

Review by P&Z: January 22, 2025
 Sponsor: _____
 First Reading: 2/18/2025
 Ord. No: 003-25

AN ORDINANCE AMENDING APPENDIX A (ZONING) OF THE TOWN CODE OF THE TOWN OF SMYRNA TO AMEND THE CORRIDOR COMMERCIAL (CCM) ZONING DISTRICT TO ALLOW TRANSPORTATION OR TRUCKING YARDS

WHEREAS, the Town Council of the Town of Smyrna has enacted zoning regulations in the Town of Smyrna as authorized pursuant to 22 *Del. C.* Chapter 3 and Section 4.2.37 of the Town Charter; and

WHEREAS, the Town Council finds that “transportation or trucking yards” is an appropriate use for the Corridor Commercial zoning district (CCM), and finds that incorporating transportation or trucking yards into the CCM is in the best interest of the public health, safety, and welfare.

NOW THEREFORE, 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 Section 5 (District Regulations), Section 21 Corridor Commercial (CCM) District by updating the Land Use table to include “Transportation or Trucking Yards” as a conditional use, as reflected in the updated table below.

- q. *Land use.* Land uses permitted in the Corridor Commercial (CCM) Zoning District shall be those uses outlined in the land use table located below. Any use not listed herein shall be expressly prohibited.

Land Use	CCM Zoning District
Industrial, Manufacturing, Processing and Wholesaling	
Contractor Yards and Lumber Yards	CU
Flammable Liquid, Gas, and Bulk Fuel - Storage and Sale	CU
Grain Storage and Feed Mills	—
Junkyard	—

Manufacturing and Processing	CU
Machine or Metal Working Shops	—
Mini-storage Warehousing	SE ₁
Research and Development Uses	SE
Transportation or Trucking Yards	CU
Warehousing and Distribution	P ₂
Wholesaling Beer & Alcohol Distributor	CU
Vehicle Towing/Impound Yard	CU
* * *	
End Notes	
₁ Only permitted on lots that do not have highway frontage or behind existing/new commercial uses	
₂ Only permitted when incidental to permitted use and any outdoor storage be screened from public view	
₃ This use shall be screened. See Section 8(c) (Street Design Standards) for Street Wall/Buffer requirements	
₄ Residential uses & residential properties listed on the National Historic Registry existing prior to the effective date of this Zoning Ordinance are considered legal, conforming uses.	
₅ Residential uses are only allowed as part of a mixed-use development located above or behind the primary commercial use.	
Key	
P	Permitted

CU	Conditional Use
—	Use Not Permitted
SE	Special Exception

Section 3. Severability. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that the Town Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with Town Council’s intent.

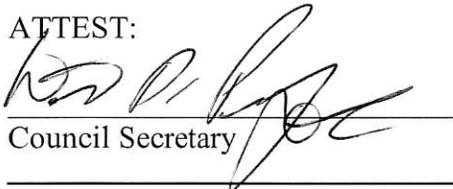
Section 4. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Town Council.

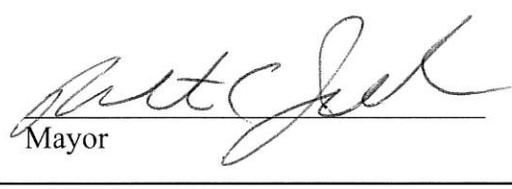
SYNOPSIS

This ordinance amends the Corridor Commercial (CCM) Zoning District to allow transportation or truck yards as a conditional use in the district.

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 February 18th, 2025.

ATTEST:


 Council Secretary


 Mayor

This shall certify that the title and synopsis of this Ordinance was published in the “Smyrna/Clayton Sun Times” on February 26th, 2025 and posted at the Town Hall on February 11th, 2025.

So Certifies:


 Town Clerk