

**Ordinance No. 538**

**To Amend New Castle City Code § 230-21.1 Downtown Gateway District  
Regarding Multifamily Dwellings**

**WHEREAS**, the Council of The City of New Castle (“City Council”) possess the authority to adopt, amend, modify, or repeal The City of New Castle Municipal Code (“Code”);

**WHEREAS**, the City Council desires to modify Chapter 203, specifically Section 230-21.1, regarding multifamily and mixed use uses in the Downtown Gateway District (“Proposed Changes”); and

**WHEREAS**, the City Council finds that the Proposed Changes are consistent with the City of New Castle’s Comprehensive Development Plan.

**NOW, THEREFORE**, making the express finding that the Proposed Changes outlined below enhance the health, safety, and welfare of the City of New Castle, the City Council of The City of New Castle hereby ordains and adopt the following Code changes and revisions:

**Section 1.** Amend City of New Castle Code, § 230-21.1 B. (2), Table 1:

Permitted Uses by striking the following words:

~~Multifamily dwelling~~—————~~SE~~

\_\_\_\_\_

~~Mixed Use~~ \_\_\_\_\_ ~~SE~~

~~A mix of uses in a single building or group of buildings with first floor nonresidential uses as described herein and office or multifamily residential on the upper floors; residential density of upper floor residential uses in a mixed-use building shall not exceed 10 units per acre; residential uses shall have a private access separate from that of the commercial uses~~

**Section 2.** Amend City of New Castle Code, § 230-21.1 C. (1) by striking the words “Nonresidential, mixed and multifamily uses” and replacing it with the language “Nonresidential and mixed uses” as follows:

Nonresidential, ~~mixed and multifamily uses~~

**Section 3.** Amend City of New Castle Code, § 230-21.1 D. by adding a new section (7) and section (8), which shall read as follows:<sup>1</sup>

**(7) Multifamily dwellings**

**(8) Mixed Uses**

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**Section 4. Inconsistent Ordinances and Resolutions Repealed.** All Ordinances or parts of Ordinances and all resolutions or parts of resolutions that may be in direct conflict herewith are hereby repealed.

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<sup>1</sup> Additions to current code language are in **bold**.



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Michael Platt, President of Council

Attest:

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Kathy Walls, City Secretary

Approved:

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Mayor