

Review by P&Z: 04/18/07
Public Hearing by M&C: _____
Sponsor: Councilman Pressley
Ord. No.: 004-07

AN ORDINANCE TO AMEND APPENDIX A ("ZONING") OF THE TOWN CODE OF THE TOWN OF SMYRNA TO AMEND THE GUIDELINES FOR ALLOWING THE USE OF A HOTEL AND CONFERENCE CENTER

WHEREAS, the Town Council of the Town of Smyrna is aware of new types of commercial and retail businesses desiring to construct commercial and retail sites in the Town in configurations unlike those contemplated by the Zoning Ordinance of the Town; and

WHEREAS, the Town Council of the Town of Smyrna desires to amend the Zoning Ordinance to allow equitable and consistent application of the Zoning Ordinance to all commercial and retail businesses desiring to conduct business in the Town; and

WHEREAS, the Town Council of the Town of Smyrna has the authority to implement Zoning Regulations pursuant to Title 22 of the Delaware Code;

BE IT HEREBY ENACTED by the Town Council of the Town of Smyrna, a majority thereof concurring in Council, duly met, that Appendix A ("Zoning") of the Town Code of the Town of Smyrna, be and hereby is amended, as follows:

Section 1. Amend Appendix A ("Zoning") of the Town Code of the Town of Smyrna by amending Section 5, District Regulations, as follows:

(a) Add Section 5.10.g. which reads as follows "[Uses permitted as conditional uses.] The following uses are permitted only if approved as a conditional use pursuant to section 6.18 of this ordinance:
(1) Hotel and Conference Center

(b) Revise Section 5.14.(9). to read as follows "(Uses permitted as conditional uses.) The following uses are permitted only if approved as a conditional use pursuant to sections 6.15, 6.16, and 6.18 of this ordinance:

(c) Add Section 5.14.(9)(7) which reads as follows "
(7) Hotel and Conference Center

Section 2. Amend Appendix A "Zoning" of the Town Code of the Town of Smyrna by adding a new Section 6.18, Hotel and Conference Centers, as follows:

18. Hotel and Conference Centers.

- a. No building shall exceed 60 feet in height, exclusive of roof tanks and supports, chimneys or enclosures for elevators or air conditioning machinery or other apparatus.
- b. No building shall be closer than 40 feet to any abutting street right-of-way line with a maximum 25% of the required parking maintained within the front yard with the exception of limited access roadways. Waivers may be considered for properties having more than one roadway frontage.
- c. No building shall be closer than 20 feet to a side yard and rear yard lot line with exception of residential districts where the building setback line is to be a minimum 50 feet plus 2 feet for each foot of building height with a maximum 120 feet setback.
- d. A minimum 20 foot wide landscaped buffer is to be provided along the entire perimeter of the hotel and conference center. This buffer is to provide 6.5 foot high screening adjacent to all residential districts. Screening is to consist of evergreen trees and bushes and berms.
- e. A hotel and conference center shall provide off-street parking at the rate of one (1) parking space for each guest room. In addition to those required for guest rooms, parking is to be provided at the rate of one (1) space for every 200 square feet of floor area of said meeting space facilities, ballroom, conference suites, restaurant and/or bar.
- f. A hotel and conference center shall be permitted on a site containing a minimum of five (5) acres.
- g. A hotel and conference center is to provide a combination of minimum 150 guest rooms and 10,000 square feet of conference/meeting space area.
- h. Any restaurant as an accessory use to a hotel operation shall only be permitted if it is located within the hotel building. Also permitted as an accessory use to a hotel operation if located within the hotel building, are stores, shops and service facilities, primarily for the use and convenience of hotel guests.

Section 3. This Ordinance shall become effective on the ____ day of _____, 2007.

SYNOPSIS

This ordinance amends the Zoning Ordinance of the Town Code of the Town of Smyrna by specifying the Zoning Districts for which Hotel and Conference Centers are an allowable use per conditional use approval and establishing supplementary regulations for this use.

This will certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Smyrna at its regular Council meeting on _____, 2007.

ATTEST:

Council Secretary

Mayor

This shall certify that the title and synopsis of this Ordinance was published in "The Smyrna/Clayton Sun Times" on _____, 2007 and posted at the Town Hall on _____, 2007.

So Certifies:

Town Clerk

This shall certify that the title, effective date and synopsis of this Ordinance was published in "The Smyrna/Clayton Sun Times" on _____, 2007 and posted at the Town Hall on _____, 2007.

So Certifies:

Town Manager