

## County Comprehensive Plan Annual Report

**Name of County:** New Castle

**Date of Plan Certification:** June 11, 2012

**Date of Report:** July 7, 2016

**Annual Report contents (below) as taken from, *Delaware Code, Title 9, Chapters 26, 49, 69 § 2658, 4958, 6958. Evaluation and appraisal of comprehensive plan (d):***

The New Castle County Department of Land Use has been transforming from a reactive agency into a strategic contributor to improving the quality of life in New Castle County. The Department is focused to support strong and vibrant communities by promoting economic investment, job growth and commercial revitalization while preserving important County resources such as scenic byways, waterways and open space. The Department's accomplishments in implementing our comprehensive plan over the last year include, but are not limited to, the following:

### **I. Creating initiatives and opportunities for economic development**

- A. ***Economic Empowerment Districts (EED)*** – establishes a new zoning district aligned to facilitate employment uses and complementary accessory uses in a master planned "campus" setting in order to encourage the growth and development of high-technology businesses and other job rich businesses and preserving industrially zoned lands to support new industrial development ranging from small business incubator facilities to large business organizations.
- B. ***North Claymont Master Plan*** - New Castle County has partnered with WILMAPCO to co-manage this study, which comprises an area that is currently underutilized and presents a significant opportunity for economic development given its access to a variety of transportation options. Other participants include Claymont Renaissance Development Corporation, the Delaware Office of State Planning Coordination, DelDOT, Delaware Transit Corporation, DNREC and the Delaware Economic Development Office.
- C. ***Route 141 20-Year Study*** - This study is evaluating ways to address challenges along the Centre Road/Route 141 corridor from Kirkwood Highway (Route 2) to Concord Pike (US Route 202), which include traffic congestion, multi-modal access, land development patterns, community design and long-term impacts on economic competitiveness and job creation.
- D. ***Route 9 Corridor Master Plan*** – This study, led by NCC partner WILMAPCO, will identify the best reinvestment and redevelopment strategies for Route 9, particularly in the 3-mile stretch of corridor between the City of Wilmington and City of New Castle boundaries. Key focus areas include promoting mixed-use and mixed-income redevelopment and examination of land uses and potential zoning adjustments. New Castle County is currently constructing a library and innovation center along the corridor as a key component for redevelopment efforts.

- E. ***Route 273 Corridor Master Plan*** – This study, led by the University of Delaware, examines the corridor between the city of Newark and Churchman’s Crossing with a focus on high technology businesses and potential mixed use development. Currently a plan is under review by New Castle County to redevelop the Avon site on Route 273 for mixed use.
- F. ***Sewer extension north of Delaware City*** – this project plans to extend sewer service to unincorporated land north of Delaware City to facilitate industrial jobs on land currently zoned for industrial use.
- G. ***DuPont/Dow Headquarters Incentive*** - created the New Castle County Strategic Economic Development Fund to provide \$7.5 million to Du Pont over a five-year period, provided the company remains in the county and continues to meet employment benchmarks.

**II. Proactively working to preserve and enhance existing communities**

- A. ***Neighborhood Preservation Overlay Districts (NPOD)*** – establishes a new overlay zoning district for neighborhood preservation for neighborhoods with distinctive and cohesive physical characteristics and establishes a process and criteria for determining NPOD boundaries that will encompass those characteristics and develop and adopt unique regulations for each NPOD that will maintain, strengthen, and enhance the neighborhood’s distinctive qualities by requiring development, redevelopment, and infill projects to be designed in a way that will be compatible with the scale and character of the existing neighborhood.
- B. ***Vacant Property Registration Program*** - effective April 13, 2015, this new program was designed to help stabilize existing communities by enacting legislation to identify and register vacant properties that may pose a hazard to the general public and promote rehabilitation and occupancy of these premises. To date, 368 properties have been registered.

**III. Working to better incorporate design into land development planning**

- A. ***Guiding Principles for Development (new UDC Appendix 7)*** - establishes general design principles and expectations for land development projects in New Castle County to encourage sustainable development. It establishes guidelines for building design, site design, and amenities. These guidelines serve as an advisory supplement to the Unified Development Code (UDC) and do not supersede or negate those regulations. Additionally, the Guiding Principles take into account the State of Delaware’s Strategies for State Policies and Spending (State Strategies), which coordinates land-use decision-making with the provision of infrastructure and services in a manner that makes the best use of natural and fiscal resources.
- B. ***DE HEAL (Delaware Coalition for Healthy Eating and Active Living)*** - collaborated with HEAL to discuss walkable community design and potential health benefits.
- C. ***Glasgow Avenue Planning Study*** - New Castle County, WILMAPCO and DelDOT are leading a year-long transportation and land use study for Glasgow Avenue, between US 40 and SR 896/Porter Road (about 1.3 miles). The study is intended to create a “Main Street” vision plan to guide transportation improvements and land use along Glasgow Avenue.

- D. **Greenville Village** - Working in collaboration with Delaware Greenways and DelDOT, New Castle County assisted with developing a vision and guiding principles for potential future redevelopment in the commercial core of Greenville, while also developing strategies relating to preserving the unique character of the scenic byway corridors of Routes 52 and 100.

**IV. Working with stakeholders to preserve environmental, scenic and historic assets**

- A. **Prevention of Demolition by Neglect** – legislation adopted by New Castle County Council on May 10, 2016 will help to prevent “demolition by neglect” of properties located in historic overlay districts and to earmark funding for emergency repairs to these properties.
- B. **Port Penn Flood Study and Mitigation Planning** - New Castle County has partnered with DNREC to perform a comprehensive evaluation of existing conditions and identify challenges and opportunities for increasing resilience to future flooding potential in Port Penn. The final report was completed in April 2016.
- C. **Brandywine Valley Scenic Byway** – This plan involves preparing design guidelines which will protect, preserve and enhance the Byway's essential qualities. The guidelines will incorporate "best practices" to produce better development design which provide predictable outcomes.
- D. **Red Clay Valley Scenic Byway** - Several years of community engagement resulted in the completion of a Corridor Management Plan (CMP) in 2008. This study builds on the CMP by developing a set of regulatory and policy tools for implementing the goals established for the byway. Tools for protecting the special character of the byway may include a set of design guidelines, standards, and /or a new zoning overlay for the area.
- E. **Open Space Zoning Ordinance** - An ordinance to create a zoning district for dedicated open space has been introduced and is currently on the table in County Council.

**V. Increasing opportunities for stakeholders and citizens to be involved in land use processes and to stay informed**

- A. Implemented early outreach to communities with “Conceptual Review” to enhance project design by identifying significant issues prior to investment in detailed plans.
- B. Consistent and comprehensive notification of plans to the public through weekly newspaper advertisements, listings on the County’s website, and an online Project Search database. Important documents including applicants’ submissions and County and State reviews are available for all projects.
- C. Participation in area plans and corridor studies (see I and III above).
- D. Creating new opportunities for interested stakeholders to stay informed via email and text messaging through multiple list service notification options, such as news flashes, calendars, and agendas.

**VI. Consistently utilizing new technology and resources to improve efficiency and effectiveness**

- A. ***Electronic Plan Review (ePlans)*** – began development of an online electronic plan review system (ePlans) with full implementation for permitting and planning expected by the end of CY2016 to facilitate efficient and thorough multi-agency plan review for contractors and the development industry. In addition to offering a more efficient and less expensive process for applicants, ePlans also has advantages for the county, its partner agencies and the public, including a reduction of paper usage, less travel and wait times, and reduced mailing, printing and storage costs.
- B. ***List Services*** – enhanced interactive options for interested stakeholders to stay informed (see V.D above).

**VII. Creating new opportunities and enhancing existing procedures for coordinating with other internal and external agencies**

- A. ***DelDOT*** - implemented joint plan review meetings early in the development process and partnered in a number of area studies as noted above. As we implement electronic plan review (ePlans), we hope that future coordination will also include DelDOT's utilization of the online electronic plan review system in order to improve this process even further.
- B. ***DNREC*** – retained certification as the official delegated agency for Stormwater Management and Erosion and Sediment Control. We also performed or oversaw a total of 2,334 site related inspections in FY15, in accordance with National Pollutant Discharge Elimination System (NPDES) MS4 permit requirements.
- C. ***ePlans*** – use of the online electronic plan review system will enhance opportunities for multiple agencies to review plans and permits simultaneously.

**VIII. Continuing to maintain an inventory of available land for industrial and other non-residential uses**

- A. ***Zoning districts lost and gained*** – we continue to monitor existing zoning classifications to ensure land is available for a broad range of uses. In calendar year 2015, there was a slight increase in non-residentially zoned land as 18.82 acres were rezoned from a residential classification to CR. The balance of land rezoned in 2015 was previously zoned S and rezoned to ST (211.86 acres), for a total of 230.68 total acres rezoned. There was no loss of non-residential zoned property in calendar year 2015.

The chart below shows the total acres lost and gained by zoning district overall for UDC rezonings from 1998 through December 31, 2015.

Zoning Districts Lost and Gained (Acres)														
UDC Rezoning (1998 through December 31, 2015)														
Total Acres Rezoned - 2544.56*														
Zoning Districts	To NC	To SR	To SE	To S	To ST	To ON	To OR	To CN	To CR	To BP	To I	To HI	LOSS	To (H) Historic Overlay
From NC				3.55	419.54	20.23		39.42	18.93				501.67	18.53
From SR				2.29	1.65	5.32					35.78		45.04	
From SE				12.01									12.01	5.42
From S					1246.53	13.49		55.36	145.43				1460.81	86.97
From ST											0.62		0.62	
From ON								1.48					1.48	0.85
From OR					79.11				31.93				111.04	1.09
From CN					0.14	0.96							1.10	1.38
From CR					12.23			0.21					12.44	1.10
From BP					31.74				104.95				136.69	
From I				6.60	122.41		22.64	1.48	108.53				261.66	
From HI													0.00	
GAIN	0.00	0.00	0.00	24.45	1913.35	40.00	22.64	97.95	409.77	0.00	36.40	0.00	2544.56	115.34
Net Gain (-Loss)	-501.67	-45.04	-12.01	-1436.36	1912.73	38.52	-88.40	96.85	397.33	-136.69	-225.26	0.00	0.00	

\* Note: Does not include 115.34 acres zoned H (Historic Overlay) and does not include 785.15 acres zoned HT (Hometown Overlay) Zoning District. The Hometown Overlays include Claymont, Claymont Addition, Hockessin, Centerville and Saint Georges. Also does not include previously approved rezonings or Barley Mill Plaza.

**IX. Working to sustain a sufficient supply of housing for residents regardless of income level**

- A. **Workforce/Traditional Neighborhood Housing Programs** – in monitoring the former Workforce Housing Program, we observed that our goals were not being met in regards to low and moderate income households. The program resulted in only 94 occupied workforce housing units through December 31, 2015. Additional units are still being built under the Workforce Housing Program. As a result, new legislation for the Traditional Neighborhood Housing Program was adopted in December 2014 to promote moderately priced housing by requiring all major residential subdivisions with rezoning or variance applications to increase density to include moderately priced dwelling units. The Traditional Neighborhood Housing Program had no submissions in 2015.
- B. **Accessory Dwelling Unit (ADU) Program** – the ADU program has now been in place for nine (9) years and continues to be successful as a means to provide opportunities for an additional residential unit to be constructed on a single family lot. Through December 2015, a total of 162 Certificates of Occupancy have been issued for properties containing an ADU. This includes 29 certificates of occupancy issued in 2015.

**X. Continuing to support agriculture as a viable industry**

- A. **Farmers Markets** - New Castle County sponsors Farmers markets at four County Parks to support local farmers. These seasonal farmers markets are offered at Carousel, Rockwood, Glasgow, and Cool Spring Park throughout the summer months.

**B. Preserved open space** - While no additional acreage was added to either the State or County farmland preservation program in 2015, the programs remain viable options for those who wish to continue to use their land for agriculture. New Castle County currently has funds earmarked in the 2017 – 2022 Capital Program for farmland preservation and open space initiatives.

**XI. Process Efficiency**

**A. Process Efficiency** - While we continue to improve upon our process with an emphasis on both efficiency and effectiveness, our review times make up less than a quarter of the total amount devoted to bringing projects to recordation for rezonings, major and minor land development plans and resubdivision plans.

**Summaries of Recorded Plans**  
**Average Calendar Days From Receipt to Recorded**  
 Recorded Plans Recorded From 1/1/2015 To 12/31/2015

<i>Plan Type</i>	<i>No. Plans</i>	<i>Avg Days Developer Had Plan</i>	<i>Avg Days County Had Plan</i>	<i>% Days County Had Plan</i>	<i>Total Avg Days</i>
MIN	27	272	65	19	343
-OTHER	7	6	11	43	26
MAJ	2	977	30	3	1036
RZ-MAJ	3	1409	57	4	1497
RSUB	34	247	35	13	277
RZ-MIN	1	711	14	2	728

**B. Open space added through record plan approval** - In 2015, an additional 174.27 acres of private open space were permanently added in New Castle County through the record plan approval process.

**Annual Open Space Acreage**  
**Projects Recorded in 2015**

<u>Year</u>	<u>Project #</u>	<u>Work Type</u>	<u>Recorded Date</u>	<u>Public Open Space</u>	<u>Private Open Space</u>
2015	20080625	D-REZN	05/14/2015	0	49.06
	WINCHELSEA				
2015	20110319	D-REZN	10/14/2015	0	11.31
	BOYDS CORNER FARM				
2015	20120154	D-MAJ	07/15/2015	0	86.6
	COLONY AT SUMMIT BRIDGE WEST				
2015	20130105	D-REZN	11/13/2015	0	27.4
	WESTHAMPTON				
<b>Totals for: 2015</b>		<b>Projects: 5</b>		<b>0</b>	<b>174.37</b>
<b>Report Totals:</b>		<b>Projects: 5</b>		<b>0</b>	<b>174.37</b>

- ❖ List the major problems of development, physical deterioration and the location of land uses and the social and economic effects of such uses in the area.
  - a. The ongoing loss of jobs relating to industry remains a concern. Both the chemical industry and pharmaceutical industry have reduced their presence in New Castle County and economic indicators show the potential for even greater reductions in the future.
  - b. The housing industry has remained relatively strong, largely due to relocations from neighboring states due to the tax structure. However, increased housing without increased non-residential development may create concerns in the future regarding revenue collections for maintaining and improving infrastructure.
  - c. Residents in a variety of locations have expressed concerns about the impact of pre-existing environmental conditions. This has arisen in discussions about development along Route 9 and Coastal Zone, in Claymont, and in other previous industrial locations throughout the County. Environmental conditions and the cost of clean-up will remain an obstacle to redevelopment well into the future.
  
- ❖ List the condition of each element in the comprehensive plan at the time of adoption and at date of report.

**Future Land Use**

- The current land use map includes sufficient land for development and redevelopment to support the projected population and employment in New Castle County
- County code regulations and approved revenues should be sufficient to support the maintenance and expansion of necessary facilities and infrastructure to support projected population and employment increases.

**Mobility and Transportation**

- Each development application is reviewed and monitored by New Castle County transportation planners.
- Projects of significant impact are jointly reviewed and overseen by DelDOT and New Castle County.
- DART, SEPTA and Amtrak continue to operate mass transit systems in New Castle County.
- There is currently no commercial passenger air service in New Castle County.

**Water and Sewer**

- Sewer capacity is continually monitored by the NCC Department of Special Services to ensure that adequate public sanitary sewer services are available to support the development activity in New Castle County.
- Water utility companies regulated by the Delaware Public Service Commission that provide public water service to New Castle County are:
  - Artesian Water Company, Inc.
  - Tidewater Utilities, Inc.
  - United Water of Delaware

## **Conservation and Natural Resources**

- New Castle County's Unified Development Code (UDC) ensures that all proposed development within the County comply with regulations governing environmental features, such as:

Coastal Zones	Riparian Buffer Areas
Critical Natural Areas	State Wetlands
Drainage	Surface Water
FEMA Flood Zones	Topography
Forests	Water Resources
National Wetlands	Watersheds

## **Historic Preservation**

- Each development application is currently reviewed by a Historic Preservation Planner.
- Recently enacted legislation has created mechanisms to reduce the potential for demolition by neglect of historic structures. (see IV.A)

## **Housing**

- The variety of housing types in new construction has increased significantly in the last several years, with more townhouses, twin homes, zero lot-line homes and apartment housing being built in comparison to detached single-family homes.
- Since the inception of the Accessory Dwelling Unit legislation in 2007, a total of 162 ADU's have received certificates of occupancy, 29 of which were issued in 2015. (see IX.B)

## **Economic Development**

- New Castle County partnered with the State of Delaware to develop a tax relief package for the DuPont Company to encourage their continued participation in the New Castle County economic community (see I.G)
- Adoption of the Economic Empowerment District zoning will greatly help to encourage the growth and development of job-rich businesses (see I.A)
- Finalization of corridor revitalization plans for areas such as North Claymont, Route 202, Route 9 and Kirkwood Highway will aid in redeveloping and maximizing the potential for these historically vibrant non-residential areas. (see I.B, C, D, E)
- New Castle County is investing \$40 million to enhance sanitary sewer service in the vicinity of Delaware City to encourage development and use of industrial property near the Delaware City refinery. (see I.F)

## **Community Design**

- We continue to work with Claymont, Hockessin and Centreville Design Review Advisory Committees (DRACS) as they review development and redevelopment proposals within their overlay areas. North St. Georges has been inactive but is working to create their DRAC.
- Guiding Principles that would apply to the design review process for new plans have been drafted that will help to ensure that design components are available as part of the review process. (see III.A)



### **Inter-Governmental Coordination**

- In addition to routine and regular meetings with DelDOT, WILMAPCO and DNREC on issues of joint concern, New Castle County has also reached out to the State Fire Marshal's Office to improve coordination of our permitting and planning reviews.
- The implementation of ePlans (electronic plan review) provides an opportunity for all County and State agencies to review submissions concurrently and to contribute to thorough and timely reviews for applicants in the land use process. (see VI.A; VII.C)

### **Intra-Governmental Coordination**

- ePlans will be utilized by all county departments contributing to the review of plans and permits. (see VI.A; VII.C)
- The following boards and committees, populated by members of the public, make decisions or recommendations to the Department and/or County Council regarding a variety of land use issues:
  - Board of Adjustment
  - Historic Review Board
  - License Inspection Review Board
  - Planning Board
  - Resource Protection Area Technical Advisory Committee
  - Centerville Design Review Advisory Committee
  - Claymont Renaissance Design Review Advisory Committee
  - Hockessin Village Design Review Advisory Committee

❖ List the comprehensive plan objectives as compared with actual results at date of report.

### **Future Land Use**

1. Continue to manage new growth consistent with Smart Growth Principles that require adequate facilities and concurrency as well as protection of important resources.  
Ongoing
2. Continue to guide new development to Northern New Castle County to achieve greater use of existing infrastructure and public resources.  
Ongoing
3. Continue to support new residential development strategies of the incorporated areas and municipalities to help guide new growth to cities and towns.  
Ongoing
4. Continue to guide mixed use, mobility-oriented growth and infill into the Commercial/Office/Industrial Development Areas.  
Ongoing – proposed Economic Empowerment Districts (EED) (see I.A)