Wilmington, Delaware
November 5, 2026

#0295

Sponsor:

Council Member Darby

WHEREAS, on May 7, 2026, Ordinance No. 26-031 to amend Chapter 48 of the City Code to provide a mandatory inclusionary zoning program for low-income to moderate-income residents was introduced before City Council (the "Ordinance"); and

WHEREAS, the Ordinance was referred to the City Planning Commission (the "CPC") on July 23, 2026; and

WHEREAS, City Code Section 48-52 provides that the CPC has ninety (90) days after the referral of the Ordinance to review and submit a report through the Mayor to City Council with its recommendation regarding the amendments proposed in the Ordinance; and

WHEREAS, the prescribed ninety-day review period is scheduled to expire on October 21, 2026; and

WHEREAS, in light of the complexity of the proposed amendments, the need for the Department of Land Use and Planning to conduct more research to complete its analysis, and the need for additional discussions between the Department and the sponsor of the Ordinance, the CPC needs an extension of its ninety-day review period; and

WHEREAS, City Code Section 48-52 allows for the CPC's ninety-day review period to be extended by a three-quarters vote of City Council; and

WHEREAS, the Department of Land Use and Planning recommends for City Council to approve a ninety-day extension for the CPC to review the amendments proposed in the Ordinance and submit its report through the Mayor to City Council to allow sufficient time for (i) completion of the Department's research and analysis regarding the amendments proposed in the Ordinance and (ii) additional discussions between the Department and the sponsor of the Ordinance; and

WHEREAS, City Council deems it necessary and appropriate to extend the CPC's ninety-day review period by an additional ninety (90) days through and including January 19, 2027.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the time for the CPC to review the amendments proposed in the Ordinance and submit a report through the Mayor to City Council regarding its recommendation about such amendments is hereby extended ninety (90) days through and including January 19, 2027.

Passed by City Council,

ATTEST:_____
City Clerk

Approved as to form this 30th
day of October, 2026.

Elizabeth D. Power
Senior Assistant City Solicitor

SYNOPSIS: This Resolution extends the time for the City Planning Commission to review the amendments proposed in Ordinance No. 26-031 and submit a report through the Mayor to City Council regarding its recommendation about the proposed amendments ninety (90) days through and including January 19, 2027.

FISCAL IMPACT STATEMENT: The Office of Management and Budget (OMB) has reviewed this Resolution, which extends the time for the City Planning Commission to review the proposed amendments contained in Ordinance No. 26-031 and submit a report through the Mayor to City Council regarding its recommendation about such amendments ninety (90) days through and including January 19, 2027. OMB has concluded that this extension has no fiscal impact.

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