

AN ORDINANCE TO AMEND CHAPTER 48 OF THE CITY CODE TO PERMIT COMMERCIAL RECREATION AND PUBLIC ASSEMBLY AS MATTER-OF-RIGHT USES IN THE M-1 (LIGHT MANUFACTURING) ZONING DISTRICT

#0102

Sponsor:

**Council
Member
Cabrera**

WHEREAS, the City desires to amend Chapter 48 of the City Code (the “Zoning Code”) to define and permit “commercial recreation” and “public assembly” as matter-of-right uses in the M-1 (Light Manufacturing) zoning district to promote economic diversification, create new employment opportunities in the entertainment, hospitality, and recreation sectors, and contribute to community revitalization efforts; and

WHEREAS, in accordance with and pursuant to Section 48-52 of the City Code, the City Planning Commission held a duly advertised public hearing at its July 15, 2025 meeting and adopted Planning Commission Resolution 6-25, which recommended amendments to the Zoning Code to define and permit “commercial recreation” and “public assembly” as matter-of-right uses in the M-1 (Light Manufacturing) zoning district, as well as establish parking requirements for such uses; and

WHEREAS, in accordance with and pursuant to Section 48-51 of the City Code, after holding a duly advertised public hearing, City Council deems it necessary and appropriate to amend the Zoning Code to define and permit “commercial recreation” and “public assembly” as matter-of-right uses in the M-1 (Light Manufacturing) zoning district and establish parking requirements for such uses.

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

SECTION 1. Chapter 48 of the City Code is hereby amended by amending Section 48-2 thereof by adding the underlined language to read as follows:

Sec. 48-2. - Definitions.

- (c) The following words and phrases shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this subsection, as follows: The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial recreation means any private or public facility or site operated for the purpose of providing recreational or entertainment activities to the public. This includes a broad range of indoor and outdoor recreational venues, such as sports and fitness centers, bowling alleys, skating rinks, escape rooms, billiard halls, amusement arcades, laser tag arenas, paintball or airsoft facilities, indoor climbing gyms, miniature golf, and similar leisure enterprises.

Public assembly means an indoor or outdoor facility or place where people gather for civic, educational, religious, social, or cultural purposes. This definition encompasses uses such as assembly halls, community centers, conference or event venues, auditoriums, stadiums, banquet halls, and places of worship.

SECTION 2. Chapter 48 of the City Code is hereby amended by amending Section 48-246 thereof by adding the underlined language to read as follows:

Sec. 48-246. - M-1 districts.

- (b) *Permitted uses.* In any M-1 district no building or premises shall be used and no building shall be erected or altered, except as provided elsewhere in this chapter, which is arranged, intended or designed to be used except for one or more of the uses listed below, and subject

to off-street parking and loading requirements of article X of this chapter:

(20) Commercial recreation.

(21) Public assembly.

SECTION 3. Chapter 48 of the City Code is hereby amended by amending Section 48-445 thereof by deleting the stricken language and adding the underlined language to read as follows:

Sec. 48-445. - Parking spaces accessory to storage, manufacturing, and industrial uses; and indoor commercial horticultural operations; and commercial recreation and public assembly uses.

After March 8, 1962, no building shall be erected for the storage, manufacturing and industrial uses listed in the following table unless accessory parking space is provided and maintained on the premises in accordance with the requirements specified in such table:

Use and District	Minimum Amount of Parking Space Required
Warehouse or storage establishment, or indoor commercial horticultural operation, commercial recreation, or public assembly:	
C-1, C-2, C-3, C-4, C-5, C-6, M-1, M-2, W-1, W-2, W-3	One for each 3,000 square feet of gross floor area
C-2-A	The greater of one for each employee or one for each 2,000 square feet of gross floor area
Manufacturing or industrial establishment:	
C-2-A	The greater of one for each employee or one for each 2,000 square feet of gross floor area
M-1, M-2, W-1, W-2, W-3	One for each three employees, computed on the basis of the estimated maximum number of employees at any one time, in an establishment with four or more employees

SECTION 4. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... August 28, 2025
Second Reading..... August 28, 2025
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2025.

Mayor

SYNOPSIS: This Ordinance amends Chapter 48 of the City Code to define and permit “commercial recreation” and “public assembly” as matter-of-right uses in the M-1 (Light Manufacturing) zoning district and establish parking requirements for such uses.

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated negative fiscal impact.

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