

Public Hearing Published: 4-6-22
Public Hearing: 4-13-22
Adopted: 4-13-22

ORDINANCE NO. A-22-A

AN ORDINANCE AMENDING ORDINANCE A-1 ("ZONING ORDINANCE") TO ALLOW PUBLIC STORAGE FACILITY USES AS A PERMITTED USE IN THE HIGHWAY COMMERCIAL ("HC") DISTRICT, TO REMOVE SELF-STORAGE FACILITY USES AS A CONDITIONAL USE IN THE DOWNTOWN COMMERCIAL DISTRICT ("DC"), TO AMEND THE USE CHART IN THE ZONING ORDINANCE, AND TO AMEND DEFINITIONS

WHEREAS, the Town of Greenwood is authorized to enact zoning regulations pursuant to 22 Del. C. Chapter 3 and Section 29(a)(3) of the Town Charter;

WHEREAS, Ordinance No. A-22 amended the Zoning Ordinance to allow self-storage facilities as conditional uses within the Downtown Commercial District;

WHEREAS, in the opinion of the Town Council of the Town of Greenwood, it is in the best interest of the public health, safety, and welfare to further amend the Zoning Ordinance to also allow public storage facilities as permitted uses subject to certain requirements in the Highway Commercial District of the Town of Greenwood but to remove self-storage facilities as conditional uses within the Downtown Commercial District;

WHEREAS, the Use Chart at the end of the Zoning Ordinance identifies certain uses that are permitted or require conditional use approvals in certain zoning districts and the Town Council of the Town of Greenwood has noticed discrepancies with the Use Chart and the Zoning Ordinance as it pertains to storage;

WHEREAS, in the opinion of the Town Council of the Town of Greenwood, the Use Chart in the Zoning Ordinance should be amended to accurately reflect the permitted and conditional uses in each zoning district pertaining to storage; and

WHEREAS, the Zoning Ordinance contains definitions of "self-storage facility" and "public storage facility" and the Town Council finds that the term "self-storage facility" is unnecessarily defined in the Code and should be stricken as it is similar to the definition of "public storage facility"

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Greenwood, a majority thereof concurring in Council duly met, that the Zoning Ordinance of the Town of Greenwood be amended as follows:

Section 1. Amend Article 3, Definitions, Section 3.1 ("Specific Definitions") by making deletions as shown by ~~strike through~~ as follows:

~~SELF-STORAGE FACILITY—One or more buildings in a controlled access area that contain varying sizes of individual, compartmentalized, and controlled compartments, rooms, spaces, containers, or other types of units that are individually rented, leased, or sold to customers for the storage of personal or business goods or wares. Also known as mini-storage facilities.~~

Section 2. Amend Section 6.4 (“Downtown Commercial District”), Section 6.4.3 (“Conditional Uses”) by making deletions as shown by strike through as follows:

- ~~(14) Self-storage facility, provided that the following requirements shall be met:~~
- ~~a. Only the picking up, depositing, and storing of goods shall be permitted on the property. No other non-storage uses shall be permitted.~~
 - ~~b. An office for managing the self-storage facility may be permitted on-site.~~
 - ~~c. All storage shall be completely confined within enclosed buildings or structures.~~
 - ~~d. Evergreen vegetation shall be planted for screening purposes along all property lines abutting roadways or residential districts.~~
 - ~~e. Retail sales of any kind, including garage sales, estate sales, or auctions shall not be permitted.~~
 - ~~f. Self-storage facilities shall not be used to store flammable, perishable, or hazardous materials, or for the keeping of animals.~~
 - ~~g. All lighting on the property shall be installed and arranged in such a way that no lighting shines directly on any adjacent residential districts.~~

Section 3. Amend Section 6.5 (“Highway Commercial District”), Section 6.5.3 (“Permitted Uses”) by adding the following underlined language:

- (35) Public storage facilities provided that the following requirements shall be met:
- a. Only the picking up, depositing, and storing of goods shall be permitted on the property. No other non-storage uses shall be permitted.
 - b. An office for managing the self-storage facility may be permitted on site.
 - c. All storage shall be completely confined within enclosed buildings or structures.
 - d. Evergreen vegetation shall be planted for screening purposes along all property lines abutting roadways or residential districts.
 - e. Self-storage facilities shall not be used to store flammable, perishable, or hazardous materials, or for the keeping of animals.

f. All lighting on the property shall be installed and arranged in such a way that no lighting shines directly on any adjacent residential districts.

Section 4. Amend the Use Chart at the end of the Zoning Ordinance under the "Storage" section as follows:

Blank P SP CU D	Not Permitted Permitted Site Plan Review Conditional Use See Definitions Section	R-1 Zone	R-2 Zone	R-3 Zone	DC Zone	HC Zone	M	Open Space
STORAGE								
Builder Contractor Yards							P	
Indoor Storage Facilities as Accessory Use					P	P		
Public Storage Facility						P		
Warehouses						P	P	
Wholesale Storage, Warehousing, and Distribution Centers						CU	P	

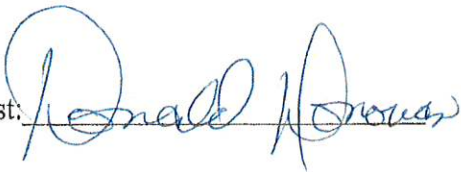
Section 5. Effective Date.

This Ordinance shall take effect immediately upon its adoption by the Town Council.

Synopsis

This ordinance allows public storage facilities as permitted uses subject to certain requirements within the Highway Commercial District and this ordinance also amends the Use Chart at the end of the Zoning Ordinance to reflect that a public storage facility is a permitted use in the Highway Commercial District and to correct an oversight in Ordinance A-1 which failed to identify in the aforementioned Use Chart an indoor storage facility as a permitted accessory use within the Downtown Commercial District. This ordinance also removes a self-storage facility as a conditional use in the Downtown Commercial District and removes "self-storage facility" as a defined term in the Zoning Ordinance.

This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Greenwood at a duly noticed and convened meeting at which a quorum was present on 4-13, 2022.

Attest: 

So Certifies: 