane is a state-maintained road. The DelDOT DAC Report Comments from S-22-02 noted planning for the opportunity to access the residual lot (350 Lafferty Lane) through the entrance at 300 Lafferty Lane. The development of this parcel which began with Phase 1 confirmed that the entrance as constructed is adequate to serve the build out of both parcels. The Entrance is the subject of DelDOT Entrance Permit KC-0004-25CN issued March 19, 2025.

Sidewalks

A sidewalk is proposed to be constructed along Lafferty Lane as part of Phase 1. In addition, sidewalks are shown connecting from the street frontage sidewalk into the site to Building A and for pedestrian access from parking areas to building entrances. Additionally, there are 5-foot sidewalks along the front side of each building and connections to each building through the landscaped parking islands between Building B and Building C. The sidewalk connection from Building A to Building B must be clarified.

Dumpsters

The new dumpster regulations adopted in 2024 for non-residential buildings require two (2) dumpsters per property. Two Dumpster units are planned for each building. The Plan show Dumpster enclosures for multiple units in several location: Dumpster (set of 4 units) at the west of end of Buildings A and B and a set of two units to the north of Building C.

Lighting

The lighting internal to the site is shown with the placement of wall mounted units on all sides of each building to illuminate the parking lots and the loading areas.

Curbing

The *Zoning Ordinance*, Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The plan appears to only show minor curb breaks associated with catch basin placements. The City Planner finds this acceptable as they are related to drainage related to stormwater management.

VII. TREE PLANTING AND LANDSCAPE PLAN

Zoning Ordinance, Article 5 Section 16.5 outlines the woodland preservation requirements. Only a maximum of 50% of the existing woodland on the parcel may be cleared for development. The overall site includes 316,353 SF of woodland. For the project, a total of 156,789 SF of woodland is proposed for removal. A total of 159,564 SF of woodland will be preserved; this just complies with the woodland clearing limitation.

The tree planting requirement of the *Zoning Ordinance* is based on the development area with one (1) tree required per 3000 SF of development area. The Development Area is the remaining non-woodland area of the property consisting of 707,074 SF. A total of 234 trees are required. Some trees were planned to be planted with Phase 1 of the project; its Landscape Plan identified a planting of 33 trees. The Landscape Plan shows a concept for planting 27 trees in Phase 2 for a total of 60 trees on the property. The applicant is seeking the use of a Tree Mitigation Plan for the balance of the required trees; the property is deficient of 174 trees.

Tree Mitigation Plan

A Tree Mitigation Plan must be provided for consideration by the Planning Commission at a rate of 1 tree per 1 deficit tree as per Article 5, Section 16 of the *Zoning Ordinance*; see below. The Narrative Letter for the project submitted states they are seeking a waiver for the number of trees not provided on-site to work with the City of Dover for plantings of the remaining 174 trees; a formal agreement with the City is still pending.

Article 5 Section 16

16.9 *Tree mitigation.*

16.91 *Planning commission waiver.* The planning commission may waive the provisions of subsections 16.52, 16.53, and 16.62, and require replacement planting for mitigation purposes should the planning commission determine, after demonstration by the applicant, that due to physical limitations of the land which would otherwise prohibit the reasonable use of the land, or for purposes of preserving, protecting and promoting the interest of public health, safety, welfare and/or public convenience. All tree mitigation plantings must occur within the corporate limits of the City of Dover. Tree mitigation may occur off-site in accordance with the provisions listed below in this ordinance:

- (a) If a waiver is sought from the provisions of subsection 16.62, new tree plantings are required at a rate of 1:1. All new tree plantings shall meet the minimum size at planting requirements of the City of Dover table of trees.
- (b) If a waiver is sought from the provisions of subsection 16.52 and/or subsection 16.53, then mitigation must be in the form of newly created woodland areas. New woodlands shall be created at a rate of 1.25 times the amount of woodlands to be removed. A woodland mitigation plan shall be prepared by a licensed forester, landscape architect, or certified nursery professional, for the consideration of the planning commission.
- (c) All tree mitigation must occur on-site unless an off-site location is specifically approved by the planning commission. When considering off-site locations for tree mitigation, the commission shall consider:
 - 1) A physical hardship related to the land which would otherwise prohibit compliance on the subject site;
 - 2) Whether the mitigation plan proposed by the applicant is superior in terms of environmental benefits, tree quantity, or aesthetic qualities compared to strict compliance with the ordinance on-site.

Opaque Barrier Requirement

Zoning Ordinance, Article 5 Section 7 requires an opaque barrier between non-residential and residential uses. This situation occurs along a portion of the west property line within the Phase I area. The opaque barrier must consist of an opaque fence, wall, or berm (barrier component) and a landscaping component. In the southwest corner of the property, the Plan shows the location of the fence and a series of four tree plantings along the shared property line with the adjacent residential property. It appears to rely on existing vegetation. More information is needed to confirm the type of existing vegetation and if it satisfies the continuous evergreen planted screen or hedge with evergreen trees.

Wetland Areas/ Waterbodies

The *Zoning Ordinance*, Article 5 §11.22 prescribes provisions related to wetland areas. There are setback requirements from wetland areas that are over 0.25 acres in size. From these wetland areas, a 100-foot setback is required; however, this can be reduced to 50 feet with implementation of a Riparian Buffer or reduced to 30 feet with bank stabilization. The project site layout reduces the buffer to 30 feet and in these areas the existing vegetation appears to be

maintained. The augmentation of the Riparian Buffer and bank stabilization practice should be identified for the wetlands area along the west property line.

VIII. PERFORMANCE STANDARDS REVIEW

Uses in the M (Manufacturing Zone) are subject to the performance standards summarized in *Zoning Ordinance*, Article 5 §8.1 and as more specifically outlined in Article 5 §8.5.

Article 5 §8.1 Dangerous and objectionable elements. No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

The project's compliance with a series of performance standards for the "dangerous and objectionable elements" are to be considered by the Planning Commission. The "dangerous and objectionable elements" are as follows:

- Fire and explosion hazards (activities with and storage of)
- Radioactivity or electromagnetic disturbance
- Noise (sound pressure level)
- Vibration
- Smoke
- Odors (Odorous gases or odorous matter)
- Fly ash, dust, fumes, vapors, gases, and other forms of air pollution
- Glare (from lighting or high temperature processes)
- Liquid or solid wastes
- Traffic congestion (Level of Service E)

The project cannot cause the above conditions to exist so that they adversely affect the surrounding areas or adjoining properties. The specific limits of each performance standard are described in the *Zoning Ordinance*. Where the performance standards conflict with regulations established by other state or local agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC), the more restrictive regulations apply.

As part of this procedure, a *Performance Standard Review Application* is required to accompany this Plan submission for review and approval. The Applicant submitted a Letter describing the project and indicating how the proposed construction activities would restrict the emission of dangerous and objectionable elements detailed in Article 5, Section 8.5. A description of how the development's buildings and uses intend to comply with these provisions must be submitted.

VIII. CITY AND STATE CODE REQUIREMENTS:

The subject proposal has been reviewed for code compliance, plan conformity, and completeness in accordance with the agency's authority and area of expertise. The following items have been identified as elements which need to be addressed by the applicant:

- 1) Review and Approval of the *Performance Standards Review Application* is required for the property development in accordance with *Zoning Ordinance*, Article 5 §8. The applicant submitted a Performance Standard Review Application Letter indicating how the proposed construction activities would restrict the emission of dangerous and objectionable elements detailed in *Zoning Ordinance*, Article 5, Section 8.5. **Additional information should be submitted on how the development's building and uses will also comply with these provisions.**
- 2) The project needs to submit a copy of the applicant's PLUS Review response to the PLUS comments issued previously. The Planning Office does not appear to have this document on file. **Please submit this document.**
- 3) Upright curbing must be provided around all parking areas and circulation drives unless a waiver is granted by the City Planner. The City Planner is accepting the small breaks in the curb line as related to stormwater catch basins.
- 4) Sheet G110 – Cover Sheet:
 - a) Site Data Column:
 - i) List total lot coverage in square feet and as a percentage.
 - ii) List Floor Area Ratio (FAR) of project.
 - iii) List proposed building heights.
 - iv) Update contact phone number for the Kent Conservation District.
 - v) For the Agreement include and references if these agreements are recorded.
 - vi) Add reference to source of wetlands information.
 - b) Add note that all building uses and tenant uses must comply with the provisions of the M (Manufacturing Zone) and AEOZ (airport Environs Overlay Zone).
 - c) Add note to reference the Site Plan for Phase 1 as approved with S-24-13.
 - d) List action taken on the Waiver Requests.
- 5) Sheet C101 – Existing Conditions Plan:
 - a) Clarify is the Permanent Easement (PE) along Lafferty Lane is changing location. If so, then a Record Plan Sheet for recording must be added to the plan.
 - b) Use darker linework to depict the building and site improvements of Phase 1.
- 6) Sheet C102 – Phasing Key Plan and other Site Plan Sheets:
 - a) In Phase tabulations table, add percentage calculations for woodland clearing/preservation and total lot coverage.
 - b) Show line of the AEOZ boundary.
 - c) Add location of handicapped parking signage.
 - d) Identify roof drainage system and its connections to the onsite stormwater management system.
 - e) Identify connecting sidewalk between Building A and Building B so that there is a pedestrian route from the street frontage sidewalk into the site to reach all buildings.

- f) Clarify that the parking lot and drive aisles include upright curbing.
 - g) Ensure accessible ramps are provided from handicapped spaces onto sidewalk system and at intersection with the parking lot.
- 7) Sheets L101 and L102 Landscape Plans:
- a) The project must comply with the tree planting requirements based on the development area. A Tree Mitigation Plan request has been submitted for the trees required and not provided. Any agreements and notes on the conditions of the Tree Mitigation Plan will need to be added to the plan.
 - b) Landscape Plans must be certified by a Design Professional as per Article 5 Section 16 of the *Zoning Ordinance*.
 - c) Provide Details on how you will establish the Riparian Buffer and Bank Stabilizations associated with the western Wetland Areas must be provided. It is not clear where the Wetland planting mix is being utilized.
 - d) Opaque Barrier: More information is needed to confirm compliance of the Opaque Barrier in the Phase 1 area and the type of existing vegetation and if it satisfies the continuous evergreen planted screen or hedge with evergreen trees.
 - e) Phase 2 Plantings: The 4 PC trees on the drawing are not in the Plat list chart. Update and update planting tallies.
- 8) The Opaque Barrier must also include the required landscape component. Provide information on the existing vegetation in the area of the opaque barrier fence as only four evergreen tree plantings are shown at the south end of this area.
- 9) Clarify the proposed building height and which building the architectural elevations are intended to represent.
- 10) The Site Plan set will need to be updated with any changes recommended or approvals including information on any waivers granted by the Planning Commission.
- 11) Details: When the Check Print Plan/Final Plans are submitted, the details for curbing, dumpster enclosure, bike rack, curbing, and other site elements must be included.
- 12) Consideration should be given to addressing the multiple buildings on this site to more clearly identify each building by an address number (then suite numbers). This can be proposed in coordination with the City's Tax Office and GIS Section.
- 13) Any Sediment & Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission for this Phase 2 and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.

IX. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

In accordance with the *Zoning Ordinance*, Article 10 §2.2, the Planning Commission in considering and acting upon Site Development Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken

into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 2.21 to 2.28.

1) Recommendation on Waiver Requests:

- a. Tree Mitigation Plan: The Planning Staff notes that the project can be considered for a Tree Mitigation Plan for the required tree plantings at off-site location. The applicant has reached out to the City for tree planting locations. City Staff is currently evaluating potential locations for plantings on City owned properties; the applicant will have to enter into an agreement with the City regarding the planting of these trees. However, it is concerning that the overall project will be planting only 60 trees of the 234 required trees on their property. This results in 174 trees that must be planted elsewhere through a Tree Mitigation Plan. While compliant with the limitations of woodland clearing, the loss of existing tree canopy cover on the property with the clearing of existing woodland for development is also noted. The applicant should consider project scope or project design revisions to retain more woodland areas and/or to be able to plant more of the required trees on their own property.

2) Consideration of Performance Standards Review Application: Planning Staff has reviewed the Performance Standards Review Letter. Additional information about the project uses is needed to confirm the project demonstrates the intent to comply with the restrictions as provided in *Zoning Ordinance*, Article 5 Section 8.1 and 8.2.

3) Loading Spaces: From Planning Staff review, it appears the project provides enough loading spaces, but they may want to look at options for parking of trucks awaiting unloading opportunities or resting space.

Other agencies may recommend additional considerations to meet code objectives in accordance with their areas of expertise. Action on all considerations identified in this section is at the discretion of the Planning Commission.

ADVISORY COMMENTS TO THE APPLICANT:

- 1) The Planning Commission should act upon the request for waivers as part of any motion regarding this project application, or as a separate motion as necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.
- 2) In the event, that major changes and revisions to the Site Development Plan occur in the finalization of the Plan contact the Planning Office. Examples include reorientation of the complex/building, relocation of site components like stormwater management areas, and increases in floor area count. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.
- 3) Following Planning Commission approval of the Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff

and submitted directly to the other commenting agencies. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan may be submitted for final endorsement (Final Plan Approval).

- 4) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.
- 5) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections, Pre-Construction meeting and permits/licenses are required.
- 6) Construction may have an effect on adjacent areas of the subject property and the shared entrance access with the adjacent property. Any work requiring the closing or rerouting of visitors to these areas should be coordinated as to offer the least amount of inconvenience.
- 7) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.
- 8) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.
- 9) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.



CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 2, 2024



APPLICATION: Dover Industrial Phase 2: Warehouses at 350 Lafferty Lane
FILE #: S-25-10
REVIEWING AGENCY: City of Dover Department of Public Works and Water & Wastewater
CONTACT PERSON: Jason A. Lyon, P.E., Director of Water & Wastewater / Engineering Services
CONTACT PHONE #: 302-736-7025
CONTACT EMAIL: jlyon@dover.de.us

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

SANITATION

1. Every commercial customer shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers. The City of Dover shall provide commercial customers with a maximum of two (2), 90-gallon trash containers and two (2), 90-gallon recycling containers.
2. Trash collection site shall be oriented for side-loading pick-up if customer is utilizing City of Dover sanitation services.
3. Any commercial customer requiring more containers, or larger containers, than provided above, must utilize private service.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

1. Final site plan approval will not be granted until a letter of no objection, signed by DelDOT is submitted to our office.
2. Please add the following notes to the plans:
 - a. Standard City of Dover sidewalk, as per chapter 98, article IV of the Dover Code of Ordinances, shall be required to be installed along the entire public street frontage of a property. Where frontage sidewalk exists but does not meet the standards of chapter 98, article IV, the sidewalk shall be re-laid to meet the standards. Sidewalk shall include barrier-free access ramping at points of intersection with street crossings and at other locations so as to afford reasonable barrier-free pedestrian movement and site access.
 - b. In accordance to Appendix A, Article VI, Section B.3, all sidewalks shall ascend from the curbstone to the building line at the ratio of one-quarter of an inch to the foot. Nothing in this section shall be construed to affect any pavement previously laid by order of the city council, until it is taken up and relaid.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
 - b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - c. The site contractor shall contact the City of Dover Department of Water & Wastewater Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Water & Wastewater must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please be advised that effective May 1, 2022, water mains can now be constructed using DR 18 PVC.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the proposed buildings. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meters must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically, this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Water services shall be either type K copper or SDR-9.
8. On October 24, 2022, City of Dover Council approved the new Cross Connection Control Program. This program requires certain backflow prevention assemblies on water service connections to the city's distribution system. Please provide a specific description of the activities in each building.
9. All water infrastructure on the property will be owned and maintained by the property owner.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
 - a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Water & Wastewater specifications and requirements.
 - b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "...any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.
3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.
8. All wastewater infrastructure on the property will be owned and maintained by the property owner.
9. Depending on the effluent flow, the downstream pump station may need to be evaluated by the developer / engineer to verify it can handle the additional flow.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. No trees may be planted within ten feet (10') of utility infrastructure.
3. No structure may be installed within ten feet (10') of utility infrastructure, please depict all underground utilities and structures on the utility plan sheet to confirm compliance.
4. The final site plan must be submitted in the following compatible digital formats:
 - a. AutoCAD 2018 (.dwg format).
 - b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STORMWATER / STREETS / WATER / WASTEWATER / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Department of Water & Wastewater directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees will be required to be paid prior to Certificate of Occupancy for this project.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, it may be required to submit the sanitary sewer system plans to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees will be required to be paid prior to Certificate of Occupancy for this project.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

SANITATION / STORMWATER / STREETS

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER ELECTRIC
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JUL 02, 2025

APPLICATION:	<u>Dover Industrial Phase 2: Warehouse at 350 Lafferty Lane</u>
FILE #:	S-25-10
REVIEWING AGENCY:	City of Dover Electric Department
CONTACT PERSON:	Shawn Burgett, Engineering Services & System Ops Superintendent
CONTACT PHONE #:	302-674-7568
CONTACT EMAIL #:	sburgett@dover.de.us

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all existing underground electric, communications and water facilities.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
10. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
11. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

13. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
14. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months' notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: <https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide load sheets as soon as possible for proper sizing of transformers and creation of primary fee estimates. Current load sheets can be found at the following link: <https://www.cityofdover.com/media/Electric%20Department/COD%20Electric%20Load%20Sheet.pdf>.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 07/02/25

APPLICATION: Dover Industrial Phase 2 Warehouses at 350 Lafferty Ln

FILE #: S-25-10 REVIEWING AGENCY: City of Dover, Office of the Fire MarshalCONTACT PERSON: Jason Osika, Fire Marshal
josika@dover.de.usPHONE #: (302) 736-4457

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposed occupancy classification is warehouse/storage.
2. Building Access shall be no further than 50 feet from a primary entrance.

Where buildings are provided with an automatic sprinkler system installed in accordance with NFPA 13, access shall be no further than 100 feet from the primary entrance.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.4)

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)

4. Perimeter access shall be 50% and clearly shown on the plans.

Perimeter Access minimum width shall be 10 feet for one-story buildings and 15 feet for buildings of two or more stories, measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations.

If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access.
(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5)

Where parking is located between the building and perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories.

5. Fire lanes shall cover 25% of the proposed building.

Fire lanes are required to be 24 feet wide and run along the front of the building as determined by the primary entrance(s). In cases where there is more than one primary entrance(s), each shall be served by a fire lane even if this exceeds the percentage as required.

The closest edge of fire lanes shall not be located closer than ten (10) feet to the exterior wall and the closest edge of fire lanes shall not be located further than 50 feet from the exterior wall if one or two stories in height; 40 feet if three or four stories in height, or 30 feet if over four stories in height.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5)

6. Where parking is located between the building and the fire lane, parking shall not be located closer than 15 feet to the exterior wall.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.4.1)

Where parking is located between the building and the perimeter access area, parking shall not be located closer than 10 feet to the exterior wall for one-story buildings and 15 feet to the exterior wall for building of two or more stories. 2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3.5.2

7. All Fire Lanes shall be marked as follows:

both the inner and outer edges of the fire lane shall be marked, where curbs are present, the top and face of the curb shall be painted yellow, where no curbs are present, a four inch (4") solid yellow demarcation line shall mark the edge(s) of the fire lane.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

8. The specific color yellow shall be the uniformly accepted yellow as utilized by State of Delaware Department of Transportation (DelDOT). Only vivid and durable paint shall be used and shall be suitable for street surfaces

9. Fire lane signs shall be located as follows:

see Figure 5-16 – Approved Sign For Marking Fire Lanes, fire lane signs shall be spaced at 150 foot intervals maximum, all fire lane signs shall be located no less than six feet (6') and no higher than eight feet (8') above the pavement, signs shall be placed at each end of the fire lane, and signs shall face all oncoming traffic.

Where parking is not restricted roadway markings shall utilize the words "FIRE" and "LANE" in lieu of fire lane signs and shall conform to the specifications of 7.6.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

10. Where overhangs, canopies, balconies, or any other building or site features must project over any fire lane, an unobstructed vertical clearance of not less than 13'-6" above the fire lane shall be provided and the portion of the building perimeter which contains overhangs, canopies, balconies, or any other building features shall not apply towards the fire lane accessibility requirements of Section 4.0, Table 5-1 in this chapter.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.8)

11. All access roadways shall be paved and be a minimum of 20 feet clear width for two-way traffic and 14 feet clear width for one-way traffic. The paved width of access roadway shall be measured from edge of parking spaces, or face of curb for vertical curb and back of curb for mountable curb, or edge of pavement if there is no curbing.(2021 Delaware State Fire Prevention Regulations, 705, Chapter 5, 5.2)

12. Multiple Access Roads shall be provided when a fire department access road (fire lane) is determined by the Fire Marshal to be impaired by vehicle congestion, condition of terrain,

climatic conditions, or other factors that could limit access such as placement of fire hose from fire equipment.

13. Street width shall be in accordance with City of Dover Code of Ordinances, Appendix A, Article VII, Section A. 13,

Residential areas

24 feet wide with no parking,
30 feet wide with parking on one side, or
36 feet wide with parking on both sides

Commercial areas

26 feet wide with no parking,
32 feet wide with parking on one side, or
38 feet wide with parking on both sides

Alley

12 feet wide

14. Any dead-end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2021 Delaware State Fire Prevention Regulations 705, chapter 5, 2.3.
15. Speed Reduction Devices must be approved, please see City of Dover Ordinance Chapter 98-10 in reference to this process.
16. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual.

An automated system shall consist of one manual and one automated means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the system. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of both the manual and automated means.

A manual gate shall consist of one manual means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the means to open. A letter of agreement shall be created and signed by both parties. The letter shall include a detailed description of the manual means to open.

To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14 feet, the paved surface through the gate shall be not less than 12 feet, and the gate shall be setback from the perpendicular street by at least 50 feet.

Please contact this office to discuss options available to comply with this requirement.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

17. Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations. City Ordinance Sec 46-9 (f).
5.1.1 Hydrant spacing as shown in the Fire Flow Tables shall be used as a general rule. Hydrants shall be located at the direction of the State Fire Marshal so as to minimize friction in fire hose. All hydrant spacing shall be located along available roads or at the direction of the State Fire Marshal. This measurement shall be calculated by way of accessible thoroughfare(s) from the building to be protected to the hydrant and may not necessarily be a radius. 5.1.3 Additional hydrants shall be provided when the State Fire Marshal deems it necessary based on the

configuration of the site, building(s), exposures, construction, occupancy, and/or specific hazard(s).

Fire Flow table 2, hydrant spacing shall be 800 feet on center for one and two family detached dwellings, other residential, rowhouses and townhouses, assembly, health care, business, education, storage, industrial, mercantile, and mini storage. (702, Chapter 6)

NFPA 1

18.5.2 detached one- and two-family dwellings, fire hydrants shall be provided for detached one- and two-family dwellings in accordance with both of the following: 1. the maximum distance to a fire hydrant from the closest point on the building shall not exceed 600 feet 2. the maximum distance between fire hydrants shall not exceed 800 feet.

18.5.3 buildings other than detached one- and two-family dwellings, fire hydrants shall be provided for buildings other than detached one- and two-family dwellings in accordance with both of the following 1. The maximum distance to a fire hydrant from the closest point on the building shall not exceed 400 feet 2. The maximum distance between fire hydrants shall not exceed 500 feet

18. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation.

All fire hydrants shall have minimum of four-inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides.

Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four-inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane.

(2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)

The owner is responsible if the hydrant is private.

19. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black.

(2021 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)

The owner is responsible if the hydrant is private.

20. Hydrants are to be Darling Co. B-62-B Breakaway <https://american-usa.com/products/valves-and-hydrants/fire-hydrants/5-1-4-american-darling-b-62-b-5>

21. NFPA 72 compliant Fire Alarm System required per occupancy code requirements.

Fire alarm in place of assembly. *Fire alarm required.* Any new occupancy or new portion of an occupancy determined to be a place of assembly by the fire marshal and is capable of receiving an

occupant load of 75 persons or greater, shall be required to install a fire alarm in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Fire alarm system required. Any existing occupancy or portion of an existing occupancy determined to be a place of assembly by the fire marshal, and is undergoing renovations in excess of 50 percent of the assessed value of the building and is capable of receiving an occupant load 75 persons or greater or is being enlarged to receive an occupant load of 75 persons or greater, shall be required to install a complete fire alarm system in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code.

Public mode audible requirements. To ensure that audible public mode signals are clearly heard by occupants of a structure, they shall have a sound level at least 15 decibels (dB) above the average ambient sound level or five decibels (dB) above the maximum sound level having a duration of at least 60 seconds, whichever is greater, measured five feet (1.5m) above the floor in the area required to be served by the system using the A-weighted scale dBA. In the event the stated requirement cannot be met a shunt trip relay/switches shall be the approved method of meeting the intent of this section of the Code.
(City Code of Ordinances 46-171)

22. Sprinkler system required. System is to be monitored by an approved Fire Alarm System.

This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.

Any proposal that is presented to the Office of the State Fire Marshal for review and approval for a building rehabilitation as defined in the 101 Life Safety Code, for less than 50% of the gross square footage of a non-sprinklered building, may not have another such project for the same building submitted for review and approval any sooner than three (3) years after the date of the final inspection unless sprinkler projection is provided throughout the entire building.

In all buildings exceeding 10,000 square feet of aggregate, gross floor area.

In all buildings in excess of 40 feet in height or more than four (4) stories in height.

In all buildings or areas thereof used for the storage, fabricating, assembling, manufacturing, processing, display or sale of combustible goods, wares, merchandise, products, or materials when more than two (2) stories or 25 feet in height.

In all basement areas exceeding 2,500 square feet floor area.

In residential occupancies when of: Type V (0,0,0) or Type III (2,0,0) construction and exceeding two (2) stories or 25 feet in height. Type V (1,1,1) and Type III (2,1,1) or

Type IV (2,H,H) construction exceeding three (3) stories or 3 In all residential apartment buildings storage areas except individual unit closets that are located within individual residential living units.

In all buildings used as health care occupancies as defined in the Life Safety Code, NFPA 101, as adopted and/or modified by these Regulations. In all buildings or areas classified as "high hazard" under the Life Safety Code, NFPA 101, or "extra hazard" under the Standard for the Installation of Sprinkler Systems, NFPA 13, as adopted and/or modified by these Regulations.

All buildings used as dormitories, in whole or in part, to house students at a public or private school or public or private institution of higher education. (16 Del.C. Ch. 88) This applies to all such dormitories regardless if new or existing.

(2015 State of Delaware fire Prevention Regulations, 702, Chapter 4)

Places of assembly shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 150 persons or greater.

Any interior renovations of 50 percent or more to an existing place of assembly with an occupant load greater than 150 persons.

Any additions or increase in interior size to an existing place of assembly that would create an occupant load of 150 persons or greater.

Places of assembly where alcohol is served for consumption on the premises shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply:

All new indoor places of assembly with an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

Any interior renovation of 50 percent or more to an existing place of assembly with an occupant load greater than 100 persons and where alcohol will be served for consumption on the premises.

Any additions or increase in interior size to an existing place of assembly which would create an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises.

New educational occupancies of 5,000 square feet or greater shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13.
(City of Dover Code of Ordinances 46-162)

NFPA 101, 12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1): 1. Dance Halls 2. Discotheques 3. Nightclubs 4. Bars 5. Restaurants 6. Assembly occupancies with festival seating

23. Fire Department Connection is to be a 5-inch storz connection on a 30-degree elbow located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

24. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides.
(2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)

25. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.
26. If there is any type of rack storage, the following will be required: 1) a diagram showing the layout and type of rack system 2) a list and quantity of items being stored 3) a letter from an authorized/licensed fire suppression contractor stating that in rack sprinklers are or are not needed. If in rack sprinklers are not needed, a letter may be requested from an authorized/licensed fire suppression contractor to ensure that the sprinkler system is adequate for the storage presented.
27. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface).

All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2021 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

28. Standpipes shall be provided in all areas and buildings as required in the codes and standards listed in Regulation 701 as well as the following areas or buildings:

In all Class A and Class B places of assembly and institutional occupancies two (2) stories or 25 feet in height or over,

In any building over three (3) stories, In any building over 35 feet in height,

In any building that has a floor above the first floor over 10,000 square feet gross floor area,

In all buildings where the 1st floor exceeds 60,000 gross square feet,

a Class I horizontal standpipe system installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations shall be provided. All standpipe systems shall be installed in accordance with the applicable codes and standards listed in Regulation 701.

The standpipe system shall be carried up with each floor and shall be installed and ready for use as each floor progresses.

Standpipes shall not be more than one floor below the highest forms of staging,

The 2½-inch of hose connections on Class I systems shall be provided in the following locations, At the highest intermediate landing between floor levels in every required exit stairway,

Where intermediate landing is not provided, hose connections shall be permitted to be located at the main floor landings in exit stairways when approved by the authority having jurisdiction, Where the local fire department has the capability of providing the required pressure, hydraulically designed standpipe systems in fully sprinklered, non-high-rise buildings shall be designed to provide the required waterflow rate.

A sign shall be provided at each landing, in all interior stairways, designating the floor level.
(2021 Delaware State Fire Prevention Regulations 702, Chapter 4, 2)

29. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms.

Dimensions of bollards. Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be at least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection.

Color of bollards. Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector.
(City of Dover Code of Ordinances, 46-4)

30. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following:

One-family and two-family residential structures, height, the number shall measure a minimum of four inches in height, *location,* the number shall be placed on the house above or to the left or right of the front entrance, *color,* the number shall be contrasting to the background color, *Arabic numerals,* all numbers shall be Arabic numerals.

Multiple-family dwellings, measurements, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location,* numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color,* numbers shall be contrasting to the background color, *Arabic numerals,* all numbers used shall be Arabic numerals.

Commercial, industrial and office buildings, height, the numbers shall measure a minimum of 12 inches in height, *location generally,* numbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot,

property line or driveway, should the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building,

color; each building, numbers shall be contrasting to the background color and shall be placed on each building in the complex,

Arabic numerals, all numbers used shall be Arabic numerals,

Shopping centers. Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height.
(City of Dover Code of Ordinances, 98-344)

31. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system.
(2021 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection.

Location. The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box.

Required keys. Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required.

Ordering responsibility. It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings.

Installation before testing. No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box.
(City Code of Ordinances 46-127)

Knox Box to be mounted 6 feet above ground level

32. All required means of egress shall have an exit discharge consisting of a non-slip surface and leading to and terminating at a public way. NFPA 101
33. All new passenger elevators in a building shall be provided with a car sized to accommodate an ambulance cot 24 inches (609 mm) by 84 inches (2133 mm) in its horizontal open position. Where two or more new passenger elevators are located in a single hoist way and serve all or the

same portion of the building, only one elevator car that provides a car sized to accommodate an ambulance cot 24 inches by 84 inches in its horizontal position for each hoist way shall be required. Elevator cars required to comply with 15.1 or 15.2 shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist way door frame. Firefighter recall keys shall be provided in a manner acceptable to the local fire department. (2021 Delaware State Fire Prevention Regulations 705, Chapter 1, 15)

34. Buildings over 25,000 Sq. Ft are to have radio performance testing done prior to Final CO. This must be scheduled in advance with an authorized vendor.
35. Project to be completed per approved Site Plan.
36. Full building and fire plan review is required.
37. Separate building permits/plans submission will be required for each building and/or tenant fit out. If the permit submission is for a "shell" a Certificate of Occupancy will not be issued. Separate plans and permits submissions will be required for each "tenant fit out" at which time a Certificate of Occupancy will be issued upon compliance/completion of each "tenant fit out".

Each "shell" will require a fire permit for sprinkler and fire alarm if applicable. Those systems (for the "shell") must be accepted into service prior to any "tenant fit out" fire permits being issued.
38. Construction or renovations cannot be started until building plans are approved.
39. Fire alarm systems, fire suppression systems, hoods, exhaust ducts, and hood suppression systems require a fire permit from the Fire Marshal's Office. This work cannot be started until the permit is approved.
40. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.
41. The following is City Ordinance, Appendix B-Zoning, Article 8 Enforcement and Penalties:

Section 1. - Building permits.

No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful (see section 4 for penalties).

1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

1.2 No building permit shall be issued for any building where the site development plan of such building is subject to approval by the planning commission, except upon approval of such plans approved by the said commission.

1.21 No building permit shall be issued for any building in a subdivision unless the subdivision plot has been approved by the planning commission.

1.3 No building permit shall be issued for a building to be used for any conditional use in any zone where such use is allowed only with approval of the planning commission, unless and until such approval has been duly granted by the said commission.

(Ord. of 7-12-1993, § 3)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Building C is considered a large area building, please see additional comments listed below
2. Building C shows two FDC's, we will need to discuss the same
3. Need to discuss a hydrant at the rear of building C and confirm that they are every 800' as outlined in item # 17 listed above

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):

2021 NFPA 1 Fire Code (NFPA; National Fire Protection Association)

2021 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)

2019 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)

2019 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)

2009 IBC (International Building Code)

Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

2021 Delaware State Fire Prevention Regulations

City of Dover Code of Ordinances

*If you have any questions or need to discuss any of the above comments, please call the above contact person listed.

"Large Area Building" Any building that exceeds one-hundred thousand (100,000) square feet gross floor area on any one floor.

Chapter 5 Mid Rise, High Rise and Large Area Buildings

4.0 Large Area Buildings.

4.1 Application. The application of this Chapter pertains to any building exceeding one-hundred thousand (100,000) square feet gross floor area on any one floor. This Chapter does not apply to Strip Shopping/Office Center with no individual tenant exceeding 100,000 sq. ft.

4.1.1 If any one individual tenant in a Strip Shopping/Office Center exceeds 100,000 sq. ft. per floor, these requirements shall apply only to those tenants.

4.2 Horizontal Standpipes.

4.2.1 Horizontal Standpipes shall be required in accordance with Regulation 702, Chapter 4 of these Regulations

4.3 Emergency Voice/Alarm Communications and Detection System.

4.3.1 Large area buildings shall be equipped with a voice alarm, communication and detection system which shall be installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations; and approved by the Office of the State Fire Marshal

4.4 Fire Command Station.

4.4.1 Large area buildings containing Health Care Occupancies, Ambulatory Health Care and Detention and Correction Occupancies shall contain a fire command center for fire department operations in a location reviewed by the responsible Fire Chief and approved by the Office of the State Fire Marshal. The Office of the State Fire Marshal may require a Fire Command Center for other Large Area Buildings.

4.4.2 The fire command center shall contain the following:

- 4.4.2.1 Voice alarm and public address panels
- 4.4.2.2 Fire department communications panel
- 4.4.2.3 Fire detection and alarm system annunciator panels and smoke management panels
- 4.4.2.4 Status indicator for elevator and annunciator indicating which elevators are operational
- 4.4.2.5 Status indicators and controls for air handling systems
- 4.4.2.6 Controls for unlocking all fire exit stairway doors simultaneously
- 4.4.2.7 Emergency power, light and system controls; and status indicators
- 4.4.2.8 Telephone and internet access for fire department use
- 4.4.2.9 Emergency and standby power status indicators
- 4.4.2.10 Generator supervision devices and manual start and transfer features
- 4.4.2.11 Public address system, where specifically required by other sections of this Code
- 4.4.2.12 Controls required for smoke control
- 4.4.2.13 Important keys to include
 - 4.4.2.13.1 Elevator machine room
 - 4.4.2.13.2 Elevator hoistway door access key
 - 4.4.2.13.3 Side access door elevator car key
 - 4.4.2.13.4 Electric room keys
 - 4.4.2.13.5 Fire pump room keys
 - 4.4.2.13.6 Mechanical room keys
 - 4.4.2.13.7 Any master key

4.4.2.14 As built drawings. Specific types and format of drawings to be determined by the Office of the State Fire Marshal at time of plan review.

4.4.3 The fire command center shall be separated from the remainder of the building by one-hour construction and equipped with a heating, ventilating and air conditioning system that will prevent smoke laden air from entering the space.

4.4.4 It is not the intent of this section to require a room dedicated for this purpose, but the area provided must be available for immediate use in case of emergency.

4.4.5 The room shall be a minimum of 96 square feet with a minimum dimension of 8 feet.

4.4.6 The fire command room door shall be clearly identified for use by the fire department.

4.5 Smoke Management Systems

4.5.1 Large area buildings shall be equipped with a smoke management system approved by the Office of the State Fire Marshal, designed in accordance with §4.5.2 or §4.5.3, and shall be capable of being operated by the fire department.

4.5.2 This smoke control system shall, at a minimum, consist of manually operated smoke vents installed in accordance with the Standard for Smoke and Heat Venting, NFPA 204 with the following criteria:

- 4.5.2.1 One, 100 sq. ft. vent per 25,000 sq. ft. of floor area.
- 4.5.2.2 Each vent shall be centrally located within the 25,000 sq. ft. protected area.

4.5.3 Large Area buildings using mechanical means of smoke management shall be installed in accordance with NFPA 92A, NFPA 92B and approved by the Office of the State Fire Marshal. Such system shall provide the following:

- 4.5.3.1 Egress Stair Tower Pressurization if stairs are more than three (3) communicating floor levels
- 4.5.3.2 Area of Refuge Pressurization
- 4.5.3.3 Horizontal Exit Passageway Pressurization
- 4.5.3.4 Fire Floor or Fire Area Smoke Exhaust
- 4.5.3.5 Other Criteria as deemed necessary by the Office of the State Fire Marshal for Unusual Spaces

4.5.4 Smoke management system operation/actuation shall be approved by the Office of the State Fire Marshal.

Note: As per NFPA 92A and NFPA 92B, the smoke management system shall be provided with a graphic annunciator and manual override panel to be located in the fire command center. The design and operation of the graphic annunciator shall be approved by the Office of the State Fire Marshal.

4.6 Standby Power, Light, and Emergency Systems.

4.6.1 Large area buildings shall be equipped with standby power, light, smoke management system and emergency systems which shall comply with the provisions of the Standard for Emergency and Standby Power Systems, NFPA 110, as adopted and/or modified by these Regulations.

Exception: If the occupancy is such that "standard" battery operated emergency systems (emergency lighting, exit signs, fire alarm signaling system backup power, etc.), are deemed to be adequate by the State Fire Marshal.

13 DE Reg. 629 (11/01/09)

19 DE Reg. 843 (03/01/16)



KENT CONSERVATION DISTRICT

1679 SOUTH DUPONT HIGHWAY • DOVER, DELAWARE 19901 • (302) 608-5370 • WWW.KENTCD.ORG

CITY OF DOVER ADMINISTRATIVE SITE PLAN REVIEW JULY 2025

APPLICATION: Dover Industrial Phase 2: Warehouses at 350 Lafferty Lane

FILE #: S-25-10

REVIEWING AGENCY: Kent Conservation District

CONTACT PERSON: Cullen Baker

PHONE: (302) 608 - 5370

EMAIL: stormwater@kentcd.org

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2019 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a sediment and stormwater management plan must be reviewed and approved by the District prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed application is due at the time of plan submittal to the District's office.
2. The following notes must appear on the record plan:
 - a. The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
 - b. The Kent Conservation District reserves the right to add, modify, or delete any erosion or sediment control measure, as it deems necessary.
 - c. A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.

ADVISORY COMMENTS TO THE APPLICANT:

1. There is an existing pond being expanded under the approved phase 1 plan. We will require that the pond construction under phase 1 is completed and as built approved prior to the start of construction of the phase 2 plan.
2. Replace the proposed curb cuts with storm drains. We do not want riprap protection spanning across the stormwater easement, and all stormwater must be sent to a pre-treatment forebay.
3. Please note the Kent Conservation District will not review an application more than three times. If after the third review the plan is still not found to be approvable, the application will be denied, and a new application with review fees are to be re-submitted to continue a detailed plan review.
4. A letter of no objection to recordation will be provided upon approval of the Sediment and Stormwater Management Plan.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
ADVISORY BRIEF
D.A.C. MEETING DATE: 7/9/2025

**Dover/Kent
County
Metropolitan
Planning
Organization**

S-25-10 Dover Industrial Phase 2: Warehouses at 350 Lafferty Lane

FILE # S-25-10

REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Malcolm Jacob

PHONE #: (302) 387-6030

Attached, please find comments submitted by Dover Kent MPO for each of the current City of Dover Development Advisory Committee (DAC) applications. These comments are a part of the MPO's ongoing goals of promoting transportation safety and connectivity within the region. They are submitted in accordance with the support given by the MPO Council on November 6, 2024.

Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission
Site Development Plan Review

S-25-10 Dover Industrial Phase 2: Warehouses at 350 Lafferty Lane

As discussed in Dover Kent MPO's recommendations for Phase 1 of the site development,¹ the addition of truck parking spaces would be very beneficial for this location. Parking and staging availability has been an ongoing challenge for the City of Dover, and it is common for trucks and trailers to be left in "undesignated" parking areas. Given the volume of trucks that will be visiting the property, there may be times when there are not enough loading docks available. Drivers may also need to leave their vehicles at a safe, designated location overnight.

The urgent need for designated truck parking in Dover is highlighted in the 2025 *Dover Freight Plan*, which recommends that truck parking and staging be incorporated into all freight-related site development within the City.² These should be added in addition to the loading docks already planned for the site. The paved space behind Building C may be suitable for this purpose.

¹ City of Dover, Delaware Planning Commission (Meeting Packet, September 16, 2024). City of Dover (2024). <https://evogov.s3.us-west-2.amazonaws.com/meetings/27/attachments/17485.pdf#page=143>.

² *Dover Freight Plan*. Dover/Kent County MPO (2025). https://doverkentmpo.delaware.gov/files/2025/04/2025-04_Dover-Freight-Plan_FINAL.pdf#page=40.



The *Dover Freight Plan* also includes a checklist of various freight considerations, which can help in avoiding land use conflicts and ensuring drivers are provided with adequate parking space. Please reach out to the City of Dover planning staff or Dover Kent MPO for more information on this topic.

The site plan should show exactly where the loading docks will be located along the two new buildings and how far from the buildings the loading areas will extend, similar to what was used in the Phase 1 designs. The applicant should also ensure there will be adequate space for large vehicles to navigate and turn safely. Within the site plan, measurements in between Building A and Building B should demonstrate the total available width when trucks are docked on either side. The same should be done in between Building B and Building C, specifically where the landscape islands will be located.

Bicycle racks, pedestrian walkways, and accessible parking spaces are planned for the property, and sidewalks are being added to the property's frontage as part of Phase 1. These improvements will have a positive impact on bicycle and pedestrian connectivity and on the property's accessibility.

In 2021 the MPO completed the *Dover Air Cargo Freight Access Study*, which recommends transportation improvements that will support economic growth in between Dover Air Force Base and White Oak Road. While the study does not specifically address this property, it does recommend improvements to Lafferty Lane, including improvements to the intersection with Horsepond Road and to the intersection with S. Bay Road.³ These improvements, if completed, would facilitate truck traffic coming to and from the property. They are considered a high priority for the City of Dover and are included in the project list of *Innovations 2050*, the MPO's Metropolitan Transportation Plan (MTP).⁴

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

³ *Dover Air Cargo Freight Access Study - Planning and Environmental Linkage (PEL) Report*. Dover/Kent County MPO (2021). https://doverkentmpo.delaware.gov/files/2021/09/Dover-Air-Cargo-Freight-Study-PEL_final.pdf#page=16.

⁴ *Innovations 2050*. Dover/Kent County MPO (2025). <https://doverkentmpo.delaware.gov/files/2025/01/Innovations-2050-FINAL-1-8-2025-compressed-with-cover.pdf#page=139>.



From: [JORDAN, MATTHEW W CIV USAF AMC 436 CES/CENPL](#)
To: [Melson-Williams, Dawn](#)
Cc: [Purnell, Mareta](#)
Subject: EXTERNAL: RE: RE Site Plan S-25-10 RE: Dover Staff DAC Meeting of Wednesday, July 2, 2025 @9am
Date: Wednesday, July 2, 2025 8:31:41 AM
Attachments: [Pages from AICUZ Guide.pdf](#)
[150-5200-33C.pdf](#)
[Final Compatible Use Plan.pdf](#)
[Dover Industrial Phase 2 Concept APZ Plan.pdf](#)

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CUI

Good morning,

I would like to share my comments via email; I will be on the meeting today.

Thank you for the opportunity to speak at the DAC meeting today. As discussed, below are a list of my comments for the developer.

1. Review FAA Circular 150-5200-33C Hazardous Wildlife Attractants on or near airports (attached) and the compatible use plan (attached)
2. Submit plans to the FAA and DelDOT Office of Aeronautics
3. Recommend contacting DNREC and the EPA about possible PFAS contamination due to DOVER AFB being a superfund site
4. Recommend a Phase II site assessment to be fully aware of possible contamination on site
5. Recommend reviewing attached Department of Defense Instruction (DoDI 4165.57) which gives specific guidance on warehouse facilities in APZ's, and number of people recommended for safety (25 per acre in APZ I and 50 per acre in APZ II)
6. Recommend reviewing Section 22 of the City of Dover planning code to become familiar with prohibited items in the APZ's
7. Any solar on site will need to be reviewed by the FAA and DoD clearinghouse to ensure no glint or glare issues

Will there be a contingency plan if the property is developed and not used?

V/R

Matt

Matthew Jordan
Dover Air Force Base Community Planner

436 CES/CENPL
600 Chevron Ave.
Dover AFB DE 19902
Com: 302-677-6831 DSN: 445-6831

CUI

From: Melson-Williams, Dawn <DMelson@dover.de.us>
Sent: Tuesday, June 24, 2025 3:02 PM
To: JORDAN, MATTHEW W CIV USAF AMC 436 CES/CENPL <matthew.jordan.9@us.af.mil>
Cc: Purnell, Maretta <MPurnell@dover.de.us>
Subject: [Non-DoD Source] RE Site Plan S-25-10 RE: Dover Staff DAC Meeting of Wednesday, July 2, 2025 @9am

CUI

Matt:

Please see the attached Site Plan Submission S-25-10 Dover Industrial Phase 2 at 350 Lafferty Lane that is filed for review now. The Phase 1 of the project was reviewed under Site Plan S-24-13 Flex Use Facilities Commercial Warehouse back in the Fall of 2024 and is under construction now.

Dawn Melson-Williams, AICP
Principal Planner
City of Dover, Delaware
Department of Planning & Inspections
(302) 736-7196 Planning Office phone
(302) 736-4217 fax
dmelson@dover.de.us

CUI

From: JORDAN, MATTHEW W CIV USAF AMC 436 CES/CENPL <matthew.jordan.9@us.af.mil>
Sent: Tuesday, June 24, 2025 1:37 PM
To: Purnell, Maretta <MPurnell@dover.de.us>
Subject: EXTERNAL: RE: Dover Staff DAC Meeting of Wednesday, July 2, 2025 @9am

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Table 1. Land Use Compatibility in APZs, Continued

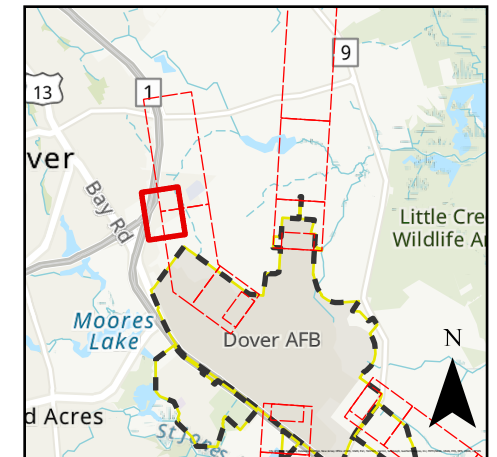
Land use Name and SLUCM Category	Clear Zone	APZ-I	APZ-II	Maximum Density
Trade use group (SLUCM Category 50)				
Wholesale trade	N	Y	Y	Maximum FAR of 0.28 in APZ I and .56 in APZ II
Retail trade – building materials	N	Y	Y	Maximum FAR of 0.20 in APZ-I and 0.40 in APZ-II
Retail trade – hardware, paint, and farm equipment stores	N	Y	Y	Maximum FAR of 0.14 in APZ I and 0.28 in APZ II
Retail trade – including neighborhood centric shops	N	N	Y	Maximum FAR of 0.16 in APZ II
Mass retailing, super stores, strip malls, shopping centers ⁵ , discount clubs, home improvement stores, eating and drinking establishments, etc.	N	N	N	
Retail trade – food such as groceries, bakeries, confectionaries, meat markets, and fast food establishments	N	N	Y	Maximum FAR of 0.24 in APZ II
Retail trade – automotive, marine craft, aircraft, and accessories	N	Y	Y	Maximum FAR of 0.14 in APZ I and 0.28 in APZ II
Retail trade – apparel and accessories, furniture, home, furnishings and equipment	N	N	Y	Maximum FAR of 0.28 in APZ II
Other retail trade	N	N	Y	Maximum FAR of 0.16 in APZ II
Services use group (SLUCM Category 60)				
Finance, insurance, real estate, personal, professional and miscellaneous services (office uses only)	N	N	Y	Maximum FAR of 0.22 in APZ II
Cemeteries	N	Y ⁶	Y ⁶	
Warehousing and storage services	N	Y	Y	Maximum FAR of 1.0 in APZ I; 2.0 in APZ II
Repair services and contract construction	N	Y	Y	Maximum FAR of 0.11 APZ I; 0.22 in APZ II
Hospitals, nursing homes, and other medical facilities; educational services, childcare services, child development centers, and nurseries	N	N	N	
Government services	N	N	Y	Maximum FAR of 0.24 in APZ II
Cultural, entertainment, and recreational use group (SLUCM Category 70)				
Nature exhibits	N	Y ⁷	Y ⁷	
Cultural activities, auditoriums, concert halls, places of worship; outdoor music shells, museums, outdoor displays, amphitheaters, sports arenas, spectator sports, resorts and group camps, or other places of assembly	N	N	N	
Amusements (e.g., fairgrounds, miniature golf, driving ranges; amusement parks.)	N	N	Y ¹¹	50 people per acre
Recreational activities (including golf courses, riding stables, water recreation), parks	N	Y ⁷	Y ⁷	Maximum FAR of 0.11 in APZ I; 0.22 in APZ II

Table 1. Land Use Compatibility in APZs, Continued

Land use Name and SLUCM Category	Clear Zone	APZ-I	APZ-II	Maximum Density
Other cultural, entertainment and recreation	N	Y ⁶	Y ⁶	
Resource production and extraction use group (SLUCM Category 80)				
Agriculture and livestock farming, including grazing and feedlots	Y ⁸	Y ⁸	Y ⁸	
Agriculture related activities	N	Y	Y	Maximum FAR of 0.28 in APZ I; 0.56 in APZ II
Forestry activities ⁹	N	Y	Y	Maximum FAR of 0.28 in APZ I; 0.56 in APZ II
Fishing activities	N ¹⁰	Y	Y	Maximum FAR of 0.28 in APZ I; 0.56 in APZ II
Mining activities	N	Y	Y	Maximum FAR of 0.28 in APZ I; 0.56 in APZ II
Other resource production or extraction	N	Y	Y	Maximum FAR of 0.28 in APZ I; 0.56 in APZ II
Other use group (SLUCM Category 90)				
Undeveloped land	Y	Y	Y	
Water areas	N	N	N	
Key to Table 1 – Land use compatibility in APZs Land use recommendations: Y (Yes) – Land use and related structures compatible without restrictions. N (No) – Land use and related structures are not compatible and should be prohibited. Y^X – Yes with restrictions. The land use and related structures generally are compatible. However, see note(s) indicated by the superscript. N^X – No with exceptions. The land use and related structures are generally incompatible. However, see note(s) indicated by the superscript.				
Notes for Table 1 – Land Use Compatibility in APZs General notes for all uses: - The suggested maximum occupancy for commercial, service, or industrial buildings or structures in APZ I is 25 people per acre, and 50 people per acre in APZ II. Outside events should normally be limited to assemblies of not more than 25 people an acre in APZ I, and maximum assemblies of 50 people an acre in APZ II. - Recommended FARs are calculated using standard parking generation rates for various land uses, vehicle occupancy rates, and desired density in APZ I or II. For APZ I, the formula is FAR equals 25 people an acre divided by (Average vehicle occupancy times Average parking rate times (43560÷1000)). The formula for APZ II is FAR equals 50 divided by (Average vehicle occupancy times Average parking rate times (43560÷1000)). - No structures (except airfield lighting and navigational aids necessary for the safe operation of the airfield when there are no other siting options), buildings, or above ground utility and communications lines should normally be located in clear zone areas on or off the air installation. For pilot and public safety, the clear zone is subject to the most severe restrictions. - Safety of flight should be considered when evaluating development that includes explosive potential; generates smoke, steam, or dust; creates electronic interference; lighting or glare; or tall structures. - Development of renewable energy resources, including solar and geothermal facilities and wind turbines, may impact military operations through hazards to flight or electromagnetic interference. Each new development should be analyzed for compatibility on a case-by-case basis that considers both the proposal and potentially affected mission.				

Dover Industrial Phase 2 Concept APZ Plan

Site Location Map



Legend

- Delaware_State_Parcels
- APZ

0 10,000 20,000
Feet



Controlled by: OUSD(185)
Controlled by: CLAS INFOSEC
CUI Category(ies): NWP
Limited Dissemination Controls: NOFORN
POC: Simon Lowe, 302-677-6455
Date: 6/26/2025
Email: 436CES.CENME.Eng@us.af.mil
Map Request Tool: <LINK>
Created By: execution support

Path: L:\GIS\Specialty maps\CES\CEN\CENPL\Dover Phase 2 Concept Plan\Dover Phase 2 Concept Plan.aprx





U.S. Department
of Transportation
**Federal Aviation
Administration**

Advisory Circular

Subject: Hazardous Wildlife Attractants on or
near Airports

Date: 02/21/2020

AC No: 150/5200-33C

Initiated By: AAS-300

Change:

1 **Purpose.**

This Advisory Circular (AC) provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. It also discusses airport development projects (including airport construction, expansion, and renovation) affecting aircraft movement near hazardous wildlife attractants. Appendix 1 provides definitions of terms used in this AC.

2 **Cancellation.**

This AC cancels AC 150/5200-33B, *Hazardous Wildlife Attractants on or near Airports*, dated August 28, 2007.

3 **Application.**

The Federal Aviation Administration recommends the guidance in this AC for land uses that have the potential to attract hazardous wildlife on or near public-use airports. This AC does not constitute a regulation, is not mandatory, and is not legally binding in its own right. It will not be relied upon as a separate basis by the FAA for affirmative enforcement action or other administrative penalty. Conformity with this AC is voluntary, and nonconformity will not affect rights and obligations under existing statutes and regulations, except as follows:

1. Airports that hold Airport Operating Certificates issued under Title 14, Code of Federal Regulations (CFR), Part 139, Certification of Airports, Subpart D, may use the standards, practices and recommendations contained in this AC as one, but not the only, acceptable means of compliance with the wildlife hazard management requirements of Part 139.
2. The FAA recommends the guidance in this AC for airports that receive funding under Federal grant assistance programs, including the Airport Improvement Program. See Grant Assurance #34.

3. The FAA recommends the guidance in this AC for projects funded by the Passenger Facility Charge program. See PFC Assurance #9.
4. The FAA recommends the guidance in this AC for land-use planners and developers of projects, facilities, and activities on or near airports.

4 **Principal Changes.**

Changes are marked with vertical bars in the margin. Change in this AC include:

1. Clarification by the FAA that non-certificated airports are recommended to conduct a Wildlife Hazard Assessment (Assessment) or a Wildlife Hazard Site Visit (Site Visit);
2. Table 1, Ranking of Hazardous Species, has been moved to Advisory Circular 150/5200-32, *Reporting Wildlife Aircraft Strikes* (5/31/2013);
3. Consolidation and reorganization of discussion on land uses of concern; and updated procedures for evaluation and mitigation. Discussion addresses off-airport hazardous wildlife attractants, followed by discussion of on-airport attractants. It also clarifies language regarding the applicability of the AC.

5 **Background.**

1. Information about the risks posed to aircraft by certain wildlife species has increased a great deal in recent years. Improved reporting, studies, documentation, and statistics clearly show that aircraft collisions with birds and other wildlife are a serious economic and public safety problem. While many species of wildlife can pose a risk¹ to aircraft safety, they are not equally hazardous². These hazard rankings can help focus hazardous wildlife management efforts on those species or groups that represent the greatest risk to safe air and ground operations in the airport environment. Used in conjunction with a site-specific Assessment that will determine the relative abundance and use patterns of wildlife species, these rankings combined with a systematic risk analysis can help airport operators better understand the general threat level (and consequences) of certain wildlife species. Also, the rankings can assist with the creation of a “high risk” list of hazardous species that warrant immediate attention.
2. Most public-use airports have large tracts of open, undeveloped land that provide added margins of safety and noise mitigation. These areas can also present potential hazards to aviation if they encourage wildlife to enter an airport’s approach or departure airspace or aircraft operations area. Constructed or natural areas— such as

¹ Risk is the relationship between the severity and probability of a threat. It is the product of hazard level and abundance in the critical airspace, and is thus defined as the probability of a damaging strike with a given species.

² Hazardous wildlife are species of wildlife (birds, mammals, reptiles), including feral and domesticated animals, not under control that may pose a direct hazard to aviation (i.e., strike risk to aircraft) or an indirect hazard such as an attractant to other wildlife that pose a strike hazard or are causing structural damage to airport facilities (e.g., burrowing, nesting, perching).

poorly drained locations, detention/retention ponds, roosting habitats on buildings, landscaping, odor-causing rotting organic matter (putrescible waste) disposal operations, wastewater treatment plants, agricultural or aquaculture activities, surface mining, wetlands, or some conservation-based land uses — can provide wildlife with ideal locations for feeding, loafing, reproduction, and escape. Even small facilities, such as fast food restaurants, taxicab staging areas, rental car facilities, aircraft viewing areas, and public parks, can produce substantial attractions for hazardous wildlife.

3. During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives worldwide, as well as billions of dollars in aircraft damage. Hazardous wildlife attractants on and near airports can jeopardize future airport expansion, making proper community land-use planning essential. This AC provides airport operators and those parties with whom they cooperate with the guidance they need to assess and address potentially hazardous wildlife attractants when locating new facilities and implementing certain land-use practices on or near public-use airports.

6 **Memorandum of Agreement Between Federal Resource Agencies.**

The FAA, the U.S. Air Force, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the U.S. Department of Agriculture - Wildlife Services signed a Memorandum of Agreement (MOA) to acknowledge their respective missions in protecting aviation from wildlife hazards. Through the MOA, the agencies established procedures necessary to coordinate their missions to address more effectively existing and future environmental conditions contributing to collisions between wildlife and aircraft (wildlife strikes) throughout the United States. These efforts are intended to minimize wildlife risks to aviation and human safety while protecting the Nation's valuable environmental resources.

7 **Feedback on this AC.**

If you have suggestions for improving this AC, you may use the Advisory Circular Feedback form at the end of this AC.

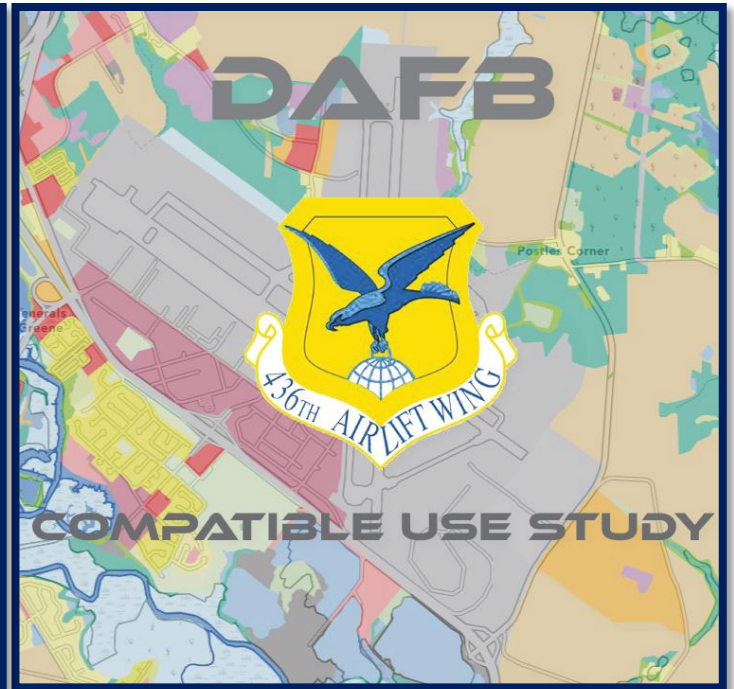


John R. Dermody
Director of Airport Safety and Standards

CONTENTS

Paragraph	Page
Chapter 1. General Separation Criteria for Hazardous Wildlife Attractants on or Near Airports	1-1
1.1 Introduction.....	1-1
1.2 Airports Serving Piston-Powered Aircraft.....	1-1
1.3 Airports Serving Turbine-Powered Aircraft.....	1-2
1.4 Protection of Approach, Departure, and Circling Airspace.....	1-2
Chapter 2. Land-Use Practices on or Near Airports that Potentially Attract Hazardous Wildlife	2-1
2.1 General.....	2-1
2.2 Waste Disposal Operations.	2-2
2.3 Water Management Facilities.....	2-4
2.4 Wetlands.	2-8
2.5 Dredge Spoil Containment Areas.....	2-10
2.6 Agricultural Activities.	2-10
2.7 Aquaculture.....	2-12
2.8 Golf Courses, Landscaping, Structures and Other Land-Use Considerations...	2-14
2.9 Habitat for State and Federally-Listed Species on Airports.....	2-16
2.10 Synergistic Effects of Surrounding Land Uses.....	2-17
Chapter 3. Procedures for Wildlife Hazard Management by Operators of Public-Use Airports and Conditions for Non-Certificated Airports to Conduct Wildlife Hazard Assessments and Wildlife Hazard Site Visits	3-1
3.1 Introduction.....	3-1
3.2 Coordination with Qualified Airport Wildlife Biologists.....	3-1
3.3 Wildlife Hazard Management at Airports: A Manual For Airport Personnel.....	3-1
3.4 Wildlife Hazard Site Visits and Wildlife Hazard Assessments.....	3-2
3.5 Wildlife Hazard Management Plan.....	3-2
3.6 Local Coordination.....	3-3
3.7 Operational Notifications of Wildlife Hazards.....	3-3
3.8 Federal and State Depredation Permits.....	3-4

Chapter 4. Recommended Procedures for the FAA, Airport Operators and Other Government Entities Regarding Off-Airport Attractants	4-1
4.1 FAA Notification and Review of Proposed Land-Use Practice Changes in the Vicinity of Public-Use Airports.....	4-1
4.2 Waste Management Facilities.	4-2
4.3 Other Land-Use Practice Changes.	4-3
4.4 Coordination to Prevent Creation of New Off-Airport Hazardous Wildlife Attractants.	4-4
4.5 Coordination on Existing Off-Airport Hazardous Wildlife Attractants.	4-5
4.6 Prompt Remedial Action.	4-5
4.7 FAA Assistance.....	4-5
Appendix A. Definitions of Terms Used in this Advisory Circular.....	A-1
Appendix B. Additional Resources.....	B-1



Dover Air Force Base – Compatible Use Plan

In cooperation with Delaware Department of Transportation

Prepared by:



June 2023

Acknowledgements

The Dover Air Force Base Compatible Use Plan was developed through a collaborative partnership pulling from the knowledge and expertise from key stakeholders throughout the project area. The core project team was supported by a Policy Committee and a Technical Committee. These two committees provided the insight and knowledge that guided the study and the process from initial project kick off to the final report. The efforts of the following individuals and their commitment to the project is acknowledged and appreciated.

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Dover Air Force Base – Compatible Use Plan

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Executive Summary

DAFB is a strategic asset for the United States Military. DAFB is home to the DoD's largest aerial port and approximately 10,000 Airmen, joint service members, civilians and families. Its personnel are responsible for global airlift aboard assigned C-5M Super Galaxy and C-17 Globemaster III aircraft. Additionally, the 436th Airlift Wing hosts key partners, such as the Air Force Reserve's 512th Airlift Wing, Air Force Mortuary Affairs Operations (AFMAO), the Armed Forces Medical Examiner System (AFMES) and the Joint Personal Effects Depot (JPED), jointly responsible for the dignified return of fallen American service members. DAFB missions provide an extensive economic impact. In 2018 the DelDOT Office of Aeronautics found that DAFB has an annual economic impact of \$564 million. Total employment at the Base is approximately 6,076 and is responsible for the employment of more than 10% of Kent County's total jobs according to the American Communities Survey (2013-2017).

The Dover Air Force Base (DAFB) Compatible Use Plan (CUP) is a cooperative planning initiative with the intent to develop a tool for surrounding communities and the installation to understand land use planning and develop strategy and implementation actions that support the community goals and the installation's mission. The initiative addresses land use compatibility planning around the installation to support the installation's mission and operations, while balancing sustainability, viability, and safety of both the Base itself and the surrounding communities. The policy ensures that civilian actions that encroach or constrain military operations are limited with processes in place to proactively minimize these actions. Three basic types of constraints can affect or result from flight operations noise zones based on noise contours showing the noise levels generated by aircraft operations, height limitations, and Clear Zone (CZ) and Accident Potential Zones (APZ) based on

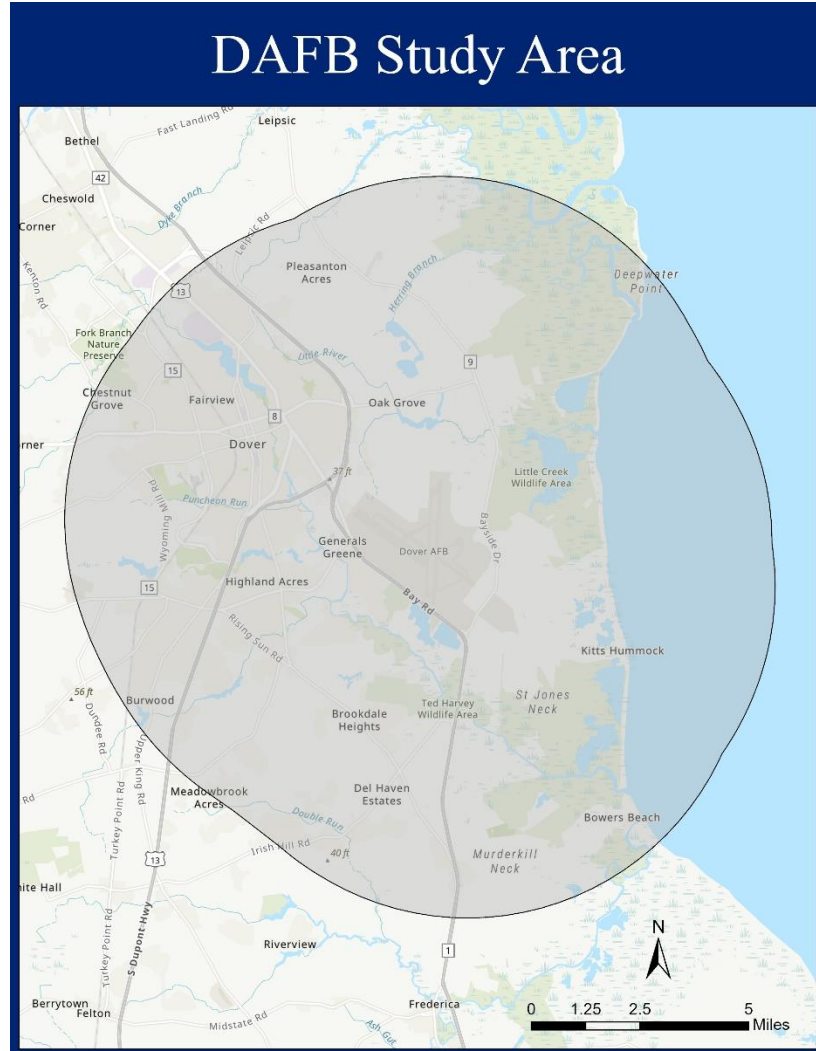
Dover Air Force Base – Compatible Use Plan

statistical analysis of past DoD aircraft accidents. The policy provides champions for these processes to provide guidance to federal, state, and local agencies to implement the policies. The policy also provides avenues for coordination and support so that the local municipalities and lands surrounding the Base can also continue to be viable into the future. Finally, the plan provides a process for monitoring the surrounding land uses and policy implementation to determine weaknesses or avenues for improvement to continue implementing the plan well into the future of DAFB.

DAFB is located within the City of Dover, DE. The Base property generally follows the municipal boundary. The City of Dover has the land use control to the north of DAFB. The other three sides of DAFB are surrounded by the unincorporated areas of Kent County. There are several other smaller municipalities within the study area but none are adjacent to DAFB. Several jurisdictions, communities, and airports are within the study area and/or affect the airport's operations. Information on these communities, jurisdictions, and airports provide groundwork for compatible uses for DAFB.

The study area, shown on the following page is a circle with a radius of five miles created around DAFB. The study area includes Port Mahon which is a recreational area in Kent County, Delaware that also assists DAFB in maintaining services. Maintaining the viability of Port Mahon Road and the jet fuel delivery infrastructure is vital to the operations and sustainability of DAFB. The area of this circle includes all key Federal Aviation Regulation (FAR) Part 77 airspace, Noise Contours, and Air Installations Compatible Use Zones.

Collaboration and joint planning between DAFB, local jurisdictions, state agencies, federal agencies, stakeholders, and the surrounding communities protects the long-term viability of DAFB while assisting DAFB maintain healthy partnerships to protect the long-term



viability of the same entities they depend upon to support the base. Stakeholders and agencies represented in this study include DAFB, City of Dover, Dover/Kent County MPO, Kent County Levy Court, Office of State Planning (OSPC), Department of Natural Resources

and Environmental Control (DNREC), Department of Safety and Homeland Security, Department of Agriculture, State Historic Preservation Office, Towns of Little Creek, Magnolia, Camden, Wyoming, Bowers, Delaware River and Bay Authority (DRBA), Kent Economic Partnership, and Department of Transportation (DelDOT).

The individuals representing the numerous interests, agencies, businesses, and personnel ensure a varied cross-section of opinions and priorities resulting in feasible, practical solutions that marry the ultimate goals of protecting the safety, security, and long-term viability of both DAFB and the surrounding communities.

Agencies and agency representatives were distributed into two committees. The Technical Committee consisted of representatives from departments, organizations, or agencies who could assist in supporting the analysis. The Technical Committee provided critical data necessary to inform the process and build the GIS database that served as a tool for issue identification. The Policy Committee consisted of Stakeholder/agency representatives who compromised the decision-making body of the CUP. This group provided overall policy direction and approved study recommendations and implementation measures.

The CUP is both a technical and a guidance document. It seeks to identify conflicts between various land use dynamics surrounding DAFB and propose specific and achievable mitigation strategies to protect and enhance not only DAFB but the surrounding communities. The CUP recommendations are the foundation for future action by all of the project stakeholders as they relate to compatible land use. The intent of this plan is to provide a guide to decision makers in promoting decisions, policies, and recommendations that ensure the viability of DAFB long into the future.

Executive Summary

Local jurisdictions recognize the importance of maintaining the capability of DAFB by protecting it from urban encroachment and have developed a strong working relationship with DAFB in matters of development planning. Kent County and the City of Dover have taken steps to support the mission of DAFB by adopting land use plans and zoning controls that limit encroachment into the flight paths and operations of the airfield. Continued maintenance of the land use and zoning restrictions currently in place will ensure the viability of DAFB while helping to provide valuable information to the owners and potential owners of impacted properties.

The plan's policies and recommendations intend to improve collaboration between all stakeholders by encouraging cooperative land use and resource planning between DAFB and area stakeholders so that future development is compatible with the training and operational missions at DAFB while, at the same time,



Land Use and Zoning



**Potential Incoming
Development**



**Transportation
Corridors (GIS)**



**Population Forecasts
and Trends**



Base Operations



**Environmental /
Natural Resources**

Dover Air Force Base – Compatible Use Plan

seeking ways to reduce operational impacts on adjacent public and private lands.

The data collection for this study included the most recent information available between the dates of September 2021 to August 2022. The data gathering efforts consisted of a technical and policy evaluation of local, state, and federal guidelines, regulations, and conditions guided by the Policy and Technical Committees, as well as a robust public involvement process. Central to the data collection efforts is the collection of regional GIS data for the entire study area. The data sets were categorized and are included in a web map, located on the project website hosted by DelDOT, that can be used by stakeholders and resource agencies to coordinate and collaborate uses within the study area. Included in the data gathering phase was a DAFB installation tour held on April 25, 2022, which included a visit to Port Mahon.

Twenty-two stakeholder interviews were conducted to determine concerns, issues, and possible mitigation strategies. The stakeholder interviews identified common themes pertaining to land use codes, communication, land preservation processes, and the importance of Port Mahon.

The CUP process has placed a heavy emphasis on public and stakeholder participation to build consensus across varied interests officials, business owners, municipalities, County, City, and State officials. Significant public outreach results in greater community support and input into the planning process and the future for the section of opinions and priorities resulting in feasible, practical solutions that marry the ultimate goals of protecting the safety, security, and long-term viability of both DAFB and the surrounding communities. A public engagement strategy was developed and

Executive Summary

adopted by the Technical Committee at the onset of the CUP Study. The goals for public outreach on this project include:

1. Provide opportunities to include the public in the planning process
2. Increase the accessibility and transparency of information available to the public
3. Increase the efficiency of the public outreach process
4. Provide the public opportunities to be heard in the process
5. Final decisions should meet the needs of stakeholders
6. Adhere to the applicable federal and state requirements including the Americans with Disabilities Act of 1990 and Title VI
7. Ensure that all have equal access to information, meeting locations, input opportunities and a voice during the development of the plan

Numerous methods were utilized to inform the surrounding communities of DAFB CUP. Flyers, e-mail notifications, and web page and social media notices were used to advertise the workshops. DelDOT, the project sponsor, created a website housing all of the data gathered, maps of the project area showing existing conditions, videos and written summaries of all meetings, and advertisements for upcoming events and meetings related to this Study. The City of Dover, Dover / Kent County MPO, elected officials, and others also assisted in promoting the meetings and community workshops. Elected officials were briefed ahead of all community workshops so that they were in a good position to answer questions should a constituent approach them about this Study.

Stakeholder and agency coordination through stakeholder interviews, as well as the Technical and Policy Committees were open to the public. In addition, two hybrid public workshops preceded by public officials briefings were held to inform the public of the data gathered, CUP process, concerns, potential conflicts, and

Dover Air Force Base – Compatible Use Plan

mitigation strategies to gather feedback. Public input was also solicited through two interactive planning sessions for the existing Borrow Pit located at 1800 S. Bay Road, Dover, Delaware 19901. The Two interactive planning sessions were held to discuss the potential future uses of the Borrow Pits should the borrow pits ever decide to redevelop or sell the property, including the feasibility of future uses, as well as potential maintenance and management entities who could maintain the potential changes.

As part of the DAFB CUP compatibility issues were identified and recommendations were developed, see Chapter 5. The recommendations include strategies and tools designed to address these compatibility issues including implementation strategies, agencies who will champion the implementation, and timelines for implementation.

The CUP planning process is intended to protect and preserve military readiness and defense capabilities while supporting continued community economic development. The process is based on data collection and an analysis of that data. The CUP planning process includes an Implementation Plan, see Chapter 6, with monitoring responsibilities identified, to ensure the recommendations advanced in the CUP are realized. The Implementation Plan includes a list of specific public and private actions for each study participant organized by their scheduled execution date:

- Short Term (1-3 years)
- Medium-Term (4-10 years)
- Long-Term (11-20 years)

Each listed action assigns responsibility for the task and includes an estimate of costs and funding sources. These recommended actions include smart land use planning principles and practices to achieve a balance between potentially conflicting interests. The Compatible Use Plan is the culmination of strategies developed through the

stakeholder process and provides recommendations for future implementation. In addition to preparing mitigation strategies the plan also includes community-based methods for informing citizens of the reasoning behind the mitigation strategies.

The strategies developed were designed to address the issues identified during DAFB CUP. The purpose of each strategy is to accomplish the following:

1. Avoid future actions, operations, or approvals that would cause a compatibility issue; and
2. Eliminate existing compatibility issues where possible; and
3. Facilitate enhanced, ongoing communication and collaboration as mechanisms for effective compatibility planning and avoidance of future encroachment.

For ease of use, these strategies are presented in a table format showing the issues and strategies and information on how each strategy should be completed. The strategies are identified based on categories to better help the user know what type of approach is needed.

Upon completion of the DAFB CUP Study, agencies first task will be to afford funding, review policies, and identify strategies for implementing this CUP. It is also suggested that DAFB and DelDOT create a Monitoring Committee. The Monitoring Committee would serve as a facilitator and agent of the Plan. The Monitoring Committee would attend meetings, request updates, and monitor the task implementation. The Monitoring Committee would also hold quarterly meetings with members of the CUP Study's Police and Technical Committees to keep this Policy in the forefront. Additionally, the Monitoring Committee would prepare a yearly community workshop to summarize efforts to implement this toolkit on a yearly basis. In addition, the Monitoring Committee

would prepare a yearly summary report documenting the implementation of the toolkit in addition to documenting the steps taken through the Monitoring Committee to implement the toolkit as well.