

Resolution No. 2019-37

A Resolution to provide for a Historic Area Commission fee waiver for certain improvements for properties located within the Downtown Development District.

WHEREAS, under the Downtown Development Districts Act, 22 *Del.C.* §§ 1901 *et seq.* (the “Act”), the State of Delaware may designate districts within Delaware’s cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits; and

WHEREAS, a portion of the City of New Castle (the “City”) was designated as a Downtown Development District (“DDD”) on August 19th, 2019; and

WHEREAS, as a condition of said designation, the City committed to enacting various “local incentives” to help achieve the purposes set forth in the Act; and

WHEREAS, one of the local incentives included in the City’s application to receive the DDD designation involved waiving certain Historic Area Commission applications/review fees for properties located within the DDD;

NOW THEREFORE, BE IT RESOLVED THAT:

Section A239-2 A (5) of the City Code is hereby amended to state as follows:

§A239-2 Building Construction.

- A. Whenever by any provision of the Delaware Code or the Code of the City of New Castle the issuance of a permit or other action by any agency, officer or employee of the town is required, the fee thereafter shall be determined by reference to the following schedule:

(5) Historic Area Commission applications/historic review certificate: \$50, provided, however, that for any property located in that portion of the City designated as a “Downtown Development District” (DDD) under 22 *Del.C.* §§ 1901 *et seq.*, no fee for a Historic Area Commission application or review certificate shall be required for:

- New or replacement signage; and/or
- Façade improvements; and/or
- Installation of underground utilities; and/or
- Sidewalk improvements.

This fee waiver for properties in the Downtown Development District shall remain valid for only as long as the City’s DDD program remains

certified by the State of Delaware. All work performed in an Historic District, Residence or Commercial, requires prior approval of the Historic Area Commission and the issuance of an Historic Review Certificate pursuant to §§ 230-45 and 230-52B. Applicants for work to be done in Historic Zoning Districts must submit applications to the Historic Area Commission and obtain the required certificate in addition to obtaining a building permit.

Passed this 8th day of October, 2019

Linda Ratchford, City Council President

Valarie W. Leary, Councilperson

Michael M. Platt, Councilperson

Russell P. Smith, Councilperson

Suzanne M. Souder, Councilperson

Attest:

Brian Whitaker, City Clerk.