

**Preliminary Land Use Service (PLUS)  
Comprehensive Plan Amendments and Municipal Ordinances**

Delaware State Planning Coordination  
122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

<b>Name of Municipality:</b>	
<b>Address:</b>	<b>Contact Person:</b>
	<b>Phone Number:</b>
	<b>Fax Number:</b>
	<b>E-mail Address:</b>

**Date of Most Recently Certified Comprehensive Plan:** \_\_\_\_\_

**Application Type:**

**Comprehensive Plan Amendment:** \_\_\_\_\_

**Ordinance:** \_\_\_\_\_

**Other:** \_\_\_\_\_

<b>Comprehensive Plan Amendment or Municipal Ordinance prepared by:</b>	
<b>Address:</b>	<b>Contact Person:</b>
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<b>Maps Prepared by:</b>	
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**Comprehensive Plan Amendments and Municipal Ordinances**

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**Please describe the submission:**

**TOWN OF WYOMING**  
*2016 Amendment*  
*to the*  
*2011 Comprehensive Plan*



**Adopted**

[DATE]

Ordinance [NUMBER]

PLUS REVIEW DRAFT 09/27/2016

PLACEHOLDER FOR ORDINANCE ADOPTING PLAN  
AND  
PLUS COMMENTS

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## TOWN, COUNTY, AND STATE OFFICIALS

### Town of Wyoming

Town Council	Frankie Dale Rife, Mayor Terry Witt, Vice Mayor Georgette Williams, Secretary Kyle Dixon, Treasurer Doug Denison, Council Member
Planning & Zoning Committee	Phyllis Brooks Collins, Chair Jonny Johnson Michael Petyo Ernest Piazza Tiffany Rife
Town Attorney	D. Barrett Edwards, IV, Esq.
Town Staff	Pamela Haddick, Finance Clerk Laura Connor, Town Clerk Lew Denham, Town Maintenance

### Kent County

Levy Court Commission	P. Brooks Banta, District 1 Bradley S. Eaby, District 2 Alan F. Angel, District 3 Eric L. Buckson, District 4 George Jody Sweeney, District 5 Glen M. Howell, District 6 Terry L. Pepper, At-Large
County Administrator	Michael J. Petit de Mange, AICP
Planning Services Department	Sarah Keifer, AICP, Director

### State of Delaware

Governor	Jack A. Markell
Senate	Colin R. J. Bonini, District 16 Brian J. Bushweller, District 17
House of Representatives	Sean M. Lynn, District 31 Lyndon D. Yearick, District 34
Office of State Planning Coordination	Constance C. Holland, AICP, Director

## **INSTITUTE FOR PUBLIC ADMINISTRATION**

This Plan Amendment was prepared by the Town of Wyoming Zoning Committee with assistance from the Institute for Public Administration (IPA), a unit within the University of Delaware's School of Public Policy & Administration. IPA links the research and resources of the University of Delaware with the management and information needs of local, state, and regional governments in the Delaware Valley. IPA provides assistance to agencies and local governments through direct staff assistance and research projects as well as training programs and policy forums.

### **Institute Director**

Jerome R. Lewis, Ph.D.

### **Wyoming Plan Amendment Team**

Linda Raab, AICP, Project Manager

Nicole Minni, GISP, Mapping and GIS Support

## INTRODUCTION

On May 2, 2011, the Town of Wyoming adopted a complete update to its comprehensive plan which was certified by the governor on November 18, 2011. The 2011 plan was amended on September 12, 2016 by Ordinance 28-16.

The primary purpose for this Plan Update is to change the future land use designation for a single parcel that was not included in the future land use designations on adopted in the 2015 update. A second purpose is to add a newly annexed parcel to Wyoming's future land use map.

## RELATIONSHIP TO 2011 PLAN UPDATE AND 2015 UPDATE

This Plan Amendment must be read together with the *2011 Update to the 2004 Town of Wyoming Comprehensive Plan*, adopted May 2, 2011 and certified by the governor on November 18, 2011 and the *Town of Wyoming 2015 Amendment to the 2011 Comprehensive Plan* adopted September 12, 2016 by Ordinance 28-13. The maps and text in this document supersede the maps and text of the 2011 Plan Update as amended. Where there appears to be conflicts between this Plan Amendment and the 2011 Update as amended on September 12, 2016, this Plan Amendment shall govern.

## PLAN AMENDMENT PROCESS

This section describes the Plan Amendment adoption process. It includes plan preparation by the Planning & Zoning Committee, state review under the Preliminary Land Use Service (PLUS), local public outreach, and Town Council adoption.

### Planning & Zoning Committee Review

Title 22, Section 702(a) of the *Delaware Code* assigns responsibility for the preparation of comprehensive plans to planning commissions. Section 2-1C of the *Wyoming Land Use and Development Ordinance*, charges the planning and zoning committee with this responsibility.

At the meeting of September 13, 2016, the Planning & Zoning Committee recommended that the Town Council adopt this Plan Amendment.

### State Review

Title 29, Section 9203 of the *Delaware Code* requires that the state review and comment on county and municipal comprehensive plans, including amendments to plans. Known as the Preliminary Land Use Service (PLUS), the process involves review and comment from state departments and agencies. The Office of State Planning Coordination (OSPC) organizes the review and comment process.

On October 26, OSPC and the state agencies involved in the PLUS process reviewed this Plan Amendment. In a letter dated [DATE], OSPC provided comments on this Plan Amendment [SUMMARIZE COMMENTS].

### **Town Council Review and Adoption**

This section outlines the Town Council's adoption process.

#### *Town Council Hearing*

On [DATE], the Town Council held a public hearing on this Plan Amendment. All interested parties were given an opportunity to provide comments on the Amendment.

#### *Town Council Adoption*

On [DATE], the Town Council enacted an ordinance adopting this Plan Amendment by majority vote.

## PLAN AMENDMENT DETAILS

This section of the Plan Amendment document provides details about the land use change for 27 Railroad Avenue and the newly annexed 12181 Willow Grove Avenue. The locations of these parcels are shown on the map that follows this page.

### Land Use Change

This Plan Amendment changes the land use for the following parcel.

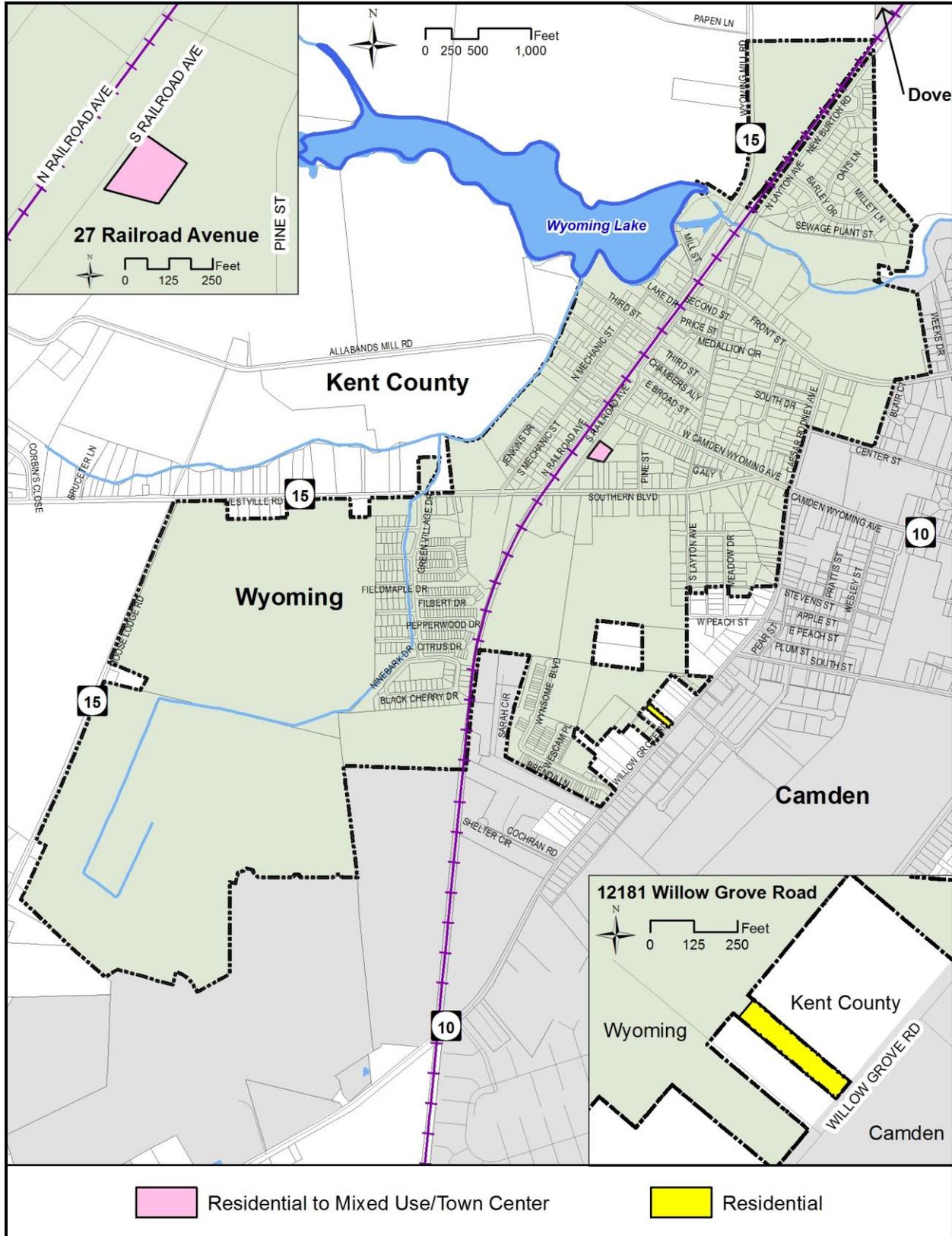
Property Location	27 Railroad Avenue
Parcel ID	7-20-09406-03-3200
Owner Name	Witt, Terry B.
Owner Address	107 W Camden Wyoming Ave
State Investment Level	Level 1
2011/2015 Future Land Use	Residential
New Future Land Use	Mixed Use/Town Center
Existing Zoning	R-1, Single-Family Residential
Zoning Change Needed?	Yes

### Addition of Newly Annexed Parcel

This Plan Amendment shows 12181 Willow Grove Road within the town boundaries. This parcel was annexed on September 12, 2016 and recorded with the Kent County Recorder of Deeds on [DATE]. The 2011 Plan Update and 2015 Plan Amendment included this parcel in Wyoming's annexation area and designated it for Residential land uses. Map 7 in this Plan Amendment designates this parcel as Residential.

Property Location	12181 Willow Grove Road
Parcel ID	7-00-09410-01-4100
Owner Name	Heist, Kristian
State Investment Level	Level 1
2011/2015 Future Land Use	Residential
Future Land Use at Annexation	Residential
Zoning at Annexation	R-1, Single-Family Residential

Location Map—Land Use Change and Newly Annexed Parcel



## IMPLEMENTATION

This section identifies the provisions of the Delaware Code that Ocean must comply with following adoption of this Plan Amendment.

### Comprehensive Rezoning

Title 22, Section 702(c) of the *Delaware Code*, requires that every municipality:

*... within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan.*

Table 2 shows the link between land use and zoning. This link is important because it provides guidance as to the zoning districts that would be considered consistent with the future land use designations in the 2011 Comprehensive Plan as amended by the 2015 Plan Amendment and this Plan Amendment and Wyoming's zoning districts.

**Table 1. Land Use and Zoning Link**

Land Use Designation	Zoning District(s)
Open Space	OS
Residential	R-1, R-2
Mixed Use/Commercial Residential	New Zoning District or revision of an existing zoning district
Mixed Use/Town Center	TC
Commercial	C-G
Industrial	I-1
Community Uses	All Zoning Districts
Utilities	All Zoning Districts

### Plan Update

Section 702(e) of the Delaware Code also requires that;

*At least every 5 years a municipality shall review its adopted comprehensive plan to determine if its provisions are still relevant given changing conditions in the municipality or in the surrounding areas. The adopted comprehensive plan shall be revised, updated and amended as necessary, and readopted at least every 10 years ...*

Since this document is an amendment, not a complete re-vamping of the 2011 plan, Wyoming must fully update the entire comprehensive plan by 2021.

### Annual Reports

Section 702(f) requires the submission of annual reports to OSPC each July 1.

## MAP

Map 7 on the following page includes the land use change for 27 Railroad Avenue and 12181 Willow Grove Road. This Plan Amendment hereby supersedes and replaces Map 7 in both the 2011 Plan Update and the 2015 Plan Amendment.



**TOWN OF WYOMING**  
Kent County, Delaware  
2015 Comprehensive  
Plan Amendment

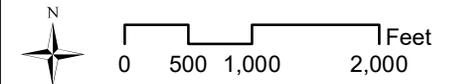
**Map 7. Future Land Use 2016**  
Supersedes Map 7 in  
2011 Plan and 2015 Amendment

**Land Use Designations**

-  Commercial
-  Community Uses
-  Industrial
-  Mixed Use/Town Center
-  Open Space
-  Residential
-  Utilities

**Base Map Data**

-  Wyoming Boundary
-  Railroads
-  Roads
-  Parcel Boundaries
-  Water Bodies
-  Streams



**Sources**

**Parcel Boundaries** - Kent County Department of Planning Services Mapping/911 Addressing Division, 08/25/2015.  
**Municipal Boundaries** - FirstMap, edited by IPA to reflect annexation of 12181 Willow Grove Road on 09/12/2016.  
**Roads, Water Bodies, Streams & Railroads** - FirstMap.

This map is provided by the Institute for Public Administration (IPA) solely for display and reference purposes and is subject to change without notice. IPA makes no claims, either real or assumed, as to the absolute accuracy or precision of any data contained herein, and IPA will not be held responsible for any use of this document for purposes other than for which it was intended.

