

Ordinance No. 518

An Ordinance to Impose a Moratorium on the Issuance of Building permits and other land use approvals associated with the construction of new, multi-family development projects involving more than ten dwellings units for a period of nine months in all zoning districts of the City

WHEREAS, the Council of the City of New Castle (“Council”) acknowledges its responsibility to ensure a good quality of life for all residents of the City of New Castle (the “City”); and

WHEREAS, the Council is concerned with the potential proliferation of larger multi-family developments in the City and how they may affect, traffic congestion issues, the delivery of police, fire, emergency services and other public services and the general quality of life of City residents; and

WHEREAS Council deems it appropriate to impose a temporary, nine month moratorium on the issuance of building permits and other land use approvals associated with the construction of new, multi-family dwellings exceeding ten dwelling units on a City-wide basis to allow suitable time for study possible amendments to the City’s Code to address quality of life issues associated with such larger multi-family developments, including mixed use developments involving more than ten residential units;

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

A temporary, nine month moratorium is hereby imposed on the issuance of building permits and other land use approvals associated with the construction of new, multi-family residential development projects that exceed ten dwelling units, including mixed use projects involving more than ten dwelling units, on a City-wide basis to allow suitable time for study possible amendments to the City’s Code to address quality of life issues associated with such larger multi-family and mixed use developments. The moratorium imposed by this ordinance shall not affect development projects and land use approvals already properly submitted to the appropriate City agency for consideration but not yet fully approved as of the effective date of this ordinance, including but not limited to rezoning applications, site plans, land development plans, subdivision plans, and Board of Adjustment applications.

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 March 12th, 2019

Second Reading: _____, 2019

Signed this ____th day of _____, 2018

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.

Brian G. Whitaker, City Clerk

Approved this _____ day of _____, 2019

Jimmy Gambacorta, Mayor