

Prime Sponsor(s): Mr. Tackett, Ms. Kilpatrick
Date of introduction: August 26, 2025

RESOLUTION NO. 25-127

**TO AMEND NEW CASTLE COUNTY COUNCIL
PROCEDURAL RULE NO. 4 REGARDING CERTAIN MEETINGS**

WHEREAS, from time to time, it becomes necessary to update and revise New Castle County Council's Procedural Rules; and

WHEREAS, like many legislative bodies, County Council has the authority to adopt its own internal rules of procedure outlining the process to be followed (see *Delaware Code* Title 9, Section 1150); and

WHEREAS, the authority granted by the General Assembly to County Council applies broadly; and

WHEREAS, County Council has determined it is necessary to update its Procedural Rules which refer to a long outdated process for rezoning hearings; and

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby amends Council Procedural Rule No. 4 by adding the material that is underscored and deleting the material that is stricken, as set forth below.

RULE NO. 4. REGULAR COUNCIL MEETINGS.

...

4.5. Consideration of Certain Types of Legislation and/or Variances.

4.5.1. Consideration of Re-zoning/Hometown Overlay Ordinances...

4.5.1.1. Re-zonings and Hometown Overlays are heard as set forth in applicable provisions of *New Castle County Code* tri-annually at the first regularly scheduled Council meeting in February, June, and October³⁶. ~~Tabled re-zonings need not wait until next tri-annual date to be considered. Changes made to the technical criteria describing the land development plan associated with the rezoning (typically in parentheses following the title) shall be done by substitute if the required Planning Board public hearing has not yet been held.~~

³⁶ NCC § 40.31.111

Adopted by County Council
of New Castle County on:

Monique Williams-Johns
President of County Council
of New Castle County

SYNOPSIS: This proposed amendment to County Council's Procedural Rules eliminates outdated Procedural Rules regarding rezonings and hometown overlays, consistent with the *New Castle County Code* and current practice.

FISCAL NOTE: There is no discernible fiscal impact.