

ZONING

220 Attachment 1

Town of Delaware

Schedule of District Regulations

(See § 220-9)

Delaware River District - DR

INTENT: The DR Delaware River District is intended to provide land uses substantially in accord with the provisions and purposes of the Upper Delaware Scenic and Recreational River (UDSRR) corridor as defined and designated as a “Scenic Segment” or “Recreational Segment” in the November 1986, Upper Delaware Final River Management Plan (RMP) prepared by the Conference of Upper Delaware Townships in cooperation with the National Park Service. This District is further intended to preserve the scenic integrity of that portion of the Upper Delaware River Corridor within the Town of Delaware, while allowing recreational use and development of the area, to the extent which would remain compatible with the aforementioned RMP. It is further intended that those portions of the District within the Upper Delaware Scenic and Recreational River Corridor Overlay Zone be subject to the land and water use guidelines contained within the River Management Plan.

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards																		
• Agriculture, excluding intensive livestock operations and cage-type poultry houses • Fish hatcheries • Forestry enterprises • Greenhouses/nurseries, commercial • Group homes • Single-family detached dwellings • Temporary offices • Two-family dwellings	• Carports • Customary accessory uses and structures • Essential services • Farm stands in association with an agricultural use • Home gardening, home nurseries and home greenhouses • Home occupations (3) • Keeping of not more than 3 dogs over 6 months of age • Off street parking and loading facilities • Private parking areas and garages • Private stables • Private swimming pools • Signs in association with an approved use • Satellite dish antennas accessory to a residential structure • Sheds	• Bed-and-breakfast establishments • Boardinghouses or lodging houses • Cemeteries, private (2) • Golf courses, excluding miniature golf or driving ranges (1) • Public uses • Recreation facilities, tourist (1, 2) • Residential cluster development	The following standards shall be applicable to all uses unless otherwise regulated by this Zoning Law: <table><tr><td>Lot area</td><td>2 acres</td></tr><tr><td>Lot width</td><td>200 feet</td></tr><tr><td>Lot depth</td><td>200 feet</td></tr><tr><td>Front yard</td><td>50 feet</td></tr><tr><td>1 side yard</td><td>50 feet</td></tr><tr><td>Both side yards</td><td>100 feet</td></tr><tr><td>Rear yard</td><td>50 feet</td></tr><tr><td>Maximum permitted building height</td><td>35 feet</td></tr><tr><td>Lot coverage</td><td>10,000 square feet or 15%, whichever is less</td></tr></table>	Lot area	2 acres	Lot width	200 feet	Lot depth	200 feet	Front yard	50 feet	1 side yard	50 feet	Both side yards	100 feet	Rear yard	50 feet	Maximum permitted building height	35 feet	Lot coverage	10,000 square feet or 15%, whichever is less
Lot area	2 acres																				
Lot width	200 feet																				
Lot depth	200 feet																				
Front yard	50 feet																				
1 side yard	50 feet																				
Both side yards	100 feet																				
Rear yard	50 feet																				
Maximum permitted building height	35 feet																				
Lot coverage	10,000 square feet or 15%, whichever is less																				

NOTES:

Certain large-scale principal permitted uses may also be consider special uses; see § 220-43.

For more than one principal building or principal use on a lot, see § 220-12C.

(1) Not permitted in Scenic River Segment, as defined by the UDSRR RMP.

(2) But not including intensive-use recreational facilities.

(3) Certain home occupations are special uses; see § 220-24.

DELAWARE CODE

Callicoon Business District - CAL-B-1 [Amended 12-14-2016 by L.L. No. 5-2016]

INTENT: The intent of the CAL-B-1 Callicoon Business District is to recognize the unique character of the Callicoon Hamlet Area and provide for future commercial development in the Hamlet Area, and at the same time provide for the substantial conformance to the River Management Plan. It is further intended that those portions of the District within the Upper Delaware Scenic and Recreational River Corridor Overlay Zone be subject to the land and water use guidelines contained within the River Management Plan.

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards	
• Agriculture, excluding intensive livestock operations and cage-type poultry houses • Agricultural service • Bed-and-breakfast establishments • Boardinghouses or lodging houses • Child-care centers • Clubs/lodges, private • Fish hatcheries • Forestry enterprises • Funeral homes • Greenhouses/nurseries, commercial • Group homes • Single-family detached dwellings • Hotels and motels • Medical offices • Multiple-occupant commercial buildings • Office buildings • Print shops • Professional offices • Public uses • Recreational facilities, tourist • Restaurants and taverns • Retail businesses • Service establishments • Studios • Theaters • Temporary offices • Two-family dwellings • Vehicle and equipment sales, supply and service operations • Wholesale businesses	• Carports • Customary accessory uses and structures • Essential services • Farm stands in association with an agricultural use • Home gardening, home nurseries and home greenhouses • Home occupations (1) • Keeping of not more than 3 dogs over 6 months of age • Off-street parking and loading facilities • Private parking areas and garages • Private stables • Private swimming pools • Signs in association with approved use • Satellite dish antennas accessory to a residential structure • Sheds	• Amusement arcades • Cell sites • Cemeteries • Commercial and public recreation facilities • Contracting businesses and trades • Gasoline service stations • Golf courses, excluding miniature golf or driving ranges • Health facilities • Manufactured home sales and service establishments • Manufacturing, light • Multiple dwellings and projects • Outdoor storage facilities • Research and development • Residential cluster development • Recycling facilities, small • Self-storage facilities • Semipublic uses • Veterinary clinics • Warehouses • Wineries, cideries, microbreweries and distilleries	Minimum Permitted	
			With Central Water and Central Sewage:	
			Lot area	10,000 square feet
			Lot width	50 feet
			Lot depth	100 feet
			Front yard	20 feet; or may be reduced to conform to adjacent buildings
			1 side yard	10 feet
			Both side yards	20 feet
			Rear yard	30 feet
			Without Central Water and Central Sewage:	
			Lot area	2 acres
			Lot width	200 feet
			Lot depth	200 feet
			Front yard	50 feet
			Side yards	25 feet
			Rear yard	25 feet
			Maximum Permitted	
Building height	40 feet			
Lot coverage	65%			

NOTES:

Certain large-scale principal permitted uses may also be consider special uses; see § 220-43.

For more than one principal building or principal use on a lot, see § 220-12C

(1) Certain home occupations are special uses; see § 220-24.

See § 220-9A for development standards applicable to the downtown Callicoon area within the CAL-B-1 District.

ZONING

Callicoon Residential District - CAL-R-1

INTENT: The CAL-R-1 Callicoon Residential District is intended to provide for the same type of residential district uses in the Callicoon Hamlet Area as in other residential areas of the Town of Delaware, but to make such uses subject to the other requirements of this chapter which are applied to the Upper Delaware Scenic and Recreational River corridor area.

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards
Same as R-1 Residential District — See also § 220-30			

Residential District - R-1

INTENT: The Residential District is intended to provide amounts of land adequate to meet the anticipated housing needs of the Town, accommodating both low- and medium-density residential development as well as other compatible uses which will complement residential activities.

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards																		
• Agriculture, excluding intensive livestock operations and cage-type poultry houses • Group homes • Single-family detached dwellings • Two-family dwellings	• Carports • Customary accessory uses and structures • Essential services • Farm stands in association with agricultural use • Home gardening, home nurseries and home greenhouses • Home occupations (1) • Keeping of not more than 3 dogs over 6 months of age • Off-street parking and loading facilities • Private parking areas and garages • Private stables • Private swimming pools • Signs in association with approved use • Satellite dish antennas accessory to residential structure • Sheds	• Bed-and-breakfast establishments • Cell sites • Multiple dwellings • Public recreation facilities • Public uses • Residential cluster development • Semipublic uses • Temporary offices Note: See § 220-33 for additional special uses	Minimum Permitted* <table><tr><td>Lot area</td><td>40,000 square feet</td></tr><tr><td>Lot width</td><td>150 feet</td></tr><tr><td>Lot depth</td><td>150 feet</td></tr><tr><td>Front yard</td><td>50 feet</td></tr><tr><td>1 side yard</td><td>30 feet</td></tr><tr><td>Both side yards</td><td>70 feet</td></tr><tr><td>Rear yard</td><td>50 feet</td></tr></table> * May be reduced 50% with central water and sewage Maximum Permitted <table><tr><td>Building height</td><td>35 feet</td></tr><tr><td>Lot coverage</td><td>25%</td></tr></table>	Lot area	40,000 square feet	Lot width	150 feet	Lot depth	150 feet	Front yard	50 feet	1 side yard	30 feet	Both side yards	70 feet	Rear yard	50 feet	Building height	35 feet	Lot coverage	25%
Lot area	40,000 square feet																				
Lot width	150 feet																				
Lot depth	150 feet																				
Front yard	50 feet																				
1 side yard	30 feet																				
Both side yards	70 feet																				
Rear yard	50 feet																				
Building height	35 feet																				
Lot coverage	25%																				

NOTES:

Certain large-scale principal permitted uses may also be considered special uses; see § 220-43.

For more than one principal building or principal use on a lot, see § 220-12C.

(1) Certain home occupations are special uses; see § 220-24.

DELAWARE CODE

Rural District - RU

INTENT: The intent of this district is to identify land environments conducive to the mutual existence of agricultural and low-density residential uses as well as certain unobtrusive commercial activities, ensuring both adequate amounts and choices of areas suitable for these respective uses. It is further intended that those portions of the district within the Upper Delaware Scenic and Recreational River Corridor Overlay Zone be subject to the land and water use guidelines contained within the River Management Plan.

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards																		
• Agriculture service establishments • Agriculture, including intensive livestock operations and cage-type poultry houses • Bed-and-breakfast establishments • Boardinghouses or lodging houses • Child-care centers • Fish hatcheries • Forestry enterprises • Greenhouses/nurseries, commercial • Group homes • Hospitals • Insurance offices** • Print shops** • Professional offices** • Real estate offices** • Single-family detached dwellings • Two-family dwellings	• Carports • Customary accessory uses and structures • Essential services • Farm stands in association with agricultural use • Home gardening, home nurseries and home greenhouses • Home occupations (1) • Keeping of not more than 3 dogs over 6 months of age • Off-street parking and loading facilities • Private parking areas and garages • Private stables • Private swimming pools • Signs in association with approved use • Satellite dish antennas accessory to residential structure • Sheds	• Agricultural products processing* • Airports* • Amusement parks* • Animal hospitals • Campground or RV parks* • Cell sites* • Cemeteries • Clubs/lodges, private • Commercial antennas sites* • Contracting businesses and trades • Country clubs • Crematoriums • Flea market* • Funeral parlors • Gasoline service station • Golf courses, excluding miniature golf or driving ranges • Health facilities • Hotels and motels • Junkyards • Kennels, commercial • Manufacturing and industry* • Manufacturing, light* • Manufactured home sales and service establishments • Mobile home parks • Multifamily dwellings and projects • Multiple-occupant commercial buildings • Natural resources processing* • Natural resources uses • Office buildings • Public uses • Recreational facilities, private	Minimum Permitted¹ <table><tr><td>Lot area</td><td>80,000 square feet</td></tr><tr><td>Lot width</td><td>200 feet</td></tr><tr><td>Lot depth</td><td>200 feet</td></tr><tr><td>Front yard</td><td>50 feet</td></tr><tr><td>1 side yard</td><td>30 feet</td></tr><tr><td>Both side yards</td><td>70 feet</td></tr><tr><td>Rear yard</td><td>50 feet</td></tr></table> ¹May be reduced 50% with central water and sewage Maximum Permitted <table><tr><td>Building height</td><td>45 feet</td></tr><tr><td>Lot coverage</td><td>15%</td></tr></table>	Lot area	80,000 square feet	Lot width	200 feet	Lot depth	200 feet	Front yard	50 feet	1 side yard	30 feet	Both side yards	70 feet	Rear yard	50 feet	Building height	45 feet	Lot coverage	15%
Lot area	80,000 square feet																				
Lot width	200 feet																				
Lot depth	200 feet																				
Front yard	50 feet																				
1 side yard	30 feet																				
Both side yards	70 feet																				
Rear yard	50 feet																				
Building height	45 feet																				
Lot coverage	15%																				

ZONING

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards
		• Recreational facilities, public • Recreational facilities, tourist • Recycling facilities; small, large and processing • Research and development facilities • Residential cluster development • Restaurants • Retail businesses • Service establishments • Sawmills • Self-storage facilities* • Semipublic uses • Solid wastes facilities, commercial and public • Stables, commercial • Taverns • Temporary offices • Tourist recreational facilities • Vehicle and equipment sales operations • Veterinary clinics • Warehouses • Wholesale businesses	

NOTES:

Certain large-scale principal permitted uses may also be considered special uses; see § 220-43.

For more than one principal building or principal use on a lot, see § 220-12C.

Uses marked with “*” shall require a minimum of four acres. Other uses may be governed by other provisions of this chapter requiring larger parcel sizes.

Uses marked with “**” must conform with provisions of the Upper Delaware Scenic and Recreational River if located within this area.

(1) Certain home occupations are special uses; see § 220-24.

(2) River overlay portions of the RU District uses are subject to regulations pertaining to the Upper Delaware Scenic and Recreational River as provided herein and may not be permitted within said corridor, as mapped on topographic maps contained in the River Management Plan.

DELAWARE CODE

Business District - B-1

INTENT: The intent of this district is to provide adequate land areas for the normal expansion of business and commercial activities within the Town, encouraging the development of retail and service establishments designed to serve the needs of the surrounding areas, and permitting the location of other compatible uses.

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards	
• Agriculture service establishments • Bed-and-breakfast establishments • Boardinghouses or lodging houses • Car and truck washes • Child-care centers • Forestry enterprises • Greenhouses/nurseries, commercial • Group homes • Hotels and motels • Medical offices • Office buildings • Print shops • Professional offices • Recreational facilities, tourist • Restaurants and taverns • Retail businesses • Service establishments • Single-family detached dwellings • Studios • Two-family dwellings • Vehicle and equipment sales operations • Warehouses • Wholesale businesses	• Carports • Customary accessory uses and structures • Essential services • Farm stands in association with agricultural use • Home gardening, home nurseries and home greenhouses • Home occupations (1) • Keeping of not more than 3 dogs over 6 months of age • Off-street parking and loading facilities • Private parking areas and garages • Private stables • Private swimming pools • Signs in association with approved use • Satellite dish antennas accessory to residential structure • Sheds	• Adult businesses • Agricultural products processing • Amusement parks • Cell sites • Cemeteries • Clubs/lodges, private • Contractors, businesses and trades • Country clubs • Flea markets • Funeral parlors • Gasoline service station • Golf courses, excluding miniature golf or driving ranges • Health facilities • Manufacturing and industry • Manufacturing, light • Multiple-dwellings and projects • Multiple-occupant commercial buildings • Private clubs/lodges • Public uses • Recreational facilities, private • Recreational facilities, public • Recycling facilities; small, large and processing • Research and development facilities • Self-storage facilities • Semipublic uses • Temporary offices • Theaters • Veterinary clinics	Minimum Permitted	
			Lot area	7,500 square feet
			Lot width	50 feet
			Lot depth	100 feet
			Front yard	20 feet; or may be reduced to conform to adjacent buildings
			1 side yard	10 feet
			Both side yards	20 feet
			Rear yard	30 feet
			Maximum Permitted	
			Building height	60 feet
			Lot coverage	65%
			Residential development shall be in accord with all standards applicable in the R-1 District	

NOTES:

Certain large-scale principal permitted uses may also be consider special uses; see § 220-43.

For more than one principal building or principal use on a lot, see § 220-12C.

(1) Certain home occupations are special uses; see § 220-24.

ZONING

Planned Unit Development District - PUD

INTENT: The intent of this district is to provide landowners with the flexibility to develop functionally integrated residential or resort communities or complexes where sufficient open space can be provided and safeguards instituted to protect the public health, safety and welfare.

Principal Permitted Uses	Accessory Uses	Special Uses	Development Standards
All uses permitted are special uses	• Carports • Customary accessory uses and structures • Essential services • Farm stands in association with agricultural use • Home gardening, home nurseries and home greenhouses • Home occupations (1) • Keeping of not more than 3 dogs over 6 months of age • Off-street parking and loading facilities • Private parking areas and garages • Private stables • Private swimming pools • Signs in association with approved use • Satellite dish antennas accessory to residential structure • Sheds	• Cell sites • Golf courses • Hotels and motels • Multiple dwellings and projects • Recreational facilities, private • Recreational facilities, public • Recreational facilities, tourist • Recreation vehicle parks • Residential cluster development • Retail stores • Ski areas • Stables, commercial • Single-family detached dwellings • Two-family dwellings	Maximum Density 2 dwelling units or equivalent dwelling units per acre (See § 220-37C for method of calculation.) Other Maximums Building height 45 feet (may go to 60 feet, provided building site is not closer than 300 feet to property borders) Lot coverage 15% Single-family dwellings served by on-site water or-site sewage disposal shall comply with R-1 District standards

NOTES:

Certain large-scale principal permitted uses may also be consider special uses; see § 220-43.

For more than one principal building or principal use on a lot, see § 220-12C.

(1) Certain home occupations are special uses; see § 220-24.