

Ordinance No. 2024-550

**AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM
ON THE ACCEPTANCE OR CONSIDERATION OF ALL APPLICATIONS
PROPOSING MULTI-FAMILY DWELLINGS WITH MORE THAN
FIFTEEN RESIDENTIAL UNITS, INCLUDING AS PART OF A MIXED
USE DEVELOPMENT, TO ALLOW THE CITY COUNCIL TIME TO
REVIEW ITS COMPREHENSIVE DEVELOPMENT PLAN, CITY CODE,
AND APPLICABLE REGULATIONS REGARDING SUCH
DEVELOPMENTS**

Whereas, the Council of the City of New Castle (“City Council”) is entrusted with ensuring the harmonious development of the City of New Castle, as well as with preserving, protecting, and enhancing the present and future health, safety, order, convenience, prosperity, and general welfare of the citizens of the City of New Castle;

Whereas, the recent emergence of large multi-family developments within the City of New Castle has highlighted a need to evaluate the appropriateness of existing requirements and regulations governing such developments in advancing and protecting the health, safety, and welfare of the City of New Castle; and

Whereas, the temporary suspension of consideration of all applications proposing multi-family dwellings with more than fifteen residential units is necessary and appropriate to afford City Council time and opportunity to evaluate comprehensively the appropriateness of existing standards, the feasibility of regulatory alternatives, and the wisdom of new standards, including concerning applicable terminology, definitions, criteria of approval, and processes; and

Whereas, the City Council has determined that it is in the best interest of the City and its residents to impose a temporary moratorium, to and including December 9, 2025, on the acceptance or consideration of all applications proposing multi-family dwellings with more than fifteen residential units within the City of New Castle.

NOW, THEREFORE, making the express finding that the provisions of this Ordinance enhance and promote the health, safety, and welfare of the City of New Castle, be it ordained by the Council of the City of New Castle Council as follows:

SECTION 1: A moratorium shall apply to stay all applications proposing to establish, develop, or construct multi-family dwellings with more than fifteen residential units, including as part of a mixed use development, in the City of New Castle submitted after the date of introduction of this Ordinance. During the temporary stay, the City of New Castle shall not accept any applications, including Plan and permit applications, proposing multi-family dwellings with more than fifteen residential units.

SECTION 2: Any application submitted prior to the introduction of this Ordinance that is complete and found acceptable upon review by the City of New Castle shall be exempt from the application of this stay.

SECTION 3: During this moratorium, the City Council shall: (1) evaluate the adequacy of transportation infrastructure and related regulatory standards and requirements, including concerning traffic impact studies; (2) evaluate the adequacy of emergency ingress and egress to and from the City of New Castle and first responder capabilities; (3) evaluate the adequacy of utility infrastructure and related standards; and (4) evaluate the impacts of multi-family dwellings with more than fifteen residential units on city services.

SECTION 4: 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.

SECTION 5: In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

SECTION 6: This Ordinance shall become effective *nunc pro tunc* to its introduction and shall remain in effect until December 9, 2025 at 11:59 p.m., unless rescinded sooner by the City Council.

First Reading September 17th, 2024

Second Reading November 12th, 2024

Signed this _____ day of _____, 2024

Suzanne Souder, President of City Council

Attest: _____
Courtaney Taylor, City Clerk

Approved: _____
Valarie Leary, Mayor