

**AN ORDINANCE TO AMEND CHAPTER 48 OF THE CITY CODE TO
REQUIRE APPLICANTS APPEARING BEFORE THE ZONING BOARD OF
ADJUSTMENT OR THE DESIGN REVIEW AND PRESERVATION
COMMISSION TO NOTIFY NEIGHBORHOOD PLANNING COUNCILS
AND/OR CIVIC ASSOCIATIONS**

#0103

Sponsor:

**Council
Member
Darby**

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

WHEREAS, Section 48-67 of the City Code requires applicants petitioning the Zoning Board of Adjustment to notify adjoining property owners; and

WHEREAS, applicants petitioning the City's Design Review and Preservation Commission are not required to notify adjoining property owners; 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 Associations and Neighborhood Planning Councils 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 by amending Section 48-67(b) by adding in the following underlined language to read as follows:

Sec. 48-67. – Meetings, procedures and records.

(b) *Procedure for obtaining permission of the board.* Any person desiring to obtain the permission of the board for any purpose for which permission is

required under this chapter, or for any use not otherwise covered, shall make written application therefore and such written application shall include:

- (5) An affidavit certifying that he/she is not delinquent in payment of city property taxes, water and sewer billing, or any other lienable fee or taxes for which amounts are past due to the city, for the property that is the subject of the written application, subject to verification by the city department of finance as of the date of the application; and
- (6) An affidavit and copies of the returned receipts certifying that the applicant has notified the appropriate Civic Associations and/or Neighborhood Planning Committees.

SECTION 2. Chapter 48 of the City Code is hereby amended by amending 48-417 by adding in the following underlined language to read as follows:

Sec. 48-417. – Required submittals to design review and preservation commission.

- (d) Notice Requirement. Applications for any proposal outlined subsections (a)–
(c) must include an affidavit and copies of the return receipts certifying that the applicant notified the appropriate Neighborhood Planning Council and/or appropriate Civic Association in which the proposed project is located.
- i. Notice may be provided by contacting the representative(s) listed on the City of Wilmington’s directory for Neighborhood Planning

Councils and Civic Associations.

SECTION 3. This Ordinance shall become effective for applications submitted beginning thirty (30) days after its passage by City Council and approval by the Mayor.

First Reading.....September 4, 2025
Second Reading.....September 4, 2025
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2025.

Mayor

SYNOPSIS: This Ordinance requires applicants appearing before the Zoning Board of Adjustment and the Design Review and Preservation Commission to file affidavits with their applications that they notified the appropriate Civic Associations and/or Neighborhood Planning Councils which will be impacted by the proposed action.

FISCAL IMPACT: TBD.