

Chapter 3: Land Use

3.0 Accomplishments since 2007

At the time of the 2007 plan update adoption, the Future Land Use element acknowledged that preservation of the unique characteristics of the County should remain a major focus. The County continues to promote the Hometown Overlay Districts that include Claymont, Hockessin, Centreville and North St. Georges. New Castle County Department of Land Use has provided staff assistance to the Design Review Advisory Committees that monitor development and construction in these overlays. In an effort to preserve the viewshed, New Castle County has entered into a Memorandum of Understanding (MOU) with the Delaware Nature Society for preserving the Red Clay Valley scenic by-way.

The Future Land Use element also encourages improving the planning and land use decision making process by coordinating efforts at all levels of government. To address the area with the most potential growth, New Castle County has joined with Middletown, Odessa, Townsend, DeIDOT, DNREC, local school districts, State Planning and other interested parties to create the Southern New Castle County Study Area (SNCCSA). This provides a mechanism to share information and work toward common goals relating to development in Southern New Castle County. This study has aided New Castle County in planning improvements based on agreements with each municipality and has allowed DeIDOT to begin a master plan for the payment of infrastructure improvements. The County continues to work closely with DeIDOT in improving traffic impact studies and in exploring the use of sub-regional traffic analyses as a more wide-ranging transportation study tool.

The plan review process was streamlined in 2009 (Ord. 09-066) by implementation of a two-step review process to revise and improve the land development review and approval process. The enhanced review (or two-step) process was proposed as part of the 2007 Plan Update process to address the three specific concerns voiced regarding past and current plan review procedures. First, State agencies now engage at an earlier stage; second, the public has an opportunity for consequential dialogue that can be incorporated into a plan's formation; and third, it removes a regulatory barrier to economic development by creating less risk to a plan's adoption by having the majority of all state and public comments reviewed and integrated at the plan's early formative stage. This modified process provides for more effective and meaningful technical, professional, and public comment at a time in the process when such comment can be considered, evaluated, and successfully integrated and incorporated into a land development plan's formation.

Growth through infill and redevelopment is another key element to ensure that growth is properly managed and directed into areas identified as priority spending areas in the State Strategies. New Castle

County continues to improve the redevelopment incentives as provided for in the County Code which have been utilized in several large scale redevelopment projects. Following approval of the 2007 Comprehensive Plan Update, New Castle County adopted the 2006 ICC Building Code. Throughout the implementation period of this plan, the County will continue to review and adopt the various building and energy codes.

Support for existing communities continues to be a focus of efforts. Instituting a ticketing program for property maintenance violations has given Code Enforcement a tool to encourage swift action when properties are not being properly maintained. The Land Use and Public Safety Departments have also teamed up to identify and regularly check on vacant properties, and to work with banks owning foreclosed properties to help ensure that property maintenance issues are addressed. In addition, the Department of Community Services utilizes several programs to help residents in distressed communities. These include the Housing Incentive Program (HIP), the Neighborhood Stabilization Program, the Emergency Home Repair Program and the Homeowner Rehab Direct Loan Program.

New Castle County has been successful in advancing the goals of future land use as set forth in the 2007 Comprehensive Plan Update. This 2012 Update continues many of the same goals with slight refinements in critical areas.

3.1 Growth Management Scenarios: 2007

For the 2007 plan update, New Castle County had analyzed five different growth scenarios for transportation and land consumption. While four of the scenarios used the Delaware Population Consortium's projections for growth, Scenario 4 proposed to lower growth in New Castle County thereby increasing growth in surrounding and municipal jurisdictions. This made the point that while the Consortium's projections may not be precisely accurate or desirable, they are helpful in providing us a basis for comparing alternatives about where and how growth should occur. Actual development is constrained or encouraged by the County Code requirements for adequate infrastructure and controlled through the issuance of permits.

To help better understand the policy choices, each scenario underwent a technical analysis for its impacts on land consumption, traffic generation, environmental impacts and cost effectiveness (to the County, state and taxpayer). Transportation elements were based on WILMAPCO's Regional Transportation Plan (RTP) and its Transportation Investment Areas (TIA). These TIA's are categorized as:

- **Center:** Highest concentration of population and/or employment.
- **Core:** Densely settled population and employment patterns.
- **Community:** Areas with well-established land uses and development patterns; growth and development pressures are expected to be moderate.
- **Developing:** Areas where land uses and development patterns are not yet set and where they continue to emerge.

- **Rural:** Areas where limited growth and development exist or are expected.

The scenarios were analyzed based upon the following criteria:

Roadway Impact

- Miles of roads functioning at or above capacity
- Number of vehicle miles traveled per day
- Number of vehicle hours traveled per day
- Average Travel Speed
- Percentage of Travel on Arterials and Freeways
- Percentage of Travel on Local and Collector Roads
- Average Trip Length
- Percentage of Vehicle Miles Traveled in Southern New Castle County
- Annual crossings of the C & D Canal

Transit Ridership

This examines the number of people likely to use transit, based upon proximity to transit corridors and historic usage percentages. The more people who use transit, the fewer cars are necessary and the lower the demand on roadways.

Air Quality Impact

Emissions from vehicles have a negative impact on air quality, as do a number of other factors such as the overall energy budget. In this context, only the emissions are modeled.

Land Consumption Impact

For the public, land consumption is an important indicator since this is what creates the appearance of “sprawl.” The more land that changes from open space or agricultural to developed, the greater the perception of sprawl. Land consumption is a valuable indicator for other reasons as well. The more land used to accommodate the growing population, the less land there will be to grow local products for the population’s use. The more land that is used for suburban lots, the more impervious surface will be necessary per household. Not only does the impervious surface increase, but the surface covered in lawn also increases, and lawn is almost as harmful in creating run off as impervious surfaces.

Costs of Infrastructure

While impact fees and capital recovery fees are assessed on new development, the construction costs are only a part of the overall cost of infrastructure. Ongoing operating and maintenance costs are substantial. The greater the amount of infrastructure that must be built – miles of roadway, miles of sewer and water lines, etc. – the greater the short and long term costs. This has a direct bearing on tax burden since the higher the cost per household, the greater the average tax bill. In order to make the

most efficient decisions regarding the location of infrastructure, the growth area should coordinate with the State Spending Strategies.

Based upon the growth scenario planning assessment, it was determined that the scenario most likely to meet our future growth needs in a cost-effective, environmentally prudent and infrastructural efficient manner was a combination of Centralized Southern Growth, which centralizes growth over the next 25 years into a central core area; and Northern New Castle County Redevelopment, which calls for directing more of the future growth into the infill and Office/Commercial/Industrial (OCI) Development Areas (formerly named the Community Redevelopment Area) north of the canal. Rather than directing 75% of the growth to the north, encourage a more modest shift of the growth trend to the north to achieve greater use of existing infrastructure and public resources. Encouraging growth in Southern New Castle County in a more compact area results in the need for fewer miles of pipe, fewer pump stations and lower long-term maintenance costs. Working with and complementing the plans of the incorporated municipalities in Northern New Castle County, future growth would be, on average, denser and increase the mix of uses in the County’s Commercial/Office/Industrial Development Area, thereby making better use of existing infrastructure, offering a fuller range of housing types and affordability and increasing the opportunities for transit use, pedestrian-convenient services and shorter average trip miles.

3.2 Growth Management Scenarios: 2012

Since the 2007 plan update was adopted, significant changes in the economy have occurred, thus slowing growth and development within the County and nationally. However, actual growth appears to have followed closely the scenario selected in the 2007 update. With this in mind, the County believes that this planning scenario will continue to meet the County’s future growth needs for the foreseeable future.

Concept Scenario 1 – Base Trend in New Castle County

The base trend for New Castle County projects that there will be an additional 18,324 households north of the canal and 18,794 households south of the canal by the 2040, as shown in Table 3-1 and Figure 3-1 below. The projection is a 50/50 split in development north and south of the canal. With the balanced projection in households, employment is projected to be focused north of the canal thus creating 15,560 jobs over a thirty year period from 2010 to 2040. South of the canal would only see the creation of 7,970 jobs, half of what the northern portion of the County would see.

Table 3-1 Scenario 1 NCC Projected Household and Employment Changes 2010-2040						
Demographic Changes	2010 Households	2040 Households	2010-2040 Changes	2010 Employment	2040 Employment	2010-2040 Changes

Northern New Castle County	186,469	204,793	18,324	267,240	282,890	15,650
Southern New Castle County	16,516	35,310	18,794	8,720	16,690	7,970
Total	202,985	240,103	37,118	275,960	299,580	23,620

Concept Scenario 2 – Accelerated Southern Build-Out in New Castle County

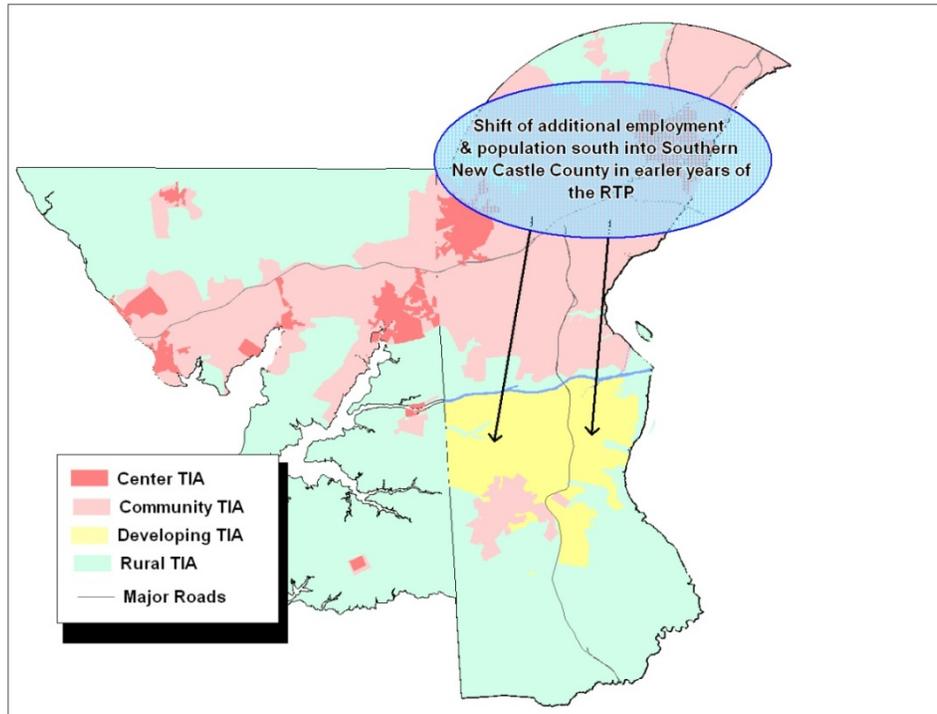


Figure 3-1: Concept Scenario 2 – Accelerated Southern Build-Out in New Castle County

Scenario 2 Components:

- Scenario allocates 60% of all expected new household growth (approximately 22,000 households) and 50% of all expected new employment growth (approximately 11,500 jobs) in New Castle County to south of the canal.
- Assumes infrastructure constraints in northern part of the County.
- Assumes no changes to the future land use plan.

Table 3-2
Scenario 2 NCC Projected Household and Employment Changes 2010-2040

Demographic Changes	2010 Households	2040 Households	2010-2040 Changes	2010 Employment	2040 Employment	2010-2040 Changes
Northern New Castle County	186,469	201,587	15,118	267,240	279,360	12,120
Southern New Castle County	16,516	38,516	22,000	8,720	20,220	11,500
Total	202,985	240,103	37,118	275,960	299,580	23,620

Table 3-3 Scenario 2 NCC Household and Employment Changes from Base Trend		
Demographic Changes	Household Changes from Base Trend	Employment Changes from Base Trend
Northern New Castle County	-3,206	-3,530
Southern New Castle County	3,206	3,530
Total	-	-

The accelerated southern build-out for New Castle County projects that there will be an additional 15,118 households constructed north of the canal and 22,000 households south of the canal by 2040. The projection is a 40/60 split in development north and south of the canal. This scenario would result in a difference of 3,206 less households north of the canal and 3,206 more households south of the canal from the base trend. With the 40/60 split in households, employment is projected to be focused to both north and south of the canal. North of the canal would see an additional 12,120 jobs created over a thirty year period from 2010 to 2040. South of the canal would see the creation of 11,500 jobs, nearly the same amount as the northern portion of the County. This scenario would result in a difference of 3,530 fewer new households north of the canal and 3,530 additional new households south of the canal from the base trend.

Concept Scenario 3 – Northern New Castle County Re-Development Scenario

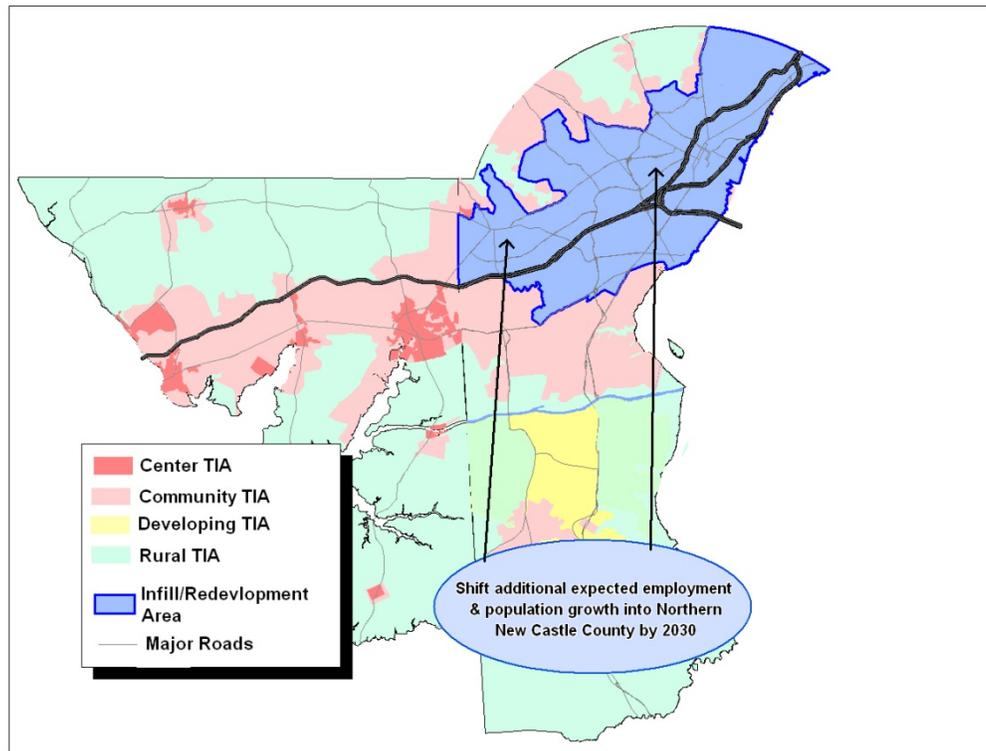


Figure 3-2: Concept Scenario 3 – Northern New Castle County Re-Development

Scenario 3 Components:

- Scenario is based on allocating 75% of all expected new growth (approximately 27,500 households and 17,500 jobs) to the northern part of the County.
- Assumes a possible increase in demand for housing closer to major employment destinations due to energy, congestion and other factors affecting housing choice.
- Reduces proposed land use density in the eastern and western portions of the southern New Castle County growth are from low to very low density residential.

Table 3-4 Scenario 3 NCC Projected Household and Employment Changes 2010-2040						
Demographic Changes	2010 Households	2040 Households	2010-2040 Changes	2010 Employment	2040 Employment	2010-2040 Changes
Northern New Castle County	186,469	213,969	27,500	267,240	284,740	17,500
Southern New Castle County	16,516	26,134	9,618	8,720	14,840	6,120
Total	202,985	240,103	37,118	275,960	299,580	23,620

Table 3-5 Scenario 3 NCC Household and Employment Changes from Base Trend		
Demographic Changes	Household Changes from Base Trend	Employment Changes from Base Trend
Northern New Castle County	9,176	1,850
Southern New Castle County	-9,176	-1,850
Total	-	-

The northern New Castle County re-development scenario projects that there will be an additional 27,500 households constructed north of the canal and 9,618 households south of the canal by the 2040. The projection is a 75/25 split in development north and south of the canal. This scenario would result in a difference of 9,176 additional households north of the canal and 9,176 fewer new households south of the canal from the base trend. With the 75/25 split in households, employment is projected to be north of the canal. North of the canal would see an additional 17,500 jobs created over a thirty year period from 2010 to 2040. South of the canal would only see the creation of 6,120 jobs, nearly 11,400 less jobs than the northern portion of the County. This scenario would result in 1,850 more households north of the canal and 1,850 less households south of the canal from the base trend.

Summary of Growth Management Scenarios

Based on the updated Growth Management Scenarios and available data accumulated since the adoption of the 2007 plan update, it is anticipated that actual growth will continue on a similar path as in prior years, with approximately 60% of growth to the north of the canal and 40% of growth to the south of the canal.

3.3 Future Land Use

Very few changes are proposed to the future land use map for New Castle County. Slight changes have been made to reclassify areas based on actual and existing use of land. The only significant change is the moving of approximately 2,000 acres of land from “Commercial/Office/Industrial Development Area” to “High Density Residential”. This was done simply to reclassify existing apartment complexes to a more appropriate land use designation.

Table 3-6: New Castle County Future Land Use Map			
Land Classification	Acres Within Designated Areas		
	2007 Plan Update	2012 Plan Update	Proposed Change
Very Low Density Residential	4,663	4,663	0
Low Density Residential	70,108	68,970	-1,138
Medium Density Residential	25,147	25,504	+357
High Density Residential	5,629	7,771	+2,142
Heavy Industrial	8,061	8,041	-20
Commercial/Office/Industrial Development Area (formerly the Community Redevelopment Area)	28,723	26,384	-2,339
New Community Development Area	11,637	12,514	+877
Resource & Rural Preservation	96,034	96,034	0

3.4 Goals, Objectives, and Strategies

Goals:

1. **Continue to designate those locations appropriate for growth and the densities best suited to meet present and future needs.**

New Castle County is committed to pursuing a high quality of life for all residents, regardless of age, race, education or economic situation. Therefore, no single development type or pattern fits perfectly across the entire County. The future land use map proposed in this document represents an emphasis on sustainable development that provides the variety to meet these needs. The future land use plan and map does this by incorporating mixed-use centers, identifying corridors ripe for redevelopment and infill, and tailoring the growth zone to a size that will both accommodate future land use needs and meet economic and environmental goals, while remaining fiscally responsible to taxpayers.

2. Continue to manage growth to fulfill sustainable housing and employment needs of present and future citizens while preserving vital resources.

Directing development to where it is desired is the core concept of growth management. Best planning principles can depict where and how it is best to develop, but setting policies that result in desired growth, while maintaining equity for all land owners is the core challenge.

3. Continue to ensure that new development and redevelopment allow flexibility for innovative planning while reflecting the design of existing surrounding communities.

Providing a mix of land uses and ensuring that those uses are designed for maximum public benefit are goals that are intertwined. Design means a variety of things – physical appearance, pedestrian and vehicular traffic flow, appropriate locations for parks and other services, and the inter-relationship between different types of uses.

Alternatives to low density suburban development are becoming increasingly popular as more people and governments look for sustainable alternatives to conventional suburban development. “Smart Growth” and “New Urbanist” models focus on more efficient use of land and resources, while offering a choice in transportation and living situation through compact, walkable development. They emphasize the corner store and neighborhood school, street trees and on-street parking, and recommend offering a full range of housing types in every setting from compact development to rural villages. Since the 2007 plan update, a new LEED® certification for Neighborhood Development (ND) has been developed by the U.S. Green Building Council. This new LEED® ND certification provides designation for communities which embrace and incorporate these “Smart Growth” and “New Urbanist” concepts within their design.

Studies show that developments with smaller lot sizes and pedestrian friendly design, located in close proximity to public services and facilities, provide taxpayer savings through more efficient service delivery.³ This occurs because compact development requires reduced linear feet of capital investment per paying user, thereby reducing the individual contributor’s cost. Another benefit of these communities, particularly when the mix of uses includes employment and affordable, traditional neighborhood housing, is that they increase the ability of low and moderate income families to stretch their limited budgets by using transit for work and other

³ American Farmland Trust, *Fact Sheet: Cost of Community Services Studies*, 2001; and Natural Resources Defense Council, *Another Cost of Sprawl: The Effects of Land Use on Wastewater Utility Costs*; 1998.

daily activities, reducing the need for the family vehicle. Smaller homes are less expensive to heat or cool, important to all and critical to those of more modest incomes as energy prices continue to rise. As the 'baby boomers' create a larger population of older Americans than ever before, a larger supply of smaller, more affordable and convenient housing is likely to be in demand. Additionally, studies are relating the health benefits that come from a resident's ability to walk to nearby amenities—as well as reduced air pollution from the decrease in automobile trips.⁴ Finally, mixed use development provides 24-hour populations near retail and offices and therefore the “eyes on the street” that make a community safer.

Objectives:

1. Continue to manage new growth consistent with Smart Growth Principles that require adequate facilities and concurrency as well as protection of important resources.

It is important that the County is prepared for the growth that could occur in New Castle County, based upon population and employment projections. Before the growth takes place, it is imperative that the County identify those conditions that must be in place to safely accommodate households and employment centers and those resources that should be protected from removal or reduction. These limitations, reflected in regulations in the County Code, ensure that the growth which occurs is developed in a prudent fashion without placing a strain on the infrastructure that serves the existing population and the resources that are critical to the greater public good.

2. Continue to guide new development to Northern New Castle County to achieve greater use of existing infrastructure and public resources.

The area located north of the C & D Canal currently includes a wide range of communities from cities and towns to low-density suburban development. This area provides most of the existing jobs, is already served with infrastructure and includes the following incorporated areas: Wilmington, New Castle, Elsmere, Newport, Newark, the Ardens and Bellefonte. Over 97% of the employment opportunities are also located here, and over 91% of the existing population, as well as the great majority of land zoned for non-residential uses. Northern New Castle County already has extensive existing infrastructure. The area will be characterized by a wide range of densities, reflecting existing development patterns, with higher densities encouraged along transit corridors and in areas that provide a transition between urban and suburban development. The mix of residential and non-residential uses and densities will be consistent with the underlying zoning as well as the density and integrity of existing neighborhoods.

⁴ Andrew L. Dannenberg, Richard J. Jackson, Howard Frumkin, Richard A. Schieber, Michael Pratt, Chris Kochtitzky, and Hugh H. Tilson, *The Impact of Community Design and Land-Use Choices on Public Health: A Scientific Research Agenda*, *American Journal of Public Health*, Sep 2003; 93: 1500 - 1508.

3. Continue to support new residential development strategies of the incorporated areas and municipalities to help guide new growth to cities and towns.

Historically the County growth pattern has not necessarily complemented the growth pattern of the towns and cities. Coordinating uses and densities in the unincorporated areas to provide transitions to and from incorporated communities gives greater emphasis to a sense of “place” and provides “transit friendly” growth along major transportation corridors.

Several of the incorporated areas within New Castle County have plans for expansion of their population and these plans should be reflected in the overall strategy for growth. These plans and projections are included in determining where growth is likely to occur and impacts where growth should occur.

4. Continue to guide mixed use, mobility-oriented growth and infill into the Commercial/Office/Industrial Development Areas.

The Commercial/Office/Industrial Development Areas include those properties with non-residential zoning, exclusive of heavy industrial, that may be appropriate for redevelopment or mixed use centers.

Since the major traffic arteries are the main roads that linked towns and villages prior to suburban development, the growth and use changes along these corridors tended to occur piecemeal, one property at a time. A number of small parcels with separate road access are still found along major thoroughfares and, while most are commercial or office zoning, some residential may also be found. Frequently the owners of these houses seek to convert the home to office use or to combine office with residential, either as a home occupation or as a business and rental apartment. Encouraging mixed use and the consolidation of parcels along these arteries would result in a more efficient development pattern.

Much of the commercial and office space along the main transportation arteries is aging and facing challenges. The types of business found in the strip shopping centers have changed as grocery stores, drug stores and large retail establishments sought more square footage than was available in the early shopping centers and “big box” stores sought large, stand-alone locations. Major retailers are now more likely to be found in large shopping malls than in municipal areas or small commercial strip centers. Transition areas with smaller parcels now contain many underutilized or unutilized properties and buildings.

In the County’s Capital Plan, the Regional Transportation Plan and the State’s Spending Strategies, the Existing Community and Commercial/Office/Industrial Development Areas are prioritized over lower density areas for construction and maintenance of infrastructure components. The County’s infrastructure priorities for the Existing Community and Commercial/Office/Industrial Development Areas include: increasing capacity in sections of the

sewer system, providing additional informational services in the County's libraries, and expanding recreational opportunities and active open space in area parks.

Transit corridors and neighborhoods within 1/4 mile of the corridors are areas where infill and redevelopment should be focused, with an emphasis on a diversity of housing types, mix of uses, redevelopment of older commercial corridors, concentration of employment opportunities and a high degree of interconnectivity of the street and bicycle/pedestrian network. The densities found in mixed use development and along transit corridors should reflect those necessary to support transit service.

Code amendments that encourage development and redevelopment to occur at the necessary densities to support a more efficient use of transportation systems and reduce single occupancy vehicle travel are necessary. An appropriate mix of uses will be needed as well as amendments that mandate the higher level of design needed for mixed use centers and transit corridors to function in an attractive and efficient way and connect and blend into surrounding communities. Successful development and redevelopment of these areas require close coordination between County and State to provide needed infrastructure to support compact development.

5. Continue to support infill and growth in the Existing Community Areas.

The Existing Community Areas are either already developed as suburban-style development or served by infrastructure likely to result in suburban development in the near future. The residential areas generally decrease in density as they become more distant from the main population centers of Wilmington, Newark and New Castle. Infill development is appropriate in these areas, both on vacant individual lots and as planned new neighborhoods. While a variety of dwelling types are to be encouraged, the placement and design should reflect consideration for the context of the area. Locations for institutions and community services that help to support community building should also be included in the design of new communities in infill areas. By including locations for schools, places of worship, community halls and other service centers in the design, new communities will have focal points that bring neighbors together.

Suburban development will continue to be in demand and a preferred way of living for a large percentage of the population. The lower density communities in the Existing Community Area will surround and support the denser mixed-use centers and will utilize the latest and most innovative conservation design strategies in their designs.

6. Continue to ensure that sufficient quantities of non-residential lands are preserved to support commerce and projected employment opportunities.

Economic development and redevelopment are vital for the future sustainability of the County. In order for such development to occur, there must be sufficient land available for non-residential projects. Since the 2007 plan update, housing development has sharply decreased, if not stalled. It is anticipated that housing development will not increase significantly in the upcoming years, but within the ten year period of this plan a housing rebound is feasible.

7. Continue to guide new residential development in Southern New Castle County to the designated growth areas and Southern New Castle County incorporated areas.

The New Community Development Area is found south of the C & D Canal, and includes those areas currently served by sewer and the proposed first-phase expansion of the Southern Sewer Service Area. In an analysis of the Southern Sewer Service Area, conducted by Malcolm Pirnie and released in February of 2006, findings supported reducing the area to be served by sewer to decrease costs and increase efficiency. In support of this, New Castle County entered into an agreement with Middletown to provide services. Just as it is critical for the sake of land consumption and fiscal responsibility to develop and redevelop Northern New Castle County to maximize its potential, for the same reasons it is also potentially beneficial to limit new growth to a more compact area. Accommodating more homes and businesses in a smaller geographic area reduces the size of the area that must be served by infrastructure, thereby increasing cost efficiencies that are reflected in the cost of living for residents.

Establishing a growth area with an overall density of 3-5 dwelling units per acre that provides a variety of housing and employment options accommodates future growth by using less land and providing more opportunities for residents to work, shop and meet other needs nearby. While the overall density goal is 3-5 dwelling units per acre, areas providing walkable, transit-supportive, mixed-use centers will have higher densities and then transition to lower density surrounding suburban areas.

Southern New Castle County currently contains a small percentage of the County's population and jobs. As residential development increases, it is also important to promote employment in the growth area. This will reduce the average commute as well as provide non-residential tax revenues to support the local school districts, thereby reducing the residential property tax burden.

Both Middletown and Smyrna plan to significantly increase the number of housing units in the next five years, so a significant percentage of the growth south of the C&D Canal will take place within incorporated boundaries rather than in the unincorporated areas. By centralizing the growth area in southern New Castle County, the unincorporated growth zone and Middletown are contiguous, thereby creating greater efficiency in meeting needs to increase available infrastructure.

8. Continue efforts to create zoning designations to minimize new development in the Low Density Residential Area until such time as population and employment growth justifies expansion of the public sewer system.

This area is characterized as rural with large lot development or small rural villages. Due to the significantly lower population density of these areas and location outside of the New Community Development Area, significant infrastructure investments are not planned. In order to direct development and density to the designated growth areas, while respecting the rights of landowners, these areas are designated sending areas for transfer of development rights.

While this area may be necessary and appropriate for growth at some time in the future, it is not financially feasible to provide public infrastructure to support development in the short term. By designating this area as a sending area for Transfers of Development Rights, property owners are provided with a mechanism for receiving the financial benefit of development rights and the public with the ability to conserve greater amounts of property without a large public monetary investment.

9. Continue to minimize new development within New Castle County in the Resource and Rural Preservation Area through preservation programs.

Much of the County's farming industry is located in this area as well as the pastoral settings in Northern New Castle County and a significant amount of protected resources and wildlife habitats. Between 1998, when Chapter 40 of the *New Castle County Code* (UDC) was adopted and the 2007 Comprehensive Plan Update, less than 5% of building permit activity took place in the Preservation Area south of the C & D Canal and no major plans were recorded. Without incentives to direct growth elsewhere, this trend is expected to continue as land available for development diminishes and costs of public infrastructure provision rise. To create the necessary incentive to facilitate the permanent preservation of much of this land, this area is designated as a sending area for Transfers of Development Rights.

10. Continue to create greater densities and housing diversity through development and expansion of mixed-use centers and village/hamlet communities.

Existing mixed use centers include incorporated areas such as the Ardens, New Castle, Smyrna, Wilmington, Elsmere, as well as unincorporated areas such as Claymont. Further utilization of the new Village/Hamlet code provisions is anticipated. These centers represent a range of community types and sizes. The distinct character and personality of each community should be preserved and enhanced by new development and redevelopment, but all can serve as centers of community activity and interaction and as alternatives to conventional suburban development. Basic components of mixed use centers include a diversity of housing types and combined residential and commercial components, whether a range of employment options or

simply a retail shopping district. Walkability and access to open spaces and parkland are important components of mixed use centers.

Communities of higher density are appropriate and beneficial elements of growth in Commercial/Office/Industrial Development Areas and the New Community Development Area. The density, mix of uses and overall design of these communities should reflect the context surrounding the site. Not all uses are compatible in mixed use centers. Heavy industry and auto-oriented uses, for example, are not appropriate in a walkable mixed use district, but many retail, office and recreational uses are compatible with residences.

Mixed use centers are developed at a greater density than most standard single-use development, thereby offering more homes and services while consuming less land. Greater density helps to reduce land-related costs per unit of use, thereby offering more affordable homes and businesses. In addition to increasing housing opportunities, walkable mixed-use districts provide residential options for people who cannot or will not drive. Where transit service is available, walkable, mixed-use districts also support transit ridership.

Designing for a pedestrian friendly, transit supportive and lively streetscape requires greater attention to overall design and integration of movement patterns, both through code changes and the plan review process. Aside from higher densities and mixed uses, the design of the community requires a mix of housing types and non-residential uses and better quality and function of available open space since more extensive building coverage in these areas is to be expected. The open space must still fulfill the needs of storm water management, recreation, and mobility for the neighborhood. However, the design tends to be a more formal and integrated part of the overall center rather than the less desirable areas of the parcel or only for the protection of resources.

There are a variety of land uses that typify a town or village including retail, residential, employment, office, institution and education. The majority of buildings are multi-story and many are multi-use. Buildings are close to the street and designed at a pedestrian scale and texture. Parking is in the rear and pedestrians are given priority over vehicles. Transit is usually available and may serve as a hub for outlying areas. Convenience shopping and services are generally less than a fifteen minute walk for most residents. Surrounding neighborhoods should be interconnected with the center via roadways, bikeways and pedestrian walkways.

Transit supportive development is especially important within walking distance of transit service, generally considered to be one quarter mile from a stop. The key components include providing good physical access to the transit stop (direct pedestrian routes, sidewalks, etc.), transit supportive densities of greater than four dwelling units per acre, and a mix of land uses which support transit riders. According to Burden and Wallwork in *Handbook for Walkable*

*Communities*⁵, walking distance increases as the quality of the pedestrian environment improves. Having an interesting view, retail frontage, and greater pedestrian activity are all linked to increases in walking distance. Pedestrians may walk up to one mile (20 minutes) for a commute trip under favorable conditions.

11. Continue to encourage redevelopment and infill projects that complement and enhance existing neighborhoods and restore older commercial centers as vital components in the community.

The incorporation of nearby diverse uses in close proximity to residential neighborhoods helps make communities sustainable. Such uses which should be encouraged include food (i.e. supermarkets), community-serving retail (i.e. hardware and pharmacy), services (i.e. laundry and bank), and civic and community facilities (i.e. community centers, religious facilities, and schools)⁶.

12. Continue to encourage the use of design guidelines to complement and enhance the area and surrounding community.

Compatible design can be defined by the form and height of the building, its location on the site, and the provision of other elements including landscaping. Basic design guidelines for new development may assist in blending development together, while permitting new uses and styles to come into and complement an existing area. These design standards, however, must also remain economically desirable to both the developer and the ultimate purchasers and users of the land, while complementing existing communities and neighbors.

Often the design and configuration of parcels along commercial corridors do not comply with today's standards for safety and access management (there are too many curb cuts onto major arterials, insufficient landscaping, or barriers to the adjacent neighborhoods). Additionally, when they become underutilized spaces, they create eyesores for the community that lead to additional disinvestment. On the other hand, these areas provide great opportunities for reinvestment and infill if parcels can be consolidated and redeveloped to higher allowable densities with appropriate design controls, mixed uses and mobility friendly design standards that complement and bring new life to the surrounding communities.

13. Continue to provide support and assistance to distressed communities in the Existing Community Area and reduce the number of vacant or under-maintained residential properties in the Existing Community Area.

⁵ Handbook for Walkable Communities, Burden and Wallwork, Vermont Local Roads Program, 1997.

⁶ *Green Neighborhood Development*, U.S Green Building Council, Inc., 2009

New Castle County has a variety of suburban communities that were constructed post World War II, ranging from the most affordable to the most expensive, and the built environment is predominantly aging suburbia. Among these hundreds of existing suburban communities only a small percentage experience some degree of distress. Distressed communities may suffer from a lack of civic leadership, community pride, higher crime rates, decline in housing quality through lack of maintenance and thereby higher rates of property maintenance complaints, greater absentee ownership rates, inadequate public amenities, lower median incomes, higher rates of juvenile delinquency and isolated senior citizens. Homes and businesses that have been abandoned, or which become increasingly run down, weaken community spirit and have a negative impact on property values.

The Problem Property Task Force and the Rental Code were both formulated to help address these problems and to ensure that properties are maintained in compliance with the New Castle County Property Maintenance Code. The older post-World War II suburbs form an important part of the housing mix. Many are located near major transportation arteries served by transit and where opportunities exist to redevelop adjacent areas to provide a stronger community with diversity of uses and housing types. To reverse decline in those communities that are experiencing some level of distress, efforts to promote and support community stabilization and redevelopment should be undertaken in partnership with both public and non-profit agencies including the creation of community development corporations and community non-profits, home-ownership assistance programs, redevelopment of under-utilized or poorly maintained non-residential and apartment properties and improved connections for automobiles and pedestrians.

14. Continue to work with the appropriate agencies to assist in acquiring permanent preservation easements in the low density residential areas and to encourage the creation of agricultural clusters. Revise the transfer of development rights legislation.

Transfer of Development Rights (TDR) is a component of this plan that helps to support several goals. The sale of development rights in the Possible Future Growth and Resource and Rural Preservation Areas enables property owners to realize a reasonable return on their land even though growth is not being encouraged in the foreseeable future. The goal of resource protection is advanced without the expenditure of public funds in critical habitats and resource areas. The agricultural industry is better supported by providing incentives for land to be permanently utilized for farming and agricultural uses.

15. Continue to preserve and enhance areas within New Castle County that have a unique character that are threatened by conventional suburban development.

The many historic and unique neighborhoods located in the County should be preserved wherever possible. Development of conventional suburban style developments is currently

slow, which allows the County an opportunity to revisit development codes in an effort to preserve these unique areas and protect them from future development encroachments.

16. Create a new Open Space district for parks and dedicated open space areas to permanently preserve and protect from future development.

Throughout the County, there are many developments that contain open space areas and parks which were created or set aside as part of approved plans. In an effort to better identify, maintain, and protect these areas from future development and encroachment, a special district should be created in which all such properties would be included. This new zoning district would designate all applicable land areas as open space.

17. Create additional zoning classifications to acknowledge and preserve the commercialized urban and highly developed areas of the County.

Several areas of the County contain land uses and configurations which are not consistent with current zoning classifications. In order to preserve these areas from potential unintentional nonconformities, changes to zoning should be considered in order to create a classification which is specifically designed with requirements tailored to the needs of these unique areas.

18. Examine the viability of the TN zoning district and make revisions in order to enhance its viability.

Although the TN zoning district currently exists, no parcels of land are actually designated within it. In order to encourage and support traditional neighborhood development, revisions should be considered such that this district can become a useful development tool.

19. Create an additional land use classification for sub-regional commercial areas with parcels too small for large scale development.

Several areas of the County contain commercial areas with very small parcels of land but development requirements designed for large parcels of land. As a result, these small parcels are difficult to redevelop and often become blighted or underutilized. The creation of a new classification designed to address this issue may provide an opportunity for these parcels to be developed or redeveloped as a productive part of the County's economy.

20. Create a new Agricultural Zoning district to acknowledge areas that are currently, have been, or are desired to be preserved as an agricultural use.

Agricultural areas located throughout the County, especially in the southern portion, have in the past been targets for new development. Although this plan recommends the creation of new and useful TDR requirements, protection of agricultural areas remains necessary to protect the significant agriculture industry within the County.

Strategies:

1. Build sustainable communities by:
 - a. Incentivizing high tech, research and development and small businesses;
 - b. Developing mobility friendly design standards;
 - c. Creating a mechanism for the creation and adoption of design guidelines tailored to specific mixed use areas; and
 - d. Continuing to support and facilitate the location of schools, parks, libraries and other public services in designated growth areas and centers.
2. Increase permanently preserved land through a modified Transfer of Development Rights (TDR) program which would direct development to areas which are appropriate for additional development.
3. Develop a practical TDR program and evaluate the size and availability of the receiving area. To the extent that the size of the receiving area expands, ideas such as offering the ability to extend infrastructure to sites outside the New Community Development Area in exchange for mandatory purchase of development rights and higher density construction may be considered.
4. Develop an appropriate zoning district to recognize traditional development in the older commercial centers.
5. Revise the UDC to reduce permissible density when only single use commercial development is proposed along existing strip corridors identified for redevelopment. Increase density to encourage mixed use on transit corridors.
6. Develop a zoning classification to recognize commercial areas that are neither regional nor neighborhood in nature.
7. Continue to adopt the most recent ICC Building Codes to ensure that new construction is built to current standards, with materials found to ensure safe structures and with energy efficient (green building) incentives.
8. Identify at-risk areas for property maintenance, neighborhood and open space improvement projects, including preventative measures.
9. Continue to cooperate with the identified parties in the Southern New Castle County Master Plan.
10. Continue to partner with DNREC to update, adopt and implement a revised Water Management Code.
11. Complete the evaluation of stormwater management techniques, including the feasibility of a stormwater utility.
12. Work with government and non-profit agencies and organizations to develop frameworks for strengthening distressed and at risk communities, which may include community development corporations, home ownership assistance programs, redevelopment initiatives, application of grants and coordinated community intervention.

13. Work with property owners, the business community, the State Economic Development Office and elected officials to identify properties in the New Community Development Area that are appropriate for non-residential development.
14. Create performance measures where feasible to track the implementation of legislation relating to the Comprehensive Development Plan.
15. Continue to track information measuring the effectiveness of programs and regulations relating to the Comprehensive Development Plan.