

SPONSOR: _____
PLANNING REVIEW COMMISSION: _____
PUBLIC NOTICE: _____
PUBLIC HEARING: _____

AN ORDINANCE TO AMEND SECTION 425-27 OF THE BETHANY BEACH TOWN CODE

WHEREAS, the Town of Bethany Beach has a duly enacted Zoning Code;

WHEREAS, the Town Council desires to amend 425-27 of the Bethany Beach Town Code by addressing Ground covering restrictions permitted on Residential lots.

BE IT HEREBY ENACTED the Town Council of the Town of Bethany Beach, a majority thereof concurring in Council duly met, that the Town Code be and hereby is amended as follows:

Section 1. Amend Section 425-27 by adding the following (Amendments and additions are highlighted in bold below):

C. The purpose of this section is to promote effective storm water management on residential lots by limiting runoff directly into streets and providing for mor absorption and filtering of storm water within property boundaries by providing options that limit the percentage of a residential lot that can be covered by impervious materials and require that a portion of a lot contain a “natural area” as defined in the ordinance.

Ground covering permitted on Residential lots. In all Residential Districts, except for natural areas, all open air ground covering including but not limited to new and substantially improved driveways, parking areas, walkways, at grade decks, and patios shall not exceed the maximum ground coverage as shown in the table below. Substantially improved shall mean an existing ground covering is to be more than 50% replaced/repared or resurfaced. Ground covering shall be limited to the following:

	Option 1	Option 2	Option 3
	All Pervious	Hybrid	All Non-Pervious
Maximum Ground Covering	30%	20%	15%
Pervious	30%	10%	-
Non-Pervious	-	10%	15%
Pools / Spas	4%	4%	4%

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Example of the options available for an R1 lot of 5,000 square feet:

	Option 1 All Pervious	Option 2 Hybrid	Option 3 All Non-Pervious
Maximum Ground Covering	30%	20%	15%
Pervious	1,500 SF	500 SF	-
Non-Pervious	-	500 SF	750 SF
Pools / Spas	200 SF	4%	4%

In the event that additional ground covering is requested and such request would cause the resulting total ground covering or the non-pervious covering area portion to exceed the allowable areas permitted by this ordinance, the Building Inspector shall review and make a determination on signed/sealed solutions developed by a licensed Civil Engineer and/or Landscape Architect provided that, in the Building Inspector’s opinion, the proposed solution is consistent with the purpose of this ordinance.

Synopsis

This ordinance amends Section 425-27 by adding an additional paragraph to address Ground covering restrictions permitted on Residential lots.

This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Bethany Beach at a duly-noticed and convened meeting at which a quorum was present on _____

Attest: _____
 Town Clerk _____
 Mayor

This shall certify that a public hearing concerning the foregoing ordinance was held before the Town Council of the Town of Bethany Beach on _____, and that notice of such meeting was posted at five public places in the Town on _____, 2022 and published in a newspaper of general circulation in the Town on _____, 2022.

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So Certifies:

Date

Town Clerk

This shall certify that the title, synopsis, date of adoption, and effective date of the foregoing ordinance was published in _____ on _____, 2022 and that a copy of the foregoing ordinance was posted at the Town Hall on _____, 2022.

So Certifies:

Date

Town Clerk