

AN ORDINANCE AMEND CHAPTER 48 TO REQUIRE APPLICANTS TO OBTAIN A CERTIFICATE OF APPEARANCE FROM CIVIC ASSOCIATIONS AND NEIGHBORHOOD PLANNING COUNCILS PRIOR TO SUBMITTING AN APPLICATION TO THE ZONING BOARD OF ADJUSTMENT DESIGN REVIEW COMMITTEE, OR PRESERVATION COMMISSION

#4852

Sponsor:

Council
Member
Walsh

Co-Sponsor

Council
President
Shabazz

WHEREAS, development projects within City neighborhoods can have a substantial impact on the unique characteristics of a neighborhood beyond the immediate vicinity of the project; and

WHEREAS, Applicants to the Zoning Board of Adjustment are required to notify adjoining property owners but not the community where development will take place; and

WHEREAS, local Civic Associations and Neighborhood Planning Councils are essential to engaging and soliciting feedback from the wider community; and

WHEREAS, notice of proposed development projects to the Civic Association and Neighborhood Planning Council will serve to engage a greater number of citizens in the development of their neighborhood.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. Chapter 48 of the City Code is hereby amended adding the new Section 48-7 containing the underlined language to read as follows:

Sec. 48-7. Community Notice Required Prior To submission of Application To Zoning Board of Adjustment Design Review Committee, or Preservation Commission.

- (a) Any person desiring to obtain the permission of the Zoning Board of Adjustment Design Review Committee, or Preservation Commission, for any purpose for which permission is required under this chapter shall notify the Civic Association and Neighborhood Planning Council of the community in which the proposed project is

located of their intent to submit an application.

- a. Notice shall include a preliminary copy of the Application including contact information for the applicant and property owner and any drawings to be included with the application.
- b. Notice should be provided with reasonable time for consideration by the Civic Association.

(b) After a reasonable time for consideration, The Civic Association shall deliver to the applicant a Certificate of Appearance in the form of a notarized letter acknowledging receipt of the applicant's plan and the consensus of the Association.

(c) Issuance of a Certificate of Appearance shall not substitute the applicant's duty to engage adjoining property owners as required under Sec. 48-67 of this Code.

SECTION 2. Chapter 48 of the City Code is hereby amended adding the underlined language to Subsection 48-67 (b) to read as follows:

(6) A Certificate of Appearance from the representative Civic Association and Neighborhood Planning Council certifying that they have been informed of the intent to develop and applicant's purpose for which the board's permission is being sought.

SECTION 3. This Ordinance shall be effective upon its passage by City Council and approval by the Mayor.

First ReadingAugust 20, 2020
Second ReadingAugust 20, 2020
Third Reading

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance amends Chapter 48 of the City Code to require developers to notify the Civic Association and Neighborhood Planning Council of the community in which the project is located of their intent to develop. Developers shall be required to obtain a certificate of appearance from the Civic Association and Neighborhood Planning Council as a prerequisite to submitting an application to Zoning Board of Adjustment Design Review Committee, or Preservation Commission.

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