

**ORDINANCE # 37-17**

**AN ORDINANCE TO AMEND THE LAND USE AND DEVELOPMENT CODE OF THE TOWN OF WYOMING TO ALLOW BANKS WITH DRIVE-IN FACILITIES IN THE TOWN CENTER (TC) ZONING DISTRICT**

**WHEREAS**, the Town of Wyoming is authorized pursuant to 22 *Del. C.* Chapter 3 and Section 18.20 of the Town Charter to enact zoning regulations in the Town of Wyoming;

**WHEREAS**, the Town of Wyoming enacted zoning regulations by adopting the Land Use and Development Code of the Town of Wyoming on August 3, 2009;

**WHEREAS**, the Town of Wyoming is authorized pursuant to section 15-6 of its Land Use and Development Code to amend the text of the Land Use and Development Code after the amendment has been reviewed by the Planning and Zoning Committee and the Town Council has held a public hearing that was advertised in a newspaper of general circulation in the town at least 15 days prior to the hearing;

**WHEREAS**, in the opinion of the Town Council, it is necessary to amend the Land Use and Development Code to allow banks with drive-in facilities in the Town Center (TC) zoning district in order to further the health, safety, and welfare of the town;

**WHEREAS**, the Planning and Zoning Committee reviewed the proposed text amendment related to banks with drive-in facilities at its meeting held March 22, 2017, and recommended approval to the Town Council;

**WHEREAS**, a public hearing on the proposed text amendment was held before the Town Council on April 3, 2017, notice of which was published on March 15, 2017 in the Delaware State News and Dover Post; and

**WHEREAS**, all members of the public were given an opportunity to comment on the proposed amendment to the Land Use and Development Code at the public hearing, and after hearing comments from the public and considering the proposed amendment to the text of the Land Use and Development Code, the Town Council believes it is in the best interest of the town to allow banks with drive-in facilities in the Town Center (TC) zoning district.

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the Town Council of the Town of Wyoming, a majority thereof concurring in council duly met, that the table located in Article 4, section 4-1 of the Land Use and Development Code of the Town of Wyoming be amended to identify "Bank with Drive-In" as a permitted use in the Town Center (TC) zoning district, subject to development-plan approval (DP). The updated table is attached hereto as Exhibit A, which table is intended to remain unchanged except as otherwise indicated in this paragraph.

**BE IT FURTHER ORDAINED** that the change in the updated table attached hereto as Exhibit A be incorporated into the Land Use and Development Code.

**BE IT FURTHER ORDAINED** that this Ordinance shall be effective upon the date of its adoption.

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**Synopsis**

This ordinance amends the Land Use and Development Code of the Town of Wyoming to allow banks with drive-in facilities in the Town Center (TC) zoning district, subject to development-plan approval.

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This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Wyoming at a duly-noticed and convened meeting at which a quorum was present on April 3, 2017.

Attest: Laura Comer  
Town Clerk

So Certifies:  
Frankie DeLo Ruff  
Mayor

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This shall certify that a copy of this Ordinance was posted at the Town Hall on April 4, 2017.

4-3-17  
Date

So Certifies:  
Laura Comer

# Exhibit A

## Article 4. Use Regulations

### 4-1. Permitted Uses and Structures

Permitted Uses and Structures		Definition	OS Zone	R-1 Zone	R-2 Zone	TC Zone	CG Zone	I-1 Zone
Blank	Not Permitted							
P	Permitted Use							
DP	Development-Plan Approval required							
CU	Conditional Use required							
D	See Definition in Article 16							
<b>Residential</b>								
	Bed and Breakfast	D		CU	CU	CU		
	Boardinghouse	D		CU	CU	CU		
	Conversion of a single family dwelling into a 2-family or multi-family dwelling			CU	CU	CU		
	Dwelling, 2-family	D			DP	DP		
	Dwelling, Semi-Detached	D			DP	DP		
	Dwelling, Manufactured Home	D			DP			
	Dwelling, Multi-Family	D			DP	DP		
	Dwelling, Single-Family, Including Modular	D		P	P	DP		
	Dwelling, Townhouse	D			DP	DP		
	Home-Based Business			CU	CU	CU		
<b>Sales and Rental of Goods, Merchandise, and Equipment</b>								
	Bank with Drive-In					DP	DP	DP
	Bank without Drive-In					DP	DP	DP
	Restaurant with Drive-In	D					CU	CU
	Restaurant without Drive-In	D				DP	DP	DP
	Retail Sales Establishments No Larger Than 5,000 Square Feet	D				DP	DP	DP
	Retail Sales Establishments - No Size Limit	D					DP	DP
	Wholesale Trade Establishments	D					DP	DP
<b>Office, Clerical, Research, and Services Not Primarily Related to Goods and Services</b>								
	Business Services	D				DP	DP	DP
	Offices	D				DP	DP	DP
	Personal Services	D				DP	DP	DP
	Retail Services	D				DP	DP	DP
	Social Services	D				DP	DP	DP
<b>Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, and Assembling of Goods, Merchandise, and Equipment</b>								
	Any process or activity involving cleaning, distribution, manufacturing, processing, production, bulk storage or testing							CU
<b>Educational, Cultural, Religious, Philanthropic, Social, Fraternal</b>								
	Clubs and Fraternal Organizations	D				CU	CU	CU
	Country Club	D		CU	CU		CU	CU
	Educational Institutions, public and private	D		CU	CU	CU	CU	CU
	Golf Course	D		CU	CU		CU	CU
	Library			CU	CU	DP	DP	
	Museum					DP	DP	
	Places of Worship	D		CU	CU	CU	CU	CU
	Recreation Facility, Non-Governmental		DP	DP	DP	DP	DP	DP

Permitted Uses and Structures		Definition	OS Zone	R-1 Zone	R-2 Zone	TC Zone	CG Zone	I-1 Zone
Blank	Not Permitted							
P	Permitted Use							
DP	Development-Plan Approval required							
CU	Conditional Use required							
D	See Definition in Article 16							
<b>Institutional, Care, Confinement, and Medical Facilities</b>								
Day-Care Center	D				CU	CU		
Day Care Home, Family (1-6 Children)	D		CU	CU	CU			
Day Care Home, Large Family (7-12 Children)	D		CU	CU	CU			
Hospital	D					CU		
Medical Clinic	D				CU	CU		
Nursing and Care Facilities	D		CU	CU		CU		
Surgical Center	D					CU		
<b>Storage, Parking, and Vehicles</b>								
Automobile Sales	D					DP	DP	
Automobile Service Station	D					CU	DP	
Distribution Center	D					CU	DP	
Gasoline Station	D					CU	DP	
Parking Garage, Public or Commercial						DP	DP	
Self-Storage Facility	D					DP	DP	
Warehouse	D							DP
<b>Public, Semi-Public, and Security</b>								
Communication Towers								CU
Community Center, Public	D		P	P	P	P	P	P
Government Facilities and Services, Local	D	P	P	P	P	P	P	P
Government Facilities and Services, Non-Local	D	CU	CU	CU	CU	CU	CU	CU
Parks and Open Space		P	P	P	P	P	P	
Public-Safety Facilities	D	P	P	P	P	P	P	P
Public-Utility Service Facilities	D	P	P	P	P	P	P	P
Public-Utility Service Lines	D	P	P	P	P	P	P	P
Recreation Facility, Public	D	DP	DP	DP	DP	DP	DP	DP
<b>Not Listed Elsewhere</b>								
Agriculture	D		P					
Animal Shelter	D					CU	CU	
Cemeteries	D		CU	CU	CU	CU	CU	CU
Funeral Home	D		CU	CU		CU		
Kennel, Commercial	D					CU	CU	
Kennel, Non-Commercial	D		CU					
Veterinary Clinics and Hospitals	D					CU	CU	