



NEW CASTLE COUNTY'S ZONING DISTRICTS

This is general information about New Castle County's zoning districts. The information included is by no means exhaustive or complete. Before designing plans to develop or redevelop a property, please contact the Department of Land Use to determine those specific requirements that apply to your property. To view the Unified Development Code (UDC,) which contains the laws governing development in New Castle County, go to <http://czo.nccde.org/>.

There are four major community character classes into which zoning districts fall, as defined in UDC 40.02.

Those classes are urban, suburban transition, suburban and special. Within each of these classes may be found several zoning classifications. The uses permissible within those classifications are more similar in character than uses permissible in the other classes.

In addition to the basic zoning, properties may also be located within special overlay districts - either Historic overlay or Hometown overlay. Properties in a Historic Overlay District require additional review to ensure that development and changes to existing development meet certain historic standards. Properties within a Hometown Overlay may be developable under different standards than the UDC. The Design Guidelines and Redevelopment Plan for the particular hometown overlay provide more detailed information regarding those standards.

There are a variety of regulations that apply in all zoning categories that will impact the timing and extent of land development. Among these are concurrency standards requiring that certain public services can accommodate the additional development and a number of environmental standards. Environmental conditions that may limit the development potential include floodplains, wetlands, steep slopes, forests, wellhead location, and riparian buffers.

Urban Districts. There is one zoning classification in unincorporated New Castle County that reflects an urban character.

Transitional Neighborhood (TN).

This district is largely residential. The setback line is close to the street and all buildings must be built to the setback line. The district shall be located either near transit or adjoining areas of neighborhood conservation that have similar density. Pedestrian activity is encouraged and open space shall be designed to provide active recreation for the district.

Suburban Transition Districts.

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Suburban Transition (ST).

This district provides for high quality, moderately high density development with a full range of residential uses and limited non-residential uses. Design requirements are intended to reflect a suburban transition character while encouraging pedestrian linkages in addition to automobile access. The intensity accommodates a range of housing types from small single-family to multi-family. The district shall only be located in areas having access to transit services.

Manufactured Mobile Home (MM).

This district provides for a manufactured home park with a suburban transition character.

Office Neighborhood (ON).

The Office Neighborhood District is intended to provide for professional and administrative offices in a park-like setting. Building heights and floor area ratios are designed to provide a setting that is generally compatible with most of the County's residential areas.

Office Regional (OR).

This district is structured to accommodate large regional employment centers that are primarily office together with support-type uses. The character is suburban transition with tall buildings and floor area ratios compatible with the concentration of jobs. Other uses that support the office employment are permitted within buildings and in larger developments as freestanding uses. Transit stop facilities shall be built into the development to reduce automobile traffic on surrounding roads. Mixed use-structures are permitted for the same reason.

Commercial Regional (CR).

This district is intended to provide for community and regional commercial services, with a suburban transition character. Design controls shall promote circulation by foot and automobile within contiguous commercial or office areas. These design features are intended to lessen congestion on roads and create large commercial complexes rather than strip development. Mixed uses are permitted to provide residential customers within the development and transit facilities are required. New areas to be zoned for this use should be large and deep. Small shallow frontages shall not be designated CR.

Business Park.

This district allows office, manufacturing, light industrial, warehousing, and uses that support them. Moderate to high intensities are permitted to maximize land utilization, while within a suburban transition character. The area is intended to attract business and industry. Design standards promote high quality development. The interior land, screened from main roads, may develop at higher intensities with less landscaped area. Limits are placed on exterior storage to ensure an environment that encourages the mix of high quality office with other major employment-generating uses.

Industrial.

This zoning district retains the older industrial areas. The character of these areas is suburban transition and many are existing industrial parks. In keeping with evolving employment trends, a wider range of uses is permitted. Intensities are intended to encourage industrial uses. Limited exterior storage is permitted, but must be screened from the view of collector or arterial roads.

Suburban Districts. Four districts make up the suburban character class: a Suburban District that is residential, a Commercial Neighborhood, a low density Suburban Estate and Suburban Reserve.

Commercial Neighborhood (CN).

The scale and intensity of development in this district is intended to ensure that uses primarily serve the surrounding neighborhoods and reflect their suburban character. Roof design and landscaping are intended to reinforce the compatibility of these uses with surrounding neighborhoods. Size and spacing of this district is regulated to ensure that strip commercial development that serves highway traffic or regional uses is not promoted.

Suburban (S).

This district permits a wide range of residential uses, including all the newly developing areas designed as growth areas in the Comprehensive Development Plan. Moderate to high density residential development is permitted in a manner consistent with providing a high quality suburban character. Significant areas of open space and/or landscaping are required to maintain the balance between green space and buildings that characterize suburban character. The highest densities are permitted in designed communities, hamlets and villages. This district is not intended to be used for fully developed areas. Fully developed areas are zoned Neighborhood Conservation (NC), which is discussed on Page 4. The Suburban District is used to in-fill tracts containing at least 5 acres or where New Castle County seeks to redevelop an area to suburban character.

Suburban Estate (SE).

This district is not serviced by sewer and sewer service is not planned in the near future. Some areas may have public water. The development pattern is planned for full build out. The intention of this zoning district is to preserve a character long established in Northern New Castle County for single-family homes on large lots. Landscaping and design are intended to enhance or preserve the character of the area and preserve the views of the landscape. Both single-family and open-space subdivisions are provided to ensure that difficult sites can still be utilized.

Suburban Reserve (SR).

This district is intended to be served by sewer and water in the future and to be reserved to Suburban (S) when sewer construction is imminent. The district is also designed to permit limited development that does not foreclose the ultimate sewerage of the area. Preservation of large amounts of open space and agricultural land is encouraged in this district and such land may be used for spray irrigation, if other requirements are met. The countryside character of this district is designed to facilitate residential and agricultural uses. Should land develop before sewers are provided, it should be accomplished in a manner which preserves available farmland and consolidates development in such a way as to minimize the impact on the land. Incentives are provided for open space development to preserve land that can be farmed. A full range of development forms from subdivisions to hamlets are provided. A number of special provisions apply to this district that are intended to be an incentive for the continuation of agriculture, even as residential development occurs, by maximizing the contiguous farmland and providing farm operators additional revenue sources.

Special Districts. Four of the special districts are applied to existing development areas and two of the special districts were created to allow a limited amount of Heavy Industry (HI) and Extraction (EX). The Neighborhood Conservation (NC) District applies to neighborhoods or planned areas whose character is already

set by existing uses and lots, and which should be protected or conserved. The Diversified Planning Unit Development (DPUD) District is only for existing DPUD developments. The Historic (H) District is an overlay district to preserve the County's historic heritage. The Hometown (HT) Overlay District may be used for unincorporated communities built before zoning regulations were established in 1954 and with a unique development pattern that does not conform to existing zoning standards.

Heavy Industry (HI). This district is intended to be used primarily for larger heavy industrial developments that are not suited to other industrial districts and the uses that support those types of developments. Typically location of such districts has access to rail lines or navigable waterways in addition to roadway access. Districts shall be located to minimize adverse impacts on neighboring districts, such as noise, air pollution, and unsightly structures. This district shall be permitted in coastal zones, provided that any use prohibited by the Delaware Coastal Zone Act shall remain prohibited, and provided that such districts were zoned M-3 under the former New Castle County zoning maps. No new HI districts shall be created in a coastal zone.

Extraction (EX).

The Extraction District is to be used for the purpose of mining or quarry-type operations. Recreation, High Intensity uses may be permitted during or following the extractive use.

Historic Overlay (H).

The Historic Overlay District places additional standards on uses within the district. The preservation and protection of buildings, structures, sites, objects, districts and landscape features of historic, architectural, cultural, archeological, educational and aesthetic merit are public necessities and are in the interest of the health, prosperity and general welfare of all citizens of the County. See UDC Article 15 for specific criteria.

Hometown Overlay (HT).

The Hometown Overlay District is intended to perpetuate and enhance the character of early settlement areas, hamlets, villages, and pre-World War II subdivisions. Many of these communities have unique characteristics that do not conform to modern zoning standards, but still possess qualities making them viable and attractive places to live and work. The purpose of the overlay district is to ensure that infill, redevelopment, and changes to the zoning pattern are compatible with the existing community. Each district will require its own community redevelopment plan and design guidelines. Future development will conform to the established character of the community as defined in the plan instead of adhering strictly to modern zoning standards. This district may apply to unincorporated areas, the town of Claymont, and those incorporated areas regulated by the UDC. See 40.26.400 for more information about Hometown Overlay Districts.

Neighborhood Conservation (NC).

These districts protect the residential character of existing neighborhoods or planned subdivisions that were or are being developed under the previous zoning regulations. As development standards continue to evolve, these districts avoid making older developments non-conforming. These districts permit minor in-fill consistent with the existing character but shall not be used for rezoning. There are different types of neighborhoods which receive an NC designation. Distinctions between these neighborhoods are made by numbers or letters following the NC designation. See Table 40.02.241 (page 02-11) of the UDC to view the new zoning designations and those that were replaced. The table also includes the type of dwelling units in each district. In some cases, the designation applies to areas that were non-conforming

at the time of the adoption of these regulations. The new designation removes non-conforming status to the greatest degree possible.

Additional comments

The Neighborhood Conservation Planned Unit Development (NCpud) District is used solely to recognize existing DPUD developments. The standards for each individual DPUD are found in the resolution whereby the DPUD was adopted.

The NC5 District is designed to maintain the existing character of older, built-up residential areas that contain mixed dwelling unit types. Any new proposed dwellings within the NC5 District shall be single-family detached or single-family semi-detached and meet other requirements.

Article 2 of the UDC contains more information on this and other zoning districts. For a full legal understanding of the zoning districts, please use the UDC as your resource.

For information about legal uses, required lot area, buffering and other use limitations, please see [Article 3](#) of the UDC. [Article 4](#) contains the basic intensity, bulk performance, bufferyard, and landscaping standards for each zoning district.