

PETITION TO AMEND ZONING DISTRICT

First Reading before the Dover City Council on September 22, 2025

Development Advisory Committee Review – Applicant DAC Meeting of October 8, 2025

Public Hearing Before the Planning Commission on October 20, 2025

Application: Lands of Bayhealth Medical Center, Inc. at 600 South State Street
Rezoning RG-O/SWPOZ to IO/SWPOZ

Owner: Bayhealth Medical Center, Inc.

Address: 600 South State Street, Dover DE

Location: Located at the southwest corner of South State Street and South Street

Tax Parcel: ED-05-077.13-02-48.00-000

Size: 1.0053 +/- acres

Present Use: Office Building

2019 Comprehensive Plan – Land Use Category: Institutional

Present Zoning: RG-O (General Residence and Office Zone)
SWPOZ (Source Water Protection Overlay Zone)

Proposed Zoning: IO (Institutional and Office Zone)
SWPOZ (Source Water Protection Overlay Zone)

Reason for Request: Rezoning the property for a future hospital expansion

File Number: Z-25-01

Ordinance Number: 2025-15

I. APPLICATION SUMMARY:

This Rezoning Application is for 600 South State Street as a parcel of land consisting of 1.0053 acres +/- . The property is zoned RG-O (General Residence and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone). The proposed zoning for the property is IO (Institutional and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone). The property is located at the southwest corner of South State Street and South Street. The owner of record is Bayhealth Medical Center, Inc. Property Address: 600 South State Street. Tax Parcel: ED-05-077.13-01-48.00-000. Council District 2. Ordinance #2025-15.

See submitted Rezoning Plan sheet (print date 10/8/2025) for site location and information.

The First Reading was completed by the City Council on September 22, 2025 referring the Application to the Planning Commission for Public Hearing, Review, and Recommendation.

Existing Property:

The property currently includes a two-story brick building originally built as a residence and later converted to offices upon purchase by Bayhealth. It is at the corner of South State Street and South Street. This Application only seeks rezoning of the property from RG-O to IO; the SWPOZ (Source Water Protection Overlay Zone) zoning designation will remain. The applicant is seeking rezoning to allow for future development of the property as associated with the Bayhealth Medical Center – Kent Campus. Any redevelopment of the site will be subject to a separate application submission for plans or permits.

Surrounding Land Uses

The surrounding parcels are zoned a mix of institutional and residential: IO (Institutional and Office Zone), and R-8 (One Family Residence Zone). The City's Historic District Zone involves properties fronting on South State Street north of South Street and continuing north towards The Green and beyond. The property to the north across South Street is the location of the large surface parking lot for the Hospital and another multi-story professional office building zoned IO. To the northeast there are several single family detached residences facing South State Street and then more residential buildings along Elm Terrace. Surrounding the subject site on the west and south is the main parcel of the Bayhealth Medical Center hospital zoned IO. Also zoned IO across South State Street is another parking lot, day surgery building, and child day care associated with the Hospital along Scull Terrace and the Holy Cross Church and School property.

II. COMPREHENSIVE PLAN COMPLIANCE REVIEW

In the *2019 Comprehensive Plan*, the Land Development Plan (Map 12-1) recommends that this property be used for Institutional Land Uses. The discussion of this Land Use category and the associated goals and policies are listed in the *2019 Comprehensive Plan* excerpts presented below (pages 12-14 and 12-15); see excerpt below:

GOVERNMENT AND INSTITUTIONAL LAND USES

As the capital city and County seat of government, Dover has an above average amount of land area dedicated to government use. The City of Dover has its facilities here as well (See Chapter 8 for more detailed discussion). The Delaware Legislature and all major departments of State Government except the Department of Agriculture are headquartered within the City limits. Dover is also home to the offices of the Kent County Levy Court and to numerous Federal agency offices.

All branches of the judiciary are represented in central Dover including the State Supreme Court, Delaware Court of Chancery, Kent County Superior Court, Delaware Family Court, and the Justice of the Peace Court.

As a central City, Dover is also the location of a growing medical services community with Bayhealth Medical Center (Kent General Hospital) at its center and with a growing array of services and facilities across a wide spectrum of health care specialties.

The City has experienced a prolonged period of growth and development, and numerous other institutions including colleges and public schools within the community have expanded and many others have plans for future expansion. Several charter and private schools are also located within the City.

Assumptions: Government and Institutional Land Uses

1. As the State Capital and County Seat, Dover projects a prominent public image as a center of government.
2. Dover will continue to be the home of major institutions including hospitals and medical centers, places of learning, and agencies providing services to its citizens.
3. Employment in the government, education, and medical sectors will continue to play an important role in Dover's economic vitality.

Goal: Government and Institutional Land Uses

Maintain and improve the City's position as a center of government, education, and medicine through support of existing institutions and encouraging well-designed campuses that are integrated into the community and have room to expand.

Policies: Government and Institutional Land Use

1. Preserve and promote the long-term vitality of major institutions and governmental entities through appropriate zoning, providing protection from incompatible uses, and providing ample land for future expansion.
2. Promote alternative modes of access to government facilities and institutions by requiring pedestrian and bicycle amenities, and bus shelters. Ensure that these areas are visually appealing with appropriate landscaping.
3. In cooperation with the State of Delaware continue planning for the "Capital Complex" that would establish locations for State office expansion and public improvements in central Dover.
4. Participate in the "master planning" process for the development of strategies and vision plans for institutional facilities and campuses. Also encourage approval by the Planning Commission of Master Plans for multi-phased construction projects as outlined in the *Zoning Ordinance*.
5. Recognize the importance of higher education facilities, employees and students to the economy of Dover and their value as a college community,

Recommendations: Major Institutional and Governmental

The Land Development Plan recommendations for major institutional and governmental uses are presented in the following paragraphs:

Hospital Complex

Bayhealth Medical Center (Kent General Hospital) is a major Institutional land use within the central area of Dover. The Land Development Plan designates the hospital proper and associated hospital properties including the South Street parking lot, Central Facilities Building, day surgery center, the Scull Mansion and hospital day care center for Institutional use.

The Land Development Plan also recommends inclusion of the Holy Cross Church and School complex in the Institutional use designation in recognition of the existing use of the premises and its adjacency to the hospital properties referenced above.

The Rezoning Request to IO (Institutional and Office Zone) is consistent with the Land Use Classification of Institutional. Table 12-1: Land Use and Zoning Matrix (from the *2019 Comprehensive Plan*) specifies that the following zones are compatible with this Land Use classification. See the excerpt from Table 12-1 given below.

Institutional	IO (Institutional and Office) Institutional uses may be conditionally permitted in residential zones
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III. ZONING REVIEW

Request for IO (Institutional and Office Zone) Zoning

The following code excerpt of the IO zoning district is provided from Article 3 §10 of the *Zoning Ordinance*.

Article 3 Section 10. Institutional and office zone (IO).

10.1 *Uses permitted.* In an institutional and office zone (IO), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

- (a) Business, professional, or governmental offices.
- (b) Banks.
- (c) Research, design, and development laboratories.
- (d) Public and institutional uses including hospitals, medical clinics, libraries, police stations, courthouses, transit centers, schools, colleges, universities, places of public assembly, philanthropic and charitable institutions, parks, playgrounds, public indoor recreation centers, athletic fields.
- (e) Public utility rights-of-way and structures necessary to serve areas within the city.
- (f) Child day care centers, provided they are established in accordance with all applicable state regulations pertaining to child care and provided that they are established and maintained in accordance with article 5, section 14 of this ordinance.
- (g) Emergency shelters and transitional housing.
- (h) Adult day care facilities provided they are established in accordance with all applicable state regulations pertaining to adult care and provided that they are established and maintained in accordance with article 5, section 22 of this ordinance.

- 10.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:
- (a) Firearm ranges, prisons, and correctional facilities.
 - (b) Public incinerators.
 - (c) Hotels and restaurants.
- 10.3 *Accessory uses.* The following uses shall be permitted accessory to other permitted uses on a lot.
- (a) Clinics, cafeterias, and recreational facilities.
 - (b) Motor vehicle storage and repair facilities accessory to a public or institutional use.
 - (c) Restaurants that are on a campus and intended to support users of the campus.
- 10.4 *Uses prohibited.* The following uses are prohibited:
- (a) Landfills, dumps.
- 10.5 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than offstreet parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas associated with restaurants approved by the city planner.
- 10.6 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.
- 10.7 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use.

SWPOZ (Source Water Protection Overlay Zone)

The property is partially located within the SWPOZ (Tier 3: Excellent Recharge Area) found in Article 3 Section 29.7 of the *Zoning Ordinance*. The SWPOZ does include a prohibition of certain uses where the activity may be harmful to water resources; see *Zoning Ordinance*, Article 3 §29.51. However, this project site is within the Downtown Redevelopment Target Area which is exempted from the SWPOZ requirements and restrictions as per *Zoning Ordinance*, Article 3 §29.79.

IV. RECOMMENDATION OF THE PLANNING STAFF:

This Request is to rezone lands from RG-O (General Residence and Office Zone) to IO (Institutional and Office Zone) and to remain within the SWPOZ (Source Water Protection Overlay Zone). The current RG-O zone allows for a mix of residential, office, and some limited commercial uses especially within areas also location within the H (Historic District zone); some of these uses are permitted uses while others require conditional use review. The RG-O zone while permitting offices does not allow hospitals. See *Zoning Ordinance*, Article 3 §9.

The IO Zone generally does not allow residential dwelling units instead focusing on offices, public buildings, places of public assembly, institutional uses, and recreation related facilities. The additional uses in the IO zone beyond office uses are schools and institutional buildings. The IO zone also allows for uses including Child Day Care Centers and Adult Day Care Facilities that would be allowed in any zone per the *Zoning Ordinance*, Article 5 §22. In the IO zone, the allowable residential uses are related to institutional facilities like housing at colleges, emergency shelter facilities, and transitional housing (allowed by definition in a single-family house setting). The SWPOZ has provisions to protect underground water resources.

As part of the process to change the zoning district of a property outlined in *Zoning Ordinance*, Article 10 Section 5, the City Planner must evaluate the following factors when considering the request:

Article 10 § 5.22 *City planner report*. For each proposed zoning text amendment, the city planner shall issue a report to the planning commission and city council, including comments from other reviewing agencies, that evaluates the following factors:

(A) Whether such change is consistent with the aims and principles embodied in the ordinance as to the particular zones concerned; and

(B) Whether such proposed amendment is consistent with the aims of the comprehensive plan of the city.

Staff recommends that the Rezoning be granted to IO (Institutional and Office Zone). The proposed zoning is consistent with the *Comprehensive Plan* for the Institutional Land Use Category classification, as it fits the goals of the Comprehensive Plan by grouping similar institutional activities together as this entire City block is the location of the hospital facility and looks toward opportunities for future expansion. Rezoning to IO is one of the possible zoning districts eligible for consideration in this Land Use Category classification. The IO zone permits the institutional use as the hospital.

Staff also recommends that the property remains subject to the SWPOZ (Source Water Protection Overlay Zone). The purposes of the SWPOZ will help to protect underground water resource and aquifers of our water supply.

The 2019 *Comprehensive Plan* encourages the long-term vitality of existing major institutions such as the hospital/medical care facilities. These land holdings over an area of potential expansion. There is existing infrastructure for water, sanitary sewer, and electric services in the vicinity of the property (and could be expanded if necessary); and the police, fire, and emergency medical services already service the area.

This Rezoning Request does not grant approval of a specific use for the property but makes its land use subject to a listing of uses permitted and potential conditional uses as allowed in IO (Institutional and Office Zone) zoning district and the SWPOZ. Were the application for Rezoning to be recommended by the Planning Commission and subsequently approved by the City Council, the applicant would still have to submit plans and/or permits for review for certain uses or redevelopment of the site.

This recommendation is being made without the benefit of hearing the comments of surrounding landowners and residents. A public hearing is required on this matter and the Planning Commission should give those comments consideration.

V. PLANNING COMMISSION REVIEW FOR RECOMMENDATION

This Rezoning Application is a request for a zoning map amendment which changes the zoning district of a property. The Planning Commission as part of their public hearing and review process will provide a recommendation on the rezoning request to City Council. As part of the

process outlined in *Zoning Ordinance*, Article 10 Section 5, the Planning Commission must evaluate the following factors when considering the request:

Article 10 § 5.36 *Report of the planning commission*. Regarding each application for a zoning map amendment, the planning commission shall provide a report to the city council stating a recommended action with regards to the proposed amendment, along with the commission's evaluation of the following factors:

(A) Whether the uses permitted by the proposed change would be compatible with the existing uses and zones in the area concerned;

(B) Whether adequate public services and infrastructure exist or can be created or expanded to serve the needs of any additional demand as a result of such change; and

(C) Whether the proposed change is in accordance with the city's current comprehensive plan.

A Recommendation Report from the Planning Commission will be forwarded to City Council for their consideration of the Rezoning Application.

VI. ADVISORY COMMENTS TO THE APPLICANT:

- 1) The applicant shall be aware that approval of any Rezoning application does not represent Site Development Plan or Subdivision Plan. Following any decision made by City Council regarding this Rezoning, then an application for a Site Plan, Subdivision Plan, and/or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a new use, redevelopment activity, or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.
- 2) The property is subject to certain requirements of the SWPOZ (Source Water Protection Overlay Zone) related to development.
- 3) The applicant shall be aware that approval of any Rezoning application does not represent a Building Permit, Demolition Permit, Sign Permit, or other construction activity permit approval. A separate application submission is required before issuance of permits by the City of Dover.
- 4) The applicant shall be aware that any future use and/or buildings may be subject to separate permitting or licensing processes through the City of Dover Licensing and Permitting Division. All businesses operating in the City of Dover are required to obtain a City of Dover Business License. Certain types of uses also require a Public Occupancy Permit or Rental Dwelling Permits.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: OCTOBER 1, 2025



APPLICATION: Lands of Bayhealth Medical Center, Inc. @ 600 South State Street: Rezoning RGO/SWPOZ to IO/SWPOZ

FILE #: Z-25-01

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 / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. Our office has no objections to the proposed rezoning of tax parcel ED-05-077.13-01-48.00-000. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook and the Specifications, Standards & Procedures for Public Works Construction. Impact fees may be applied to this property. Future development shall comply with all aspects of the City of Dover's Cross Connection Control Program.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

SANITATION / STREETS / STORMWATER / WATER / WASTEWATER / GENERAL

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
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
STAFF D.A.C. MEETING DATE: OCT 1, 2025

APPLICATION: Lands of Bayhealth Medical Center, Inc. at 600 South State
Street: Rezoning RGO/SWPOZ to IO/SWPOZ

FILE #: Z-25-01

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

Our office has no objection to the rezoning of: ED-05-077.13-01-48.00-000, Council District 2.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric and meters will be assessed at that time.
2. Any redevelopment shall adhere to the City of Dover's Electric Service Handbook.
<https://evogov.s3.amazonaws.com/media/27/media/13108.pdf>.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

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

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 10/01/25

APPLICATION: Lands of Bayhealth Medical Center Inc at 600 South State Street**FILE #:** Z-25-01 **REVIEWING AGENCY:** City of Dover, Office of the Fire Marshal**CONTACT PERSON:** Jason Osika, Fire Marshal
josika@dover.de.us**PHONE #:** (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. Proposal is a rezoning application. This office has no objections.
2. 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 a 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/chief building inspector.
(City of Dover Code of Ordinances, 46-4)

3. 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)

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. N/A

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)

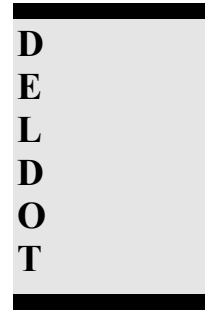
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations

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.**

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY



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APPLICATION: Lands of Bayhealth Medical Center, Inc.

FILE#: Z-25-01

REVIEWING AGENCY: DelDOT

CONTACT PERSON: Brian Williams

PHONE#: 302-760-2141

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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 & STATE CODE REQUIREMENTS:

No person, firm, corporation or the like shall construct, open, reconstruct, maintain, modify or use any crossing or entrance onto a state-maintained highway, street or road, including any drainage modifications leading into or carried by the highway drainage system, without first having complied with standards and regulations adopted by the Department and having obtained a permit issued by the Department. Please contact the Delaware Department of Transportation - Development Coordination section to begin permit process.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. The Department has no objections to the rezone.



KENT CONSERVATION DISTRICT

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

**CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
OCTOBER 2025**

APPLICATION: Lands of Bayhealth Medical Center, Inc. 600 South State Street

FILE #: Z-25-01

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:

Kent Conservation District has no objection to the proposed rezoning of the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

Soil disturbance (e.g. clearing, grading, excavations, tree clearing, or stoning) equal to or greater than 5,000 square feet requires a Sediment and Stormwater Management Plan to be submitted and approved by the Kent Conversation District prior to the commencement of disturbance.

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
ADVISORY BRIEF
D.A.C. MEETING DATE: 10/8/2025

**Dover/Kent
County
Metropolitan
Planning
Organization**

Z-25-01 Lands of Bayhealth Medical Center, Inc. at 600 South State Street: Rezoning
RGO/SWPOZ to IO/SWPOZ

FILE # Z-25-01

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.

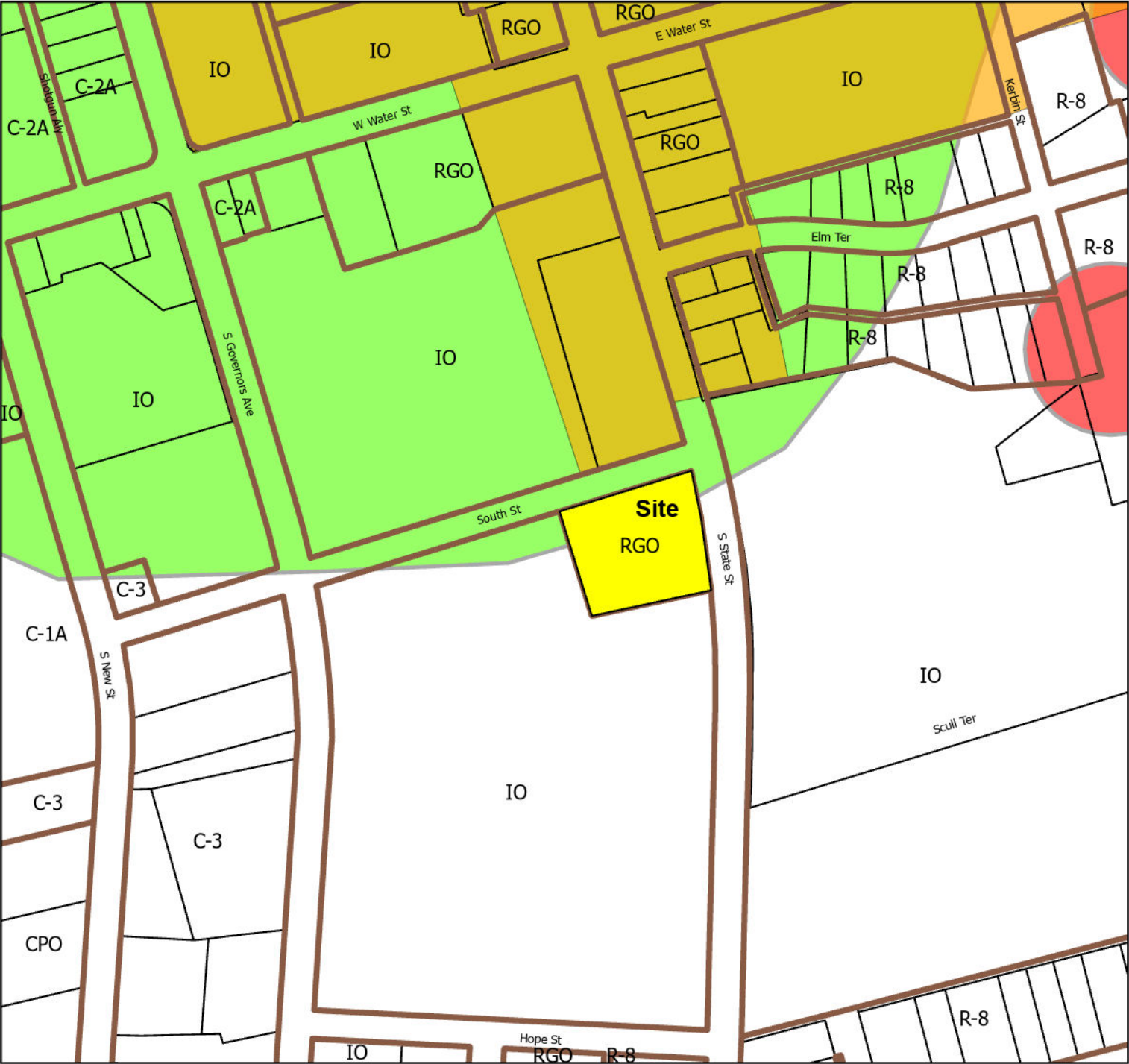
City of Dover Planning Commission
Zoning Review

**Z-25-01 Lands of Bayhealth Medical Center, Inc. at 600 South State Street: Rezoning
RGO/SWPOZ to IO/SWPOZ**

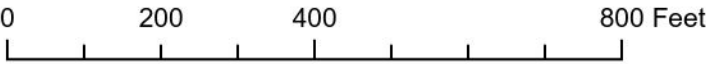
Dover Kent MPO does not have any objections to the proposed rezoning. Further comments regarding pedestrian connectivity, vehicle access, freight implications, and other transportation aspects will be provided if changes to the site take place at a later date.

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.





Title: Rezoning Lands of Bayhealth Medical Center Inc
Ordinance #: 2025-15
Addresses: 600 South State Street
Parcel ID: ED05-077.13-01-48.00
Existing Zoning: RGO (General Residence & Office Zone)
Proposed Zoning: IO (Institutional & Office Zone)
Owner: Bayhealth Medical Center, Inc.
Date: 9/22/2025



Legend

Subject Property

Dover Boundary

Zoning

Kent County Parcels

Dover Parcels

SWPOZ Tier 1

SWPOZ Tier 3

Historic District



FIRST READING

PROPOSED ORDINANCE #2025-15

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF
THE CITY OF DOVER CHANGING THE ZONING DESIGNATION OF PROPERTY
LOCATED AT 600 SOUTH STATE STREET**

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property below from RGO (General Residence and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone) to IO (Institutional and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from RGO (General Residence and Office Zone) and partially subject to the SWPOZ (Source Water protection Overlay Zone) to IO (Institutional and Office Zone) and partially subject to the SWPOZ (Source Water Protection Overlay Zone) on that property located at 600 South State Street (on the southwest corner of South State Street and South Street), consisting of 1.0053 acres^{+/-}, owned by Bayhealth Medical Center, Inc.

(Tax Parcel: ED-05-077.13-01-48.00-000; Planning Reference: Z-25-01; Second Council District)

ADOPTED: *

Action History

09/22/2025 – Scheduled for First Reading – City Council