

Chapter 1: Introduction

1.0 Purpose and Legal Basis

The current *Comprehensive Development Plan for New Castle County* was adopted in 1988 and updated in 1997, 2002, and 2007. It superseded the County's previous plan that had been in place since 1967. The *1988 Plan* was a significant document that established the long-term development goals for New Castle County based on growth management principles. The 1997, 2002, and 2007 Plan Updates refined these goals using current land use principles, demographic trends and land use patterns. These plans established objectives and implementation strategies to guide County policy decisions.

Pursuant to Delaware's Quality of Life Act (9 Del. C. §2651 et seq.), New Castle County had been required to prepare and adopt a *Comprehensive Development Plan Update* once every five years, or by January 2012. During the course of this plan update process, the requirement changed to once every ten years, thus the next plan update will be required by January 2022. This Plan is a very important tool that the County uses to re-examine its goals and objectives regarding land development and the strategies to help us achieve our goals. The *1988 Plan, 1997, 2002, 2007, and 2012 Updates* were all prepared in conformity with the "Quality of Life Act of 1988." The *Comprehensive Development Plan Update* includes the following required elements: Economic Development, Housing, Conservation (including Agriculture), Historic Preservation, Recreation and Open Space, Accomplishments, Intergovernmental Coordination, Mobility, Water and Sewer, Community Facilities, and Future Land Use, as well as optional elements addressing Community Design and Stormwater Management.

The *2012 Update* is aligned with the agenda items listed in the "Livable Delaware" program introduced in 2001. Its objectives and strategies are aimed directly at refining the County's growth management program and County Code in accordance with the State's "Spending Strategies" defined under the "Livable Delaware" initiative while still addressing the requirements of the "Quality of Life Act."

1.1 Planning Process

In December of 2010, a Kickoff meeting was held with the staff of the New Castle County Department of Land Use and the general public. The purpose of this meeting was to introduce the 2012 Comprehensive Plan Update project, process, and timeline. At this meeting, attendees were asked to participate in several activities designed to get a first look at the important issues facing the County's residents and businesses.

Over the next several months, Topic meetings were held with staff of the New Castle County Department of Land Use and the general public. The purpose of these meetings was to focus on specific topics. These meetings, and their associated topics, were as follows:

February 2, 2011:	Future Land Use #1
February 9, 2011	Mobility and Transportation
February 23, 2011	Water & Sewer
March 9, 2011	Conservation & Natural Resources
March 23, 2011	Historic Preservation and Housing
March 30, 2011	Future Land Use #2
April 13, 2011	Economic Development & Agricultural Industries/Preservation
April 27, 2011	Community Design
May 11, 2011	Intra-Governmental Coordination
May 25, 2011	Inter-Governmental Coordination
August 10, 2011	Implementation Strategies

Planning consultants Johnson, Mirmiran and Thompson (JMT) were contracted to facilitate the planning process, including the public meetings. JMT created and maintained a website for this project, which was linked via the New Castle County Government website.

Throughout the planning process, several surveys were created and the public was encouraged to participate. These surveys included:

Comprehensive Plan Survey. This survey asked general question about perceptions of New Castle County, what the public would like to see or not see in the future, and what types of planning activities should be prioritized in the 2012 Comprehensive Plan Update.

Visual Preference Survey: This survey provided numerous pictures depicting various land uses and asked participants to rate their opinion of what was shown.

Transportation Visual Preference Survey. As with the land use visual preference survey, this survey provided numerous pictures depicting various transportation situations and asked participants to rate their opinion of what was shown.

The details of each of these meetings and the outcomes of each of the activities and surveys can be found within the Appendix of this document.

1.2 Vision

To preserve New Castle County as a strong community, where residents can grow up and grow old in a healthy and safe environment, by encouraging environmentally and economically sustainable use of land, which protects the county's natural, cultural, agricultural, and historic resources.

The 2007 plan update set forth a lengthy vision of New Castle County's future based on several critical components. These components remain the basis of the 2012 Vision. These key components continue to rely upon four core principles of community planning:

1. Support blending and connecting of new growth to existing communities.
2. Emphasize the need to locate appropriate new growth areas and support redevelopment in established communities as a method of preserving valuable, limited resources while controlling infrastructure costs.
3. Require the coordinated delivery of public and private sector services to meet the needs of residents.
4. Recognize that an equitable sharing of the costs and benefits of growth comes by expecting that growth in infrastructure or services should pay for itself.

1.3 What Will Change

The purpose of this document is to provide an update to the Comprehensive Plan. In doing so, the goals, objectives, and strategies identified in the 2007 plan update were reviewed and evaluated. Since the implementation of the 2007 plan update, an economic recession occurred which had a significant impact on housing, employment, and economic growth. To that end, much of the growth anticipated in the 2007 plan update did not occur. Development which did occur, followed a pattern which had been planned for and anticipated.

In general, this 2012 plan update is very similar to its predecessor. Unlike prior plan updates, this new plan update will be in effect for a ten-year period. The focus of this plan is to look further out than in past updates. Long-term changes proposed in this plan will not directly impact most established residential communities in the County. Through redevelopment, residents may see new businesses appear where vacant buildings now stand or multi-story developments that contain commercial and residential spaces where a strip mall sits today. Growth in southern areas of the County will continue, but may look somewhat different under the policies proposed in this comprehensive development plan than it would under current County code.

For residents who live in the Existing Community Area, this draft plan will not change the character of their neighborhoods. Where infill growth occurs, it will be based largely on existing growth patterns and styles. Open space will continue to be preserved and policies will factor in stormwater and other environmental factors.

Commercial/Office/Industrial Development Areas, located primarily along transportation corridors and industrial areas, will be targeted for continued revitalization, with new opportunities for developing mixed-use projects, such as multi-story buildings that offer street level retail with office space or residential space on higher floors. By prioritizing and incentivizing redevelopment, the County can revitalize vacant properties that have infrastructure in place, reinvest in the community, preserve undeveloped green spaces in other areas and bring economic development to older, undervalued areas of the County.

The area that will experience the most changes in the County over the longer term is the area described as the New Community Development Area. The New Community Development Area will experience more concentrated building than other areas of the County, in terms of new residential and commercial building and in terms of infrastructure, like sewers, schools and roads. There will be traditional low-density suburban neighborhoods but also more innovative development, including building mixed use communities, building more densely to allow for smaller lot sizes and more flexibility to meet the needs of an aging, changing population.

Residents who live in the Low Density Residential Areas, located east and west of the New Community Development Area below the C&D Canal, will see less change in the speed and style of construction during the next decade of development. Instead, the pace of new construction and of infrastructure construction is likely to be slower. More land in these areas may also be preserved, as property owners take advantage of the ability to sell development rights through a strengthened Transfer of Development Rights (TDR) program.

Finally, those who live and work in areas designated as Resource and Rural Preservation Areas for New Castle County will find that this comprehensive development plan includes features that promote public and private sector preservation efforts. Agriculture, once the primary industry in the County, continues to thrive, with more than 300 active working farms still in place, but the pressure to sell dwindling green spaces grows as the County and State grow. Additional preservation of our agricultural land will need to be accomplished through an enhanced and practical transfer of development rights program as well as additional public and private investment into the various farmland preservation programs. These preservation efforts will result in farmland and forested areas being preserved and ensure that the agricultural economy will remain vibrant in New Castle County.

1.4 Obstacles and Challenges

As with the 2007 Comprehensive Plan Update, obstacles and challenges still lie in the path of progress with respect to long term comprehensive planning in New Castle County. Many of the same obstacles and challenges identified in the 2007 plan update remain in this 2012 plan update. In addition, new challenges have emerged.

Over the past several years, the economy has been rattled by a crash of the residential and nonresidential markets. Housing values and new construction have declined significantly. Foreclosures have resulted in a sharp increase in the number of vacant homes. In addition, an overall economic recession has led to decreased retail sales, decreased manufacturing, and increased unemployment. All these factors have also led to a decrease in revenues to the County, municipalities, and schools.

In addition to direct economic challenges, the demographic changes in New Castle County, and elsewhere, have led to the conclusion that existing housing stock is not necessarily appropriate for the County's aging population. Aging residents will be seeking smaller homes within walkable communities. The number of families seeking large single-family detached dwellings will be decreasing, leaving a large supply of such homes with a much smaller demand for such homes.

Other obstacles and challenges carried forward from 2007 include:

Property Rights and Community Rights

The County cannot grow more land and, as population increases, the pressure for development and the pressure for preservation becomes more intense. The land is largely held in private ownership which limits government's discretionary authority over its use. The U.S. Constitution includes strong language protecting property rights and repeated Supreme Court decisions have upheld those rights. Weighing the rights of property owners with the rights of neighbors and of the overall community forms the very basis of the comprehensive planning process. This is frequently recognized as a struggle between individual property rights and community impacts.

Environmental Challenges

A growing body of scientific data has quantified the impact that poorly planned growth has on the environment. At the national, state and local levels, volumes of regulations now dictate how development must interact with the natural environment. At the federal level, two significant bodies of law mandate the protection of resources – the Clean Water Act and the Clean Air Act. Air and water – both essential for plant and animal life – should continue to be protected in a more comprehensive fashion than in the past.

The Clean Water Act requires that the County take steps to remove pollutants from the waterways. How land is used and re-used has a direct bearing on the accessibility of pollutants to waterways and must be evaluated based upon the impact on water. As the County sets goals for development and

redevelopment, improvements to water quality will continue to be a necessary focus of legislation and development review.

The Clean Air Act has historically been a challenge for the State in planning for transportation improvements and emissions requirements, but increasingly is a critical component of County growth policies as well. As a non-attainment area for ground-level ozone, New Castle County is mandated by the federal government to meet higher emissions standards. Tougher state vehicle inspections programs, stricter industrial emission requirements and cleaner burning gasoline have all helped to reduce ground level ozone levels.

A more recent global concern regarding carbon dioxide levels and other “greenhouse gases” has led to efforts to reduce the amount of carbon dioxide (CO₂) that is released into the atmosphere. The United States is the leader in CO₂ emissions, being responsible for 25% of emissions worldwide. CO₂ is released into the atmosphere by a number of processes. The more energy used to serve buildings and homes, the more CO₂ is released. The more private transportation is used, the more CO₂ is released. This impacts comprehensive development planning with respect to the location of the roads and growth areas as well as the standards of construction.

Infrastructure and Existing Communities

Much of the area surrounding the City of Wilmington was developed in the post-World War II years when many returning servicemen and women embraced a suburban lifestyle. This development took place before the implementation of many of today’s infrastructure and environmental regulations. Providing necessary infrastructure such as roads and sewer service in existing areas may mean service expansions that require land that has become extremely expensive. Those facilities already in place have reached the point where extensive maintenance is necessary. The increase in the use of the automobile means that existing transportation arteries are congested not only because more people live in the area, but because a greater percentage of the population use the automobile and the length of their trips – to work, to shop, to attend school – has increased.

Stormwater management in the older settled areas of the County is minimal. New Castle County has suffered several intense storms in recent years that have underscored the danger to existing homes and businesses that were built in floodplains or without an integrated system for handling runoff. As New Castle County has grown, the County has also learned more about the impact that human populations have on the environment. As the County evaluates plan strategies to absorb more growth in pre-developed areas, the County will be challenged to do so in a way that helps to mitigate previous impacts and provides citizens with adequate levels of service.

Is Growth Desirable or Inevitable?

Fearful that more growth will have a negative effect on their way of life, some residents would prefer that the County adopt policies that would push the growth beyond the County's borders. As much as this would seem to be a tempting option, the reality is that there are no invisible walls at the borders and, should the County force the growth to go to surrounding counties, the impact will still be felt here. Infrastructure will still be impacted by those who are now living elsewhere and traveling to New Castle County for work, or by those who are working elsewhere and still make New Castle County their home. Modeling conducted to evaluate the impact of policies that would push some of the projected growth elsewhere demonstrated that the number of vehicles miles traveled and the amount of time spent traveling would both increase. A smaller percentage of the population would be located in areas served by transit. New Castle County already sees the impact of these 'in-migrations' for employment. The environmental impacts of growth do not respect County lines and will continue to be felt here, yet we will have no say in how that growth occurs. Finally, a no-growth policy will create an ever-increasing financial burden on residents as they will bear the cost of all these impacts.

Equity is an important concern. While residents faced with tough economic circumstances and other personal challenges are sometimes less able to be actively engaged in the process, New Castle County must value and reflect the concerns and interests of all residents as the County proposes new plans and policies regarding land use and growth. Defining how the County grows, the types of housing and businesses that appear, the number of parks or libraries the County builds and the way different governments will work together impacts all residents, regardless of age, income or housing situation.

Many of the challenges that New Castle County faces are not the County's alone but require the coordination and cooperation of different levels of government, private sector interests and non-profits. In the past, this coordination has at times been inconsistent and piecemeal. For comprehensive planning to work at its best, it is critical that all involved parties take their respective places at the table, not only during the planning but throughout the implementation.

Fiscal Concerns

Finally, there is the financial challenge. How to pay, when to pay and who pays for needed services is an ongoing debate. In recent years, impact fees have been implemented to redirect more of the costs for infrastructure expansion to new homes and businesses. This drives up the cost of housing, adding to the affordable housing dilemma. Acquiring property easements for resource and agricultural protection means determining a way to pay for those easements – either outright or through trade-offs. Establishing a formula that is fair to all stakeholders is an ongoing challenge and one that will be continuously examined and re-examined as the County moves forward.

These challenges impact the overall Comprehensive Development process and there are others that apply directly to more particular aspects of the planning process. Throughout this plan you will see other challenges that exist and the strategies the County will propose to meet all these challenges.

With all of the challenges before us, New Castle County is fortunate to have many people representing many points of view who are committed to working together. The plan that the County has created seeks to address each of these challenges and to address the relationship between all of these critical components. New Castle County will never be without challenges, but the County will continue to face each one and to work with all stakeholders to find solutions.