

Sponsor: Mayor Rife
Final Reading: 11/13/17

ORDINANCE #43-17

AN ORDINANCE TO REZONE A LOT ON CENTER ST., TMP NO. 7-20-09406-04-4100, FROM THE ZONING CLASSIFICATION OF COMMERCIAL (C) TO MIXED RESIDENTIAL (R-2) AND TO AMEND THE TOWN OF WYOMING ZONING MAP TO REFLECT THIS CHANGE

WHEREAS, the Town of Wyoming is authorized to amend its official zoning map pursuant to 22 Del. C. § 304 and pursuant to Section 15-6 of the Wyoming Land Use and Development Code (“LUDC”);

WHEREAS, the Town of Wyoming received a request to rezone a lot on Center Street, Wyoming, Delaware, Tax Map Parcel # 7-20-09406-04-4100, owned by Wynsome Apartments, LLC (“Center St. Lot”), from Commercial (C) to Mixed Residential (R-2);

WHEREAS, pursuant to procedures established in § 15-6 of the LUDC, the Town of Wyoming may amend the Zoning Map after the proposed map 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, the Planning and Zoning Committee reviewed the proposed map amendment at its meeting held November 1, 2017, and recommended to the Town Council that the property be rezoned to Mixed Residential (R-2);

WHEREAS, a public hearing on the proposed Zoning Map amendment was held before the Town Council on November 13, 2017, notice of which was published on October 26, 2017 in the Delaware State News, at which public hearing the recommendation of the Planning and Zoning Committee was presented and incorporated into the record, and all interested members of the public were given an opportunity to comment on the proposed Zoning Map amendment;

WHEREAS, amendments to the Zoning Map must be supported by facts existing in the vicinity of the proposed change, and the Town Council finds the Center St. Lot is currently surrounded on all sides by property zoned for residential purposes, and rezoning this property for residential uses will create uniformity with the other properties situated in the vicinity of the proposed change;

WHEREAS, amendments to the Zoning Map must be related to the general purpose and intent of the Comprehensive Plan, and the Town Council finds this rezoning will further the purpose and intent outlined in the Town of Wyoming Comprehensive Plan for the town to maintain its small-town character as a largely residential community consisting primarily of single-family detached and attached homes. This rezoning will also further the purpose and intent of the LUDC and the Mixed Residential, R-2 zoning district by providing additional area

in the Town of Wyoming for low- and medium-density residential development in the Town of Wyoming;

WHEREAS, amendments to the Zoning Map must be consistent with land uses provided for in the Comprehensive Plan, and the Town Council finds that upon the adoption of the 2017 Amendment to the 2011 Town of Wyoming Comprehensive Plan, the Center St. Lot will have been designated on the Future Land Use Map for residential uses, and this rezoning will create consistency with the Comprehensive Plan's designation for the Center St. Lot; and

WHEREAS, after hearing comments from the public, the recommendation of the Planning and Zoning Committee, and considering the proposed Zoning Map amendment, the Town Council hereby finds, for the reasons stated herein, that all the criteria found in § 15-6 of the LUDC to amend the Zoning Map to rezone the Center St. Lot to Mixed Residential (R-2) have been satisfied and that it is in the best interest of the public health, safety, and welfare to amend the Zoning Map to rezone the Center St. Lot from Commercial (C) to Mixed Residential (R-2).

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Wyoming, a majority thereof concurring in Council duly met, that the Town of Wyoming Zoning Map be amended by rezoning a lot on Center Street, Wyoming, Delaware, Tax Map Parcel # 7-20-09406-04-4100, from Commercial (C) to Mixed Residential (R-2). The Town's official Zoning Map shall be amended as soon as practical to reflect this rezoning.

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

SYNOPSIS

This ordinance rezones the property that is a lot on Center Street, Wyoming, Delaware from Commercial (C) to Mixed Residential (R-2).

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 Nov 13, 2017.

Attest:

Sara Coma
Town Clerk

So Certifies:

Frankie Dale Riff
Mayor

This shall certify that a copy of this Ordinance was posted at the Town Hall on Nov 17th, 2017.

So Certifies:

11/17/17
Date

Sara Coma