

**Town of Bellefonte, Delaware**  
**Ordinance 2023-01 – Land Code Use Amendment**

After careful consideration and public hearings, the Bellefonte Town Commission does hereby ordain this 2023 Land Use Code Amendment.

Method: The attached Amendment to Article 4, Use and Dimensional Regulations, will govern apartment density in the RMX-1 district (Brandywine Blvd.) and unit density in the R-2 district. JPM

The attached "Off street parking and loading" requirements, Article 5 repeals and replaces Article 5 of the 2010 Land Use Code as amended by Ordinance 2013-02.

Effective: This ordinance shall be effective on the date of approval, enforced as authorized by the Town of Bellefonte Planning Commission/Zoning Review Board.

This ordinance, hereby, amends and repeals portions of Ordinance 2013-02.

First reading: 5/8/23

Second reading: 5/8/23

Approved date: 5/8/23

  
\_\_\_\_\_  
President of the Bellefonte Town Commission

5/8/23  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Attest (Bellefonte Town Secretary)

5/8/2023  
\_\_\_\_\_  
Date

*Amendment to Land Use Code, Article 4*

*The section below is an addition to 2010 Land Use Code, as revised 2013.*

**Article 4 - Use and Dimensional Regulations**

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**§ 4.12 Limitation of Residential Units in RMX-1 Zone**

The primary purpose of the RMX-1 Zone is the commercial business district on Brandywine Boulevard. Parcels that contain only commercial units have no parking restrictions or requirements.

Parcels that include any residential units are limited to the number of apartment units (in addition to the commercial units) based upon the lot width as outlined below:

- 1) Parcels up to and including 50 feet wide – two (2) units
- 2) 75 feet wide – five parcels greater than 50 feet and up to and including 75 feet wide – three (3) units
- 3) Parcels greater than 75 feet wide – four (4) units

See section 5.02 for parking requirements.

**§ 4.13 – Limitation of Units in R-2 Zone**

The R-2 zone is the multi-unit residential district. The R-2 Zone permits multiple units per property. The maximum number of units permitted per lot is one greater than that permitted in the RMX-1 Zone. Off-street parking is required for each unit (See section 5.02 G for details)

- 1) Parcels up to and including 50 feet wide – three (3) units
- 2) Parcels greater than 50 feet wide and up to and including 75 feet wide – four (4) units
- 3) Parcels greater than 75 feet wide – five (5) units

*ASM*

Repeal and Replace – Article 5.02, section G

Amendment to Section 5.02.G – Minimum Required Parking

Off-street Parking Requirements – RMX-1 Zone

| USES  | RMX-1 Zone requirements   |
|---|---------------------------|
| Building with Commercial Business alone   | No parking restrictions   |
| 1 residential apartment combined with any commercial use as permitted in section 3-02.a           | No parking restrictions   |
| More than 1 residential apartment combined with any commercial use as permitted in section 3-02.a | 1 space per dwelling unit |
| Building with only residential units  | 1 space per dwelling unit |

| USES   | PARKING SPACES REQUIRED  |   |
|--|--------------------------|---|
|  | R-1, R-2, and MX-2 Zones |   |
| <b>Institutional: Community, Neighborhood, and Residential</b>     |                          |   |
| Dwelling, 1-family   | D                        | 2.0 spaces per dwelling unit  |
| Dwelling, 2-family   | D                        | 2.0 spaces per dwelling unit  |
| Dwelling, commercial apartment                                     | D                        | 1.0 space per bedroom   |
| Dwelling, multi-family   | D                        | 1.0 space per bedroom   |
| Places of public assembly and places of worship                    | D                        | 1.0 space per 4 permanent seats or 10.0 spaces per 1,000 SF of public assembly area, whichever is greater |
| Clubs & associations without food service                          | D                        | 10.0 spaces per 1,000 SF of GFA   |
| Clubs & associations with food service                             | D                        | 10.0 spaces per 1,000 SF of GFA   |
| Fire station   |                          | 4.0 spaces per vehicle bay plus 10.0 spaces per 1,000 SF of public assembly area                          |
| Library or museum  |                          | 3.5 spaces per 1,000 SF of GFA, calculate public assembly areas separately at 0.75 rate                   |
| Nursing homes  |                          | 0.33 space per bedroom  |
| Day care, kindergarten, preschool                                  | D                        | 3.5 spaces per 1,000 SF of GFA  |
| Schools: elementary & junior high                                  |                          | 2.0 spaces per classroom, calculate public assembly areas at 0.75 rate                                    |
| Schools: senior high, trade and vocational, college and university |                          | 10.0 spaces per classroom, calculate public assembly areas at 0.75 rate                                   |
| Age-restricted residential developments                            |                          | 1.50 spaces per dwelling unit   |
| Group homes, institutional, residential, monasteries & convents    |                          | 0.75 space per bedroom  |
| Rooming & boarding houses  |                          | 1.25 space per guestroom  |
| Police station   |                          | 4.0 spaces per 1,000 SF of GFA  |
| Post office  |                          | 5.0 spaces per 1,000 SF of GFA  |
| <b>Commercial Uses: Office</b>                                     |                          |   |
| General  |                          | 3.5 spaces per 1,000 SF of GFA  |
| Government offices   |                          | 4.0 spaces per 1,000 SF of GFA  |
| Medical  |                          | 4.5 spaces per 1,000 SF of GFA  |

| USES  | PARKING SPACES REQUIRED  |
|---|--|
|   | R-1, R-2, and MX-2 Zones   |
| Bank/financial  | 4.0 spaces plus 6.0 stacking spaces per drive-in window  |
| <b>Commercial Uses: Services</b>  |  |
| General   | 4.0 spaces per 1,000 SF of GFA   |
| Shopping center   | 4.5 spaces per 1,000 SF of GFA   |
| Furniture & carpet stores   | 5.0 spaces minimum, plus 1.0 space per 1,000 SF of GFA   |
| Roadside stand—permanent  | 1.0 space per 250 SF of sales and display area (exclusive of production area)  |
| Hardware, paint & home improvement  | 4.0 spaces per 1,000 SF of GFA   |
| <b>Commercial Uses: Light Auto Service</b>  |  |
| General   | 1.5 spaces, or 4.0 spaces per bay, whichever is greater  |
| Carwashes—single car, automatic bay   | 2.0 spaces plus 6.0 stacking spaces per bay and 1.0 drying   |
| Carwashes—multiple car, automatic bay   | 4.0 spaces plus 12.0 stacking spaces per bay and 2.0 drying  |
| Carwash—self-wash bay   | 3.0 spaces per bay   |
| Gasoline station D  | 1.5 spaces or 4.0 per bay, whichever is greater  |
| <b>Commercial Uses: Services</b>  |  |
| Drive-in facility   | 6.0 stacking spaces per window unless a stricter standard applies  |
| Personal service businesses   | 4.0 spaces per 1,000 SF of GFA   |
| Funeral homes   | 8.0 spaces per 1,000 SF of GFA   |
| Fitness center/health club  | 10.0 spaces per 1,000 SF of GFA  |
| Restaurants D   | 9.0 spaces per 1,000 SF of GFA plus parking for one-quarter of the area of outdoor seating                                   |
| Fast food restaurants with 20 or fewer seats, or take-out                               | 9.0 spaces per 1,000 SF of GFA plus parking for one-quarter of the area of outdoor seating                                   |
| Fast food restaurants with more than 20 seats   | 15.0 spaces plus parking for one-quarter of the area of outdoor seating  |
|   | 3.5 spaces per 1,000 SF of GFA   |
| Veterinary services, pet grooming   |  |
| Kennels   | 5.0 space minimum plus 0.5 per 1,000 SF of GFA   |
| All others  | 4.0 spaces per 1,000 SF of GFA   |
| <b>Commercial Uses: Commercial Lodging</b>  |  |
| Hotel, motel  | 1.0 space per guest room, plus required spaces for restaurant, lounge, banquet and meeting room facilities as they may exist |
| Bed & breakfast   | 1.0 space per guest room, plus 2.0 spaces per dwelling unit  |
| Campgrounds   | 1.0 space per camp space, plus 3.0 spaces per 50 spaces at office  |
| <b>Commercial Uses: Heavy Retail/Service</b>  |  |
| General   | 4.0 spaces per 1,000 SF of GFA   |
| Auto, boat, mobile dwelling unit, truck, trailer, outdoor equipment and machinery sales | 5.0 space minimum, plus 1 per 1000 SF of floor and ground area devoted to sales, service, display and storage                |
| Building materials  | 2.0 spaces plus 5.0 space minimum  |
| Vehicle repair/service  | 1.0 space per 1,000 SF of GFA or 4.0 spaces per bay, whichever is greater  |
|   |  |
| <b>Recreation and Amusement Uses: Outdoor Recreational</b>                              |  |
| Camps, day or youth   | 1.0 space per 1,500 SF of area   |
| Golf course   | 3.0 spaces per hole  |
| Golf driving range or rifle range   | 1.0 space per station  |
| Parks, playground   | 1.0 space per 5,000 SF of area   |
| Equestrian facilities   | 1.0 space per 4 stalls, plus 1 per 2000 SF of riding area  |

|  |   |
|--|---|
| Swimming pool  | 1.0 space per 400 SF pool surface area  |
| Tennis courts  | 3.0 spaces per court  |
| Athletic fields  | 15.0 spaces per field plus 1.0 space per 4 permanent seats  |
| All other active   | 1.0 space per 10,000 SF of area   |
| All other passive  | 5.0 space minimum plus 1.0 per acre for areas less than 50 acres or 1.0 space per 3 acres for areas over 50 acres |
| <b>Recreation and Amusement Uses: Indoor Recreational</b>                                |   |
| Swimming pool  | 1.0 space per 100 SF pool surface area  |
| Indoor court games   | 3.0 spaces per court  |
| Community center, auditorium, stadium, gymnasium and other similar uses                  | 1.0 space per 4 permanent seats or 10.0 spaces per 1,000 SF of public assembly area, whichever is greater         |
| All others   | 1.0 space per 4 permanent seats or 10.0 spaces per 1,000 SF of public assembly area, whichever is greater         |
| <b>Recreation and Amusement Uses: Outdoor Commercial Amusement</b>                       |   |
| General  | 5.0 space minimum plus 1.0 per 1,500 SF of area   |
| Outdoor court games  | 3.0 spaces per court plus 1.0 per 4 permanent seats   |
| Outdoor arenas   | 1.0 space per 3 seats   |
| <b>Recreation and Amusement Uses: Indoor Commercial Amusement</b>                        |   |
| General  | 6.0 spaces per 1,000 SF of GFA  |
| Amusement parks  | Special study   |
| <b>USES</b>  |   |
| <b>R-1, R-2, and MX-2 Zones</b>  |   |
| Bowling alley/pool rooms   | 4.0 spaces per lane, 2.0 spaces per pool/billiard table   |
| Skating rinks  | 1.0 space per 100 SF skate surface  |
| Theaters/assembly rooms  | 1.0 space per 4 permanent seats or 10.0 spaces per 1,000 SF of public assembly area, whichever is greater         |
| <b>Industrial Uses</b>   |   |
| Mini-warehouses/self-storage   | 3.5 spaces per 1,000 SF of GFA of sales/rental office   |
| Warehouse, storage establishment, wholesaling, manufacturing or industrial establishment | 5.0 space minimum plus 0.5 space per 1,000 SF of GFA  |

