

Ordinance No. 508

An Ordinance to amend the City of New Castle Comprehensive Plan and to rezone parcel 21-013.00-001 (portion of Little League fields on Route 273) from I (Industrial) to the Residential (R-1) zoning classification.

WHEREAS, pursuant to Resolution No. 2016-28, the Council of the City of New Castle resolved to take the necessary steps to initiate the pre-application review (“PLUS”) process with the Office of State Planning Coordination as provided for in 29 Del. C. §9204 with respect to a proposed amendment to the City’s comprehensive plan and zoning map to designate a portion of 732 Frenchtown Road, tax parcel no. 21-013.00-001 currently used as a baseball field (the “Property”), presently zoned Industrial (I), to the Residential (R-1) classification; and

WHEREAS, the Property is more specifically described in Exhibit A attached hereto; and

WHEREAS, City Planner Christopher Rogers met with State agency planners for the PLUS review on July 27, 2016 to discuss the proposed Comprehensive Plan amendment for the City of New Castle to present the proposed amendment; and

WHEREAS, the specific amendment to the Comprehensive Plan would change the Suggested Land Use Zoning Map, and Vacant Land Suggested Uses Table for the Property; and

WHEREAS, recommendations associated with the proposed Comprehensive Plan amendment were received from the Office of State Planning Coordination, the State Department of Transportation and the State Historic Preservation Office and no objections were received; and

WHEREAS, the Council of the City New Castle desires to move forward with the amendment to the Comprehensive Plan as set forth above and the rezoning of the Property to the Residential (R-1) classification; and

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

SECTION 1: The Comprehensive Plan for the City of New Castle is hereby amended with respect to the Property so as change the Suggested Land Use Zoning Map (Map 2 C) and the Vacant Land Suggested Uses Table (Table 16) so as to designate the Property as proposed for future residential development. The City Planner and City Administrator are directed to prepare the necessary Map and Table amendments; to post same on the City Website; and to forward a copy of same and this Ordinance to the Office of State Planning Coordination for their records.

SECTION 2: The official zoning map of the City of New Castle, incorporated into the Code of the City (the “Code”) by Section 230-2 of the Code, is hereby amended to rezone the that portion of tax parcel 21-013.00-001 described in Exhibit A attached hereto to the Residential (R-1) zoning classification.

SECTION 3. 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 4. 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 5. This Ordinance shall become effective immediately upon passage.

First Reading **November 9, 2016**

Second Reading **December 13, 2016**

Signed this _____ day of _____, 201____

Linda Ratchford, President of Council

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.

Janet E. Wurtzel, City Clerk

Approved this _____ day of _____, 201____

Donald A. Reese, Mayor