

Ordinance No. 2025-556

AN ORDINANCE TO AMEND THE CITY OF NEW CASTLE MUNICIPAL CODE, CHAPTER 230 (ZONING CODE), REGARDING HOME OCCUPATIONS IN THE HISTORIC RESIDENCE ZONING DISTRICT

Whereas, the Council of The City of New Castle (“City Council”) possesses the authority to adopt, amend, modify, or repeal The City of New Castle Municipal Code (“City Code”); and

Whereas, Home Occupations, such as an art studio, dressmaking, and professional office of a lawyer, engineer, architect, or certificated public accountant, are permitted accessory uses in the R-2 and R-3 Residential zoning districts; and

Whereas, Home Occupations, by definition, retain the residential character and appearance of the structure and do not generate greater traffic volumes than would typically be expected in a residential district; and

Whereas, the City Council finds that, as is the case in the R-2 and R-3 zoning districts, Home Occupations should also be permitted accessory uses in the HR, Historic Residence, Zoning District subject to the standards enumerated in City Code Section 230-1, Definitions; and

Whereas, The City Council has determined that it is in the best interest of the City and its residents to amend the City Code to expressly allow a Home Occupation as a permitted accessory use in the HR, Historic Residence, zoning district.

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: City Code Chapter 230, Zoning Code, Section 230-19(A)(7), Historic Residence District HR, is hereby amended as follows (with deleted text identified by bold, strikethrough and new language identified in bold, underlined text):

(7) Accessory uses and structures:

- (a) The renting of one room to nontransient roomers or boarders.
- (b) Other accessory uses and structures clearly incidental and customary to and associated with the permitted use.
- (c) **Customary home occupations as defined in § 230-1 of this chapter.**

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.

SECTION 3: In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

SECTION 4: This Ordinance shall become effective immediately upon its adoption by City Council.

First Reading

Second Reading

Signed this _____ day of _____, 2025

_____, President of City Council

Attest: _____, City Clerk

Approved: _____, Mayor