

**Ordinance No. 489**

**An Ordinance to Rezone Certain Properties  
to the Downtown Gateway (DG) Zoning Classification**

**WHEREAS**, the Mayor and Council of New Castle Comprehensive Plan established land use 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**, the Mayor and Council of New Castle has adopted Ordinance Nos. 477, 478 and 479 thereby establishing the Downtown gateway (DG) Zoning District and associated parking and signage requirements; and

**WHEREAS**, it is thereby appropriate to identify and rezone the specific properties to be initially designated as within the Downtown Gateway (DG) Zoning District.

**NOW, THEREFORE**, be it ordained by the Council of the Mayor and Council of New Castle, as follows:

**SECTION 1:** The official zoning map of the Mayor and Council of New Castle (the “City”), incorporated into the Code of the City (the “Code”) by Section 230-2 of the Code is hereby amended to rezone the following tax parcels to the Downtown Gateway (DG) zoning classification:

**In the vicinity of 7th and South Street:**

21-014.00-132	21-014.00-403	21-014.00-565
21-014.00-163	21-014.00-405	21-014.00-566
21-014.00-390	21-014.00-406	21-014.00-567
21-014.00-391	21-014.00-407	21-014.00-568
21-014.00-392	21-014.00-408	21-014.00-569
21-014.00-393	21-014.00-409	21-014.00-570
21-014.00-394	21-014.00-410	21-014.00-571
21-014.00-395	21-014.00-411	21-014.00-572
21-014.00-396	21-014.00-471	21-015.00-056
21-014.00-397	21-014.00-482	21-015.00-057
21-014.00-398	21-014.00-483	21-017.00-068
21-014.00-400	21-014.00-491	21-017.00-126
21-014.00-401	21-014.00-554	21-017.00-127
21-014.00-402	21-014.00-555	21-018.00-007

**In the vicinity of Ferry Cutoff Street:**

21-011.00-006	515 Harmony Street	21-015.10-006
21-011.00-007	portion of 21-015.00-061	21-015.10-007
21-011.00-008	21-015.00-200	21-015.10-008
21-015.00-001	21-015.10-001	21-015.10-021
21-015.00-003	21-015.10-003	21-015.10-022
21-015.00-005	21-015.10-004	21-015.10-023
21-015.00-006	21-015.10-005	21-015.10-124

**SECTION 2.** 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. Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase irrespective of the fact that any one or more thereof is declared unconstitutional or invalid.

**SECTION 3.** Ordinances or parts 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.

**SECTION 4.** This Ordinance shall become effective immediately upon passage.

First Reading: June 5, 2012  
Second Reading: June 5, 2012  
Third Reading: June 12, 2012

Signed: \_\_\_\_\_  
William Barthel, Council President

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

\_\_\_\_\_  
Michael A. Dickinson, City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2012

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Donald A. Reese, Mayor