

**Ordinance No. 528**

**An Ordinance to Adopt the Update to the 2009 Comprehensive Plan, entitled the 2020 City of New Castle Comprehensive Plan**

**WHEREAS**, 22 *Del. C.* Section 702 (e) requires the City of New Castle to review its Comprehensive Plan at least every five years, and to revise, update, amend and readopt its Comprehensive Plan at least every ten years; and

**WHEREAS**, the City of New Castle Planning Commission per 22 *Del. C.* Section 702, in consultation with KCI Technologies, Inc., State and local agencies and private citizens representing varied interests has developed a proposed 2020 Comprehensive Plan; and

**WHEREAS**, the proposed 2020 Comprehensive Plan has been developed per 22 *Del. C.* Section 702, building upon the 2009 Comprehensive Plan, prior amendments thereto, and incorporating the elements and policy recommendations required thereby; and

**WHEREAS**, the proposed 2020 Comprehensive Plan has been reviewed by the Office of State Planning Coordination and other State agencies through the Preliminary Land Use Service (PLUS) review; and

**WHEREAS**, the City of New Castle has determined that the provisions of the proposed 2020 Comprehensive Plan substantially advance and are reasonably and rationally related to legitimate government interests including promoting the health, safety, convenience, order, prosperity and/or welfare of the present and future inhabitants of the City of New Castle; and

**WHEREAS**, the draft 2020 City of New Castle Comprehensive Plan document, including all associated maps, dated August, 2020, the PLUS review letter dated May 20, 2020, and public hearing testimony are available for inspection on the City website at [www.newcastlecity.delaware.gov](http://www.newcastlecity.delaware.gov).

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

The 2020 City of New Castle Comprehensive Plan draft document, including all associated maps, dated August, 2020, is adopted as the Comprehensive Plan for the City of New Castle, Delaware, in accordance with the Shaping Delaware's Future Act of 1995 in Delaware Code, Title 29, Subchapter I and the Livable Delaware initiative.

This ordinance is adopted pursuant to the authority conferred upon the City Council of the City of New Castle, Delaware in the Delaware Code, Title 22, Section 702.

The provisions of this ordinance are severable and if any of its provisions or any sentence, clause or paragraph shall be held unconstitutional or in violation of the laws of the State of Delaware by any court of competent jurisdiction, the decisions of such court shall not affect or impair any of the remaining provisions which can be given effect in the absence of the invalid provision or application; and

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon adoption by the City Council.

First Reading: August 11, 2020

Second Reading: December 8, 2020

Signed this \_\_\_\_th day of \_\_\_\_\_, 2020

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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.

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Brian G. Whitaker, City Clerk

**Approved this\_\_\_\_\_ day of \_\_\_\_\_, 2020**

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Michael J. Quaranta, Mayor