

**Ordinance No. 479**  
**An Ordinance to amend the City of New Castle Zoning Code to**  
**Add Parking Regulations for the Downtown Gateway (DG) District**

**WHEREAS**, the City of New Castle Comprehensive Plan establishes land use and other goals for the City; and

**WHEREAS**, the Comprehensive Plan recommends that a new Zoning Designation be established, which shall be known as the Downtown Gateway (DG) Zoning District, which generally encompasses the vicinity of 7<sup>th</sup> and South Streets and the Ferry Cut-Off area; and

**WHEREAS**, parking regulations are needed to support the newly established Downtown Gateway (DG) Zoning District ; and

**WHEREAS**, a public hearing was held on September 23, 2010, where all persons were heard either in favor of, or in opposition to, the proposed parking regulations for the DG zoning district.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the City of New Castle, the following:

Add a new Segment to the Zoning Section of the City Code, as follows:

City of New Castle  
Chapter 230 Zoning Additions and Amendments  
**Downtown Gateway Zoning District**  
**Parking**

*(The following is proposed to be added to Article IV Supplementary District Regulations, Section 230-28 A. as a new subsection)*

(15) In a Downtown Gateway District, parking requirements for specific uses are as follows:

(a) Bank:

[1] 2 per indoor teller window.

[2] 1 per walk-up ATM.

(b) Bar or Tavern: 1 per 100 sq. ft. of patron floor, plus 1 per employee on largest shift.

(c) Convenience Store: 1 space per 250 gross sq. ft. of floor area.

(d) Office: No parking is required for the first 400 gross sq. ft., 1 space per each additional 300 gross sq. ft.

(e) Apartments: 1.5 spaces per unit

(f) Bed & Breakfast Inn and House: 2 spaces plus 1 per guest or rental room.

(g) Hotel: 1 space per rental unit, plus 1 space per 250 sq. ft. of gross floor area in common or public use (lobby, bar, meeting rooms, etc.), plus 1 per employee on the largest shift.

(h) Restaurant:

[1] Fast Food: No parking is required for the first 300 sq. ft. of patron floor area, 1 space is required per each additional 75 sq. ft. of patron floor area plus 1 per employee on the largest shift.

[2] Other: No parking is required for the first 400 sq. ft. of patron floor area, 1 space is required per each additional 200 sq. ft. of patron floor area plus 1 per employee on the largest shift.

- (i) Retail, Personal Services: No parking is required for the first 450 gross sq. ft. of space devoted to sales/service; 1 space is required for each additional 300 gross sq.ft. of space devoted to sales/service, plus 1 per employee on the largest shift.
- (j) Theater: 1 per 6 seats.
- (k) Indoor Amusements: 1 per 200 sq. ft. of gross floor area.
- (l) Studios: 1 per 800 sq .ft. minimum, 1 per 300 sq. ft. maximum.
- (m) Private or Fraternal Clubs: 1 per 150 sq .ft. above the first 2,400 sq. ft.
- (n) Religious Institution: 1 per 5 seats.
- (o) Government Uses, Community Center, Libraries: 1 per 850 sq. ft. of gross floor area.
- (p) Home Occupation: 1 space per employee, 1 space per 100 gross sq. ft. of floor area dedication to the home occupation for those home occupations with a visiting clientele.
- (q) Gallery and Museum: 1 space per 850 sq. ft.

(2) Maximum Parking:

- (a) No more than 120 percent of the required minimum parking is permitted.

(3) Shared Parking – The following provisions shall replace those of Sec. 230-28 F for development in the Gateway Districts:

- (a) Users shall be required to show shared parking is reasonably close to each use (see Section 230-28 I.(3)(d), Walking Distance).
- (b) Shared Parking Agreement (2 businesses) or District (more than 2 businesses) which involves contractual agreement between users is required. A shared parking agreement allows users an opportunity, if they choose, to redesign parking lots to be more efficient in serving multiple users. This may consist of making new curb cuts between parking lots, restriping lots, or redesigning internal traffic circulation and pedestrian walkways.
- (c) The minimum amount of shared parking required shall be calculated according to the following formula (see Table 1):
  - [1] Calculate the minimum amount of parking required for each land use as if it were a separate use.
  - [2] To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in the table below for each of the six time periods.
  - [3] Calculate the column total for each of the six time periods.
  - [4] The column (time period) with the highest value shall be the minimum parking requirement.

Table 1: Shared Parking Calculations

Uses	Monday - Friday			Saturday and Sunday		
	8 am – 6 pm	6 pm- Midnight	Midnight-8 am	8 am – 6 pm	6 pm – Midnight	Midnight – 8 am
Residential	60%	100%	100%	80%	100%	100%
Office	100%	10%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	60%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Institutional (non-religious institution)	100%	40%	5%	10%	10%	5%

Religious Institution	20%	40%	5%	100%	50%	5%
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(d) Walking Distance:

- [1] Less than 100 feet: People with disabilities, deliveries and loading, emergency services, fast food restaurant, and convenience store.
- [2] Less than 800 feet: residents, grocery stores, professional services, and medical clinics.
- [3] Less than 1,200 feet: general retail, restaurant, employees, entertainment center, and religious institutions.
- [4] Less than 1,600 feet: Major sport or cultural event and overflow parking.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Ordinances or portions of Ordinances in conflict herewith are hereby repealed; provided that any such repeal shall not abate a right of action already accrued under any repealed Ordinance.

This Ordinance shall become effective immediately upon passage.

First Reading: January 18, 2011  
 Second Reading: January 18, 2011  
 Third Reading: February 8, 2011

Signed:

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 William Barthel, Council President

I hereby certify that the foregoing Ordinance was duly approved by a majority of the Council of New Castle upon the dates above set forth and signed by the President of the Council.

\_\_\_\_\_  
 Michael Dickinson, City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2011

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 Donald A. Reese, Mayor